



RECEIVED
DEC 26 2012
BY:

ADM – Benson Quinn
701 4th Avenue South – Suite 800
Minneapolis, MN 55415-1633
Ph. 612-340-5900
Fax: 612-335-2948

December 4, 2012

Dear Hennepin County, Housing, Community Works & Transit:

I am writing to you on behalf of ADM-Benson Quinn (ADM-BQ). ADM-BQ has been providing agricultural services in the form of grain origination, merchandising and transportation services to the country elevators and farmers in south central Minnesota since 1920. We have recently made a substantial investment at Brownton, MN located on the TC&W in a greenfield grain storage and handling facility for origination of local grain production. This investment was made in partnership with United Farmers Coop.

We rely on grain origination from this region to feed ADM’s export assets to supply destination markets across the globe. Rail is an integral part of this link from producer to export market. Minnesota has a long-lived, rich history of linking its farmer-producers to export markets. This linkage has become a vital part of the fabric of Minnesota’s economy. A disruption to this transportation system will have an adverse effect on the agricultural economy of this region.

We have reviewed the design as recommended in the Southwest Transitway Draft Environmental Impact Statement (DEIS), which recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012, will result in increased costs for TC&W to operate its trains to and from ADM-BQ facilities. With increased competitive pressures and tightening margins, it is imperative that we continue to strive towards providing Minnesota’s farming regions with the most cost-effective transportation system possible. It is critical that ADM-BQ retains the economical freight rail transportation option which is provided by TC&W. It is our understanding that TC&W has encouraged you to consider alternatives that would be less intrusive to the existing freight business and that several of these alternatives would be less costly and more conducive to serving the needs of all parties involved. Therefore, we could support the following alternatives to your recommended design:

C

- 1) Do engineering for the reroute that meets TC&W’s engineering standards;
- 2) Co-locate the SWLRT with the current freight route;
- 3) Reroute freight back to the 29th Street Corridor, where the TC&W ran until 199
- 4) Route the SWLRT up the MN&S rail line.

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We are hopeful we can work together to find a solution that will yield a fair and economically viable result to benefit all parties affected. We are confident an alternative solution can be reached. We would be happy to participate in discussions towards this end.

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Sincerely,

ADM-BENSON QUINN, A DIVISION OF
ARCHER DANIELS MIDLAND COMPANY

Scott D. Nagel, President

340 Michigan St. SE
P.O. Box 609
Hutchinson, MN 55350-0609



Phone: 320-587-2133
800-328-5189
Fax: 320-587-5816
www.agritradingcorp.com

November 28, 2012

Dear Hennepin County, Housing, Community Works & Transit

Attn: Southwest Transitway

We, the Agri Trading Corp. depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the Agri Trading Corp. understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We, the Agri Trading Corp. further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012, will result in increased costs for TC&W to operate its trains to and from Agri Trading Corp.

C

It is important that Agri Trading Corp retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

- 1) Do engineering for the reroute that meets TC&W's engineering standards,
- 2) Co-locate the SWLRT with the current freight route,
- 3) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
- 4) Route the SWLRT up the MN&S rail line

C

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Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

C

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

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We, the Agri Trading Corp. oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

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Sincerely,

Stephen Borstad
Agri Trading Corp.



BIRD ISLAND BEAN CO LLC

Common sense solutions for Central Minnesota's dry bean growers.

December 4, 2012

Dear Hennepin County, Housing, Community Works & Transit-Attn: Southwest Transit Way:

We, Bird Island Bean Co, LLC, depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We understand that the Southwest Transit Way Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transit Way (SWLRT). We, Bird Island Bean Co, LLC, further understand, based on the information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Bird Island Bean Co.

C

It is imperative that Bird Island Bean Co, LLC, retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

- 1.) Do engineering for the reroute that meets TC&W's engineering standards,
- 2.) Co-locate the SWLRT with the current freight route,
- 3.) Reroute freight back to the 29th St. Corridor, where TC&W ran until 1998, or
- 4.) Route the SWLRT up the MN&S rail line.

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Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

C

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is vital to allow us in rural Minnesota to compete in the global marketplace, we respectfully request that Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and work to arrive at a acceptable design, as we depend on economical freight rail transportation.

C

We, Bird Island Bean Co, LLC oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation option.

C

Sincerely,
Larry Serbus

Curt Meyer

Larry Serbus, owner
Curt Meyer, owner
Bird Island Bean Co, LLC

320-365-3070 P.O. Box 249 | East Hwy 212 | Bird Island, MN 53310 www.bibcllc.com

**BIRD ISLAND SOIL SERVICE CENTER INC.
511 OAK AVE
BIRD ISLAND, MN 55310
320-365-3655 or 800-369-2812**

November 26, 2012

Dear Hennepin County, Housing Community Works & Transit – Attn:
Southwest Transitway:

Bird Island Soil Service Center depends on the Twin Cities & Western Railroad Company for economical freight rail transportation. Because the Southwest Transitway Draft Environmental Impact Statement recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway our rail freight will see increased costs.

C

We support light rail transportation, but not the current proposed route that will increase rail freight. We recommend that Hennepin County and others involved find a solution that keeps rail freight competitive. It makes no sense to us to use light rail to remove vehicles from the roadways just to add trucks, because to noncompetitive rates.

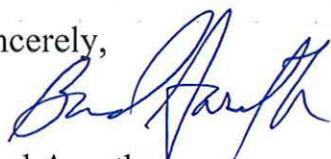
C

C

Bird Island Soil Service Center opposes the current freight rail relocation design and hope that a better solution can be found.

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Sincerely,



Brad Aaseth
General Manager



CENTRAL BI-PRODUCTS

590 West Park Road
P.O. Box 319
Redwood Falls, Minnesota 56283-0319

Phone: 507-637-2938
Fax: 507-637-5409
www.centralbi.com

December 3, 2012

Hennepin County, Housing, Community Works & Transit
Attn: Southwest Transitway

Dear Hennepin County, Housing, Community Works & Transit:

Central Bi-Products depends on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. Central Bi-Products understands that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). Central Bi-Products further understands, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Central Bi-Products.

C

It is imperative that Central Bi-Products retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

- 1.) Do engineering for the reroute that meets TC&W's engineering standards.
- 2.) Co-locate the SWLRT with the current freight route,
- 3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
- 4.) Route the SWLRT up the MN&S rail line.

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Therefore, we recommend that Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

C

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend that Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design as we depend on economical freight rail transportation.

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Central Bi-Products opposes the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommends that the freight rail issues be resolved to preserve our economical freight rail transportation options.

C

Sincerely,
Central Bi-Products

Duane Anderson
Chief Operating Officer

11/27/12

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

We, the Central Bi-Products depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the Central Bi-Products understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We the Central Bi-Products further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Central Bi-Products.

C

It is imperative that Central Bi-Products retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

- 1.) Do engineering for the reroute that meets TC&W's engineering standards,
- 2.) Co-locate the SWLRT with the current freight route,
- 3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
- 4.) Route the SWLRT up the MN&S rail line

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Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

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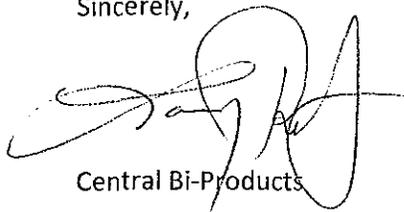
Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

C

We, the Central Bi-Products oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

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Sincerely,



Central Bi-Products

Clinton Co-op Farmers Elevator Association

Box 371
Clinton, Minnesota 56225

NOV 28, 2012

Phone: (320) 325-5404
Fax: (320) 325-5405

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

We, the Clinton Elevator depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the Clinton Elevator understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We the Clinton Elevator further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Clinton Elevator.

C

It is imperative that Clinton Elevator retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

- 1.) Do engineering for the reroute that meets TC&W's engineering standards,
- 2.) Co-locate the SWLRT with the current freight route,
- 3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
- 4.) Route the SWLRT up the MN&S rail line

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Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

C

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

C

We, the Clinton Elevator oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

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Sincerely,

Ben Schumme, Manager

Clinton Elevator

Sandy Gillette
Grain Buyer



December 3, 2012

Dear Hennepin County Housing, Community Works & Transit – Attn: Southwest Transitway:

Cloud Peak Energy depends on Twin Cities & Western Railroad Company (TC&W) for economical freight transportation into Minnesota. We understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends relocation of the freight rail route used by TC&W to accommodate the Southwest Light Rail Transitway (SWLRT). We have been informed by TC&W that the recommended freight rail relocation design in the preferred alternative LRT3A as shown in the DEIS released on October 12, 2012 would result in increased costs for TC&W to operate its trains to and from our delivery points.

C

TC&W provides an economical freight transportation option for us to bring product to many areas of Minnesota. We fear that increased operational costs on TC&W related to this change will be passed on to our customers. This would limit the ability to economically bring product into many areas of Minnesota served by TC&W and its logistics chain, which would have a negative socio-economic impact on businesses and the regional economies in those areas, likely resulting in net negative economic impacts against the projected localized development surrounding alignment and station areas with the preferred alternative.

C

We understand that TC&W may have some solutions that work for both the SWLRT and TC&W's freight rail operations, some of which were alternatives considered under the DEIS. The potential solutions TC&W has described to us include (1) co-locating the SWLRT with the current freight route, (2) re-routing the freight back to the 29th Street corridor, where TC&W ran until 1998, (3) routing the SWLRT up the MN&S rail line or (4) engineering a re-route of the freight rail that meets TC&W's engineering standards. For the benefit of our customers and their communities in Minnesota, we respectfully ask that you consider alternative proposals provided by TC&W that can address concerns related to the SWLRT and still allow TC&W to continue operations in an economical manner.

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Sincerely,

Cloud Peak Energy Resources LLC

By: [Signature]
Name: Jim Orchard

on behalf of JB

Title: Sr. Vice President, Marketing and Government Affairs

12/3/2012



November 26, 2012

Dear Hennepin County, Housing, Community Works & Transit – Attn: Southwest Transitway:

We, Coop Country Farmers Elevator (CCFE) depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. CCFE understands that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). CCFE further understands, based on the information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC &W to operate its trains to and from CCFE.

C

It is imperative that CCFE retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

- 1) Do engineering for the reroute that meets TC&W's engineering stands,
- 2) Co-locate the SWLRT with the current freight route,
- 3) Reroute freight back to the 29th St. Corridor, where TC&W ran until 1998, or
- 4) Route the SWLRT up the MN&S rail line

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Therefore, we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

C

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

C

CCFE opposes the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

C

Sincerely,

Craig Hebrink
President & CEO

Corona Grain & Feed

PO Box 107

Phone: 605-432-6206

Corona, SD 57227

Fax: 605-432-9282

November 27, 2012

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

We, The Corona Grain & Feed, depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the Corona Grain & Feed understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We, the Corona Grain & Feed further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Corona Grain & Feed.

C

It is imperative that Corona Grain & Feed retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

- 1) Do engineering for the reroute that meets TC&W's engineering standards,
- 2) Co-locate the SWLRT with the current freight route,
- 3) Reroute freight back to the 29th St. Corridor, where TC&W ran until 1998, or
- 4) Route the SWLRT up the MN&S rail line

G1 C
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Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

C

Sincere rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

C

We, the Corona Grain & Feed oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

C

Sincerely,



Jerry Settje, Manager

Corona Grain & Feed



November 27, 2012

Dear Hennepin County, Housing, Community Works & Transit-ATTN: Southwest Transitway

The Dairy Farmers of America Winthrop, MN dairy plant depends on the TC&W for providing our dairy plant with the lowest cost butter fat and other dairy ingredients we need to produce our finished goods butter oil. The Winthrop, MN butter oil is exported internationally to fifteen countries. The Winthrop plant also requires up to (7) seven truckloads per week of locally produced Renville sugar. Without the TC&W rail service our raw material costs would be 20% higher due to the higher costs of truck rates versus rail rates. Any higher rail rates jeopardize the future jobs of the sixty (60) employees working at the Winthrop, MN plant.

C

The Dairy Farmers of America Winthrop, MN plant understands that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the SWLT. We further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for the TC&W to operate its trains to and from the Dairy Farmers of America Winthrop, MN plant.

C

It is imperative that the Dairy Farmers of America Winthrop, MN plant retain an economical freight rail transportation option which is provided by the TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

C

- 1. Do engineering for the reroute that meets TC&W's engineering standards
- 2. Co-locate the SWLRT with the current freight route
- 3. Reroute freight back to the 29th St Corridor, where TC&W ran until 1998 or
- 4. Route the SWLRT up the MN&S rail line

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Therefore, we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

C

Since rural Minnesota provides a significant amount of exports from the State of Minnesota we recommend Hennepin County and the Met Council reject the freight design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

C

The Dairy Farmers of America Winthrop, MN plant opposes the freight rail relocation design recommendation in the DEIS based on the information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

C

Sincerely

Tom Otto
Plant Manager

December 3, 2012



Dear Hennepin County, Housing, Community Works & Transit-ATTN: Southwest Transit:

We, Equity Elevator & Trading Co. depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the Equity Elevator & Trading Co. understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the South Light Rail Transitway (SWLRT). We the Equity Elevator & Trading Co. further understand, based on information provided by TC&W, that the recommended freight rail location design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Equity Elevator & Trading Co..

C

It is imperative that Equity Elevator & Trading Co. retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

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- 1.) Do the engineering for the reroute that meets TC&W's engineering standards,
- 2.) Co-locate the SWLRT with current freight route,
- 3.) Reroute freight back to the 29th St Corridor, where TCW ran until 1998 or
- 4.) Route the SWLRT up to the MN&S

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G2 G2

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in DEIS. And work with the DEIS to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

C

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

C

We, the Equity Elevator & Trading Co. oppose the freight rail relocation design recommendation in the DEIS based on information provided by TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

C

Sincerely,

Rodney Winter, General Manager

Equity Elevator & Trading Company



Farmers Co-operative Elevator Co.

1972 510th Street
 P.O. Box 59
 Hanley Falls, MN 56245-0059
 507-768-3448

Cottonwood	507-423-6235
Echo	507-925-4126
Ghent	507-428-3255
Granite Falls	320-564-3834
Minneota	507-872-6134
Minnesota Falls	320-564-3835
Montevideo	320-269-6531
Taunton	507-872-6161

December 3, 2012

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

The Farmers Co-operative Elevator Company of Hanley Falls (FCE) depends on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. FCE understands that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from our locations at Montevideo, Granite Falls, Echo and Minnesota Falls. C

It is imperative that FCE retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be: C

- 1.) Do engineering for the reroute that meets TC&W's engineering standards,
- 2.) Co-locate the SWLRT with the current freight route,
- 3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
- 4.) Route the SWLRT up the MN&S rail line

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On behalf of our two thousand Patron/Owners, we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation. C

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation. C

The Farmers Co-operative Elevator Company of Hanley Falls along with our Patron/Owners oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options. C

Sincerely,


 Scott Dubbelde, General Manager

FARMERS UNION CO-OP OIL COMPANY

CENEX

MONTEVIDEO GRANITE FALLS



MONTEVIDEO, MINNESOTA 56265
Phone: (320) 269-8861
124 West Nichols Ave

GRANITE FALLS, MINNESOTA 56241
Agri Center: (320) 564-3833
C-Store: (320) 564-2525

December 3, 2012

Dear Hennepin County, Housing, Community Works & Transit – Attn: Southwest Transitway:

We, the Farmers Union Coop Oil Company depend on the Twins Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the Farmers Union Coop Oil Company understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We, the Farmers Union Coop Oil Company further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Farmers Union Coop Oil Company.

C

It is imperative that Farmers Union Coop Oil Company retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

C

- 1.) Do engineering for the reroute that meets TC&W's engineering standards,
2.) Co-locate the SWLRT with the current freight route,
3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
4.) Route the SWLRT up the MN&S rail line.

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Therefore, we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

C

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

C

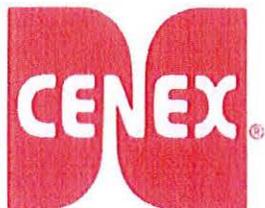
We, the Farmers Union Coop Oil Company oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

C

Sincerely,

Glen C Moe

Glen C. Moe, General Manager
Farmers Union Coop Oil Company
124 W Nichols Ave
Montevideo, MN 56265



Farmers Cooperative Oil Company

P.O. Box 157
461 2nd Avenue West,
Echo, MN 56237-0157
Phone 507-925-4114 • Fax 507-925-4159

Belview C-Store
507-938-3069

Belview Electric
507-938-4133

Sacred Heart C-Store
320-765-2752

December 5, 2012

Dear Hennepin County, Housing, Community Works & Transit
Attn: Southwest Transitway:

We, the Farmers Coop Oil & Fertilizer depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the Farmers Coop Oil & Fertilizer understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We, the Farmers Coop Oil & Fertilizer further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Farmers Coop Oil & Fertilizer.

C

It is imperative that Farmers Coop Oil & Fertilizer retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

C

1. Do engineering for the reroute that meets TC&W's engineering standards.
2. Co-locate the SWLRT with the current freight route,
3. Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
4. Route the SWLRT up the MN&S rail line

G1

C

G2

G2

Therefore, we recommend Hennepin County and the Met Council address TC&W's concerns over the design freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

C

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

C

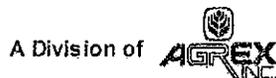
We, the Farmers Coop Oil & Fertilizer oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC& W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

C

Sincerely,

Jon Ahrens
Farmers Coop Oil & Fertilizer

JA/dk



300 Highway 169 South, Suite 360
St Louis Park MN 55426-1119
952-852-2999 Phone, 952-852-2998 Fax

November 27, 2012

Dear Hennepin County, Housing, Community Works & Transit - Attn: Southwest Transitway:

FGDI depends on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). Based on information provided by the TC&W, the recommended freight rail relocation design as shown in the DEIS released October 12, 2012 will result in increased costs for TC&W to operate its trains.

C

It is very important that FGDI retain an economical freight rail transportation option as provided by the TC&W. The design recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your design would be:

C

1. Do engineering for the reroute that meets TC&W's engineering standards,
2. Co-locate the SWLRT with the current freight route,
3. Reroute freight back to the 29th Street corridor, where TC&W ran until 1998, or
4. Route the SWLRT up the MN&S rail line.

G1 C
G2 G2

Rural Minnesota provides a significant amount of exports from the State of Minnesota and economical freight rail transportation is vital to allow rural Minnesota to compete in the global marketplace. Hennepin County and the MET Council should reject the freight rail design as recommended in the DEIS and arrive at an acceptable design.

C

We strongly urge Hennepin County and the MET Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

C

Sincerely,

Bob Mortenson
Dwayne Meier
Dan Halverson
Beth Grashorn

FGDI A Division of Agrex Inc



Tech Service / Marketing Fax 320-562-2834
Phone 320-562-2413 • Toll Free 1-800-422-3649 • Fax 320-562-2125
www.formafeed.com

December 4, 2012

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

Dear Hennepin County, Housing, Community Works & Transit - Attn: Southwest Transitway:

Form-A-Feed, Inc is located in Stewart, MN and we rely on the Twin Cities & Western Railroad Company for economical freight rail transportation. We understand that the recommended freight rail relocation design as shown in the DEIS released October 12, 2012 will result in increased costs for TC & W to operate its trains to Stewart, MN. Several businesses in greater Minnesota rely on this railway to maintain a competitive edge in the market place and these changes will increase costs to our businesses.

C

It is important to Form-A-Feed to retain an economical freight rail transportation provided by TC & W. The design recommended in the DEIS will not help us maintain our competitiveness. After correspondence with TC & W we have alternatives to your recommended design:

C

- Do engineering for the reroute that meets TC & W's engineering standards
- Co-locate the SWLRT with the current freight rout
- Reroute freight back to the 29th St Corridor, where TC & W ran until 1998
- Route the SWLRT up the MN&S rail line

G1 C
G2 G2

We recommend Hennepin County and the Met Council address TC & W's concerns over the design of the freight rail relocation and find a solution that is economical for all parties.

C

Rural Minnesota provides a significant amount of exports from the State of Minnesota and economical freight rail transportation is imperative to allow us to compete in the global marketplace. We oppose the freight rail relocation design recommendation and recommend that the freight rail issues be resolved to preserve an economical freight rail transportation options.

C

Sincerely,

Larry Schuette
General Manager, Form-A-Feed, Inc



Glacial Plains Cooperative

Partners you can count on

www.glacialplains.com

December 3, 2012

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

We, the Glacial Plains Coop, depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the Glacial Plains Coop, understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We, the Glacial Plains Coop, further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Glacial Plains Coop. C

It is imperative that Glacial Plains Coop retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation Alternatives to your recommended design would be: C

1. Do engineering for the reroute that meets TC&W's engineering standards,
2. Co-locate the SWLRT with the current freight route,
3. Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
4. Route the SWLRT up the MN&S rail line

G1 C
G2 G2

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation. C

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation. C

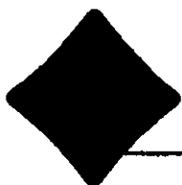
We, the Glacial Plains Coop, oppose the freight rail relocation design recommendation in the DEIS based on the information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options. C

Sincerely,

Tom Traen

General Manager, Glacial Plains Cooperative

T 320-875-2811 ♦ F 320-875-2813 ♦ 543 Van Norman Ave. ♦ Murdock, MN 56271



Glacial Plains Cooperative

Partners you can count on

www.glacialplains.com

November 27, 2012

Dear Hennepin County, Housing, Community Works & Transit:

Attention: Southwest Transitway

We at Glacial Plains Cooperative depend on the Twin Cities and Western Railroad Company (TC&W) for economical freight rail transportation. Glacial Plains Coop understands that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We also understand, based on information provided by TC&W, the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012, will result in increased costs for TW&W to operate trains to and from Glacial Plains Cooperative. [C]

It is imperative that Glacial Plains Coop retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our current freight rail transportation. Alternatives to your recommended design would be: [C]

1. Do engineering for the reroute that meets TC&W's engineering standards.
2. Co-locate the SWLRT with the current freight route.
3. Reroute freight back to the 29th Street Corridor, where TC&W ran until 1998.
4. Route the SWLRT up the MN&S rail line.

[G1] [C]
[G2] [G2]

We recommend Hennepin County and the Met Council address TC&W's concerns over the design of freight rail relocation shown in the DEIS and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation. [C]

Since rural Minnesota provides a significant amount of exports from the State to Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design. Glacial Plains Cooperative depends on economical freight rail transportation. [C]

Glacial Plains Cooperative opposes the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options. [C]

Sincerely,

Lois Lovehaug
Glacial Plains Cooperative

T 320-875-2811 ♦ F 320-875-2813 ♦ 543 Van Norman Ave. ♦ Murdock, MN 56271

Benson
(Station)

(Energy)
320-842-5311

Benson
(Agronomy)

Benson West
320-843-2563

DeGraff
320-843-5364

Kerkhoven
320-264-3831

Milan
320-734-4435

Murdock
(Agronomy) 1336

Sunburg
320-366-3456



GRANITE FALLS ENERGY, LLC

15045 HIGHWAY 23 SE • P.O. BOX 216 • GRANITE FALLS, MN • 56241-0216
PHONE: 320-564-3100 • FAX: 320-564-3190

11/26/2012

Dear Hennepin County, housing, Community Works and Transit- ATTN: Southwest Transitway:

Granite Falls Energy depends on the Twin Cities & Western Railroad Company for economical freight rail transportation. We at Granite Falls Energy understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the SWLRT. We further understand, based on information provided by the TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased cost for the TC&W to provide trains to and from Granite Falls Energy.

C

It is imperative that Granite Falls Energy retains an economical freight rail option which is provided by the TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

C

- 1) Do engineering for the reroute that meets TC&W's engineering standards,
- 2) Co-locate the SWLRT with the current freight route,
- 3) Reroute freight back to the 29th Street corridor, where TC&W ran until 1998, or
- 4) Route the SWLRT up to the MN&S rail line.

G1 C
G2 G2

We recommend that Hennepin County and the Met Council address the TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

C

Rural Minnesota in general, and Granite Falls Energy specifically, provide a significant amount of exports from the State of Minnesota and having economical freight rail transportation is imperative to allow us to compete in the global marketplace. Due to this we recommend that Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design.

C

Granite Falls Energy opposes the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

C

Sincerely,

Eric M Baukol
Granite Falls Energy, LLC

[Date] 11-26-12

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

We, the Hanley Falls Farmers Elevator depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the Hanley Falls Farmers Elevator understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We the Hanley Falls Farmers Elevator further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Hanley Falls Farmers Elevator.

C

It is imperative that Hanley Falls Farmers Elevator retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

C

- 1.) Do engineering for the reroute that meets TC&W's engineering standards,
- 2.) Co-locate the SWLRT with the current freight route,
- 3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
- 4.) Route the SWLRT up the MN&S rail line

G1

C

G2

G2

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

C

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

C

We, the Hanley Falls Farmers Elevator oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

C

Sincerely,



[Name]

Hanley Falls Farmers Elevator

[Date] 11-26-12

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

We, the Hanley Falls Farmers Elevator depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the Hanley Falls Farmers Elevator understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We the Hanley Falls Farmers Elevator further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Hanley Falls Farmers Elevator.

C

It is imperative that Hanley Falls Farmers Elevator retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

C

- 1.) Do engineering for the reroute that meets TC&W's engineering standards,
- 2.) Co-locate the SWLRT with the current freight route,
- 3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
- 4.) Route the SWLRT up the MN&S rail line

G1 C
G2 G2

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

C

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

C

We, the Hanley Falls Farmers Elevator oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

C

Sincerely,

 [Name] Ben Hedtke
 Hanley Falls Farmers Elevator



HEARTLAND CORN PRODUCTS

53331 State Hwy. 19 • P.O. Box A • Winthrop, MN 55396
Phone: 507-647-5000 • Fax: 507-647-5010

November 26, 2012

Hennepin County
Housing, Community Works & Transit
Attn: Southwest Transitway

Dear Southwest Transitway,

Heartland Corn Products ("Heartland"), a cooperative located in Sibley County, depends on Twin Cities & Western Railroad Company ("TC&W") for economical freight rail transportation. Heartland understands that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Heartland.

C

It is imperative that Heartland retains an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

C

- 1.) Do engineering for the reroute that meets TC&W's engineering standards,
- 2.) Co-locate the SWLRT with the current freight route,
- 3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
- 4.) Route the SWLRT up the MN&S rail line

G1	C
G2	G2

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

C

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

C

Heartland opposes the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

C

Sincerely,

Scott Blumhoefer
Vice President



L.G. EVERIST, INC.

ROCK SOLID SINCE 1876

300 S. PHILLIPS AVENUE, SUITE 200

P.O. Box 5829

SIoux FALLS, SD 57117-5829

PHONE 605-334-5000 • FAX 605-334-3656

December 4, 2012

Hennepin County, Housing, Community Works & Transit

Attn: Southwest Transitway

L.G. Everist, Inc. (LGE) depends on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. It is our understanding that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from LGE.

C

It is imperative that LGE retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

C

1. Do engineering for the reroute that meets TC&W's engineering standards,
2. Co-locate the SWLRT with the current freight route,
3. Reroute freight back to the 29th St. Corridor, where TC&W ran until 1998, or
4. Route the SWLRT up the MN&S rail line.

G1 C
 G2 G2

LGE is asking and recommending that Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

C

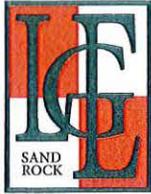
Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design. LGE depends on economical freight rail transportation and opposes the freight rail relocation design recommended in the Southwest Transitway DEIS.

C

C

Sincerely,

Rob Everist
President and CEO



L.G. EVERIST, INC.
ROCK SOLID SINCE 1876

300 S. PHILLIPS AVENUE, SUITE 200
P.O. BOX 5829
SIOUX FALLS, SD 57117-5829
PHONE 605-334-5000 • FAX 605-334-3656

December 4, 2012

Hennepin County, Housing, Community Works & Transit

**See Comment #423 for
Theme Delineations**

Attn: Southwest Transitway

L.G. Everist, Inc. (LGE) depends on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. It is our understanding that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from LGE.

It is imperative that LGE retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

1. Do engineering for the reroute that meets TC&W's engineering standards,
2. Co-locate the SWLRT with the current freight route,
3. Reroute freight back to the 29th St. Corridor, where TC&W ran until 1998, or
4. Route the SWLRT up the MN&S rail line.

LGE is asking and recommending that Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design. LGE depends on economical freight rail transportation and opposes the freight rail relocation design recommended in the Southwest Transitway DEIS.

Sincerely,

Rick Everist
Chairman of the Board



THOMAS P. LOWE
Chairman

JAMES E. HURD
President

300 MORSE AVENUE • MAILING ADDRESS P.O. BOX 40 • EXCELSIOR, MN 55331 • TELEPHONE (952) 470-3600 • FAX (952) 470-3610

December 3, 2012

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

Lyman Lumber Company depends on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Lyman Lumber Company.

C

In the past 10 years, Lyman Lumber Company has received over 3800 rail cars and it is imperative that Lyman Lumber Company retain an economical freight rail transportation option which is provided by TC&W. Not having economical freight rail transportation would cause significant economic harm to our company. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

C

1. Do engineering for the reroute that meets TW&W's engineering standards,
2. Co-locate the SWLRT with the current freight route,
3. Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
4. Route the SWLRT up the MN&S rail line.

C
G1
G2

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

C

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global market place, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

C

Lyman Lumber Company opposes the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

C

Sincerely,

Dale Carlson
President
Lyman Lumber Company



Meadowland Farmers Coop

P.O. BOX 338
LAMBERTON, MINNESOTA 56152
OFFICE 752-7352

Serving the Community Since 1905

November 26, 2012

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

We, the Meadowland Farmers Coop depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the Meadowland Farmers Coop understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We the Meadowland Farmers Coop further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Meadowland Farmers Coop.

C

It is imperative that Meadowland Farmers Coop retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

C

- 1.) Do engineering for the reroute that meets TC&W's engineering standards,
- 2.) Co-locate the SWLRT with the current freight route,
- 3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
- 4.) Route the SWLRT up the MN&S rail line

G1

C

G2

G2

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

C

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

C

We, the Meadowland Farmers Coop oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

C

Sincerely,

Peter Valentin
Meadowland Farmers Coop



P.O. BOX 5477 • HOPKINS, MINNESOTA • 55343
PHONE: (952) 937-8033 • FAX: (952) 937-6910



November 27, 2012

Dear Hennepin County, Housing, Community Works & Transit - ATTN: Southwest Transitway:

We at Midwest Asphalt Corporation depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight transportation. We also understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). Midwest Asphalt Corporation further understands, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Midwest Asphalt facilities.

C

It is imperative that Midwest Asphalt Corporation retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

C

- 1.) Do engineering for the reroute that meets TC&W's engineering standards,
- 2.) Co-locate the SWLRT with the current freight route,
- 3.) Reroute freight back to the 29th St. Corridor, where TC&W ran until 1998, or
- 4.) Route the SWLRT up the MN&S rail line

G1

C

G2

G2

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

C

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

C

Midwest Asphalt Corporation opposes the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

C

Sincerely,
MIDWEST ASPHALT CORPORATION

Blair B. Bury
Blair B. Bury,
President



An Equal Opportunity Employer





December 7, 2012

To: Hennepin County Housing, Community Works & Transit
(Southwest Transitway)

The Minnesota Grain and Feed Association, which represents the interests of over 300 grain elevator, feed mill and farm supply firms operating in Minnesota, wishes to go on record in opposition to the rail freight relocation design recommendation contained in the Draft Environmental Impact Statement (DEIS). It is obvious that the DEIS recommendation will have a negative impact on the Twin City & Western Railroad (TC&W) and ultimately on the cost of freight transportation being incurred by the numerous grain elevator and farm supply firms located on the TC&W.

C

C

Several elevators on the line have invested millions in upgrades to improve their train loading efficiency. These elevators now have the capability to compete in the domestic and international movement of grain via the TC&W. The rerouting of freight traffic to accommodate the SWLRT system as currently proposed, will add unnecessary costs to the infrastructure and will certainly have an adverse impact on all rail users, in terms of increased operational costs by the railroad, reduced travel times and safety concerns with the design recommendations. Again, we question much of the content in the DEIS and suggest going back to the drawing board, to come up with a better solution than the one being proposed.

C

C

Fortunately the EIS is a draft, since it is obvious that more attention needs to be given to the impacts on the operating freight railroad and its many users, who provide hundreds of jobs, pay the bulk of the taxes in many communities along the line, offering market access for thousands of farmers and economic stability for the region. Thank you for your consideration of our views on the DEIS.

C

Sincerely,

Bob Zelenka
Executive Director

November 28, 2012
[Date]

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

We, the Minnesota Valley Regional Rail Coalition depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the Minnesota Valley Regional Rail Coalition understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We the further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from .

C

It is imperative that Minnesota Valley Regional Rail Coalition retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

C

- 1.) Do engineering for the reroute that meets TC&W's engineering standards,
- 2.) Co-locate the SWLRT with the current freight route,
- 3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
- 4.) Route the SWLRT up the MN&S rail line

G1
G2 C
G2

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

C

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

C

We, the oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

C

Sincerely,

Jane Remington

[Name] *Chair*
Minnesota Valley Regional Rail Coalition



The Mosaic Company
12120 Lynn Ave
Savage, MN 55378
www.mosaicco.com

December 3, 2012

Hennepin County Housing, Community Works & Transit
Attn: Southwest Transitway

To Whom it Concerns:

As one of the largest companies headquartered in Minnesota, The Mosaic Company, is dedicated to responsibly serving our customers around the world. Farmers in 40 countries depend on our crop nutrients to increase their yields and feed a rapidly growing global population. Likewise, we depend on strong business partners, including Twin Cities & Western Railroad (TC&W), to remain competitive. By working together to serve our customers in south central Minnesota, we also strengthen their communities and their local economies.

C

The Draft Environmental Impact Statement for the Southwest Light Rail Transit System indicates that the project, as it is currently contemplated, could imperil our ability to serve this area.

C

Mosaic supports the project and the myriad benefits it provides for businesses and commuters all over the metro area – and for the health of our environment. However, we are concerned about the proposed freight rail route relocation, because its design would likely result in slower service and higher costs due to the need for extra locomotives and fuel to navigate the proposed route. (The current recommended design adds a significant climb up a steep grade by freight rail standards, as well as tight track curvature.)

C

Alternatives to your recommended design could include:

- Engineer the re-route so that it meets TC&W's engineering standards;
- Co-locate the SWLRT with the current freight route;
- Re-route freight back to the 29th Street Corridor, where TC&W ran until 1998; or
- Route the SWLRT up the Minneapolis, Northfield & Southern rail line.

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Mosaic ships tens of thousands of tons of fertilizer into south central Minnesota by rail every year. This is an important supply route for Mosaic and our customers.

We are confident that an alternative design can serve all parties – while remaining true to our shared desire to enhance Minnesota's economic opportunities and preserve the environment. We encourage you to revisit your freight rail route design, and offer our support in this endeavor.

C

Sincerely,


Lisa Brickey
Warehouse Manager



December 4, 2012

Hennepin County Housing, Community Works & Transit Department
ATTN: Southwest Transitway
701 Fourth Avenue South, Suite 400
Minneapolis, MN 55415-1842

To Whom It May Concern:

We, RPMG Inc., depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, RPMG Inc., understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We RPMG Inc., further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from RPMG Inc.

C

It is imperative that RPMG Inc. retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

C

- 1.) Do engineering for the reroute that meets TC&W's engineering standards;
- 2.) Co-locate the SWLRT with the current freight route,
- 3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
- 4.) Route the SWLRT up the MN&S rail line

G1

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Therefore we recommend Hennepin County and the Metropolitan Council (Met Council) address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

C

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

C

Hennepin County Housing, Community Works & Transit Department

Letter of Opposition

Page 2

December 4, 2012

We, RPMG Inc., oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

C

Sincerely,



Douglas E. Punke, CEO
RPMG Inc.

cc: Jason Wojahn, Director of Logistics, RPMG Inc.

DEP:amo



Seneca Foods Corporation

Hennepin County Housing

Community Works and Transit

Attn: Southwest Transit way:

The Seneca Foods Glencoe Facility relies on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. Seneca Foods understands that the Southwest Transit way Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transit way (SWLRT). Seneca Foods further understands, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Seneca Foods.

C

It is imperative that Seneca Foods retain an economical freight rail transportation option which is provided by TC&W. The design recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

C

- 1) Do engineering for the reroute that meets TC&W's engineering standards,
- 2) Co-located the SWLFT with the current freight route,
- 3) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
- 4) Route the SWLRT up the MN&S rail line.

G1 C
G2 G2

Therefore, we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

C

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

C

Seneca Foods Corporation opposes the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

C

Sincerely,

Andy Slinden

Plant Manager - Glencoe



101 West 8th Street – Glencoe, Minnesota 55336
Phone (320) 864-3151 Fax (320) 864-5779



Seneca Foods Corporation

Vegetable Division

December 4, 2012

Hennepin County, Housing, Community Works and Transit

Attn: Southwest Transitway:

The Seneca Foods Arlington Facility relies on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. Seneca Foods understands that the Southwest Transit way Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transit way (SWLRT). Seneca Foods further understands, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Seneca Foods.

C

It is imperative that Seneca Foods retain an economical freight rail transportation option which is provided by TC&W. The design recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

C

- 1) Do engineering for the reroute that meets TC&W's engineering standards,
- 2) Co-located the SWLFT with the current freight route,
- 3) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
- 4) Route the SWLRT up the MN&S rail line.

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Therefore, we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

C

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

C

Seneca Foods Corporation opposes the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

C

Sincerely,

Rick Rose

Warehouse Manager

Seneca Plant

Arlington, Minnesota



Fairfax
PO Box E
Fairfax, MN 55332
507-426-8263

Gibbon
40 W. Park Drive
Gibbon, MN 55335
507-834-6534

Hector
PO Box 338
Hector, MN 55342
320-848-2273

Buffalo Lake
PO Box 99
Buffalo Lake, MN 55314
320-833-5321

Cosmos

Lake Lillian

Darwin

Stewart

Eden Valley

December 3, 2012

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

We, South Central Grain and Energy, depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, South Central Grain and Energy, understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We, South Central Grain and Energy, further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from South Central Grain and Energy.

C

It is imperative that South Central Grain and Energy retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

C

- 1.) Do engineering for the reroute that meets TC&W's engineering standards,
- 2.) Co-locate the SWLRT with the current freight route,
- 3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
- 4.) Route the SWLRT up the MN&S rail line

G1 C
G2 G2

Therefore, we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

C

Since rural Minnesota provides a significant amount of exports from the State of Minnesota and, since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

C

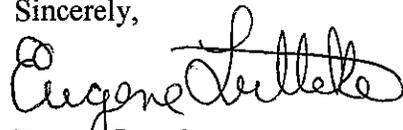
South Central Grain and Energy is not opposed to the light rail project but we cannot have it happen at the expense of our farmer producers and South Central Grain and Energy. The current plan will cost our farmers millions and millions of dollars over the years.

C

We, South Central Grain and Energy, oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

C

Sincerely,



Eugene Lutteke
General Manager
South Central Grain and Energy



Southern Minnesota Beet Sugar Cooperative

P. O. Box 500, 83550 County Road 21, Renville, Minnesota 56284

November 27, 2012

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

My name is Kelvin Thompsen and I serve as President and CEO of Southern Minnesota Beet Sugar Cooperative (SMBSC). The cooperative is owned by 525 shareholders who produce 3.5 million tons of sugar beets from the nearly 120,000 acres in which they farm in West Central Minnesota. These same shareholders own the sugar factory, located in Renville, which processes their 3.5 million tons of sugar beets into more than 450,000 tons of pure white sugar and 300,000 tons of co-products including sugar beet pulp pellets, dried pulp shreds, pressed sugar beet pulp, betaine, raffinade and molasses. SMBSC employs 750 people and our annual payroll exceeds \$17 million annually. We estimate the total stimulus to the economy of West Central Minnesota which is generated by SMBSC is nearly three quarters of a billion dollars.

SMBSC and the 525 farm families depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation to ship a large portion of the 750,000 tons of finished product to our end use customers. SMBSC also relies heavily upon the TC&W Railroad Company for the inbound transportation of essential processing commodities such as coal, coke and lime rock required for the processing of sugar beets into pure, white sugar. SMBSC’s inbound freight tonnage is nearly 300,000 tons. Economical rail transportation is key to SMBSC’s sustainability today and for the future. SMBSC understands the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). SMBSC further understands, based on information provided by TC&W, the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from SMBSC’s factory located in Renville, Minnesota.

It is imperative that SMBSC retain the economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

- 1.) Do engineering for the reroute that meets TC&W’s engineering standards,
- 2.) Co-locate the SWLRT with the current freight route,
- 3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
- 4.) Route the SWLRT up the MN&S rail line

C

G1 C
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SMBSC respectfully recommends Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

C

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design.

C

SMBSC opposes the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W. SMBSC recommends the freight rail issues be resolved to preserve our economical freight rail transportation and the future sustainability of SMBSC and its 525 farm families.

C

Thank you for your consideration of this most important matter.

Sincerely,



Kelvin Thompsen
President and CEO



11-26-2012

Dear Hennepin County, Housing, Community Works & Transit
ATTN: Southwest Transitway

We, at Step Saver Inc depend on the TCWR for economical freight rail transportation. We at Step Saver Inc understand that that the DEIS recommends a relocation of the freight rail route to accommodate the Southwest light Rail Transitway. Step Saver Inc also understands that based on information provided by the TCWR that was released by the DEIS on 10-12-2012, that this will result in increased costs for the TCWR to operate its trains to deliver product for Step Saver Inc.

C

It is imperative that that Step Saver Inc retain an economical freight rail transportation option which is now provided by the TCWR. The design provided and recommended by the DEIS in not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommendation would be:

C

- 1.) Do engineering for the reroute that meets TCWR engineering standards,
- 2.) Co-locate the SWLRT with the current freight route,
- 3.) Reroute freight back to the 29th St corridor, where TCWR ran until 1998, or
- 4.) Route the SWLRT up the MN&S rail line.

G1 C

G2 G2

Step Saver Inc recommends Hennepin County and the met Council address TCWR concerns over the design of the freight rail relocation shown in the DEIS, and work with TCWR to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

C

Since rural Minnesota provides significant amount of exports from the state of MN, and since having economical freight rail transportation is imperative to allow rural MN to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

C

We, at Step Saver Inc oppose the freight rail relocation design recommendation in the EDIS base on the information provided by the TCWR and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

C

Sincerely 
Chuck Steffl, President Step Saver Inc



your farm ... your community ... your co-op

December 3, 2012

Hennepin County, Housing, Community Works & Transit
ATTN: Southwest Transitway

Western Consolidated Cooperative depends on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Western Consolidated Cooperative.

C

It is imperative that Western Consolidated Cooperative retain an economical freight rail transportation option, as provided by TC&W and the design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design might be:

C

- 1) Engineer a reroute that meets TC&W's engineering standards,
- 2) Co-locate the SWLRT with the current freight route,
- 3) Reroute freight back to the 29th St Corridor where TC&W ran until 1998, or
- 4) Route the SWLRT up the MN&S rail line

G1 C
G2 G2

We recommend that Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

C

Rural Minnesota organizations like ours provide a significant amount of exports from the State of Minnesota and maintaining economical freight rail transportation is imperative in allowing us to remain competitive in the global marketplace. At this time, we strongly recommend that the Hennepin County and the Met Council **REJECT** the freight rail design as recommended in the DEIS and arrive at an acceptable design.

C

We oppose the freight rail relocation design recommendation in the DEIS and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

C

Sincerely,

Paul Mattson

Paul Mattson, Grain Division Manager
Western Consolidated Cooperative



December 3, 2012

Hennepin County, Housing, Community Works & Transit
 ATTN: Southwest Transitway

Western Consolidated Cooperative depends on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Western Consolidated Cooperative.

C

It is imperative that Western Consolidated Cooperative retain an economical freight rail transportation option, as provided by TC&W and the design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design might be:

C

- 1) Engineer a reroute that meets TC&W's engineering standards,
- 2) Co-locate the SWLRT with the current freight route,
- 3) Reroute freight back to the 29th St Corridor where TC&W ran until 1998, or
- 4) Route the SWLRT up the MN&S rail line

G1 C
 G2 G2

We recommend that Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

C

Rural Minnesota organizations like ours provide a significant amount of exports from the State of Minnesota and maintaining economical freight rail transportation is imperative in allowing us to remain competitive in the global marketplace. At this time, we strongly recommend that the Hennepin County and the Met Council **REJECT** the freight rail design as recommended in the DEIS and arrive at an acceptable design.

C

We oppose the freight rail relocation design recommendation in the DEIS and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

C

Sincerely,

Dean Isaacson

Dean Isaacson, General Manager
 Western Consolidated Cooperative



Western Co-op Transport Association

BOX 327

MONTEVIDEO, MINNESOTA 56265

November 27, 2012

PHONE 320-269-5531
1-800-992-8817

Hennepin County, Housing, Community Works & Transit

Dear Southwest Transitway:

I've been following the Southwest Light Rail Transitway (SWLRT) with much interest. Our community is on Highway 212 in Western Minnesota, so I look forward to the day when we can jump on the light rail in Eden Prairie. Two of my sons are in business in Minneapolis and another attends the University of Minnesota, as my daughter did. There is much for you to consider - thus the reason for my letter.

I've seen that the SWLRT Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the SWLRT. Based on the information provided by Twin Cities & Western Railway (TC&W), the recommended freight rail relocation design as shown in the DEIS from October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Western Minnesota.

C

Western Co-op Transport Association (WCTA) is a cooperative owned by 124 local grain, agronomy and energy cooperatives. We provide service to our members with over 300 semi trucks and trailers. Many of our member/owners are also shippers on the TCWR for their business. Economical rail service is vital to their survival. Our rail structure is as important to our communities as having schools, roads and a hospital.

C

When the Milwaukee Road sold off its land and track, Montevideo and other communities in our region worked to save the rail service. We fought to prevent our track from being torn out or paved over. It is imperative Western Minnesota retain an economical freight rail transportation option which is provided by TC&W – the only rail service in our communities.

C

The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

1. Do engineering for the reroute that meets TC&W's engineering standards
2. Co-locate the SWLRT with the current freight route
3. Reroute freight back to the 29th St corridor, where TC&W ran until 1998
4. Route the SWLRT up the MN&S rail line

C
C
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Therefore, we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

C

Light rail improves the quality of life for riders by giving them another choice. It would be ironical that by forcing the DEIS relocation on TCWR as outlined, those of us in Western Minnesota will have less choice by taking away the most economical freight transportation we have.

C

Thank-you for your consideration on this and your hard work,

Respectfully,

Dennis Brandon, General Manager



Monday, December 03, 2012

Dear Hennepin County, Housing, Community Works & Transit- ATTN: Southwest Transitway:

We, the Wheaton-Dumont Coop Elevator depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the Wheaton-Dumont Coop Elevator understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We the Wheaton-Dumont Coop Elevator further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Wheaton-Dumont Coop Elevator.

C

It is imperative that Wheaton-Dumont Coop Elevator retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

C

- 1.) Do engineering for the reroute that meets TC&W's engineering standards,
- 2.) Co-locate the SWLRT with the current freight routes,
- 3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
- 4.) Route the SWLT up the MN&S rail line

G1 C
G2 G2

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

C

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on the economical freight rail transportation.

C

We, the Wheaton-Dumont Coop Elevator oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

C

Sincerely,

Philip Deal
Wheaton-Dumont Coop Elevator

Britton 605-448-2261 • Campbell 218-630-5344 • Dumont 320-563-8020 • Dumont Ag 320-563-8822 • Hankinson 701-242-7543 • LaMars 701-474-5976
 • Mantador 701-242-7022 • New Effington Ag 605-637-5241 • Sisseton Feed Store 605-698-3491 • Sisseton North 605-698-3221
 • Sisseton South 605-698-3251 • Tenney 218-630-5556 • Wheaton 320-563-1130 • Wheaton Ag 320-563-8181



705 E. 4th Street; PO Box 461; Winthrop MN 55396
 507-647-6600 or 866-998-3266
 Fax: 507-647-6620

People....Pride....Purpose....
"Since 1915"

November 30, 2012

Dear Hennepin County, Housing, Community Works & Transit:

RE: SOUTHWEST TRANSITWAY

I am writing to you on behalf of the communities and members that own United Farmers Cooperative (UFC). We are a member owned cooperative that serves nearly 10,000 customers across a dozen communities in south central Minnesota. UFC has been in existence since 1915, providing necessary goods and services such as agricultural inputs, home heating and markets for grain.

In the past 20 years, UFC has invested over 60 million dollars of member owned capital in upgrading infrastructure to provide better access and markets for the farmers and consumers that we serve. Most of these facilities have been strategically located to effectively use rail service that is provided by Twin Cities & Western Railroad Company (TC&W). Just this past year, UFC and it members invested nearly 30 million dollars to build a world class grain handling facility near Brownton MN. This facility will significantly reduce the metro truck traffic while at the same time greatly enhancing marketing options for Minnesota's agricultural production.

UFC depends on the TC&W for economical freight rail transportation. UFC understands that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). UFC further understands, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from UFC. These costs are not only monetary in nature but operationally challenging as well.

C

We fully understand and support the logic and efficiencies that you are hoping to gain on further expansion of the light railway. It follows the same logic that we have applied in locating our facilities along the rail. It is both economically and environmentally sound as well as significantly more efficient. However, we do not believe that it makes sense to address the transportation needs for the Twin Cities and metro area's at the expense of adversely effecting what we have built for the last several decades in rural Minnesota. In UFC's case, we even helped invest in rehabilitation of the railroad tracks known as the Minnesota Prairie Line. The access to competitive and reliable rail has meant great economic development in our small committee and has added many jobs in addition to the economic gains for our Minnesota farmers.

C

It is our understanding that TC&W has encouraged you to look at several alternatives that would be less intrusive on the existing freight business and that several alternatives exist that would be less costly and more conducive to serving the needs of all parties in this situation. We are asking that Hennepin County and the Met Council meet with TC&W and work out a more mutually beneficial plan. I have spent considerable time looking at these options and I really believe a compromise that is fair and mutually respectful can be reached.

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 C

We would be happy to participate in these discussions if we can be of any assistance or relevance in this matter. The current proposal would put considerable economic and operational obstacles in place and needs to be reviewed and adjusted to be fair to all those that are affected. We hope that you will consider everyone's needs in this matter and work together for the solution.

Sincerely,

Jeff J. Nielsen
 General Manager/CEO

OUR PURPOSE

To supply our customers with technology, products, and services in a manner that is extraordinary enough to add value to their lives.



705 E. 4th Street; PO Box 461; Winthrop MN 55396
507-647-6600 or 866-998-3266
Fax: 507-647-6620

People....Pride....Purpose....
"Since 1915"

November 30, 2012

Dear Hennepin County, Housing, Community Works & Transit:

RE: SOUTHWEST TRANSITWAY

I am writing to you today on behalf of the United Farmers Cooperative. We serve nearly 1300 agronomy customers across south central Minnesota.

In 2008 we invested 7 million dollars in building a state of the art fertilizer hub in Winthrop Minnesota, being Winthrop was in the center of our trade territory is was a great place to build being the TC&W rail line runs through town. As we were researching the perfect location for our plant we looked at options to build off rail lines to depend solely on truck service but after much research and finding out what the freight rates would be coming out of the Twin Cities we then began construction.

We understand that the Southwest Transitway Environmental Impact Statement recommends a relocation of the freight rail route to help the Southwest Light Rail Transitway. But we have invested heavily because of the rail line in Winthrop and depend on the TC&W to operate its trains to and from us. These plans being proposed will directly effect TC&W with a cost increase that will have to be passed down to UFC and its customers.

C

We fully understand what it is like to be looking at ways to improve efficiencies we do it every day. But I do not believe it makes sense to try and change the needs of the metro at the expense of all of us that have already spent large amount of money prior to your plans.

As we understand there are a few options that look to have some compromise, that would not directly effect the freight rates leaving the metro. Please meet with the TC&W to work the issues out so both parties can meet a mutual beneficial plan.

G1
G2

Any questions on what role UFC plays in supporting the agricultural business in South Central Minnesota please give us a call at 1-507-647-6600

Sincerely,

Butch Altman
Agronomy Manager



November 30, 2012

Dear Hennepin County, Housing, Community Works & Transit

Re: Southwest Transitway

I am writing on behalf of United Grain Systems, LLC. Our trade territory stretches east/west from Bird Island to the Twin Cities and north/south from St Cloud to New Ulm. We have six grain elevators and about 4,000 customers. Because of our location, our choices of rail service are limited to the TC&W Railroad.

In September of this year we opened a new \$30 million state of the art shuttle loading rail facility on the TC&W rail line outside of Brownton, MN. We did this for several reasons. The first being "the market" is telling us to do this. Second, it allows us to connect to markets we were previously not able to access. Third, we have been encouraged by MNDOT to do everything we can to get truck traffic out of the Twin Cities. This project offered us the efficiencies of moving bulk grain commodities and allowed us to decrease truck congestion and decrease emissions. We thought this was a winning situation for everyone involved.

We never dreamt that an extension of Light Rail would or could affect our investment. We are not against Light Rail, but those that are making decisions for that project need to be aware that those decisions are affecting businesses and people far from the Twin Cities. According to the TC&W Railroad, decisions made by Hennepin County and the Metropolitan Council will adversely affect our company and customers. They say this will result in increased costs which will be passed down to us shippers, which in turn we pass onto our farmer customers. C

We do not intimately know the details of the track issues involved, but we know that there are reasonable alternatives offered to you by the TC&W Railroad. We urge you to seriously consider those recommendations and work with the TC&W to arrive at a solution that preserves continued economical freight rail transportation. G1
G2

Sincerely,

James S Johnson
Director of Grain Marketing
United Grain Systems, LLC



Councilmember Wills introduced the following resolution and moved for its adoption:

RESOLUTION 78-2012

A RESOLUTION OPPOSING THE FREIGHT RAIL RELOCATION DESIGN RECOMMENDATION IN THE DEIS TO ACCOMMODATE THE SOUTHWEST LIGHT RAIL TRANSITWAY (SWLRT)

WHEREAS, the City of Arlington is served by the Minnesota Valley Regional Rail Authority's (MVRRA) rail line, which is operated by Twin Cities & Western Railroad (TC&W); and

WHEREAS, the City of Arlington recognizes the growing importance of rail traffic to ease congestion on our state and local highways; and

WHEREAS, MVRRA rail line runs through Arlington and provides rail service to one of Arlington's largest employers, Seneca Foods; and

WHEREAS, Arlington's new Industrial Park accesses the MVRRA rail line; and

WHEREAS, the City of Arlington understands that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT); and

WHEREAS, we further understand, based on information provided to us by TC&W and concern expressed to us by Seneca Foods, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains through the City of Arlington; and

C

WHEREAS, any increased costs to freight rail will have a negative economic impact on Arlington businesses and any other business that decides to relocate in Arlington along the MVRRA rail line; and

C

WHEREAS, the City of Arlington supports the alternatives to the recommended design as presented by TC&W and believes those recommended changes provide for more competitive freight rail transportation through the City of Arlington.

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NOW, THEREFORE BE IT RESOLVED, by the City Council of Arlington that the City Council hereby recommends to Hennepin County and the Met Council that they address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work

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with the TC&W to arrive at a freight rail solution that preserves the existing economical freight rail transportation through the City of Arlington.

C

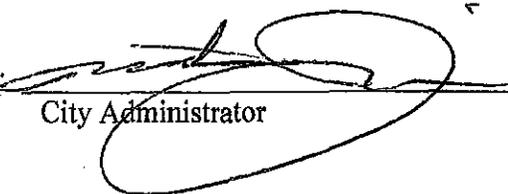
FURTHERMORE BE IT RESOLVED, since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economic freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we hereby recommend to Hennepin County and the Met Council that you reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as our community depends on economical freight rail transportation.

C

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember Ruehling and upon poll being taken thereon the following voted in favor thereof: Pederson, Ruehling, Pichelmann, Wills, Reetz; and the following voted against the same: None; and the following abstained from voting: None; and the following were absent: None.

The foregoing resolution was adopted by the City Council of the City of Arlington this 3rd day of December, 2012.

Signed: 
Mayor

Attested: 
City Administrator

Whereupon said resolution was declared duly passed and adopted and was signed by the Mayor whose signature was attested by the City Administrator.

City of Bird Island
660 Birch Avenue, PO Box 130
Bird Island, MN 55310
Phone (320) 365-3371 Fax (320) 365-4611
birdislandcity@mchsi.com

November 29, 2012

Dear Hennepin County, Housing, Community Work & Transit-ATTN: Southwest Transitway:

We, the City of Bird Island depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the City of Bird Island understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We the City of Bird Island further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from the City of Bird Island.

C

It is imperative that the City of Bird Island retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

C

- 41.) Do engineering for the reroute that meets TC&W's engineering standards,
- 42.) Co-locate the SWLRT with the current freight route,
- 43.) Reroute freight back to the 29th St. Corridor, where TC&W ran until 1998, or
- 44.) Route the SWLRT up the MN&S rail line

G1

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Therefore, we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

C

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

C

We, the City of Bird Island oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

C

Sincerely,

Deb Lingl, Administrator
City of Bird Island

P.O. Box 396
Buffalo Lake, MN 55314
320-833-2272
cityofbl@mchsi.com
Fax 320-833-2094

.....
City of Buffalo Lake

November 29, 2012

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

We, the City of Buffalo Lake depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the City of Buffalo Lake understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We the City of Buffalo Lake further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from the City of Buffalo Lake.

C

It is imperative that the City of Buffalo Lake retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

C

33.) Do engineering for the reroute that meets TC&W's engineering standards,

C

34.) Co-locate the SWLRT with the current freight route,

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35.) Reroute freight back to the 29th St. Corridor, where TC&W ran until 1998, or

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36.) Route the SWLRT up the MN&S rail line

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

C

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

C

We, the City of Buffalo Lake oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

C

Sincerely,



Joyce Nyhus, Mayor
City of Buffalo Lake

In accordance with Federal law, The City of Buffalo Lake is prohibited from discriminating on the basis of race, color, national origin, sex, age or disability.



SMALL CITY & BIG FUTURE

GLENCOE AREA CHAMBER OF COMMERCE

1107 11th Street East, Suite 104, Glencoe, MN 55336
Phone: (320) 864-3650 • Fax: (320) 864-6405 • www.glencoe.org

December 12, 2012

Dear Hennepin County, Housing, Community Works & Transit - ATTN: Southwest Transitway,

We, the members of the Glencoe Area Chamber of Commerce (GACC), represent Glencoe's business community. We understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We, GACC, further understand, based on information provided by Twin Cities & Western Railroad Company (TC&W), that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from the businesses they serve. It is imperative that TC&W customers retain an economical freight rail transportation option which is provided by TC&W.

C

The design as recommended in the DEIS is not acceptable to maintain the region's competitive freight rail transportation. Alternatives to your recommended design would be:

C

- 1.) Do engineering for the reroute that meets TC&W's engineering standards,
- 2.) Co-locate the SWLRT with the current freight route,
- 3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
- 4.) Route the SWLRT up the MN&S rail line

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Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

C

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

C

We oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation option.

C

Sincerely,

Laurie Gauer, Chair
Board of Directors, Glencoe Area Chamber of Commerce

P.O. Box 457
Hector, MN 55342-0457
Voice: 320-848-2122
Fax: 320-848-6582



November 27, 2012

Dear Hennepin County, Housing, Community Works & Transit –ATTN: Southwest Transitway:

We, the City of Hector depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the City of Hector understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We, the City of Hector further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from the City of Hector.

C

It is imperative that the City of Hector retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

C

- 37.) Do engineering for the reroute that meets TC&W’s engineering standards,
- 38.) Co-locate the SWLRT with the current freight route,
- 39.) Reroute freight back to the 29th St. Corridor, where TC&W ran until 1998, or
- 40.) Route the SWLRT up the MN&S rail line.

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Therefore we recommend Hennepin County and the MET Council address TC&W’s concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

C

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

C

We, the City of Hector oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

C

Sincerely,



Jeff Heerd
Mayor
City of Hector

City of Milan
City of Milan

244 North 2nd Street
 PO Box 162
 Milan, MN 56262

November 30, 2012

ATTENTION: Southwest Transitway

Dear Hennepin County, Housing, Community Works, & Transit:

The City of Milan and its adjacent communities and counties source of revenue is the creation, maintenance, sale, and TRANSPORTATION of agricultural products. These products are primarily row crops and grains. The vast majority of these crops are sold and TRANSPORTED to and processed to major manufacturing hubs; metro areas.

Milan's 'economic engine' is heavily dependent on inexpensive (cheap) TRANSPORTATION from acquiring the inputs to selling and TRANSPORTING the crop. The presently proposed relocation of TCW's track structure for the Southwest Transitway System places onerous and unbearable costs on TCW and ultimately the Milan area farmers, businesses, and citizens. The City of Milan urges that the present draft and proposal be readdressed to find a solution more economically favorable to TCW, its customers, and the people of west central Minnesota. C

Rural, Greater Minnesota, recognizes, understands, and endorses the concept of mass transit for the Metro area. We only request that the MOST ECONOMICAL design for TCW and west central Minnesota be adopted. To benefit the Metro area at the expense of the rural population is untenable. Both sides have to cooperate for the benefit of all of Minnesota. Please consider our requests, needs and concerns when the final route is chosen. C

MILAN CITY COUNCIL

Mayor Ted Ziemann



"This institution is an equal opportunity provider."



Economic Development Authority

103 Canton Ave., P.O. Box 517 Montevideo, Minnesota 56265 Telephone: 320 / 269-6575 Fax: 320 / 269-9340

November 26, 2012

Dear Hennepin County, Housing, Community Works & Transit - ATTN: Southwest Transitway:

We, the City of Montevideo Economic Development Authority, depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the City of Montevideo Economic Development Authority, understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We, the City of Montevideo Economic Development Authority, further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from the City of Montevideo Economic Development Authority.

C

It is imperative that the City of Montevideo Economic Development Authority retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

C

- 65.) Do engineering for the reroute that meets TC&W's engineering standards;
- 66.) Co-locate the SWLRT with the current freight route;
- 67.) Reroute freight back to the 29th Street Corridor, where TC&W ran until 1998; or,
- 68.) Route the SWLRT up the MN&S rail line.

C

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Therefore, we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

C

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

C

We, the City of Montevideo Economic Development Authority, oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

C

Sincerely,

Marvin E. Garbe
Marvin E. Garbe, President
MEG/gl

CITY OF



★ All-America City ★

103 Canton Ave., P.O. Box 517 Montevideo, Minnesota 56265 Telephone: 320 / 269-6575 Fax: 320 / 269-9340

November 26, 2012

Dear Hennepin County, Housing, Community Works & Transit - ATTN: Southwest Transitway:

We, the City of Montevideo, depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the City of Montevideo, understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We, the City of Montevideo, further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from the City of Montevideo.

C

It is imperative that the City of Montevideo retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

C

- 65.) Do engineering for the reroute that meets TC&W's engineering standards;
- 66.) Co-locate the SWLRT with the current freight route;
- 67.) Reroute freight back to the 29th Street Corridor, where TC&W ran until 1998; or,
- 68.) Route the SWLRT up the MN&S rail line.

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Therefore, we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

C

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

C

We, the City of Montevideo, oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

Steven C. Jones, City Manager
SCJ/gl



MORTON

“The Oldest Story in North America”

221 West Second Street – P.O. Box 127 – Morton, MN 56270-0127

Phone: (507) 697-6912 Fax: (507) 697-6118

E-Mail: mortoncityhall@mchsi.com

This institution is an equal opportunity provider

TDD/TTY: 651-602-7830

November 27, 2012

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

The City of Morton depends on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from the City of Morton.

C

It is imperative that the City of Morton retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

C

- 1.) Do engineering for the reroute that meets TC&W’s engineering standards,
- 2.) Co-locate the SWLRT with the current freight route,
- 3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
- 4.) Route the SWLRT up the MN&S rail line

C

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Therefore we recommend Hennepin County and the Met Council address TC&W’s concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation. Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

C

The City of Morton opposes the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

C

Sincerely,



Carl Colwell, Mayor
Morton City Council



November 30, 2012

Hennepin County
Housing, Community Works and Transit
701 Fourth Avenue South, Suite 400
Minneapolis, MN 55415-1842

RE: Southwest Transitway

Dear Hennepin County, Housing, Community Works and Transit:

The City of Norwood Young America depends on the Twin Cities & Western Railroad Company (TC&W) for economical freight transportation. The City of Norwood Young America understands that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). The City of Norwood Young America further understands, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012, will result in increased costs for TC&W to operate its trains to and from the community of Norwood Young America.

C

It is imperative that the city of Norwood Young America retain an economical freight rail transportation option, which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

C

- 1.) Do engineering for the reroute that meets TC&W's engineering standards.
2.) Co-located the SWLRT with the current freight route.
3.) Reroute freight back to the 29th St. Corridor, where TC&W ran until 1998.
4.) Route the SWLRT up the MN&S rail line.

C

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We recommend that Hennepin County and the Met council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economic freight rail transportation.

C

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend that Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

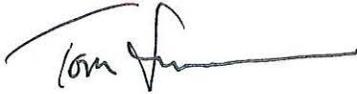
C

The City of Norwood Young America opposes the freight rail relocation design recommendation in the DEIS based on information provided by TC&W, and recommends that the freight rail issues be resolved to preserve our economical freight rail transportation options.

C

If you have any questions regarding this letter, please feel free to contact me at tsimmons@cityofnya.com, or 952-467-1800.

Sincerely,



Tom Simmons, City Administrator
City of Norwood Young America



Hennepin County
 Housing, Community Works & Transit
 701 Fourth Avenue South, Suite 400
 Minneapolis, MN 55415-1842

December 3, 2012

Re: Southwest Transitway

Dear Hennepin County Housing, Community Works & Transit:

On behalf of the Olivia Mayor and City Council, we would like to go on record in regards to the recommended relocation of the freight rail route of Twin Cities & Western Railroad (TC&W) to accommodate the Southwest Light Rail Transitway. Our agriculture-based economy depends on economical freight rail transportation and the Olivia City Council urges Hennepin County and the Metropolitan Council to address TC&W's concerns over the proposed freight rail relocation plans being considered.

C

Increased freight rail costs associated with such plans will no doubt have a negative impact on our local economy. My City Council asks that the stakeholders in this discussion seriously consider alternative proposals which will better achieve the goal of expanded light rail transit while still maintaining competitive and economical freight rail for Olivia and the numerous other counties, cities and townships who are served by TC&W.

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The position of the Olivia City Council is one of opposition to the current freight rail relocation design recommendation in the Southwest Transitway Draft Environmental Impact Statement; and they recommend that the issues related to freight rail be resolved so to preserve economical freight rail transit for our region. The current relocation plans would result in increased operational costs for TC&W which in turn would negatively impact our regional economy. The City of Olivia requests that Hennepin County and the Metropolitan Council consider alternatives to the relocation design currently being proposed.

C

C

G2

Sincerely,

Dan Coughlin
 Olivia City Administrator

CITY OF PLATO

**P.O. Box 7
Plato, MN 55370**



December 11, 2012

Hennepin County, Housing, Community Works & Transit
ATTN: Southwest Transitway

We, the City of Plato, depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the City of Plato, understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We, the City of Plato, further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012, will result in increased costs for TC&W to operate its trains to and from the City of Plato.

C

It is imperative that the City of Plato retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

C

- 17.) Do engineering for the reroute that meets TC&W's engineering standards,
- 18.) Co-locate the SWLRT with the current freight route,
- 19.) Reroute freight back to the 29th Street Corridor, where TC&W ran until 1998, or
- 20.) Route the SWLRT up the MN&S rail line.

C

G1

G2

G2

Therefore, we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

C

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

C

We, the City of Plato, oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

C

Regards,
Plato City Council



**Phone (320)238-2432
Fax (320) 238-2542**

**website: www.cityofplato.com
email: cityofplato@embarqmail.com**

City of Stewart
551 Prior Street
PO Box 195
Stewart, MN 55385
Phone & Fax - 320-562-2518
TDD - 711

November 27, 2012

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

We, the City of Stewart depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the City of Stewart understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We the City of Stewart further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from City of Stewart.

C

It is imperative that City of Stewart retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

C

- 1.) Do engineering for the reroute that meets TC&W's engineering standards,
- 2.) Co-locate the SWLRT with the current freight route,
- 3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
- 4.) Route the SWLRT up the MN&S rail line

C G1
G2 G2

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

C

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

C

We, the City of Stewart oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

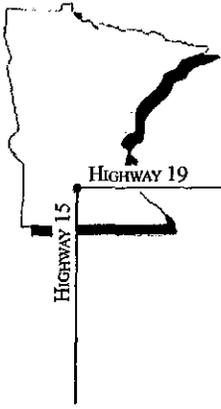
C

Sincerely,



Jeff Erkenbrack – Mayor
City of Stewart

An equal opportunity provider



CITY OF WINTHROP

INCORPORATED IN 1881

November 27th, 2012

MAYOR
DAVID TREBELHORN

CITY COUNCIL
PETER MACHAIEK
LYLE MUTH
COLLEEN DIETZ
ROB EDWARDS
ED PELLETIER

**CITY ADMINISTRATOR/
EDA DIRECTOR**
MARK ERICKSON

CITY CLERK
JENNY HAZELTON

MEMBER OF:
LMC
MASC
MMUA
MMPA

Hennepin County, Housing, Community Works & Transit
ATTN: Southwest Transitway

To whom it may concern:

During the past 18 years, Heartland Corn Products, United Farmers Cooperative and Land O Lakes Cooperative have invested tens of millions of dollars in Winthrop because of its proximity to affordable rail service. In 2009 the City of Winthrop invested nearly \$2 million in a rail-assisted industrial park.

We depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation to and from our community.

It has been brought to our attention the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends relocating the freight rail route to accommodate the Southwest Light Rail Transitway (SRTL).

We further understand the proposed rail relocation will result in increased operational costs for TC&W which in turn will mean increased shipping costs for Winthrop businesses that use the rail.

C

While we appreciate and agree with the need to advance the idea of passenger rail traffic, it cannot be done at the expense of rural businesses.

C

Our local businesses must retain access to economical rail transportation provided by TC&W. We have been told the design as recommended in the DEIS will increase operational costs for TC&W.

C

We strongly urge you to look at alternatives to the current design that would include the following options:

C

1. Do engineering for the reroute that meets TC&W's engineering standards;
2. Co-locate the SWLRT with the current freight route;
3. Reroute freight back to the 29th Street corridor where TC&W ran until 1998, or
4. Route the SWLRT up the MN&S rail line.

C

G1

G2

G2

Through this letter we are asking Hennepin County and the Met Council to address TC&W's design concerns and work with them to find a solution that allows our businesses and city to continue to benefit from the investment they have made while allowing you to responsibly meet your future transportation needs.

C

Rural Minnesota products figure prominently in the overall export market for the state of Minnesota. It is essential we have economical freight rail transportation solutions so we can continue to compete in the global market.

C

Based on information provided by TC&W, the City of Winthrop opposes the freight rail relocation design recommendation in the DEIS and asks Hennepin County and the Met Council to also reject the design and work with all parties to arrive at a solution that is acceptable to everyone.

Sincerely,



Dave Trebelhorn, Mayor
City of Winthrop



BIG STONE COUNTY
AUDITOR'S OFFICE

DATE: 12/7/12
MEMO TO: Mark Wegner
MEMO FROM: Michelle Knutson
RE: Letter of Support

Please see the enclosed Letter for your official response to the DEIS. The Board chose to write their own letter versus using the sample one you provided.

If you have any questions, please let me know.



Big Stone County Board of Commissioners
20 2nd Street SE - Ortonville, MN 56278
Phone/Fax (320)-839-6372

December 6, 2012

District 1
Walter Wulff
65292 270th St
Chokio, MN 56221

District 2
Wade Athey
29161 800th Ave
Graceville, MN 56240

District 3
Brent Olson
34596 690th Ave
Ortonville, MN 56278

District 4
Roger Sandberg
539 4th St NW
Ortonville, MN 56278

District 5
Joseph Berning
736 Grace St
Ortonville, MN 56278

Dear Hennepin County, Housing, Community Works & Transit – ATTN:
Southwest Transitway:

We have watched with interest the discussion around relocation of the freight rail route to accommodate the Southwest Light Rail Transitway. While we do not have expertise to advise you on the changes you propose, we have deep concerns that the parties involved might not realize that changes proposed in the metropolitan counties have a profound effect on rural businesses and citizens far removed from your area. C

Here in Big Stone County we have a number of businesses that rely on TC&W for transportation of goods. Any change in rates or service could make the difference between profit or loss for these businesses in what is already a fragile economy. We respectfully request that those factors be included in your decision making process, in order to serve the interests of all the citizens of the State of Minnesota. C

Sincerely,
Big Stone County Board of Commissioners

Walter W. Wulff
Chairman



Tom Workman
Office of County Commissioner
 Carver County Government Center
 Human Services Building
 602 East Fourth Street
 Chaska, MN 55318-1202
 Phone: 952 361-1510
 Fax: 952 361-1581

November 27, 2012

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

Carver County depends on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. I understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). I also further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Carver County. C

It is imperative that Carver County retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be: C

- 1.) Do engineering for the reroute that meets TC&W's engineering standards, C
- 2.) Co-locate the SWLRT with the current freight route, G1
- 3.) Route the SWLRT up the MN&S rail line G2

Therefore I recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation. C

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation. C

As a Carver County Commissioner and as a member of the Minnesota Valley Regional Rail Authority, I oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options. C

Sincerely,

Tom Workman
 Carver County Commissioner



County of McLeod

830 11th Street East
Glencoe, Minnesota 55336
FAX (320) 864-3410

COMMISSIONER RAY BAYERL

1st District
Phone (320) 485-2181
20778 Cable Avenue
Lester Prairie, MN 55354
Ray.Bayerl@co.mcleod.mn.us

COMMISSIONER KERMIT D. TERLINDEN

2nd District
Phone (320) 864-3738
1112 14th Street East
Glencoe, MN 55336
Kermit.Terlinden@co.mcleod.mn.us

COMMISSIONER PAUL WRIGHT

3rd District
Phone (320) 587-7332
15215 County Road 7
Hutchinson, MN 55350
Paul.Wright@co.mcleod.mn.us

COMMISSIONER SHELDON A. NIES

4th District
Phone (320) 587-5117
1118 Jefferson Street South
Hutchinson, MN 55350
Sheldon.Nies@co.mcleod.mn.us

COMMISSIONER BEV WANGERIN

5th District
Phone (320) 587-6869 817 Colorado
Street NW Hutchinson, MN 55350
Bev.Wangerin@co.mcleod.mn.us

COUNTY ADMINISTRATOR

PATRICK T. MELVIN
Phone (320) 864-1363
830 11th Street East, Suite 110
Glencoe, MN 55336
Pat.Melvin@co.mcleod.mn.us

12/3/12

Dear Hennepin County, Housing, Community Works & Transit - ATTN: Southwest Transitway:

We, the McLeod County depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the McLeod County understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We the McLeod County further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from McLeod County.

C

It is imperative that McLeod County retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

C

- 85.)Do engineering for the reroute that meets TC&W's engineering standards,
- 86.)Co-locate the SWLRT with the current freight route,
- 87.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
- 88.)Route the SWLRT up the MN&S rail line

C

G1

G2

G2

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

C

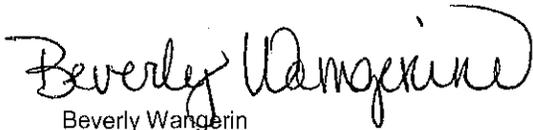
Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

C

We, the McLeod County oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

C

Sincerely,



Beverly Wangerin
McLeod County

Minnesota Valley Regional Rail Authority



200 S Mill Street
 PO Box 481
 Redwood Falls, MN
 56283

Phone: 507-637-4004
 Fax: 507-637-4082
 E-mail: julie@redwoodfalls.org

Serving the communities and counties of Carver, Sibley, Renville, Redwood, and Yellow Medicine in Minnesota

December 18, 2012

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

We, the Minnesota Valley Regional Rail Authority, depend on the Twin Cities & Western Railroad Company (TC&W) as our operator for the Minnesota Prairie Line, for economical freight rail transportation. We, the Minnesota Valley Regional Rail Authority, understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We the Minnesota Valley Regional Rail Authority, further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from the 16 communities they serve in Carver, Sibley, Redwood, Renville, and Yellow Medicine Counties! C

It is imperative that our shippers along our MVRRA/MPL line retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be: C

- 1.) Do engineering for the reroute that meets TC&W's engineering standards, C G1
- 2.) Co-locate the SWLRT with the current freight route,
- 3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or G2 G2
- 4.) Route the SWLRT up the MN&S rail line

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation. C

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design C

as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

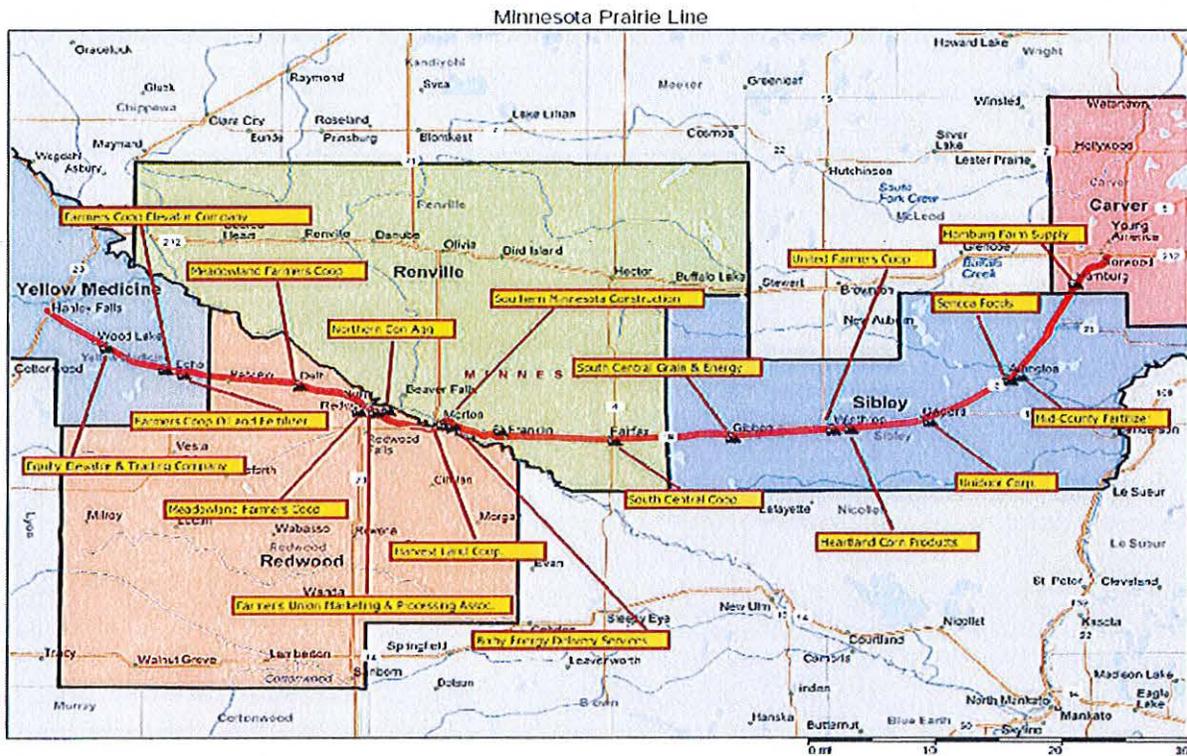
We, the Minnesota Valley Regional Rail Authority, oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options. Collectively, we represent 5 counties, 16 communities, and thousands of ag producers and businesses who depend on freight rail transportation to deliver their goods and services to global markets and have been shipping via rail for years! We would be happy to discuss your proposal in further detail and its impacts to our rail line and our operator!

C

Sincerely,

Bob Fox
Bob Fox, Chair
Minnesota Valley Regional Rail Authority

Julie Rath
Julie Rath
MVRRA Administrator





200 S MILL STREET PO BOX 481
 REDWOD FALLS, MN 56283
WWW.RADC.ORG
JULIE@REDWOODFALLS.ORG
 507-637-4004

December 18, 2012

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

We, the Redwood Area Development Corporation and the shippers in our county communities, depend on the Minnesota Prairie Line operated by Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the Redwood Area Development Corporation, understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We the Redwood Area Development Corporation, further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from «Company».

C
 C

It is imperative that our county businesses can rely on MPL/TC&W as an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

- 1.) Do engineering for the reroute that meets TC&W's engineering standards,
- 2.) Co-locate the SWLRT with the current freight route,
- 3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
- 4.) Route the SWLRT up the MN&S rail line

C G1
 G2 G2

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

C

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

C

We, the Redwood Area Development Corporation, oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

C

Sincerely,

Julie Rath, Economic Development Specialist
 Redwood Area Development Corporation/Redwood County EDA

Mission Statement: Our primary focus is community and economic development for member communities including Job creation and strengthening or expanding existing businesses in the Redwood Area.



REDWOOD COUNTY BOARD OF COMMISSIONERS

P.O. Box 130 • Redwood Falls, Minnesota 56283
 Phone: 507.637.4016 • Fax: 507.637.4017
 Website: www.co.redwood.mn.us

November 27, 2012

Dear Hennepin County, Housing, Community Works & Transit - ATTN: Southwest Transitway:

We, the Redwood County depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the Redwood County understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We the Redwood County further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Redwood County. C

It is imperative that Redwood County retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be: C

- 117.) Do engineering for the reroute that meets TC&W's engineering standards, C
- 118.) Co-locate the SWLRT with the current freight route, G1
- 119.) Reroute *freight* back to the 29th St Corridor, where TC&W ran until 1998, or G2
- 120.) Route the SWLRT up the MN&S rail line G2

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation. C

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation. C

We, the Redwood County oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options. C

Sincerely,

Lon Walling

Board Chair
 Redwood County

1st District
LON WALLING
 27784 Co. Hwy 5
 Milroy, MN 56263
 507-747-2175
 lon_w@co.redwood.mn.us

2nd District
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 al_k@co.redwood.mn.us

4th District
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5th District
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 393 Laser Trail
 Redwood Falls, MN 56283
 507-641-2999
 sharon_h@co.redwood.mn.us



Upper Minnesota Valley
REGIONAL DEVELOPMENT COMMISSION

Helping Communities Prosper

323 W Schlieman Ave. Appleton, MN 56208-1299 320.289.1981 (office) 320.289.1983 (fax) www.umvrdc.org

Tuesday, November 27, 2012

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

Dear Hennepin County Housing, Community Works & Transit;

The Upper Minnesota Valley Regional Development Commission's five county region is served by the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. Ours and other rural Minnesota regions provide a significant amount of exports for the State of Minnesota and having economical freight rail transportation is critical to allow rural Minnesota to compete in the global marketplace. It is also indispensable to have a freight carrier with local roots to work with on rail related issues.

We understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). The movement of freight and people is an important community and economic development issue for our region and the entire state. Based on information provided by TC&W, we understand that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from our region. It is vital that the area served by the TC&W retain an economical freight rail transportation option. The proposed design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation.

C

C

Alternatives to your recommended design would be:

- 1.) Do engineering for the reroute that meets TC&W's engineering standards,
- 2.) Co-locate the SWLRT with the current freight route,
- 3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
- 4.) Route the SWLRT up the MN&S rail line

C

G1

G2

G2

We recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our region's existing economical freight rail transportation.

C

Sincerely,

Gary Hendrickx, Chairman



Bob Fox, Chair
Renville County Board of Commissioners
Renville County Government Services Center
Suite 315
105 South 5th Street
Olivia, MN 56277-1484

Phone: 320-523-3710
Fax: 320-523-3748

Affirmative Action - Equal Opportunity Employer

November 27, 2012

Hennepin County Housing, Community Works & Transit
ATTN: Southwest Transitway

We, Renville County, depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, Renville County understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We, Renville County, further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Renville County. [C]

It is imperative that Renville County retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be: [C]

- 89.) Do engineering for the reroute that meets TC&W's engineering standards; [C]
- 90.) Co-locate the SWLRT with the current freight route; [G1]
- 91.) Reroute freight back to the 29th St. Corridor, where TC&W ran until 1998; or [G2]
- 92. Route the SWLRT up the MN&S rail line [G2]

Therefore, we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation. [C]

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation. [C]

We, Renville County, oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options. [C]

Sincerely,

Bob Fox, Chair
Renville County Board of Commissioners



Renville County Courthouse
500 East DePue Avenue
Olivia, MN 56277

Phone: 320-523-3656
Fax: 320-523-3812
Website: www.renville.com

Working together with ...

- **Buffalo Lake**
- **Hector**
- **Bird Island**
- **Olivia**
- **Danube**
- **Renville**
- **Sacred Heart**
- **Morton**
- **Franklin**
- **Fairfax**

November 29, 2012

Dear Hennepin County, Housing, Community Works and Transit –ATTN: Southwest Transitway

This letter is being sent to you to let you know that we support and value the services provided by the Twin Cities and Western Railroad Company and to request your consideration of an alternative route more feasible to both the SWLRT and TCW. Economical freight rail transportation is important to the long term economic growth not only of Renville County but also the state and region.

We know that the development of the Southwest Light Rail Transitway (SWLRT) is important for many reasons which you are most versed and we support the development. However, the proposed location of the route causes concerns as we understand it will result in increased costs to the Twin Cities and Western Railroad which results in increased costs to shippers along the line and also affects our efforts to assist industrial development along the TCW line, a main transportation route running through the communities of Buffalo Lake, Hector, Bird Island, Olivia, Danube, Renville, and Sacred Heart in Renville County.

At this time, we request that you do engineering for the reroute that meets TC&W's engineering standards, co-locate the SWLRT with the current freight route, reroute freight back to the 29th St. Corridor, where TC&W ran until 1998 or route the SWLRT up the MN&S rail line.

C

C

G1

G2

G2

We recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design as we depend on economical freight rail for the economic development of our county.

C

We believe by working together we can resolve this issue to the satisfaction of all parties. Please contact me at any time.

C

Sincerely,

A handwritten signature in black ink, appearing to read "Christina Hettig", with a long, sweeping horizontal line extending from the end of the signature.

Christina Hettig

Executive Director

ROBERTS COUNTY COMMISSIONERS
 411 2ND AVENUE EAST
 SISSETON, SOUTH DAKOTA 57262
 605-698-7336

December 4, 2012

Dear Hennepin County, Housing, Community Works & Transit
 Attn: Southwest Transitway:

We, Roberts County depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, Roberts County understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We, Roberts County further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Roberts County. C

It is imperative that Roberts County retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be: C

- 105) Do engineering for the reroute that meets TC&W's engineering stan C G1
- 106) Co-locate the SWLRT with the current freight route,
- 107) Reroute freight back to the 29th St Corridor, where TC&W ran until G2 or G2
- 108) Route the SWLRT up the MN&S rail line

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation. C

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation. C

We, Roberts County oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options. C

Roger R. George
 Sincerely,
 Roberts County Commissioners

MinnRail, Inc.

Dear Hennepin County, Housing, Community Works & Transit
Attention: Southwest Transitway

I am writing to you as President of the Shipper's Association, (MinnRail, Inc.), of the Minnesota Prairie Line Railroad. We are a group of businesses that joined together over 25 years ago to support the Minnesota Valley Regional Rail Authority, (MVRRA), in rehabbing this line. We were required to raise \$600,000, (10%), in order for MNDOT to loan the Authority money to bring the track back to a minimally "useable" condition.

MNDOT supports this line for 3 reasons. The first is they support rail and know it is an efficient means of transportation, especially with bulk commodities. Secondly, their hope is this rail will take some of the truck traffic off of our rural highways and therefore require less maintenance. And last, but maybe not least, any diversion of truck traffic from Twin Cities roads is of high priority for MNDOT.

The west end of our line in Hanley Falls is essentially a dead end, not connected to any other rail line. The east end of our line connects with the TC&W Railroad at Norwood Young America. Obviously we rely on the TC&W for access to our line and therefore are directly affected by your decisions on the Light Rail Line.

The Minnesota Prairie Line is owned by the five counties it runs through; Carver, Sibley, Renville, Redwood Falls, and Yellow Medicine. I stated above that the line was originally rehabbed to a minimal condition. Over the last 10 years the objective of the Authority and the Shipper's has been to replace the old "light" rail with standard heavy duty rail in order to haul normal freight weights and increase the speed from 8 mph to 25 mph. Today the upgrade has been completed to Highway 15 on the west side of Winthrop.

The funding for this upgrade has come from state bonding bills and federal grants. It has been supported by legislators from both sides of the aisle as they have seen supporting this rail line as a means to help development, encourage growth, and get trucks off roads.

When the rehab was initially started, there was minimal rail use on it as who would invest in rail facilities if they did not know the rail line would even exist? However, the Shipper's and the MVRRA had a shared vision of success and accumulated the necessary funds to do the original work.

Since that start, several companies have invested and made use of the existing rail even with its limitations. As I said earlier, the upgraded line has now reached Winthrop and businesses that have invested on that portion of the line are being rewarded with the benefits of good, efficient rail service.

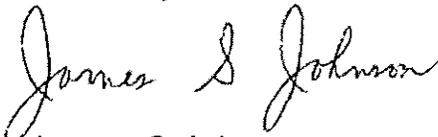
Today there is less activity on this line the further west you go, but with the success we have had, businesses and communities west of Winthrop are starting to get excited with the expectation that the upgrade will eventually make it to them and ultimately to Hanley Falls. Several companies are now considering investing on this line with that expectation. The western counties see it as a real resource to help grow their towns and counties.

The MVRRA, the 5 counties, all of the communities on the line, businesses that use the line, and their customers all have a vested interest in this line and a vision of having good rail service. We have seen great progress and anticipate successful completion someday.

Obviously we are concerned about any negative effects due to the Light Rail project. Based on information provided by TC&W, our understanding is that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs to operate trains. We also know they have supplied you with logical and practical alternatives. As Shipper's, we are very concerned about our investments in rail transportation and our continued competitiveness if rail freight expenses are adversely affected. [C]

As the TC&W is the operator on our line and our link to the world, we support their recommendations. We believe a fair resolution can be found and trust that you will work for that goal. Our purpose is to make you aware that this is not just a "metro" decision and your decisions affect many more people and companies than you think. We ask that you carefully consider the proposals submitted by the TC&W. [C]

Sincerely,



James S Johnson
President, MinnRail Inc.

Director of Merchandising
United Grain Systems, LLC
Winthrop, MN



SEDCO
 Sibley County Economic Development Commission
 Timothy Dolan, Director
 Phone: 507-237-4106
 Toll Free: 866-766-5499
 Fax: 507-237-4099
<http://www.co.sibley.mn.us/>

November 26, 2012

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

We, the Sibley County Economic Development Commission (SEDCO), depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We at SEDCO understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We at SEDCO further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS release on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from all points in the Sibley County service area. C

It is imperative that the Sibley County service area retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be: C

1. Do engineering for the reroute that meets TC&W engineering standards C
2. Co-locate the SWLRT with the current freight route G1
3. Reroute freight back to the 29th St. Corridor, where TC&W ran until 1998, or G2
4. Route the SWLRT up the MN&S rail line G2

Therefore, we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation. C

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation. C

We at SEDCO oppose the freight rail design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical rail transportation options. C

Sincerely,


 Timothy Dolan
 SEDCO Director

Office of the
**Sibley
County
Auditor**



Lisa Pfarr

Sibley County Auditor
400 Court Avenue
P.O. Box 171
Gaylord, MN 55334-0171
Phone 507-237-4070
Fax No. 507-237-4073
pfarrl@co.sibley.mn.us

Deputy Auditors:

Corissa Aronson
Administrative Assistant
Corissa@co.sibley.mn.us

Kelly Carson
License/Account Technician
KellyC@co.sibley.mn.us

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Charlene Pelletier
Property Tax Supervisor
Char@co.sibley.mn.us

Aaron Scharpe
Accountant
AaronS@co.sibley.mn.us

Division E-mails:

DepReg94@co.sibley.mn.us
Elections@co.sibley.mn.us
Finance@co.sibley.mn.us
PropertyTax@co.sibley.mn.us

To: Mark Wegner
President
Twin Cities & Western Railroad

From: Lisa Pfarr, Sibley County Auditor

Date: November 27, 2012

RE: Letter of Support

Enclosed you will find a letter of support in regard to your position concerning the proposed freight rail route changes as a result of the Southwest Transitway project.

If you have any further questions, please feel free to contact Deputy Auditor Logan Lauritsen at 507-237-4070 or loganl@co.sibley.mn.us.

Thank you,

LP/lkl

Enclosure

**Sibley County
Board of
Commissioners**



District 1:

Jim Nytes

JimN@co.sibley.mn.us

District 2:

Bill Pinske

BillP@co.sibley.mn.us

District 3:

Jim Swanson

JimS@co.sibley.mn.us

District 4:

Joy Cohrs

JoyC@co.sibley.mn.us

District 5:

Harold Pettis

HaroldP@co.sibley.mn.us

Sibley County
Board of Commissioners
Courthouse
400 Court Avenue
P.O. Box 171
Gaylord, MN 55334-0171
Phone (507) 237-4070
Fax (507) 237-4073

November 27, 2012

Hennepin County, Housing, Community Works & Transit

Attn: Southwest Transitway

To whom it may concern:

We, the Sibley County Commissioners, depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the Sibley County Commissioners, understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We, the Sibley County Commissioners, further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Sibley County.

It is imperative that Sibley County retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

1. Do engineering for the reroute that meets TC&W's engineering standards
2. Co-locate the SWLRT with the current freight route
3. Reroute freight back to the 29th Street Corridor, where TC&W ran until 19
4. Route the SWLRT up the MN&S rail line

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, the Sibley County Commissioners, oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

Harold Pettis

Sibley County Commissioner Board Chair

C

C

C

G1

G2

G2

C

C

C



RICHARD W. NORMAN
County Coordinator

COUNTY OF WRIGHT

10 2nd Street NW, RM 235
Buffalo, Minnesota 55313-1188
www.co.wright.mn.us

Tel: (763) 682-7378
1-800-362-3667
Fax: (763) 682-6178

November 30, 2012

COMMISSIONERS

- ROSE THELEN
First District
- PAT SAWATZKE
Second District
- JACK RUSSEK
Third District
- ELMER EICHELBERG
Fourth District
- DICK MATTSON
Fifth District

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

We, the Wright County depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the Wright County understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We, the Wright County further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Wright County.

C

It is imperative that Wright County retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

C

- 129.) Do engineering for the reroute that meets TC&W's engineering standards,
- 130.) Co-locate the SWLRT with the current freight route,
- 131.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
- 132.) Route the SWLRT up the MN&S rail line

C

G1

G2

G2

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

C

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

C

We, the Wright County oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

C

Sincerely,
Dick Mattson

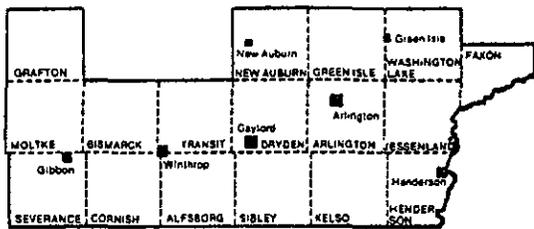
Dick Mattson, District 5
Wright County

et East
ota 55336

MAILED FROM ZIP CODE 55336



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



OFFICE OF THE
Sibley County Attorney

307 N. PLEASANT AVE.
POST OFFICE BOX H
WINTHROP, MN 55396-0406

Tel: (507) 647-5377
Fax: (507) 647-5376

DAVID E. SCHAUER, County Attorney

DONALD E. LANNOYE, Assistant County Attorney

BRYCE A. D. EHRMAN, Assistant County Attorney

November 27, 2012

Hennepin County
Housing, Community Works & Transit
Metropolitan Council

RE: Southwest Light Rail Transitway

Dear Board Members and Council Members:

Sibley County is a member of the Minnesota Valley Regional Rail Authority (MVRRA). The member counties are Carver, Sibley, Renville, Redwood and Yellow Medicine. In the early 1980's MVRRA acquired the short line railroad that runs from Norwood Young America (in Carver County) to Hanley Falls (in Yellow Medicine County). Minnesota Prairie Line (MPL), a wholly owned subsidiary of Twins Cities & Western Railroad Company (TC&W), operates the rail line.

MVRRA depends on TC&W for economical freight rail transportation to serve shippers in the five counties. The Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). Based on information provided by TC&W, the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Sibley County and beyond.

C

It is imperative that we retain an economical freight rail transportation option, which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain competitive freight rail transportation. Alternatives to the recommended design would include:

C

- 1.) Do engineering for the reroute that meets TC&W's engineering standards,
- 2.) Co-locate the SWLRT with the current freight route,
- 3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
- 4.) Route the SWLRT up the MN&S rail line

C G1
G2 G2

Sibley County recommends Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves existing economical freight rail transportation.

C

Rural Minnesota provides a significant amount of exports from the State of Minnesota and having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace. Sibley County recommends Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design.

C

Just as moving "people" is important to Hennepin County and the Metropolitan Council, the economical movement of "freight" is important to Sibley County and MVRRA. As government entities we need to work together to advance the interests of all the government entities.

C

Sincerely,

SIBLEY COUNTY ATTORNEY'S OFFICE



David E. Schauer
Sibley County Attorney



City of Glencoe ♦ 1107 11th Street East, Suite 107 ♦ Glencoe, Minnesota 55336
 Phone (320) 864-5586

RESOLUTION NO. (2012-22)

A RESOLUTION OF SUPPORT FOR TWIN CITIES & WESTERN (TC & W) RAILROAD AND OPPOSITION TO THE PROPOSED FRIEIGHT RAIL RELOCATION DESIGN

WHEREAS, TC & W Railroad is located in the City of Glencoe and the City is dependent on TC & W RR to provide economical freight transportation for its customers; and,

WHEREAS, the City has learned that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). The recommended rail reroute design adds a significant climb by freight rail standards and tight track curvature. TC & W RR believes the design will require extra locomotives, fuel, track maintenance and additional time to operate the same trains it currently operates; and,

C

WHEREAS, the City wants TC & W RR to be a viable freight rail transportation option for its citizens and customers. The City is concerned that the recommended freight rail reroute design will negatively impact the shippers and communities that TC & W RR serves and the increased costs to TC & W RR will be passed on to its customers in Glencoe; and,

C

WHEREAS, the City asks Hennepin County and the Met Council to consider other design alternatives which would not increase TC & W RR's operating costs. These alternatives include:

C

- 1.) Conduct engineering for the reroute that meets TC&W's engineering standards,
- 2.) Co-locate the SWLRT with the current freight route,
- 3.) Reroute freight to the 29th St Corridor, where TC&W conducted business before 1998, or
- 4.) Route the SWLRT to the MN&S rail line; and,

C

G1

G2

G2

WHEREAS, the City believes that design alternatives can work for both Southwest Light Rail Transitway and TC & W RR's freight rail operations; and,

C

WHEREAS, the City is aware that TC & W RR's mission statement is to grow the economies of the areas it serves, and the DEIS recommendations pose a serious impediment to growing the economy of south central Minnesota. Due to the fact that rural Minnesota provides a significant amount of exports from the State of Minnesota, and having economical freight rail transportation is imperative to allowing rural Minnesota to compete in the global marketplace, the City requests Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and mutually agree upon an acceptable design. Rural Minnesota is dependent upon economical freight rail transportation.

C

C

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GLENCOE:

1) That the City of Glencoe requests Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS; and,

C

2) That a Hennepin County and the Met Council work with TC & W R Railroa to arrive at a freight rail solution that is mutually agreeable and that preserves the existing economical freight rail transportation.

C

Adopted this 17th day of December, 2012.

By Randy Wilson
Randy Wilson, Mayor

Attest:

By [Signature]
Mark D. Larson, City Administrator

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

December 20, 2012

Ms. Katie Walker, Project Manager
Hennepin County
Housing, Community Works and Transit
701 Fourth Avenue South, Suite 400
Minneapolis, MN 55415SUBJECT: Southwest Transitway Draft EIS
MnDOT Review # DEIS12-003
Hennepin County

Dear Ms. Walker:

Thank you for the opportunity to review the Southwest Transitway Draft Environmental Impact Statement (DEIS). We recognize that the Southwest Light Rail Transit (SWLRT) is a planned backbone element of the Twin Cities regional transitway system and that it will help to increase citizens' access to major regional destinations. Below you will find technical comments regarding material included in the Draft EIS and anticipated future review steps.

Please note that MnDOT's review of this DEIS does not constitute approval of a regional traffic analysis and is not a specific approval for access or new roadway improvements. As plans are refined, MnDOT would like the opportunity to meet with Hennepin County to review the updated information. MnDOT's staff has reviewed the document and offers the following comments:

Freight Rail

MnDOT has been a partner agency in the development of the SWLRT project, and has been involved principally due to its responsibility in several areas. These include State trunk highway infrastructure, bridges, intersections, and contiguous rights of way, railroad grade crossing safety, and support of freight rail system service and continuity, in accordance with the Statewide Multimodal Transportation Plan, the State Rail Plan, and the State Freight Plan.

MnDOT has actively monitored freight relocation issues and initiatives, and was tasked as the Responsible Governing Unit (RGU) in ruling on the validity of the draft St. Louis Park Freight Rail Relocation Environmental Assessment Worksheet (EAW) that was commissioned by Hennepin County in support of the freight rail relocation option.

In reviewing the Draft Environmental Impact Statement (DEIS), MnDOT notes that the Federal Transit Agency (FTA) has directed the Metropolitan Council, through its conditional approval to enter into Preliminary Engineering, to continue the factual determination of the most effective and beneficial routing of freight traffic that is impacted by this project. Consistent with previously stated positions, MnDOT considers the two options, co-location and re-location, to both be potentially workable for freight rail, and should undergo appropriate study to quantify costs and operating aspects as planned by the Project Team during initial phases of the Preliminary Engineering. MnDOT feels that this will adequately satisfy the intent of the FTA condition regarding freight rail routing, serve to positively answer the concerns of the opposing viewpoints in this matter, and reach agreement with the operating freight railroads on the necessary goal of retaining effective connections to the rail freight system.

Q2

Noise

It appears that the noise analysis followed the FTA noise analysis and mitigation protocols, thus MnDOT did not perform a detailed analysis on the results. It has been MnDOT's understanding, based on conversations with the Minnesota Pollution Control Agency (MPCA), that LRT is not exempted from addressing the Minnesota State Noise standards nor are they exempted from addressing the Minnesota State Noise Rules (7030 series). If not exempted by the MPCA, State Noise Standards and rules should be addressed.

O8

If you have any questions regarding MnDOT's noise policy please contact Peter Wasko in our Design section (651-234-7681 or Peter.Wasko@state.mn.us).

Water Resources

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

N6

Additional information may be required once a drainage permit is submitted and after a detailed review. MnDOT will not allow an increase in discharge to MnDOT right-of-way. Please direct any questions regarding these issues to Hailu Shekur (651-234-7521 or hailu.shekur@state.mn.us) of MnDOT's Water Resources Engineering section.

L3

Design

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

L3

Design and Layout Development process can be found at:
<http://www.dot.state.mn.us/design/geometric/index.html>

For questions concerning this subject, please contact Nancy Jacobson, (651-234-7647 or nancy.jacobson@state.mn.us) in the Metro Design Section.

Planning

Page 6-47 currently states: “A traffic management plan would be developed and agreed upon by appropriate levels of administration including MnDOT, Hennepin County, and all municipalities along the construction alignment. The plan would include ways to maintain traffic flow, existing transit services, and pedestrian access along each disrupted roadway.”

MnDOT suggests adding bicycle access to the sentence as well since there may be instances where construction will disrupt existing on-street bikeways or trails.

P9

The FEIS should describe the provision of short and long-term bicycle storage and parking near transit stations. Bicycle storage provides an important connection as part of an integrated transportation system and can promote the use of public transportation. The FEIS should investigate the number of bicycle parking spaces needed and the total space required for these facilities at stations and bus stops along the corridor.

Several of the maps contain a roadway labeling error. Minnesota Trunk Highway 7 does not extend east of Highway 100. East of Highway 100, the roadway should be labeled as County Road 25.

U

Because of the ease of boarding and alighting associated with light rail transit, the SWLRT may be an attractive option for a variety of users including people with mobility challenges. Some may use Metro Mobility to arrive at an LRT station. Consider mobility drop off zones at points where passengers may arrive by mobility bus. A mobility zone assures that should there be any problems with loading or unloading, other mainline buses would not be caught in a queue waiting for the problem to resolve.

I2

Traffic

Both Priority and preemption are mentioned in different places in the document. The type of operation that is chosen will greatly impact the operation of the traffic signals. MnDOT prefers that all the at-grade signals be operated with priority. Please clarify the proposed operation plan.

P4

MnDOT and HCRRA have been and will continue to work on finalizing an agreement that addresses the HCRRA Transportation Corridor which crosses TH100.

Page 6-18: Include: TH212 at Shady Oak Road Interchange Project

P4

Page 6-38: The access to/from Lake Street on TH 7 will be closed (part of the TH7/Louisiana Ave Interchange Project, City of St. Louis Park led Project)

P4

Page 6-61: If the freight rail relocation option is chosen, the timing and duration of TH7 closures will need more discussion as it relates to the construction and impacts of the proposed MN&S bridge over TH 7.

P4

The intersection of Prairie Center Drive and Valley View Road is shown as an at grade intersection. This intersection operates at a Level of Service (LOS) E under the existing conditions. The 2030 LRT build scenarios show that this intersection is proposed to operate at a LOS F. This degradation in service represents an unacceptable level of delay. In addition, operations at three other intersections nearby (Prairie Center Drive and Viking Drive, Valley View Road and Bryant Lake Drive, Valley View Road and Flying Cloud Drive) are expected to have their LOS degraded to LOS E or LOS F in the 2030 build scenario. These LOS conditions have the potential to negatively impact the access ramps to and from TH212 and could potentially affect operations on the TH212 mainline. Please identify the options that have been investigated at the Prairie Center Drive and Valley View Road intersection. Also, identify the tools that have been implemented to better understand the operations of this intersection. MnDOT looks forward to working with the design team to investigate strategies to mitigate these impacts.

P4

F0

P4

The maps showing the sites being considered for the Operations and Maintenance Facility (OMF) are too general, making it difficult for MnDOT and other agencies to get a sense of the types of impacts these facilities may have on roadway operations. In particular, the Eden Prairie 2 (Wallace Road) site could have significant impacts to the Eastbound TH 212/Wallace Road off-ramp if the tracks were to cross this roadway at-grade.

H1

The document references several figures. One set of figures is labeled as alignments and location codes. This figure outlines the proposed route and also identifies all the proposed intersections. This figure describes the intersection crossing as AG (at grade) or GS (grade separated). If these designations change as the project moves forward, MnDOT would like the opportunity to review and comment on these proposed changes.

L3

Please direct any questions regarding these comments to Ryan Coddington (651-234-7841 or ryan.coddington@state.mn.us).

Right-of-Way/Permits

Any use of or work within or affecting MnDOT right-of-way requires a permit. Per the Cooperation Agreement between MnDOT and the Metropolitan Council for SWLRT, the use of MnDOT right-of-way may not require permits, but will require extensive

L3

communication and coordination between the two agencies. It is anticipated that more specific impacts to MnDOT right-of-way will be determined during the FEIS and Preliminary Engineering phases. Permit forms are available from MnDOT's utility website at www.dot.state.mn.us/tecsup/utility. Please direct any questions regarding permit requirements to Buck Craig, MnDOT's Metro Permits Section, at (651) 234-7911.

L3

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

Sincerely,

A handwritten signature in blue ink that reads "Pat Bursaw". The signature is written in a cursive style with a large initial "P".

Pat Bursaw
Office of Planning, Program Management, and Transit

Copy via Email:

Lynne Bly
Dave Christianson
Lynn Clarkowski
Ryan Coddington
Buck Craig
April Crockett
Paul Czech
Rick Dalton
John Griffith
Jim Henricksen
Lars Impola
Brian Isaacson
Nancy Jacobson
Carl Jensen
Brian Kelly
Molly McCartney
Gina Mitteco
Tori Nill
Becky Parzyck
Scott Pedersen
Ron Rauchle
Hailu Shekur
Tod Sherman
Aaron Tag
Michael Vogel
Pete Wasko
Ann Braden, Metropolitan Council



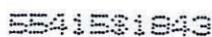
Minnesota Department of Transportation

Metropolitan District Waters Edge

1500 West County Road B-2
Roseville, MN 55113-3174



Katie Walker
Housing, Community Works and Transit
701 4th Ave S, Suite 400
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Minnesota Pollution Control Agency

520 Lafayette Road North | St. Paul, Minnesota 55155-4194 | 651-296-6300
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December 21, 2012

Hennepin County Regional Railroad Authority
Department of Housing, Community Works & Transit
Attn: Southwest Transitway
701 Fourth Avenue South, Suite 400
Minneapolis, MN 55415

Re: Southwest Transitway Draft Environmental Impact Statement

To Whom It May Concern:

Thank you for the opportunity to review and comment on the Draft Environmental Impact Statement (DEIS) for the Southwest Transitway project (Project) located in Hennepin County, Minnesota. The Project consists of construction of a light rail system between the cities of Minneapolis and Eden Prairie. Regarding matters for which the Minnesota Pollution Control Agency (MPCA) has regulatory responsibility and other interests, the MPCA staff has the following comments for your consideration.

Section 4.1 Geology and Groundwater Resources

For the stream and creek crossing, it would be appropriate to list the In-water best management practices that will be used (page 4-13).

N6

Section 4.2 Water Resources

- Table 4.2.1 – Under permitting for the MPCA, it should state Section 401 of the Clean Water Act, not Section 402.
- Since wetland delineations have yet to be done for the site (page 4-32), comments on impacts to the wetlands and streams and issues about mitigation will require further information.

U

N5

Section 4.9 Hazardous and Contaminated Materials

Please note that the proposed route of LRT 3A and 3B runs along, and adjacent to, the west boundary of the Hopkins Landfill property. The landfill was not identified in the DEIS as a “potentially contaminated property” although it is included on the Minnesota Pollution Control Agency’s (MPCA) “What’s in My Neighborhood” that is referenced in the DEIS. Groundwater beneath the site is contaminated with arsenic, benzene, and vinyl chloride and the contaminant plume extends to the east and northeast and discharges into Nine-mile Creek. The Groundwater Area of Concern, defined as the area of land surrounding a landfill where the presence of activities that require the use of groundwater may be impacted or precluded by contamination from the landfill, extends west off the landfill property and encompasses the proposed LRT route. In addition, the Methane Gas Area of Concern, defined as the area of land surrounding a landfill waste footprint where the presence of certain activities such as construction of enclosed structures may be impacted or precluded by subsurface migration of methane gas, will extend west off the landfill property and include the proposed LRT route.

N10

N4

The MPCA has concerns about the proximity of the LRT construction to the landfill. First, if dewatering is anticipated for LRT construction, the possibility of encountering contaminated groundwater may exist, depending on depth. The pumping of contaminated groundwater will need to be addressed appropriately. Second, due to the risks associated with methane generation at the landfill, enclosed

N4,
N10

December 21, 2012

structures should not be built within 200 feet of the west boundary of the landfill property. Third, if the installation of pilings is anticipated in order to construct a bridge over the wetland west, and the freight-rail tracks northwest, of the landfill property, excessive vibration could negatively affect the operation of the active gas extraction system and could potentially jeopardize the stability of the landfill cover. This issue will require additional evaluation prior to construction. Please contact Shawn Ruotsinoja at 651-757-2683 if you have questions regarding the Hopkins Landfill.

O6

We appreciate the opportunity to review this Project. Please be aware that this letter does not constitute approval by the MPCA of any or all elements of the Project for the purpose of pending or future permit action(s) by the MPCA. Ultimately, it is the responsibility of the Project proposer to secure any required permits and to comply with any requisite permit conditions. If you have any questions concerning our review of this DEIS, please contact me at 651-757-2508.

L3

Sincerely,



Karen Kromar
Planner Principal
Environmental Review Unit
Resource Management and Assistance Division

KK:mbo

cc: Craig Affeldt, MPCA, St. Paul
Doug Wetzstein, MPCA, St. Paul
Jim Brist, MPCA, St. Paul
Shawn Ruotsinoja, MPCA, St. Paul



Minnesota Pollution Control Agency

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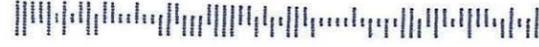
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Hennepin County Regional Railroad Authority
Dept of Housing, Community Works & Transit
Attn: Southwest Transitway
701 Fourth Avenue South, Suite 400
Minneapolis, MN 55415

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→ From: mnrealtors <mnrealtors@aol.com>

To: swcorridor <swcorridor@co.hennepin.mn.us>; Katie.Walker <Katie.Walker@co.hennepin.mn.us>

Cc: gail.dorfman <gail.dorfman@co.hennepin.mn.us>; lisa.goodman <lisa.goodman@minneapolismn.gov>

Subject: Response to SWLRT DEIS

Date: Mon, Dec 17, 2012 9:39 am



See Comment #330 for Theme Delineations

Date: December 17, 2012

To: whom it may concern

Re: response to the SWLRT DEIS

From: Paul and Cheryl LaRue

First, we would like to acknowledge your reasoning for the need for LRT and we understand that the SWLRT is an integral part of Met Council's 2030 Transportation Policy Plan, Met Council's 2030 Regional Development Framework, Hennepin County Transportation Systems Plan, Hennepin County Sustainable Development Strategy 2011, as well as The Minneapolis Plan for Sustainable Growth.

1) One of our concerns lies with the **environmental and socioeconomic impacts of a flyover bridge at Cedar Lake Pkwy**. We understand that a flyover bridge would address 'traffic congestion' at the intersection of LRT with Cedar Lake Pkwy. However, we support alternative means of addressing such issues. We support Cedar Lake Parkway crossing *OVER* LRT transit as presented by the Minneapolis Park and Rec Board and supported by the Joint Neighborhood Task Force consisting of CIDNA (Cedar Isles Dean Neighborhood Association), KIAA (Kenwood Isles Area Association), WCNC (West Calhoun Neighborhood Council), CLSHA (Cedar Lake Shores Homeowners Association), CIHA (Calhoun Isles Condos Condo Association) and CLPA (Cedar Lake Park Association).

A flyover works against the goals of the 2030 Regional Development Framework. Per the DEIS Appendix H - Land Use Plans, The Metropolitan Council Plans and Studies, **2030 Regional Development Framework**, page 7 of 750, item #4: "The RDF addresses four primary policies...**4) Working with local and regional partners to reclaim, conserve, protect, and enhance** the region's vital natural resources".

Per 3.6.3 Long-Term Effects, 3.6.3.3 Build Alternatives, Segment 4, page 3-115: "Although the segment is located in an existing transportation corridor (Kenilworth Regional Trail), the project *would introduce new visual elements--* the fixed guideway, including track, catenary poles, and wires--into the area. Catenary poles and wires could have *substantial visual impacts on trail users* who would share the corridor with the fixed guideway" ... "The proposed alignment is on a *bridge over Cedar Lake Parkway*. *Visual impacts on sensitive receptors adjacent to the corridor in the multi-family residential parcel and Cedar Lake Parkway could be substantial. Visual intrusion and privacy impacts of the project elements on the residents in units with windows facing the alignment where it is bridged structure could be substantial.*"

A flyover bridge, infrastructure and supporting walls, poles, and cantenary over Cedar Lake Pkwy are not compatible with current scenic views and would obstruct rather than "conserve, protect, and enhance" views in designated scenic areas at Cedar Lake and throughout Cedar Lake Regional Trail/Kenilworth Trail and the Grand Rounds as well as Park Siding Park. This drastic visual change would impact setting, integrity, and feeling of Cedar Lake and Cedar Lake Regional Trail/Kenilworth Trail, the Grand Rounds, and Park Siding Park. We support working with local partners (such as the Park Board), the residential community, and neighborhood associations to investigate alternative ways for LRT to cross at Cedar Lake Parkway. We support Cedar Lake Parkway crossing over transit.

An environmental concern with a flyover bridge at Cedar Lake Parkway would be the introduction of a NEW noise source(s) at Cedar Lake, throughout the Cedar Lake Regional Trail/Kenilworth Trail and Park Siding Park, and into the Grand Rounds. Per 4.7.3.4 Project Noise Levels: "The project team measured airborne noise from the Hiawatha LRT as the basis for the sound exposure levels used in the analysis". Per table 4.7.2 the Hiawatha LRT measurements were done 'at grade'. Measurements did not include airborne noise at the various elevations of a flyover* at Cedar Lake Parkway. Recommend analysis for noise and vibration at various heights of a flyover*, taking into consideration the unique situations of Segment A, particularly between West Lake Stn. and 21st St. Stn. *Unique situations include:* A) close proximity of the flyover to Cedar Lake, a large body of water which would carry sound farther than over land or through trees, B) two 14-story high rise residential buildings with close proximity to the flyover which would reflect a new noise source throughout Park Siding Park, the Cedar Lake Regional Trail/Kenilworth Trail, and the Grand Rounds, C) most of the Xerxes Historic District multi-story residences would have an unobstructed view of the flyover, structure, catenary poles and wires, and trains; and would be directly affected by a new noise source introduced by a flyover. The Shoreland Overlay District Zoning requirements also need to be observed.

Per 3.6.5.3, Mitigation, Build Alternatives, page 3-123: "*Mitigation treatments...would be developed...through*

discussion with affected communities, resource agencies, and stakeholders. Measures would be taken to ensure the design and construction of the Build Alternative considers the context of the corridor and that sensitive receptors receive adequate mitigation. Possible mitigation measures could include: A) Landscaping vegetation such as shrubs and bushes to supplement existing vegetation buffers, B) Evergreen vegetation screening to supplement deciduous vegetation buffers in leaf-off conditions, C) Fencing, D) Tunneling." Comment: Due to the uniqueness of the narrow rail corridor in the residential area between West Lake Stn. and Cedar Lake Parkway existing vegetation is minimal and supplementing it may be difficult as there is very little space to add a berm or mature landscaping. The DEIS suggestion of a tunnel as a means of mitigation needs to be studied as a viable means of mitigation. We do not support taking of any residential properties in Segment A north of West Lake Stn.

*Per Appendix H-1, page 204, Table: Aweighted Sound Levels (FTA): Rail transit horn 89 dBA, rail transit on modern concrete aerial structure 84 dBA. These dBA corresponded on the same table to sounds similar to an outdoor concrete mixer and jack hammer. *Comment: A flyover would introduce these NEW sounds, and these sounds would not "conserve and enhance" the region's vital natural resources. Therefore, we support Cedar Lake Parkway crossing over transit.*

*Per Appendix H-1, page 201, The FTA Transit and Noise Vibration Impact Assessment indicates, "Reflections off topographical features or buildings (structures) can sometimes result in higher noise levels...than would normally be expected. Temperature and wind conditions can also diffract and focus a sound wave to a location at considerable distance from the noise source. As a result of these factors, the existing noise environment can be highly variable depending on local conditions." Again, we support Cedar Lake Parkway crossing over transit.

2) Our second concern is regarding **mitigation for the Impacted Land (Units) from LRT in Segment A, in particular the residential area between West Lake Stn. and 21st St. Stn.** Of the LRT Segments in the preferred alignment 3A, Segment A has the lowest ambient noise* of Segments 3, 4, and A (per 4.7.3.5). Segment A also has the highest percentage of Severe Land Impact** (Units) (91.0% of the total for alignment 3A as per tables 4.7-3 and 4.7-8), in particular the area **between West Lake Stn. and 21st St. Stn. (87.6% of the total Severe Land Impact units for all of alignment 3A)**. Segment A consists mainly of residential/multi-family residential, whereas Segments 3 and 4 consist mainly of commercial properties (table 3.2-2). LRT Sound Exposure Levels (per table 4.7-2) would be in the HUD threshold for Unacceptable Housing Environment (Appendix H-1, "Odors, Noise, and Dust), above the MN Noise Pollution Control Limits (Appendix H-1, Table 9), and above Federal Noise Abatement Criteria***. Given that the area between West Lake Stn. and 21st St. Stn. has 87.6% of the Severe Land Impact properties, mitigation by fencing or landscaping alone would have minimal mitigation effect. Additionally, on its own, barriers would not seem to provide adequate mitigation. Per Appendix H-1, Mitigation: "Noise barriers would not be as effective at reducing noise...since there are physical limitations on barriers which would only potentially reduce noise by a small amount...". Mitigation such as cut'n'cover or tunnel have not been addressed by the DEIS for Segment A; and should be thoroughly studied as a viable means for mitigation, particularly in the area between West Lake Stn. and 21st St. Stn. A flyover bridge over Cedar Lake Parkway would NOT mitigate Severe Land Impact properties. A flyover would introduce NEW airborne noises. We support Cedar Lake Parkway crossing over transit. We support working with local partners, the residential community and neighborhood associations to investigate and coordinate ways to minimize the noise, vibration, and visual impacts of LRT rail cars, infrastructure and supporting walls, poles and catenary. We do not support taking of any residential properties in Segment A north of West Lake Stn.

Data supporting the above is as follows:

As stated in Chapter 4, page 4-7 FTA Noise Impact Thresholds, as well as in Appendix H, Odors, Noise, and Dust: There are two levels of impact included in the FTA criteria...Moderate Impact and Severe Impact. Project-generated noise in the severe impact range can be expected to cause a significant percentage of people to be highly annoyed by the new noise and *represents the most compelling need for mitigation...*

*Per 4.7.3.5 Assessment. "Ambient noise is measured by what is present in existing conditions. Low ambient noise levels cause the impact threshold (the point at which there is an impact) to be lower. Ambient noise levels were as low as 55 dBA on an Leq basis and 56 dBA on an Ldn basis for Segment 3; 56 dBA on an Leq basis and 54 dBA on an Ldn basis for Segment 4; *44 dBA on an Leq basis and 52 dBA on an Ldn basis for Segment A; and 58 dBA on an Leq basis and 58 dBA on an Ldn basis for segment C".

*Appendix H-1, Southwest Transitway Ambient Noise Table, page 5, Segment A: "Site #31 (3427 St. Louis Ave.) for a 24-hour period the Leq was 59 dBA and Ldn 60 dBA (Footnote 'c' for that table notes that noise monitoring data for Site #31 included noise from existing freight train operations). *Natural sounds and recreational activities are the dominant noise sources, with lesser noise contributions from Lake St. traffic. This location is representative of noise-sensitive land use at the south end of the Kenwood Neighborhood, within earshot of Lake St.*" Comment: Site #31, 3427 St. Louis Ave., is a residential property adjacent to the current TC&W rail line and located inbetween the West Lake St. Stn. and Cedar Lake Parkway. Given the Sound Exposure Levels in table 4.7-2 of LRT pass-bys 81-84 dBA, signal 106 dBA, warning signal 88 dBA, warning horns 99 dBA, LRT curve squeal 114 dBA, mitigation requirements need to include keeping the ambient noise levels (on a constant and frequent basis)

consistent with current Leq and Ldn dBA...particularly at nighttime. Mitigation must preserve and maintain as dominant sounds of the portion of Segment A in between West Lake Stn. and Cedar Lake Parkway that of natural sounds and recreational activities. Fencing or landscaping alone would not achieve such mitigation. Barriers only reduce noise by a small amount (per Appendix H-1: Mitigation). Mitigation such as cut'n'cover or tunnel have not been addressed by the DEIS for Segment A; and should be thoroughly studied as a viable means of mitigation, particularly in the area between West Lake St. Stn. and 21st St. Stn. Note: noise monitoring data for Site #31 was collected *prior* to the replacement of old, frequent weld TC&W rails with new continuous rails in September/October 2012 (per rail engineers, up to 1/3 quieter and less vibration).

**In Segments 3 and 4 (the preferred alignment 3A) running from Mitchell Rd. to the West Lake Station the LRT touched almost ALL commercial properties (per engineering and conceptual designs from Appendix F as well as table 3.2-2 Summary of Neighborhood...Cohesion Impacts...Segment 3 "mostly commercial"). Per table 4.7-3, Noise Impact Summary Table, the preferred alignment 3A had a total of 201 (520) Severe Impact Land (Units) for Category 2 (residential). Per table 4.7-5, Noise Impacts Segment 3, Segment 3 had 18 Severe Impact Land (Units). Per table 4.7-6 Noise Impacts Segment 4, Segment 4 had no Severe Impact Land (Units). Per table 4.7-8 Impacts Segment A, Segment A had 183 (406) Severe Impacts Land (Units). In summary, *Segment A has 183 (406) of the total 201 (520) or 91.0% of the Severe Impact Land in alignment 3A...with 176 (399) between West Lake Stn. and 21st St. Stn. (table 4.7-8). In other words...176 (399) of the total 201 (520) or 87.6% of the total Severe Impact Land for alignment 3A were in the very small stretch between W. Lake and 21st St. Stations* as compared to the miles and miles of LRT in Segment 3 and 4 which only had 18 of 201 (table 4.7-5) or 9.0%. Note: percentages are rounded. Note also: Segment A has a situation *unique to Segments 3 and 4 and to Hiawatha LRT* in that some of the residential/multi-family residential properties are located 20' or less from the rail tracks, including a 14 story high rise condominium with balconies facing the rail tracks.

Table 4.7-2 LRT Sound Exposure Levels used in the Noise Analysis...LRT pass-by 81-84 dBA, signal 106 dBA, warning signal 88 dBA, warning horn 99 dBA, LRT curve squeal 114 dba.Appendix H-1, page 50 of the section addressing "Odors, Noise and Dust - Noise Basics, Exhibit 1, Outdoor Noise Exposure for a Residential Environment (according to U.S. Federal agency criteria) states the ambient close to Urban Transit is 85 Ldn. *The HUD threshold for Unacceptable Housing Environment is 75 dBA Ldn, the HUD limit for normally acceptable housing environment is 65 dBA Ldn, and the EPA ideal residential goal is 55 dBA Ldn.* This section also states Category 2 are residences and buildings where people normally sleep. This category includes residences...where nighttime sensitivity is assumed to be of utmost importance.

***Appendix H-1, Table 9, Minnesota Noise Pollution Control Limits, indicates that Chapter 7030 of the Minnesota Administrative Rules has set a series of noise limits that can be applied to projects such as...rail study. The limit for MN category 1 (residences, churches, schools, and other similar land uses) in the daytime is between 60-65 dBA and nighttime 50-55 dBA.

***MnDOT for the Trunk Hwy 41 river crossing project, Chaska, indicates Federal Noise Abatement criteria for Category B (residential and recreational) is 70 dBA. For every increase of 10 dBA is heard twice as loud.

Appendix H-1, FTA Noise Impact Criteria, page 50: "Although higher rail noise levels are allowed in neighborhoods with high levels of existing, smaller increases in total noise exposure are allowed with increasing levels of existing noise".

3) Our third concern is regarding **mitigation** in Segment A, particularly the residential area between West Lake Stn. and 21st St. Stn., from the substantial increase in the **frequency of LRT pass-bys**. The DEIS considers **current TC&W pass-bys to be infrequent**, and that LRT will more than double the amount of train pass-by events*. Current TC&W pass-bys are 21.5 per week daytime and .5 per week or less nighttime**. LRT projected are 2326 per week with 420 in the nighttime***. In other words LRT pass-bys would create a drastic change for Segment A from a periodic, infrequent heavy use corridor to a constant, frequent heavy use corridor. Noise, vibration, and visual impacts in Segment A, particularly in the residential area between West Lake Stn. and 21st St. Stn. would change from current periodic, infrequent noise, vibration, and visual impacts 21.5 times per week and .5 or less times per night to constant noise, vibration, and visual impacts 2326 times per week, with a disruptive increase at nighttime of 420 per night...from current 3 times per day and less than .5 nighttime per 'week' to LRT every 7.5 - 10 minutes per day and LRT every 30 minutes each night (these daily LRT pass-bys are per the SWLRT website).

LRT would introduce a NEW *privacy impact* both in the *daytime and nighttime*. Per 3.6.3 Long-Term Effects, 3.6.3.3, "Visual intrusion and privacy impacts of the project elements on the residents in units with windows facing the alignment...could be substantial." Comment: The new privacy impacts would not only affect the residential properties, but persons using the Cedar Lake Regional Trail/Kenilworth Trail, Park Siding Park, and the Grand Rounds. These privacy impacts do not currently exist; therefore, mitigation needs to address respect of privacy resulting from LRT pass-bys. Mitigation by fencing or landscaping alone would have minimal and seasonal

mitigation effect. Additionally, on its own, barriers may not provide adequate mitigation in screening privacy impacts, particularly at elevations of a flyover. Mitigation such as cut'n'cover or tunnel should be thoroughly studied as a viable means for mitigation, particularly in the area between West Lake Stn. and 21st St. Stn. A flyover would not mitigate privacy impacts. A flyover would introduce additional new privacy impacts at a higher elevation. Nighttime LRT pass-bys will also introduce a *NEW visual nighttime impact of LRT headlights as well as intrusion of lights from inside train cars which would be passing through 420 times per week as compared to current .5 or less headlight (only) light intrusion per week*. Fencing and landscaping will not mitigate the new nighttime visual light impacts. Barriers may mitigate the new nighttime headlight visual impact and partially mitigate light intrusion from inside train cars; however, would *not* be adequate to mitigate the *extreme increase in frequency* of visual light impacts resulting from more than double the amount of train pass-by events*. Mitigation such as cut'n'cover or tunnel have not been addressed by the DEIS for Segment A, and should be studied as a viable means for mitigation, particularly in the area between West Lake Stn. and 21st St. Stn. A flyover bridge over Cedar Lake Parkway would NOT mitigate the new *increased frequency* of daytime and nighttime visual impacts. A flyover bridge would introduce NEW visual impacts at an elevation higher than 'at grade'.

***Comment:** The DEIS statement 'more than double the amount of train pass-by events' is **extremely understated**. **Per the SWLRT website, train pass-bys would dramatically increase from the current 3 times in the daytime to LRT every 10 minutes during the daytime and early evenings--even more frequently during peak hours to LRT every 7.5 minutes. The nighttime pass-bys would be even more substantially increased from 'on occasion' .5 per 'week' to LRT every 30 minutes nighttime. The LRT pass-bys are constant 7 days per week, 20 hours per day.** These LRT frequencies would change the residential corridor in Segment A between West Lake St. and 21st St. Stn. **from 'dominant noise sources being that of natural sounds and recreational activities' to constant new noise sources** from the LRT rail squeals and horn or bells (with noise decibals increasing from current ambient 59-60 dBA (Site #31) to between 81-114 dBA. Such **drastic changes to the environmental and socioeconomic** elements of the residential corridor warrant serious mitigation of noise as well as visual impacts. Fencing and landscaping alone would not mitigate the dramatic increase in *frequency* of noise nor the increase in noise decibals. Barriers would only reduce noise by a small amount (per Appendix H-1: Mitigation), and would not address the dramatic increase in *frequency* of noise. Mitigation such as cut'n'cover or tunnel have not been addressed by the DEIS for Segment A, and should be studied as a viable means for mitigation, particularly in the area between West Lake Stn. and 21st St. Stn. A flyover would not mitigate *increased frequency* of noise. A flyover would introduce NEW as well as increased frequencies of noise carrying at an elevated level.

Data supporting the above is as follows:

*Per Appendix H-1 as well as 4.8.2, Existing Conditions: "Existing rail operations in Segmnt 4 include approximately 3 freight pass-by events per day. TC&W locomotive pass-by events are less than 5 per day; therefore, are considered infrequent...The build alternatives will more than double the amount of train pass-by events..."

**Per chapter 4, page 91, Segment A: West Lake Station to Intermodal Station. "Under Build Alternatives LRT 1A and LRT 3A existing TC&W traffic on the Kenilworth Corridor would be relocated to the MN&S Spur. (Freight rail traffic on the Spur would be the existing traffic in the Kenilworth Corridor with no change in train activity, consist, etc." Calculation of existing TC&W traffic on the Kenilworth Corridor per 4.7.5 MN&S Freight Rail Relocation is as follows:

One freight train with 2-4 locomotives and 50 cars operating six days/wk (1 train x 6 days = 6/wk)

One freight 2-4 locomotives and 20 cars operating 3-4 days/wk (1 train x 4 days = 4/wk)

One ethanol train with 2 locomotives and 80 cars operating once every 2 wks (1 x .5 = .5/wk)

One coal train with 4 locomotives and 120 cars operating once every 2 wks (1 x .5 = .5/wk)

Note: the coal train only operates one direction, all others round trip.

TOTAL TC&W freight train pass-bys per wk = 21.5 (6 + 4 + .5) x 2/round trip plus .5 x 1 direction

Note: All above trains were considered in section 4.7.5 to operate during the day. The exception being one coal train operating once every 2 weeks which *could* operate either night or day.

***Calculation of operational assumptions of LRT per 4.7.3.4, Chapter 4, Environmental Effects, page 4-84:

198 trips during the day (198 x 7) (assumed) = 1386/wk****

16 trips/hr between 6-9 am and 3-6:30 pm (16 x 6.5 x 5) (assumed 'peak hrs' means 5 days/wk) = 520/wk****

60 trips during the night (60 x 7) = 420/wk****

TOTAL LRT Pass-bys per week = approximately 2326****

****Note: There is no mention in the DEIS information if these are 'one direction' trips or 'round trips' and should, therefore, be multiplied by 2 as per the calculation of the existing TC&W.

You will note in Chapter 4, pages 4-92, Segment A...Under Build Alternatives...the DEIS states, "Airborne-noise impacts associated with Segment A (with freight rail relocation) were calculated based on existing noise exposure (including existing TC&W freight rail traffic) and account for the 'decrease' in sound level which would occur due to the absence of freight pass-by events". Comment: The DEIS calculations represents an 'average' of the LRT noise impacts for a 24-hour period. In actuality, the LRT will introduce noise impacts in the 81-114 dBA range 'extremely

frequently and nearly constant' throughout the daytime and nighttime in Segment A. Whereas the current TC&W noise impacts have been very infrequent during the daytime and nearly non-existent in the nighttime. In addition, the DEIS has not measured the noise level of the TC&W with the new continuous rails installed September/October 2012 in Segment A, particularly the portion between West Lake Stn. and 21st St. Stn.

4) Our fourth concern is regarding **mitigation for the (long-term) visual effects** of LRT for **Segment A**, in particular the residential area between West Lake Stn. and 21st. Stn. This section is *unique* to Segment 3, 4 and Hiawatha LRT given the close proximity of residential and high rise residential to the LRT as well as the close proximity of Cedar Lake, Cedar Lake Regional Trail/Kenilworth Trail, Park Siding Park, and the Xerxes Historic District multi-story residences to an *unobstructed visual* of LRT structure, catenary and poles.

Per Chapter 3, Social Effects, 3.6.6, Summary, page 3-125, the DEIS points out a situation *unique* to Segment A in the 3A alignment: "Further, LRT 3A (LPA) would have possibly substantial effects on the visual quality of one of its three segments, which includes sensitive receptors in the residential land uses adjacent to the segment (A) where the alignment is on a bridge".

3.6.3 Long-Term Effects, 3.6.3.3 Build Alternatives Segment 4, page 3-115: "Visual impacts may be substantial where the alignment is not screened by vegetation. *Visual intrusion and privacy impacts of the project elements on the sensitive receptors may be substantial where views from the alignment into previously private spaces are created. Visual intrusion and privacy impacts on the outdoor living areas of residential properties could be substantial where vegetation or landscape buffers do not exist*". "The proposed alignment is on a *bridge over Cedar Lake Parkway. Visual impacts on sensitive receptors adjacent to the corridor in the multi-family residential parcel and Cedar Lake Parkway could be substantial. Visual intrusion and privacy impacts of the project elements on the residents in units with windows facing the alignment where it is bridged structure could be substantial*".

Comments: Given the narrow space of the rail corridor between West Lake Stn. and Cedar Lake Parkway, fencing and imature landscaping alone would not mitigate the visual intrusion and privacy impacts, and would be a 'seasonal' mitigation. A barrier alone would introduce a NEW visual impact where there were prior unobstructed views of parks and trees and sense of 'open space'. A barrier would only mitigate a portion of the visual intrusion of rail cars. A barrier would not mitigate the visual intrusion of poles and catenary. Mitigation such as cut'n'cover or tunnel have not been addressed by the DEIS for Segment A, and should be studied as a viable means for mitigation, particularly in the area between West Lake Stn. and 21st St. Stn. A flyover bridge over Cedar Lake Parkway would not mitigate visual intrusion and privacy impacts. A flyover Cedar Lake Parkway would introduce NEW visual intrusions. We support Cedar Lake Parkway crossing over transit. We do not support taking of any residential properties in Segment A between West Lake Stn. and 21st. St. Station. We agree, per 3.6.5.3, Mitigation: "Mitigation treatments for visual impacts would be developed...through discussion with affected communities, resource agencies, and stakeholders."

4) An additional **socioeconomic and environmental** concern is the **preservation of the Kenilworth Trail as a pedestrian and bicycle trail, and insuring that the trail receives proper mitigation.** Per the Minneapolis Park and Recreation Board Community Advisory Committee, "the Kenilworth Trail received 617,000 visits in 2009, and use has only gone up since then". Per 3.6.6, Summary, page 3-125: "LRT 3A (LPA) would have the second highest effects on visual quality in the project area because of *substantial impacts on sensitive receptors located on trails, which are present in three (4, A, and FRR) of the alignment's segments.*"

Per the DEIS Appendix H - Land Use Plans, 2030 Regional Parks Policy Plan, page 7 of 750: "The Regional Parks Policy Plan lays out the goals for the expansion and management of the Twin Cities regional park system, and the strategies designed to meet those goals. Of particular note for Southwest Transitway is the policy on regional trails, new trails, or trail segments, that serve regional users are considered a significant priority for the regional parks system. The plan states that selection, development and operation of bicycle transportation arteries are covered as a component of the Council's transportation plan. Examples of existing regional trails that provide multiple benefits include... Southwest LRT Regional Trails, Cedar Lake Regional Trail, the Mississippi River Regional Trail..."

Per the Three Rivers Parks website, there are two regional bike paths passing by Cedar Lake...the North Cedar Lake Regional Trail and the Cedar Lake Regional Trail. Both go from downtown to Hopkins and connect with other trails in the city and Western suburbs. The Cedar Lake Regional Trail follows through the Kenilworth corridor (the Kenilworth Trail), crosses the rail tracks at Cedar Lake, and continues to Hopkins. The North Cedar Lake Regional Trail splits from the Cedar Lake Regional Trail near Bryn Mawr, and travels past the Northern tip of Cedar Lake then proceeds West to Hopkins. Per the DEIS the freight rail tracks in Kenilworth are owned by Hennepin County; however, the Cedar Lake Regional Trail and Kenilworth Trail are maintained by the Parkboard and receive Federal and local funding (Appendix H-1, page 47). The Cedar Lake Regional Trail and Kenilworth Trail are the major connective routes to the Grand Rounds, Southwest LRT Regional Trails, and the Mississippi River Regional Trail. Both are located adjacent to LRT Segment A, and need to be preserved as viable pedestrian and bicycle routes. Mitigation for noise, vibration, visual, and privacy impacts as well as safety measures (including safety measures for those pedestrians and bicyclists using the trails at night) should include discussion and coordination with affected communities, resource agencies, and stakeholders.

5) Our final concern is that of **mitigation during construction**, particularly the residential area in Segment A

between West Lake Stn. and 21st. Stn. This rail corridor is *unique* to Segment 3, 4, and Hiawatha LRT due to the narrow width and close proximity of residential, high-rise residential, Xerxes Historic District properties, and Cedar Lake/Beach to LRT. Suggest construction mitigation treatments for visual, noise, and vibration impacts be developed through discussion and coordination with affected communities, resource agencies, and stakeholders and per implementatin of BMP's. In addition, in Segment A north of West Lake Stn. there are multiply entries to Cedar Lake Regional Trail/Kenilworth Trail (which connect the area to the Grand Rounds, Southwest LRT Regional Trails, and the Mississippi River Regional Trail) and Park Siding Park. Mitigation measures need to insure continued and safe entry to these trails and parks during construction (both daytime and nighttime).

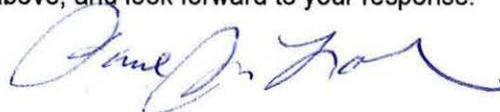
In summary, the **OUTCOMES** we would like to see achieved, in particular Segment A between West Lake Stn. and 21st St., are: A) Mitigation that maintains the current ambient noise levels close to existing 59-60 dBA (Site #31) and that maintains the current ambience of 'natural sounds and recreational activities', quiet, and tranquility for the residential areas, bicycle/pedestrian trails, and parkland adjacent to LRT. B) Mitigation to drastically minimize the new and constant noise, vibration, visual, and privacy impacts that LRT will introduce to the current infrequent rail use corridor. This includes supporting MPRB's presentation of LRT going under Cedar Lake Pkwy. C) Mitigation that maintains the current 'unobstructed views' and 'sense of open space' for the residential areas, bicycle/pedestrian trails, and parkland adjacent to LRT.

Additionally, we agree with the Minneapolis Park and Rec Board (MPRB) DEIS response as follows: A) We do not support freight co-location. B) We support further study of Cedar Lake Parkway crossing over LRT. C) We support maintaining bike and pedestrian paths' 'park-like setting' and 'sense of open space'. D) We support bike and pedestrian paths free from obstructions and adequate buffer on each side of all trails so that park users are not subject to LRT noise levels that exceed standards set for category 1. E) We support bike and pedestrian trails remaining the same or better quality and width as current trails. E) We support Minneapolis Chain of Lakes Regional Park and adjacent parkland remaining quiet, tranquil, and a natural setting.

We hope you take serious consideration of the facts and comments above, and look forward to your response.

Cheryl and Paul LaRue
CIDNA homeowners
LRT riders and bicyclists

contact info: mnrealtors@aol.com or 612-759-3011



Label
3319 St. Paul Ave.
Mpls, MN 55416

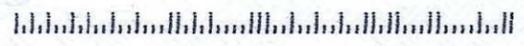
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RECEIVED
DEC 26 2012
BY:

Hennepin County
Housing, Community Works, & Transit
Attn: Southwest Transitway
701 Fourth Ave. S., #400
Minneapolis, MN 55415

95445184300





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. What the SWLRT-DEIS does not address, but should, are the real world impacts of this action on the affected area.

C

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.

C

Regards,
Jennifer Huebscher

3240 Jersey Ave. South
St. Louis Park, MN 55416
651-245-5065
jrhuebscher@gmail.com

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.

C

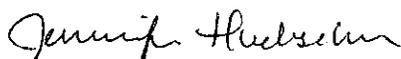
Besides my general concerns about the SWLRT-DEIS, the portion of the report dealing with freight rail noise and safety at the High School (Chapters 3, 4, and 9) causes me the greatest concern. The unique noise and safety issues associated with locating main line freight within 35 feet of the High School 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.

Regards,
Jennifer Huebscher



3240 Jersey Ave. South
St. Louis Park, MN 55416
651-245-5065
jrhuebscher@gmail.com

See Comment #684 for Theme Delineations



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, 5447 Pompano Drive, Minnetonka, MN 55343, margeds@aol.com, 952-934-1854
(contact person)

Barbara Faegre, 5429 Pompano

Chris Torberg, 5443 Pompano

Sally Shaw, 5402 Pompano

Andrew and Lois Peacock, 5445 Pompano

Janet Rasmussen, 5453 Pompano

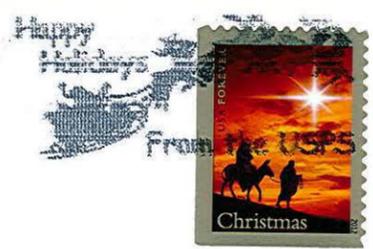
Linda Hagmeier, 5451 Pompano

Victoria Dunn, 5457 Pompano

Edstrom
5447 Pompano Dr.
Mn, MN 55343

MINNEAPOLIS MN 554

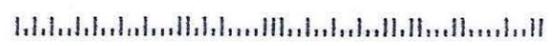
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BY:

Hennepin County
Housing, Community Works, + Transit
Attn: Southwest Transitway
701 Fourth Ave. S., Suite 400
Minneapolis, MN 55415

5541581843





REPLY TO
ATTENTION

DEPARTMENT OF THE ARMY
ST. PAUL DISTRICT, CORPS OF ENGINEERS
180 FIFTH STREET EAST, SUITE 700
ST. PAUL MINNESOTA 55101-1678



DEC 20 2012

Operations
Regulatory (2009-01283-MMJ)

Ms. Katie Walker, Hennepin County
Housing, Community Works and Transit
ATTN: Southwest Transitway
701 Fourth Avenue South, Suite 400
Minneapolis, Minnesota 55415

Dear Ms. Walker:

We have reviewed the *Southwest Transitway Draft Environmental Impact Statement (DEIS)* dated October 2012, and prepared by the United States Department of Transportation, Federal Transit Administration, as well as the Hennepin County Regional Rail Authority and the Metropolitan Council. This letter contains comments on this DEIS for your consideration. The Southwest Transitway project area includes a 15-mile corridor through Eden Prairie, Minnetonka, Edina, Hopkins, St. Louis Park, and Minneapolis (the Corridor), in Hennepin County, Minnesota.

If the Southwest Transitway project involves a discharge of dredged or fill material into waters of the United States (WOUS), a Clean Water Act Section 404 (CWA Section 404) permit would be required. CWA Section 301(a) prohibits discharges of dredged or fill material into WOUS, unless the work has been authorized by a Department of the Army permit under Section 404. Information about the Corps permitting process can be obtained online at <http://www.mvp.usace.army.mil/regulatory>.

L3

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Corps evaluation of a Section 404 permit application involves multiple analyses, including (1) evaluating the impacts in accordance with the National Environmental Policy Act (NEPA) (33 CFR part 325), (2) determining whether the proposal is contrary to the public interest (33 CFR § 320.4), and (3) determining whether the proposal complies with the Section 404(b)(1) Guidelines (Guidelines) (40 CFR part 230). If a CWA Section 404 permit is required, our review of impacts to aquatic resources would include direct impacts to WOUS and also those WOUS and non-jurisdictional aquatic resources indirectly and cumulatively impacted by the proposed work in WOUS.

The purpose and need statement and the range of alternatives evaluated in the DEIS were developed through a series of interagency meetings conducted prior to publication of the document. For our permit review, the Corps is responsible for defining the overall project purpose. We use the overall project purpose to evaluate practicable alternatives under the Guidelines. The overall project purpose must be specific enough to define the applicant's needs, but not so restrictive as to preclude all discussion of alternatives.

In Chapter 1 (Page 1-8) of the DEIS, "Purpose and Need," the project purpose is defined as: "to provide a high-capacity transit connection improving mobility, accessibility, and system linkages to

major population and employment centers including Downtown Minneapolis, Chain of Lakes and Recreation Area, Excelsior and Grand, Downtown Hopkins, golden Triangle Business District, Opus Business Park, and Eden Prairie Center.” The goals of the Southwest Transitway project are summarized as follows: to improve mobility, provide a cost-effective and efficient travel option, preserve the environment, protect the quality of life, and support economic development.

The Corps suggests a broader overall project purpose, which would be more appropriate for our CWA Section 404 review, “to provide high-capacity transit service in the Southwest Transitway study area.” This overall project purpose would work well to direct the range of reasonable alternatives to be considered in the 404 permit application review process. Also, our suggested overall project purpose coincides with the transit alternatives that were considered and advanced for further study in the 2007 Southwest Transitway Alternatives Analysis (AA), as described in Chapter 2 of the DEIS, “Alternatives Considered.” Therefore, the Corps concurs with the array of alternatives considered for this project as well as the alternatives that were carried forward in the DEIS, described below.

K1

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The AA evaluated ten potential build alternatives, which included eight Light Rail Transit (LRT) alternatives and two bus rapid transit alternatives. The AA also evaluated a conventional bus alternative, referred to as the Enhanced Bus Alternative, and a no-build alternative. After a thorough analysis of these alternatives, and the inclusion of additional alternatives identified during the NEPA/MEPA scoping process, five LRT alternatives, LRT 1A, LRT 3A, LRT 3A-1 (co-location), LRT 3C-1 and LRT 3C-2, were carried forward for consideration as the Locally Preferred Alternative (LPA). The no-build and the enhanced bus alternative were also carried forward into the final LPA analysis. After additional evaluation of the remaining alternatives, the DEIS recommends alternative LRT 3A as the LPA for the Southwest Transitway project.

To comply with the Guidelines, the alternatives analysis must consider ways to avoid and minimize impacts to WOUS so that the least environmentally-damaging practicable alternative (LEDPA) can be identified. The Guidelines specifically require that “no discharge of dredged or fill material shall be permitted if there is a practicable alternative to the proposed discharge which would have less adverse impact on the aquatic ecosystem, so long as the alternative does not have other significant adverse environmental consequences” (40 CFR § 230.10(a)). Per the Guidelines, a practicable alternative is defined as available and capable of being done after taking into consideration cost, existing technology, and logistics in light of the overall project purpose. Time and money spent on the proposal prior to applying for a Section 404 permit cannot be factored into the Corps decision whether a less damaging practicable alternative is available.

As proposed, the chosen LPA, alternative LRT 3A, would not qualify as the LEDPA as defined in the Guidelines. As shown on Table 4.2-2, Impact by Alternative (Page 4-34), the construction of alternative LRT 3A (the LPA) would discharge fill material over approximately 2.9 acres of wetland, whereas alternative LRT 3A-1 (co-location alternative) would discharge fill material over approximately 0.9 acre of wetland. For CWA Section 404 purposes, the LEDPA is the alternative that meets the project purpose and is available to the applicant that has the least amount of impact to aquatic resources, which as proposed would be alternative LRT 3A-1 (co-location). The burden of proof to demonstrate compliance with the 404(b)(1) Guidelines rests with the applicant; where insufficient information is provided to determine compliance, the Guidelines require that no permit be issued. If you plan to move

L3

N5

forward with alternative LRT 3A as the LPA you will need to submit additional information to support your decision to eliminate alternative LRT 3A-1 from consideration.

The wetland impact figures in Table 4.2-2 are approximations extracted from the Minnesota Department of Natural Resources Land Cover Classification System and the United States Fish and Wildlife Service National Wetland Inventory datasets. Local municipalities and watershed districts located within the Southwest Transitway project area also have wetland inventory datasets that could be used to better quantify the potential wetland impacts within the construction limits of the Corridor. We recommend that these local datasets be used to update the wetland impact figures provided in the Final Environmental Impact Statement (FEIS) for the Southwest Transitway Project. Also, Section 4.2.2.2 states that a wetland delineation will be completed during final design of the project. We recommend that a wetland delineation be completed, field verified, and approved before the project moves into final design. The delineation should be completed according to the Corps of Engineers Delineation Manual and the Midwest Supplement, and needs to be approved by the Corps as well as the Local Government Units that administer the Minnesota Wetland Conservation Act within the Corridor. The delineation should identify all wetland, stream, and drainage features located within construction limits of the Corridor. The delineation should be completed and approved prior to final design so that the design can incorporate measures that avoid and minimize impacts to WOUS within the Corridor.

N5

Compensatory wetland mitigation would only be considered after we determined that wetland impacts have been avoided and minimized to the maximum practicable extent. All unavoidable wetland loss associated with the Southwest Transitway Project would require replacement according to the Mitigation Rule (33 CFR 332) and the St. Paul District Policy for Wetland Compensatory Mitigation in Minnesota (District Policy). In accordance with the Mitigation Rule and our District Policy, we prefer that all unavoidable wetland impacts associated with the Southwest Transitway Project be compensated for through the purchase of wetland bank credits within the appropriate Bank Service Area (BSA). The Southwest Transitway Corridor is located within three separate BSAs, including BSA 7 (Upper Mississippi River Basin), BSA 9 (Minnesota River Basin), and BSA 11 (Twin Cities Metro).

Thank you for the opportunity to comment on the DEIS. We look forward to reviewing the FEIS, the wetland delineation, and if necessary, the CWA Section 404 permit application for this project. For further information, please contact Melissa Jenny, the Corps project manager for Hennepin County, at 651-290-5363 or Melissa.m.jenny@usace.army.mil.

Sincerely,



for Tamara E. Cameron
Chief, Regulatory Branch

Copy furnished:
Maya Sarna and Bill Wheeler, FTA
Nani Jacobson, Metro Transit
Lynda Peterson, BWSR
WCA LGU's within the Corridor

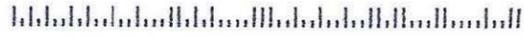
DEPARTMENT OF THE ARMY
ST. PAUL DISTRICT, CORPS OF ENGINEERS
180 FIFTH STREET EAST, SUITE 700
ST. PAUL, MN 55101-1678

OFFICIAL BUSINESS



Ms. Katie Walker, Hennepin County
Housing, Community Works and Transit
ATTN: Southwest Transitway
701 Fourth Avenue South, Suite 400
Minneapolis, Minnesota 55415

55415184300





David Hibbard
<DHibbard@rubytuesday.com>

12/27/2012 08:42 AM

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

cc

bcc

Subject Ruby Tuesday at Eden Prairie, MN

Ruby Tuesday
12900 Technology Drive
Eden Prairie, MN

RE: Southwest light rail transit

M4

The present plans for the Southwest light rail have a major impact on our property. The parking lot will be largely eliminated. As an operating restaurant, the number of parking spaces is planned to produce a high level of sales. A reduction in the parking field will severely limit the ability of the unit to produce the sales necessary to amortize the associated debt on the property. This restaurant is a successful unit with a high level of debt.

I2

F0

I must respectfully disagree with the planned reduction of the parking lot.

Respectfully,

David M. Hibbard, CSM, CPM
Director of Assets
Ruby Tuesday, Inc.
865.380.7054

December 19, 2012

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

**See Comment #782 for
Theme Delineations**

Re: Comments to the Southwest Transitway Draft Environmental Impact Statement (DEIS) regarding SouthWest Station

Dear Metropolitan Council, Hennepin County and The U.S. Department of Transportation, Federal Transit Administration's (FTA) Representatives:

Pursuant to the FTA Comment Period rules regarding the proposed Southwest Transitway Draft Environmental Impact Statement (DEIS), we respectfully offer the following comments by the December 31, 2012 deadline, which shall be made part of the permanent record for full consideration.

As Declarant of SouthWest Station Center Planned Unit Development (SouthWest Station) with cross easement rights, as Chief Manager of SouthWest Station, LLC, as Chief Manager of SouthWest Station Management, LLC and as trustee for the Janet C. Snyder Irrevocable Trust (a trust created for the benefit of Janet C. Snyder, a woman who was widowed and crippled when her car was hit head on by a drunk driver and as the owner of the retail strip in SouthWest Station), I am strongly opposed to the proposed LRT 3A line being selected.

In examining the DEIS, it became readily apparent that the 3A Locally Preferred Alternative (LPA) is the only alternative being given due consideration, as nearly all the data as presented supports that route. I, however, strongly disagree with interpretation of the data used for selecting 3A as the LPA. I believe using the freight line makes the most economic sense, is the simplest plan, and involves the least disruption to businesses. Throughout the DEIS, the plethora of SouthWest Station business disturbances and problems, including but not limited to: subsidence, vibrations, noise, aesthetics, elimination of parking, elimination of snow placement location, construction staging, construction debris, access, safety concerns, business economics, LRT created parking problems, inadequate needs assessment of LRT parking demands, and property acquisition, displacement, and relocation are extensive; but, the DEIS fails to mitigate or adequately address these significant business concerns. In my opinion, it makes no sense to deal with light rail at SouthWest Station at all. If the line ended prior to SouthWest Station, we could eliminate all of these issues.

SouthWest Station is confined on all sides by Prairie Center Drive to the East, Technology Drive to the South, Hwy. 5 to the North, and SouthWest Station condos to the West. Therefore, SouthWest Station does not have the ability to expand its borders in order to handle the current LRT 3A line parking ramp expansion as proposed. It should be noted that there is available, elevated land for construction of a parking ramp across Prairie Center Drive and at the Eden Prairie Center regional mall. Both of these options would not require a permit from the Corps of Engineers and neither site would be viewed as controversial. SouthWest Station, however, would require a wetland permit, and the proposed ramp expansion would be viewed as highly controversial. The wetlands permit will require adequate

alternatives comparisons, which as mentioned above, I do not feel have been properly completed. In addition, any future construction that involves movement of the soil or dewatering at or near SouthWest Station could cause serious structural damage to SouthWest Station buildings and sinking of the surface parking lots, according to a soil engineer. Therefore, SouthWest Station is not a viable option for a LRT stop or even just the LRT track itself.

Specifically, the LRT 3A LPA does not have adequate parking along much of the line, and it relies heavily on SouthWest Station to bear a significant percentage of the total parking burden in order to meet the parking requirements for federal funding. SouthWest Station cannot handle this unfair parking burden, as the ramp and surface lots are already FULL!

Page 3-57 of the DEIS for Segment 3 of the 3A (LPA) states that "some intersections may require partial or full redesign....much of the ROW required for the alignment of Segment 3, the stations, and proposed park-and-ride lots would need to be acquired...access to businesses may need to be rerouted to alternate streets. Access to SouthWest Station is currently via Technology Drive only and any redesign of the intersection of Prairie Center Drive and Technology Drive or of the entrance to SouthWest Station could dramatically affect access and therefore the viability of the businesses within the Center. Further, Page 3-65 of the DEIS, Section 3.3.4 Mitigation: "Short-term construction effects may be mitigated by...deliberate construction staging or phasing, signage, and signal control requirements..." We demand all forms of construction mitigation be applied to the areas in and around SouthWest Station, and we require detailed specifics well in advance of the Final Environmental Impact Statement in order to ascertain if adequate mitigation in all areas is taking place.

Section 5.2.2 Short Term Effects: "Short-term construction effects to adjacent land uses would primarily come in the form of short-term access/circulation and transportation impacts...Access to buildings may also be temporarily affected, depending on the location of entrance points. All necessary steps would be taken to ensure sufficient access to land uses and circulation is maintained during construction...Depending on the final alignment selected businesses and residences may experience accessibility impacts at certain times...requiring minor detours for through traffic...Appropriate notification and signage would be used to alert residents, businesses, and travelers to temporary closures or route detours." Page 5-16 Section 5.2.3 of the DEIS Mitigation would use Best Management Practices (BMP's). Short-term construction effects Page 3-37 (3.1.6.3) will be significant, regardless if they use BMP's. "Traffic impacts are anticipated to occur around construction staging areas, or where roads may be temporarily closed for construction of at-grade crossings...this may affect the number of people using area businesses directly affected by access or construction traffic issues." Unfortunately, the DEIS fails to specify where this supposed "staging area" will be. Also, I do not see how they can build at SouthWest Station without taking additional land by eminent domain for construction staging, and the mess created from the dust and debris will be significant and distasteful for the SouthWest Station restaurant patrons. Additionally, there is to be an underground crossing at SouthWest Station, so the street closure will be for a greater length of time and negatively impacting the businesses for an undetermined period of time. 3.1.7 Mitigation must require that they keep center open and accessible 100% of the time and that the roadways needed to properly access Technology Drive be unimpaired and fully accessible from both directions. Rerouting Prairie Center Drive customers to Mitchell road is unacceptable, as no one will go out of their way to take that route. They will just avoid SouthWest Station entirely and eat elsewhere. "Businesses and residences may experience difficulties with accessibility at certain times of the day during construction of the project, and minor detours for through traffic might be required. In general, these effects will not change the land use of the area during construction, but may affect the number of people using area businesses directly affected by access or construction traffic issues." Page 3-39 "Because the LRT is anticipated to result in long term benefits to land use and is planned for, no mitigation is necessary or proposed." This blatant lack of regard for area businesses will not be tolerated.

Page 5-19 shows "Environmental Metrics" of Long-Term effects Under 3A LRT (LPA): "Parking and access to businesses along this route are unlikely to be affected...Business parking is provided off site and is not anticipated to be affected by LRT project. Permanent access restrictions for business are not anticipated. 20 on-street and 11 off-street parking spaces will be eliminated." This is

completely erroneous and very important. SouthWest Station is losing 52% of its entire PUD parking field. SouthWest Station is losing over 180 total parking spaces for employees and patrons alike. Page 5-21 5.2.4 Mitigation and 5.2.5.2 Mitigation for Parking and Access. SouthWest Station cannot endure any short-term accessibility/construction impacts let alone long-term ones.

The proposed ramp has now been down-sized from a 1,000-car ramp to a 400-car ramp, but the taking of land by eminent domain remains unchanged. Page 4-131 "Minnesota State Constitution Article 1, section 13, deals with just compensation for private property taken, destroyed, or damaged for public use. Table 3.3-1 "Acquisitions include both partial and full parcels. According to federal law, if 10% or more of a parcel's land is taken by eminent domain, the entire parcel is deemed to be taken. Page 3-73 Section 3.3.5 "Any business displaced from property by the SouthWest Transitway would be compensated in accordance with provisions of the Uniform Act...Relocation benefits may be available to displaced businesses..." We expect SouthWest Station businesses to be relocated and all land, building, and business owners fully compensated.

The projections for LRT ridership are 28,000-30,000, yet the proposed parking comes nowhere near meeting these projected demands. Where does the county plan to put the remaining 25,000 cars that have nowhere to park? One cannot assume that people will rideshare. It does not happen now with the existing SouthWest Metro Transit Station (SWMT) bus ramp; it is one transit rider per parked vehicle. As such the methodology used for ridership (Page 6-1 Section 6.1.1) is flawed. We have a sprawling metro area, which if not the most sprawling of all the states is certainly in the top 3. As such, carpooling and higher density housing models from across the country do not accurately illustrate true parking demand. The Bus Park and Ride at SWMT used similarly flawed data, and was built into functional obsolescence from the moment it was constructed. This miscalculation has put an unfair demand and monitoring burden upon the owners of the surface parking lots at SouthWest Station. My concern is that this further erroneous underassessment will create even greater hardships for all SouthWest Station business, building, and land owners.

The proposed 400-car SouthWest Station ramp expansion would dramatically increase the number of cars going in and out of the ramp daily. As a result, an alternate route for entering and exiting would need to be found that would not require the use of SouthWest Station's entrance, which is private property. It is imperative that the models used to assess the number of parking spaces needed to adequately handle the estimated ridership must be re-evaluated. It was stated at the November 3, 2009 meeting that an additional 2,000-2500 parking spaces would need to be added to address ridership projections, yet this was not done; and, even if it had, it would still be completely inadequate based upon the actual LRT parking demand. We do not want the newly constructed ramp at SouthWest Station to be built into obsolescence from the day it is constructed.

As everyone should be aware by now, the SWMT ramp is full and overflow parkers are directed to St. Andrew's Church (half a mile away) and then shuttled back to SouthWest Station. In reality, many of these overflow riders never make it to St. Andrew's Church, because they find it easier to simply park on SouthWest Station's private surface parking lots immediately adjacent to the SWMT ramp. We have notified SWMT on numerous occasions regarding this serious problem but are told SWMT will not monitor where their patrons park. SWMT did, however, put up a sign, notifying patrons not to park on private property, as our numerous signs on site also state. Despite this signage, overflow bus riders continue to park on our surface lots.

It is well known that there is a huge parking shortage at SouthWest Station. In fact, the Metropolitan Council Profile on SouthWest Station actually states there is a "shortage of daytime parking on the site." As a result of the pre-existing shortage of available parking on the surface lots and in the ramp, we would expect LRT to self-monitor where its patrons are parking, especially during the prime daytime hours. Still, none of this will adequately address the parking issues facing SouthWest Station if LRT continues on its proposed course, unless full compensation is provided. If LRT comes to SouthWest Station, the poaching will dramatically increase, requiring additional monitoring and expense borne by SouthWest Station businesses.

Next, the City of Eden Prairie must enforce the city parking requirements against Santorini for the number of patrons' seats it has in its restaurant building. This huge restaurant facility barely has enough parking to meet the parking demands of its staff alone, which has only exacerbated an already difficult parking situation. Perplexingly, the City of Eden Prairie has threatened to invoke a new city ordinance, prohibiting the booting of violators if we do not allow Santorini's patrons and SWMT riders to continue poaching on SouthWest Station's private parking lots, hamstringing us from preserving for our use these precious parking spaces, despite the fact that neither Santorini nor SWMT pays one cent toward the cost of the land, real estate taxes, monitoring, maintenance or expenses of any kind related to these private parking spaces. Additionally, the SWMT pays nothing toward the expenses related to the entranceway leading to SWMT. Finally, the SWMT transit riders inhibit access to SouthWest Station businesses between 5:00p.m.-6:00p.m. nightly, as they are barreling out of the ramp after work, effectively squelching the dinner business. Subsequently, I asked the City of Eden Prairie to address the dangerous condition that existed when 900 cars sped out of the ramp at the same time, impeding the ability for the retail strip's patrons to access the restaurants. The City informed me that they do not get involved in private property issues. The truth is that it isn't private property, because the ramp is owned by the City of Eden Prairie, along with the Cities of Chanhassen and Chaska. Now, we are going to increase this dangerous condition by 50%. As a result, SouthWest Station will only be further harmed by the additional LRT park and ride traffic. In addition, at the time SouthWest Station was built, it was believed that some of the transit riders would actually patronize SouthWest Station businesses. Unfortunately, this has not happened.

The current Southwest LRT 3A plan shows a taking of Ruby Tuesday's PUD parking field but not its building. The logic of leaving the building behind with no surface parking defies all sensibilities and must immediately be corrected. Additionally, the plan shows an entire taking of the Anchor Bank parcel including building, land, and PUD parking. The combination of the Anchor Bank and Ruby Tuesday's taking by eminent domain is essentially an inverse condemnation of SouthWest Station in entirety.

Since SouthWest Station is a PUD and we collectively share each other's parking, there is a right of ownership conferred to each of us by this classification. If you take Anchor Bank's and/or Ruby Tuesday's parking fields by eminent domain, compensation must be paid not only to the titled landowner, but to all parcel owners within the SouthWest PUD. It was stated at the November 29, 2012 Public Meeting that the government is trying to keep acquisitions to a minimum. I found that ironic, as the proposed plan intends to harm so many SouthWest Station business and property owners with blatant disregard that I believe eminent domain must be used to acquire all SouthWest Station properties that are being negatively impacted by LRT.

In Appendix H-1 Page 355, it erroneously lists existing parking for Santorini by corporate name at 13000 Technology Drive, Eden Prairie, as 175 spaces, but in fact that parcel has only 49 regular parking spaces and 4 handicapped ones. I pointed out this mistake and only received a "Disclaimer" with no explanation, and on further questioning I received no response. Additionally, Anchor has 26 parking stalls, and Ruby Tuesday has 150 plus 6 handicapped ones. Anchor Bank, Ruby Tuesday, SouthWest Station, LLC and Culvers collectively share their parking fields. As such, the taking of Ruby Tuesday and Anchor Bank's parking lots create a myriad of problems for SouthWest Station, SouthWest Station, LLC and SouthWest Station Management, LLC.

The proposed 3A LRT plan arbitrarily and capriciously amputates 52% of SouthWest Station's parking field to build a 400-car parking ramp to meet the LRT 3A parking needs for not only the surrounding area but for the Eden Prairie regional mall. The remaining parking field remnant no longer satisfies SouthWest Station's parking needs and will result in decreased business for each owner and tenant. Further, we expect substitute surface parking to be returned to meet SouthWest Station parking demand. We believe the remaining parking field does not even meet city parking requirements for the remaining buildings' total seating and capacity.

The proposed, grossly enlarged ramp changes the entire functionality, character, atmosphere, aesthetics, visibility, and layout of SouthWest Station, making it no longer viable as a shopping center.

Section 3.6 Page 3-99 "Visual or aesthetic resources are defined as the natural and built features of the visible landscape...Visual resource or aesthetic impacts are defined in terms of the physical characteristics of a project, its potential visibility, and the extent to which the project could affect the quality of the existing scene or environment." As such, this is yet another reason for eminent domain.

At the July 22, 2009 meeting, I was also told there would be a provision for the first level of the newly expanded SWMT ramp to be used by SouthWest Station tenants and owners to meet their parking needs. Unfortunately, this is not a viable long-term solution, as the ramp will eventually fill up with LRT riders, and these temporary rights will once again be taken away (the SouthWest Station employees originally had rights to park in SWMT ramp until the ramp was full 100% of the time). Further, even if these rights are not temporary, the ramp will be filled with people commuting to work in the morning, and thus there will be no availability during the crunch time over the lunch hour. Finally, it is a proven fact that customers far prefer to park in surface parking spaces over parking in a ramp. Therefore, our tenants and owners will suffer greatly by this loss of surface parking. No rights conveyed through use of a parking ramp would mitigate any damage to the SouthWest Station. If we currently do not have adequate parking for the existing businesses, because of Santorini's and SWMT's riders' poaching, the overflow parking in Ruby Tuesday's lot, and the employee parking in Anchor Bank's lot, how are we going to survive with 52% less surface parking in the future? Obviously, we won't!

Furthermore, I was told at this meeting that there would be some retail put in on the first level of the SWMT ramp. This had better not be the case. The Southwest LRT plan also shows an addition of a bistro, the relocation of Ruby Tuesday, and/or the addition of newly created retail space on the first level of the proposed ramp expansion. I do not think it is appropriate for the government to be adding competition, increasing the parking demand on existing businesses, and/or taking away potential future users from the existing owners and tenants of the SouthWest Station PUD.

SouthWest Station can barely handle the customers' and employees' parking demand, so it cannot be further burdened by additional businesses regardless if there is some conveyance of supposed ramp parking spaces or not. If the plan is to bring in a developer, allowing yet another entity to assert its interests—interests that may not coincide with the interests of SouthWest Station, SWMT, or the SouthWest Transitway—we simply cannot allow that to happen. As Declarant of SouthWest Station, Chief Manager of SouthWest Station, LLC, Chief Manager of SouthWest Station Management, LLC, and Trustee of the Janet C. Snyder Irrevocable Trust, I must oppose yet another stumbling block hurled into the operation pathway of SouthWest Station Center.

Finally, at several of the past LRT meetings, it has been stated that "no one" wants to disrupt things around Eden Prairie Center, a large regional mall with a surfeit of unused, daily parking, resulting in Eden Prairie Center's proposed LRT parking demand being partly shifted onto SouthWest Station. Why does SouthWest Station have to bear the parking burden for a regional mall and a majority of the southwest corridor of the 3A line anyway?

The Janet C. Snyder Irrevocable Trust bought the retail strip at SouthWest Station in 2004 prior to any proposed LRT discussions. We paid 4.2 million dollars and have spent well over a half million dollars rebuilding the sewer and water system, without the financial support of the City of Eden Prairie, thus increasing our overall capital investment to 4.7 million. Now, we are facing a serious decrease in the retail strip's property value with this threatened condemnation of our much needed employee parking, overflow patron parking, and loss of our snow storage area at an additional estimated annual cost of \$50,000.00.

Every step of the way, we have vehemently opposed SouthWest Station as an LRT stop on the 3A LPA. Therefore, if the LRT 3A plan moves forward as proposed, we will demand that the inverse condemnation buyout include all parcel owners of SouthWest Station. Each parcel and building has a diminished future value as a result of LRT. A national expert has advised us the proposed SouthWest Station stop as part of the LRT 3A plan will have devastating and irreversible effects on SouthWest Station as a whole; and, the negative economic impact will be VERY GREAT. Further, we were told the center would be "destroyed" and would not survive the LRT plan as proposed.

Page 6-54 Section 6.3.2.1 Parking Spaces Eliminated: "Review of conceptual construction limits along Segment 3 indicates the ROW acquisition and building removal would eliminate approximately 200 associated parking spaces." I am assuming the bulk of this is from our joint parking lots under the Declaration. There is no parking provision for replacing these surface lost parking spaces. Of course, the DEIS shows a net gain of parking of 1950 spaces. Yet, these supposed additions do not benefit SouthWest Station land or business owners or their patrons. According to the DEIS Section 6.3.4 Mitigation Page 6-62 "Private parking associated with businesses may be reduced in some cases. Property owners would be compensated for loss of parking in compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act. Where the eliminated parking spaces are associated with the displacement of a business or residence, no mitigation would be required." This clause refers to Anchor Bank's taking, but it is also a taking of parking rights given to SouthWest Station property owners under the Declaration. "Where eliminated spaces are associated with partial property taking acquisitions, mitigation could include replacing lost parking spaces on nearby property or could be determined in the final agreement with the property owner consistent with the requirements of the Uniform Relocations and Real Property Assistance Act of 1970, as amended." This clause refers to Ruby Tuesday's taking. However, there is no place on site to locate additional surface parking for employees or patrons.

The noise from construction and the vibrations from pounding in the piles will severely impact every single restaurant tenant/owners' sales for the duration of construction and long-term, as customers once gone will never return; the construction itself will be invasive and problematic, negatively affecting every single restaurant tenant/owner, as the large equipment and the workers' vehicles will extend onto our remaining reduced surface parking field; the increased parking ramp will have a disastrous effect on the entire center, as SouthWest Station's infrastructure cannot support another 400 cars entering and leaving the ramp in an hour and a half window each morning and evening, further reducing sales which will result in future tenant vacancies; the center will have no visibility on Hwy. 5 and reduced visibility on Prairie Center Drive, reducing rental rates and causing vacancies; the structural damage to Southwest Station buildings as a result of the heavy vibrations could be irreparable; and SouthWest Station will no longer be a viable shopping center with the 52% reduction in overall surface parking spaces. The vibrations show significant issues to SouthWest Station condo owners, so if SouthWest Station had been examined, the DEIS would have also shown that vibrations were an issue for SouthWest Station. As such, we expect the same consideration made to all businesses and landowners of SouthWest Station as are given to residential owners. We expect to see mitigation for vibration to businesses in the Final EIS, according to Section 4.8.6 Mitigation Page 4-118 "Detailed vibration analyses will be conducted during the Final EIS."

Noise Section 4.7 Page 4-76 relates to airborne noise. "Noise from bells, horns, wheel squeal, and wheel-rail interaction contribute to the projected noise impacts." It appears we are not deemed a "noise sensitive land use." Page 4-83 of the DEIS shows a Category 2 noise sensitive land use for the property between Mitchell Road and SouthWest Station; I believe this is for the SouthWest Station condos (Also see: Table 4.7-2 Sound exposure Levels, Table 4.7-3 LRT noise impact summary by alternative plan, and Table 4.7-5 Potential Noise impacts Segment 3A). As such, we expect mitigation to occur for all SouthWest Station land, building, and business owners, not just the condo owners directly adjacent.

With the significant sinking that has occurred at the SouthWest Station site in the past, we have grave concerns over the subsidence from disturbed subsoils from construction of the underground tunnel, the temporary dewatering associated with LRT construction, and the possible permanent dewatering of the tunnel as the ground water is at 8' but the construction excavation and tunnel will be at 26'. I would suggest that the light rail cross above grade so as not to interfere with traffic by crossing at grade. A geotechnical engineering firm must be hired to specifically deal with the subsidence issue and measure over several years the potential and actual damage to SouthWest Station due to the building of the LRT line and the proposed tunnel.

Page 4-1 Section 4.1 Geology and Ground Water. "...Shallow groundwater that would require a permanent water removal system (dewatering) during construction." This is being proposed for deep excavation for tunnel of Prairie Center Drive. Any deep cut will cause significant sinking of the entire

SouthWest Station site. It has proven true with every cut on site whether for sewer/water collapses or for street work. Clearly this site is subject to even more issues due to the supposed dry riverbed that lies beneath. The more water that is taken out of the soil and even disturbance to the soil itself, the more sinking impacts our site will experience. As such, significant compensation will be expected.

Page 4-13 "There are three areas of concern for shallow groundwater...associated wetland areas between Mitchell Road and SouthWest Station. Groundwater sensitivity Section 4.1.3.6 Page 4-19 "Segment 3: From Prairie Center Drive West approximately 2300 feet." Section 4.1.4.1 Soil erosion is a concern as the hill is quite steep behind Anchor Bank and they will be tunneling underground. 4.1.4.2 Page 4-21 "The Build Alternatives may have a long-term impact on groundwater if a permanent water removal system (dewatering) is required. **Permanent water removal is anticipated where the cut extends below the water table.** Section 4.1.5.1 Geology "Short-term impacts to soil resources are limited to those construction activities that would disturb unpaved or permeable surfaces."

"The Soil, Groundwater, and Dewatering Conditions information in Appendix H summarizes the anticipated side slopes for the major excavation...A table showing the need for excavation shoring is also shown in Appendix H...Construction activities may degrade soils through compaction and erosion. Groundwater 4.1.5.2 Page 4-22 "Water removal during construction is anticipated where a cut extends below the water table, and, in some cases, has been assigned a higher probability than permanent water removal because of the potential for over-excavation. Impacts relating to construction water removal would be temporary." Page 4-23 Table 4.1-4 Cut #2 Prairie Center Drive/TH5. "Several stations and cuts are located within areas of high sensitivity." Page 4-23 4.1.6.1 "During design, additional geotechnical data would be collected through soil borings, particularly in areas where stations excavations...are proposed."

Page 4-24 Section 4.1.6.2 Groundwater Potential Impacts mitigated by: "Limit the amount and duration of water removal activities. Design water removal systems to reduce impact to wetlands. Section 4.2 Water Resources Page 4-25 "Ecosystems are protected by Federal, state, and local laws because of their ecological and social functions and values. The primary federal regulations or statutes that apply to wetlands, flood plains...are the Clean Water Act (CWA) Section 404, the Endangered Species Act, The RHA, Executive Order #11988, and Department of Transportation Order 5650.2. State and local regulations that apply to these resources include the public water works permits, WCA, and local sensitive/critical area ordinance. Impacts to wetlands, floodplains, and other water bodies require permitting from various agencies...Other permits relating to stormwater management, erosion control, stream crossing, etc." See Table 4.2-1 Permitting Agencies and Page 4-31 Emergent Wetlands.

Page 4-32 Section 4.2.2.2 "Wetland impacts were defined as those areas where the proposed construction limits overlap an existing wetland feature, and would cause a change in the boundary of the wetland. Wetland delineations will be completed during Final Design; final design will also incorporate measures to reduce and avoid impacts to wetlands to the greatest extent feasible. Any impact to wetlands requires an approved delineated wetland boundary prior to permit application. The Section 404 and CWA permitting process will be followed, and appropriate mitigation."

Page 4-33 Floodplains 4.2.3.1 Segment 3 Purgatory Creek and 4.2.3.2 Page 4-33 NWI data indicate that the most common study area wetland types are shallow, freshwater emergent; but deep freshwater wetlands are also common. Page 4-33 Section 4.2.3.3 Long Term Effects: Based on that analysis...there are multiple potential impacts to wetlands and floodplains...specific BMP's and design parameters have not been determined. Page 4-41 Alternative LRT 3A (LPA) would impact .9 acres of wetlands.

Page 4-42 4.2.4 Short-Term Construction Effects: "construction activities...may generate sediment laden stormwater...this stormwater runoff...has the potential to affect water quality...BMP's would be used to minimize water quality impacts...the project would include construction of permanent BMP's such as stormwater ponds." See Page 4-43 Mitigation 4.2.5 of impacts to wetlands and Table 4.2-3 and Page 4-44 Summary of Surface Water Impacts.

Page 9-27 9.6.11.1 Trends related to Water resources: "Development...has led to the decline of wetlands because of drainage or filling. More recently, however, developments in suburban areas have

worked to retain wetland areas. For this reason, wetlands within the study area are most densely concentrated near the proposed western end of the Southwest Transitway, in the vicinity of Segments 1 and 3...The quality of water resources within the corridor has been negatively affected by previous development. Paving and construction for new developments throughout the region, including the study area continue to increase the volume of stormwater runoff by changing ground surfaces from a pervious to an impervious condition. Additionally, these same activities continue to negatively impact water quality because pollutants, deposited on impervious surfaces, are readily transported to receiving waters." Section 9.6.11.2 Anticipated indirect effects: "The anticipated development and redevelopment activities around station areas likely would involve temporary soil disturbance and possible increase in impervious surfaces, which could indirectly impact water resources." Section 6.6.11.4 Mitigation Page 9-28 "Permanent impacts to wetlands and floodplains will be mitigated according to applicable regulations and temporary and indirect impacts will be mitigated through construction BMP's. RFAAs would follow similar approaches mitigating direct and indirect impacts. No additional mitigation is necessary." A more thorough analysis of impacts at SouthWest Station must be completed and satisfactory mitigation provided.

Air Quality Page 4-76 Mitigation Section 4.6.6: "Temporary impacts from fugitive dust will be minimized or avoided using BMP's. These may include but are not limited to applying water to exposed soil, limiting the extent and duration of exposed soil, and limiting the amount of idle time for construction equipment." We expect the site kept clean from airborne dust and construction debris at all times without exception.

Finally, security issues at LRT stations around the country have greatly increased the number and severity of criminal activities for the neighboring business owners. It appears to me that the DEIS again makes no effort to assume responsibility for the creation of these problems and just adds something else for the landowners and businesses to deal with. Page 3-128 3.7.1.1 "...specific safety and security policies and procedures have not been developed for the Southwest Transitway." Section 9.6.8 Safety and security Page 9-25 does nothing to address the need for increased safety and security on site due to LRT as it makes the areas adjacent to LRT stops more dangerous. On site security by Southwest Transitway must be provided at SouthWest Station.

Hennepin County and the City of Eden Prairie want people to believe that the key stakeholders have had some say in the decision to make SouthWest Station a major LRT parking site, when the truth is, we have not. As one of the five original stakeholders brought in to discuss the LRT plan, not one of my many objections has been given due consideration. Worse yet, each revision has made the plan more problematic and intrusive for the existing owners at SouthWest Station. Additionally, when the City of Eden Prairie wanted to set up a business committee to examine LRT plans four years ago, I provided my business card but never heard from anyone.

Page 9-14 to 9-17 Table 9.5-1 shows Resources with potential indirect effects or cumulative impacts. I believe what applies to us: Acquisitions and displacement/relocations, visual quality and aesthetics, safety and security, Geology and groundwater resources, Water resources, air quality, noise, vibration, economic effects, development effects, transit effects, and effects on roadways. Page 9-21 Section 9.6.4.4 Mitigation "All acquisitions associated with the proposed project (direct impacts) would be mitigated through applicable relocation assistance program...No other mitigation for indirect effects and cumulative impacts is proposed." Section 9.6.7.2 Page 9-24 Anticipated indirect effects: Changes to the visual character of the areas around the Southwest Transitway would occur." Section 9.6.7.3 "...SouthWest Transitway project will cumulatively change the views in the study area...and would not be considered adverse impacts (See Table 9.6-1). This assessment is flawed as is not addressing mitigation for direct effects, indirect effects and cumulative effects within the DEIS. SouthWest Station will be one of the hardest impacted sites along the line and yet appropriate mitigation has not been made nor has eminent domain been correctly applied.

Over 40% (\$10.52/square foot or \$147,963.00 for just the retail strip housing Caribou, Dickey's, Chipotle, Noodles, and the former D. Brians) of SouthWest Station, LLC's base rent is real estate taxes, and I was told this was the number one stumbling block for renting vacant space. As such, the

governmental agencies need to recognize where their annual budget dollars come from and respond accordingly by protecting property owners' interests throughout the DEIS and elsewhere. Given the burdensome nature of SouthWest Station real estate taxes, one has to ask why the DEIS specifically ignored SouthWest Station business disruptions and failed to adequately provide mitigation, if it provided any at all. If the LRT line did not go along Highway 5 at this point, removing the stop at SouthWest Station altogether, SouthWest Station would remain the vital and vibrant center it is today. There are significant issues and losses related to the detrimental short-term and long-term impacts and cumulative impacts of the proposed LRT on SouthWest Station known and unknown, seen and unforeseen, asserted and unasserted, alleged and unalleged, visible and invisible that supports an inverse condemnation of SouthWest Station.

Lastly, I'd like to point out that the 1A alignment should be the preferred alternative if given its due consideration. Its transit path has already been created with tax payer dollars, so taxing us twice to create a more expensive, less viable, and slower option seems unthinkable. Therefore, the LRT 3A alignment should be removed from further consideration. Alternatively, the line could end prior to SouthWest Station.

Regards,

Cheryl L. Boldon



Kelly Nelson
 <kelly@kellynelson.net>
 12/27/2012 06:45 PM

To swcorridor@co.hennepin.mn.us
 cc
 bcc
 Subject SWLRT DEIS Comments

Hello-

I am submitting the following comments on the SWLRT DEIS:

Impacts to the Farmer's Market . It is unclear how much the planning process has engaged the Minneapolis Farmer's Market. I can find no reference to it in the DEIS save in lists of businesses in Appendix H.

The Farmer's Market currently draws high traffic into the immediate proximity of the proposed Royalston station; any positive impacts to the Market from increased access, and negative impacts from upset traffic patterns should be studied prior to positioning the routing and the Royalston station location.

L1

I2

I2

7th St. N Crossing . The DEIS discusses a tunnel of the route under 7th St N adjacent to the Interchange site. Subsequently it has been proposed that the crossing will be via a bridge. The potential for a grade crossing does not appear to be under consideration. A grade crossing should be studied as an alternative. It is important to balance any short-term impacts to automotive traffic with the long-term adverse impacts to development and community connectedness from a railroad overpass.

J11

Border Avenue Alternative . Border Avenue should be investigated as a route alternative to Royalston. The elevation of a Border Avenue station would provide easier access to adjacent businesses than would a Royalston Station significantly above the businesses below. In addition, a Border Avenue station would afford better access to the Minneapolis Farmers Market. It would appear a routing would be possible leveraging the significant width of the Olson Highway road corridor between 7th St & Border at the north end of Border. At the south end, the ample room under the I-94 overpass on either side of Glenwood could foreseeably be utilized to route the rail diagonally toward the existing rail corridor, perhaps using Aldrich Avenue for the final block.

G2

Respectfully,
 Kelly Nelson
 Minneapolis North Loop Resident
 SWLRT CAC Member



Joanne STRATE
<strate51@msn.com>
12/27/2012 07:15 PM

To swcorridor <swcorridor@co.hennepin.mn.us>
cc
bcc
Subject Southwest L

See Comment #790 for
Theme Delineations

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...see below. 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 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, 5417 Pompano Drive, 952-935-3999
Marion & David Wolf, 5409 Pompano Drive, 952-938-3962
Austin Miller & Kylie Otte, 5411 Pompano Drive, 612-381-7117

FYI...LRT is not the answer to transportation problems!

Starving the rest of our transportation system in favor of a more expensive, less efficient and totally inflexible light-rail system is the epitome of politics trumping common sense! **Using the Met Council's 2010 report**, the cost of a single ride on the Hiawatha line is \$2.46. Riders pay only \$.99 of this cost, leaving almost 60% subsidized by the public. But this isn't the true cost. Add in the 30 year amortized costs of bonding and a single ride actually cost \$6.42 which is an 85% subsidy! This equates to the public spending \$15M PER YEAR. The Northstar line costs \$13M, Central estimated @ \$17M and SW is \$12M. Improve bus service and rebuild critical highway infrastructure. The LRT mode of transportation has a negligible effect on traffic congestion! When you look at the costs, building more light rail lines like the SW LRT is nothing short of a money pit that will bankrupt our state. It's time to cut our losses and stop this madness!

Further issues...

TO: Southwest Light Rail Project Staff
ATTN: Deb Sisneros
DATE: 11/16/11

I understand the SW LRT is in the early design and engineering stages now. I'm a resident of Beachside Two-II town home development in Minnetonka which has 5 Associations. It's established & very large. I have been battling the Metropolitan Council, to no avail, to change the route from 3A to 1A as detailed in the following four very good reasons. It doesn't have to be politics /lobbyists as usual to jam this decision down our throats to satisfy the "Opus World" of wishful thinking occupancy 25 years from now. They can have an adjacent station 4 blocks off Smetana. **Perhaps my concerns & LOGIC will reach a receptive ear and common sense will rule the day!**

ISSUE #1 - Route 1A would run on existing rail lines and would be far cheaper to the general public than 3A. Exact savings I'm sure have been calculated but not shared via the Met Council. Isn't the Federal government trying to cut costs these days due to our ridiculous economy? Does the added cost really justify the 3A route?

ISSUE #2 - The 3A route goes through Opus and crosses Smetana Rd on the way to downtown Hopkins.

I live ONE block from this crossing! This is adjacent to residential zones, not empty lots or commercial property. People sleep here! Note: The average town home price is \$200K+ and we're not an eye-sore community! Trains running every 10:00 from 5a-1a with their vibration and warning bells is a definite "pollution" problem. Per the Met Council, it would be similar decibels to a blender ...I'm sure if you're deaf! And it's supposed to increase home value. Where's the logic in that? I don't live next to a station and would only hear, see, and feel the effects of the continuous trains which would lower my value for such an intrusion ONE block away! I'm 100% sure you wouldn't want to live here. Bad choice with zero disregard to surrounding upscale town homes and the rental apartments on the north side of Smetana!

ISSUE #3 - Safety and congestion concerns are an issue. Smetana is a road with a long, steep grade. During the winter months if it's snowing or icy, it's difficult to navigate. Stopping abruptly at a crossing could be very dangerous. And lots of cars & semi's use this road. I'm assuming some one did a traffic flow assessment to merit my observations. Therefore, I predict car accidents waiting to happen and possibly horrible fatalities which could be prevented. Who wants a death on their shoulders/conscience? Logic doesn't prevail here. Note: There have been accident/deaths on the existing Hiawatha Line already without any of these concerns in play. The congestion would be another headache. Not so with route 1A!

ISSUE #4 - As it relates to human life, St. Therese is an upscale senior high-rise east of the crossing. In the last two days alone, 4 ambulances have sped down Smetana in route to address medical issues. Now imagine waiting for the crossing arm & traffic to clear/subside when every minute counts! This could be your parent's life in jeopardy! Get St. Therese's input. **AGAIN...BAD CHOICE OF CROSSING/ROUTE!**

Put some thought into doing the right thing for all concerned. Share with other decision-makers too. Thank you for your time, understanding & anticipated cooperation. I look forward to a change in the route! (*Obviously Gail Dorfman, Mark Fuhrman & company haven't seen the light! Save gas & help traffic is their response!*)

Also, by 2030 when this line is supposed to be at it's peak for Opus, which currently has alot of vacancy, people will be working out of their homes. Not even commuting to work. Dah? The undesirables will be using the line for crime instead and the public will pay dearly for their opportunity to ride the rails. Even the Northstar line ridership is having problems already! What about the trees & wildlife effected? What about the St. Louis Park freight lines issues? I guess I could go on & on. Is anyone listening and thinking rationally? Or...politics as usual?

Feel free to give me some real comments and not a canned response.

IF NOTHING ELSE...A QUIET ZONE @ THE SMETANA CROSSING. I DON'T WANT TO MOVE!

Thank you for your anticipated understanding, compassion, and action,
Joanne

Joanne Strate

952-935-3999
strate51@msn.com

December 10, 2012

Sent US Postal & Email: swcorridor@co.hennepin.mn.us

Hennepin County Housing, Community Works & Transit

ATTN: Southwest Transitway

c/o Minnesota Metropolitan Council

701 Fourth Avenue South, Suite 400

Minneapolis, MN 55415

<p>See Comment #362 for Theme Delineations</p>

RE: DEIS for the Southwest Light Rail Project and proposed Royalston Avenue Construction & Station

To Whom It May Concern:

We are writing to you today as a property owner of the Royalston City Market located at 415 & 501 Royalston Avenue. Our properties are bordered between Royalston & Border Avenue (east/west) and Highway 55/Olson Memorial (north). We own approximately 8 acres and the land is currently developed with two, multiple tenant office/warehouse properties consisting of 220,000 square feet. Upon our initial review, the DEIS has a number of inadequacies and reflects a lack of understanding of the current conditions and business operations for my property and its tenants/businesses along Royalston Avenue.

From the current plan shown on the Southwest Corridor website, it appears the Southwest Light Rail is proposed to travel up and down Royalston Avenue with a "Royalston Stop" constructed near the southeast corner of our 415 Royalston property.

The DEIS does not reflect an understanding of the business operation of the Royalston City Market tenants/businesses. Our property is a profitable, thriving, office/industrial property which is home to five businesses with over 150 owners/employees. While each business is different, all require unfettered vehicular access from Royalston AND Border Avenue. The DEIS shows that the SW LRT, as proposed, will make it virtually impossible for some businesses to continue to operate profitably at their current locations.

The DEIS shows a clear lack of understanding of the geographic constraints of the Royalston City Market tenants/businesses. Additionally, the DEIS anticipates land use changes with no suggested implementation or mitigation for existing tenants/businesses at Royalston City Market that will be affected by the SW LRT. At a minimum there will be business disruption during construction and the likelihood that the businesses will not be able to survive construction. In addition, it is clear that these businesses may be unable to conduct their business after construction.

Specific Comments (by section):

2.1.3 LOCALLY PREFERRED ALTERNATIVE RECOMMENDATIONS

As it relates to the Locally Preferred Alternative for the Royalston Station concerning safety, access, accessibility, visual sightlines and cross-access. We feel that discussions should be reviewed to construct an "at-grade" platform and access at the Royalston Station path across 7th Street & Hwy 55.

The plans for the construction of the light rail as it relates to the crossing of Highway 55 and 7th Street is of major concern for our Royalston City Market properties. Whether the trains cross Highway 55 at grade level, by way of a tunnel, or if the plans are to elevate the light rail tracks, this construction and elevation will most certainly have a huge negative impact on the value of our real estate. Elevated rail lines would leave our now "excellent visibility" to "no visibility", leaving our Royalston City Market properties in the "shadows" of the light rail tracks and out of direct visibility of our major clientele, the downtown business community. Also worth noting is the loitering and "less than desirable" clientele that would use this "shadow area" for their temporary residence whereby decreasing the value of my real estate asset.

There has been some information in the marketplace that Border Avenue might be an alternative route for this Southwest Light Rail and its connection to the Interchange Transit Hub. I would like to make it clear that losing trucking and vehicle access to my Royalston City Market properties along Border Avenue would also have a great negative impact on the value of my real estate. We have major concerns for our tenant/businesses trucking accessibility during construction and after the rail line is complete. Our properties have continuous large truck traffic throughout the day which we must insure this accessibility is maintained or risk being in breach of our lease commitments. This particular issue must be studied early in order to adequately mitigate the impact of construction and long term vehicular and trucking access on the business operations.

With the construction of light rail along Border Avenue, the Royalston City Market properties and the tenants/businesses within the properties would lose all major trucking access to loading docks and parking areas. Accessibility to and from I-94 is crucial for our current and future tenants at the Royalston City Market. Without this type of access, the properties would suffer major asset losses.

3.1.5 LONG TERM EFFECTS

The DEIS states "improved accessibility will help the study area become more attractive to business and residential opportunities, especially when linking to major employment centers with rapid transit." While the SW LRT may make the area more attractive to business and residential opportunities, the plan, as presented, will have the impact of dislocating the businesses at Royalston City Market. Further study is required to insure the businesses' ability to continue at their current location.

The DEIS anticipates land use changes with no plan for implementation. The DEIS requires further study of how the proposed SW LRT will affect the current land use and how the proposed change in land use will be implemented. The DEIS proposes "no mitigation" for land use changes, stating that the preliminary engineering will work to mitigate local concerns. This is not adequate to meet the needs of the Royalston City Market businesses.

3.1.7 MITIGATION

The DEIS states that “businesses and residents may experience difficulties with accessibility at certain times of day during the construction of the project, and minor detours for through traffic might be required. In general, these effects will not change the land use of the area during construction, but may affect the number of people using area businesses directly affected by access or construction traffic issues.” This statement shows a complete lack of understanding of the nature and operation of the businesses at the Royalston City Market. Our properties fronting Royalston Avenue will have access totally eliminated during construction because some tenants have only one driveway option. This particular issue must be studied early in order to adequately mitigate the impact of construction on the business operations. It will not be satisfactory to simply supply “appropriate notification and signage.”

3.2.2.6 NEIGHBORHOODS AND COMMUNITY COHESION

On page 3-58 there is a statement related to access: “The implementation of LRT service would not sever roadway or drive way connections or remove the existing multiple-use trail adjacent to the proposed guideway alignment of Segment A.” Again, this statement shows a lack of understanding and familiarity with the Royalston City Market tenants/businesses. We have major concerns for our tenant’s trucking accessibility during construction and after the rail line is complete. Our properties have continuous large truck traffic throughout the day which we must insure this accessibility is maintained or risk being in breach of our lease commitments. It must be a priority in early Preliminary Engineering, to study the long-term effects of the route and station placement on these businesses. This study must determine if and when acquisition is necessary. Alignment along the Royalston Avenue right-of-way – center, west side and eastside, should be evaluated for effects on adjacent businesses weighed against keeping two-way traffic.

3.2.2.7 SUMMARY OF POTENTIAL IMPACTS BY BUILD ALTERNATIVE

The statement in the DEIS that the LRT 3A (LPA) alternative “is not anticipated to have significant impacts to neighborhoods or community cohesion” is inaccurate as it relates to the Royalston City Market tenant/business community. Further study is required to determine its impact on this thriving business district.

3.3.5 MITIGATION

Our Royalston City Market will be negatively impacted by the alignment and platform. We have tenants/businesses that require direct, frequent and unfettered access from semi-trucks. Some tenants have only one access onto Royalston Avenue. Construction will severely impact or eliminate their access. We have major concerns for our tenant’s trucking accessibility during construction and after the rail line is complete. Our properties have continuous large truck traffic throughout the day which we must insure this accessibility is maintained or risk being in breach of our lease commitments. The long term effects of conducting business must be a priority for study during early in the Preliminary Engineering process in order to determine if and when acquisition is necessary. Alignment along the Royalston Avenue right-of-way – center, west side and east side – must be evaluated for effects on adjacent businesses, weighted against keeping two-way traffic circulation.

4.7.3 NOISE – LONG TERM EFFECTS

With the rail lines being constructed so close to our properties and us not yet having been informed to the construction process, we are unaware if we should be concerned about the long term noise from the train cars which may negatively impact our Royalston City Market properties and our tenants/businesses.

4.7.6 NOISE - CONSTRUCTION NOISE MITIGATION

We have great concern with the noise levels for our Royalston City Market tenants and their businesses as the light rail is under construction.

4.8.3 VIBRATION – SHORT TERM AND LONG TERM EFFECTS

With the rail lines being constructed so close to our Royalston City Market properties and us not yet having been informed to the construction process, we are unaware if we should be concerned about earth movement and/or vibrations issues which may negatively impact our properties and our tenants/businesses. We have great concern with the vibrations which may negatively affect our tenants and their businesses as the light rail is under construction as well as the vibrations from the daily train schedules once the project is completed.

5.1 ECONOMIC CONDITIONS

The DEIS states that the Southwest Transitway will contribute to the local businesses by increasing accessibility. This is not true for the tenants/businesses of the Royalston City Market. Our tenants will have decreased access and restricted roadways and therefore the SW LRT will not contribute to competitive advantage for the businesses. Further study, during early preliminary engineering, is required to insure that the businesses at the Royalston City Market are able to remain competitive.

5.2.2 SHORT TERM EFFECTS

We feel that the Royalston City Market and its tenants/businesses at the Royalston Station will be negatively impacted by the location of the alignment and platform. These are industrial businesses that require direct, frequent and unfettered access from semi-trucks and some businesses contain only one access onto Royalston Avenue. We have major concerns for our tenant's trucking accessibility during construction and after the rail line is complete. Our properties have continuous large truck traffic throughout the day which we must insure this accessibility is maintained or risk being in breach of our lease commitments. The long-term effects on the businesses at this site should be a priority to study early in the Preliminary Engineering process to determine if and when acquisition is necessary. Alignment along the Royalston Avenue right of way – center, west side and east side- should be evaluated for effects on adjacent businesses weighed against keeping two-way traffic circulation.

If construction is to occur during the day, as the DEIS states, this will have a devastating impact on the Royalston City Market tenants/businesses. Further study is required during Preliminary Engineering to identify means of addressing the short term effects on the existing tenants/businesses.

The DEIS states that "short-term construction effects to the social or economic characteristics of the study are anticipated to include short and long-term economic gains to each community resulting from the implementation of any Build Alternative". This is not true for the Royalston City Market tenants/businesses. As proposed, the construction effects will have no short or long-term economic gain to the businesses, they will more likely have an economic loss, and further study is required to determine how to mitigate the short and long-term effects of construction on these businesses.

5.2.3 MITIGATION

The DEIS states that a Construction Access Plan will be developed at the start of major construction activities. Some tenants/businesses along Royalston Avenue have only one point of access. Preliminary Engineering must further study how these businesses will be affected during construction and develop a

detailed access plan to insure business viability. Table 5.2.3 is not sufficient to address the issues of the Royalston City Market tenants/businesses. Further study is required and mitigation must be identified to address the concerns of the Royalston City Market tenants/businesses.

5.2.4 LONG-TERM EFFECTS

In Table 5.2-4, under the LPS's Environmental Metrics, access on Royalston Avenue will be affected. At least six properties and at least 10 businesses at the Royalston Station will be negatively impacted by the location of the alignment and platform. These are industrial businesses that require direct, frequent and unfettered access from semi-trucks and the sites contain only one access onto Royalston Avenue. We have major concerns for our tenant's trucking accessibility during construction and after the rail line is complete. Our properties have continuous large truck traffic throughout the day which we must insure this accessibility is maintained or risk being in breach of our lease commitments. The long-term effects to businesses on these sites should be a priority to study in early Preliminary Engineering in order to determine if and when acquisition is necessary. Alignment along the Royalston Avenue right-of-way, center, west side and east side – should be evaluated for affects on adjacent businesses weighed against keeping two-way traffic circulation.

In table 5.2.4 the DEIS contemplates a future change of land use to higher density, mixed use at the Royalston Station. There is the potential for the Royalston Business community to be completely changed due to the SW LRT. Further study is required, during Preliminary Engineering to determine if and when acquisition is necessary to mitigate negative impacts on the existing businesses or to determine if acquisition is necessary to facilitate the move to the proposed land use.

In table 5.2-4, under the LRT 3C-2's Environmental Metrics, it identifies 20 on-street parking spaces for potential elimination on Royalston Avenue. Since this alignment is the same as the LPA, this information should be used consistently throughout this table. These 20 on-street parking spaces are essential to the Royalston City Market tenants/businesses. Preliminary Engineering must develop mitigation for the loss of those parking spaces to the businesses.

Table 5.2-4 states the "parking and access to businesses along this route are unlikely to be affected." This is not true for the Royalston City Market tenants/businesses. Both parking and access, critical to the Royalston City Market tenants/businesses, will be greatly affected by the SW LRT. These businesses have semi-traffic and require frequent, direct and unfettered access to their businesses. Some Royalston City Market tenants/businesses have only one access point for their businesses. Early Preliminary Engineering must identify alternative access and parking for these businesses.

6.2.2.2 PYHYSICAL MODIFICATIONS TO EXISTING ROADWAYS

The DEIS states that "conceptual designs indicated that construction of the Southwest Transitway is likely to result in minor physical modifications to existing roadways that may affect local circulation patterns." This is not true for the Royalston City Market tenants/businesses. The SW Transitway will have major affects to the circulation patterns around Royalston, Border & Holden Avenues.

On page 6-20, closing of Holden Street is identified. The closing of this intersection will have a significant impact on access to the Royalston City Market tenants/businesses. Early Preliminary Engineering must identify alternative access for the Royalston City Market tenants/businesses to mitigate the effect of closing Holden Avenue.

At the top of page 6-35, the closing of the Royalston and 5th Avenue North intersection is identified as a necessity for Segment C-2. Since this alignment is the same as the LPA in this area and the closing of this intersection has not been mentioned under the LPA, this inconsistency needs to be addressed. The Royalston City Market tenants/businesses have serious concerns about closing this intersection.

6.2.2.6 BUILDING/FACILITY ACCESS

The Royalston City Market properties/tenants/businesses should be included in the list of properties with affected access in the Build Alternative.

6.3.1.3 TRUCKING

The Royalston City Market will be negatively impacted by the location and alignment of the Royalston Station platform. Our tenants/businesses are industrial businesses that require frequent, direct and unfettered access from semi-trucks with some tenants having only one access which is Royalston Avenue. We have major concerns for our tenant's trucking accessibility during construction and after the rail line is complete. Our properties have continuous large truck traffic throughout the day which we must insure this accessibility is maintained or risk being in breach of our lease commitments. The long-term effects to doing businesses on these sites should be a priority to study early in early Preliminary Engineering to determine if and when acquisition is necessary. Alignment along the Royalston Avenue right-of-way – center, west side and east side- should be evaluated for effects on adjacent businesses weighed against keeping two-way traffic circulation.

6.3.2.3 TRUCKING

At the top of page 6-58, truck access and movement issues are discussed. There is no mention of the industrial businesses along Royalston Avenue and it states that no significant impacts are anticipated. That is not true for the Royalston City Market tenants/businesses. The tenants/businesses along Royalston Avenue could have minimized, or eliminated, access for trucks due to turning movement constraints. This must be studied further during early Preliminary Engineering.

9.2.2 INDIRECT EFFECTS

The DEIS identifies that the indirect effects are desired and consistent with local plans. While consistent with existing land use plans, there is no plan for addressing the issues of the existing businesses. The impact of the SW Transitway on the existing businesses must be studied during early Preliminary Engineering to determine whether acquisition is necessary.

9.6.21.3 ANTICIPATED CUMULATIVE IMPACTS

The DEIS anticipates job creation as a result of the SW Transitway. The Royalston City Market tenants/businesses currently have in excess of 150 jobs. There is the potential for these jobs to be lost and a resulting decrease in jobs, as a result of the impact of the SW Transitway on the Royalston City Market tenants/businesses.

9.6.22.4 MITIGATION

While the indirect and cumulative impacts of the SW Transitway at the Royalston station may be anticipated, further study is required to determine if the impacts are so negative on the properties & businesses that acquisition is required.

9.6.2.4 MITIGATION

The DEIS states that “no mitigation for the expected indirect effects and cumulative impacts to land use is proposed for any of the Build Alternatives.” The statement that Preliminary Engineering will work to mitigate local concerns is not adequate to address the impact on the Royalston City Market properties, tenants/businesses. Preliminary Engineering must study the impact on the Royalston City Market properties, tenants/businesses to determine if acquisition is necessary and to identify potential relocation areas.

11.1 EVALUATION RELATIVE TO PROJECT GOALS AND OBJECTIVES

The DEIS states that the “Southwest Transitway” would be developed to avoid as much disruption as possible to neighborhoods, commercial districts and historic areas in the corridor.” In addition, “another objective of the Southwest Transitway” project is to support public and private economic development . . . “ This statement of goals and objectives is in direct conflict with the impact the SW Transitway will have on the Royalston City Market tenants/business community. As proposed, the SW Transitway will totally disrupt the Royalston City Market tenant/business community and will not support private economic development. Further study is required in Preliminary Engineering to insure the goals and objectives of the project can be achieved with minimal disruption to the existing business community.

In summary, we continue to lease office & warehouse space within our Royalston City Market and are gravely concerned that having construction of this capacity in and around our properties will negatively impact the success of our future leasing efforts. We have recent experience with this type of adverse market conditions. Tenant’s considering our properties will be concerned and skittish about entering into a lease with an undeterminable future which negatively impacts the asset value of the properties.

Please keep us informed as to the progress of the Southwest Light Rail. We will be keeping a close eye on this progress and how it will impact our real estate values both during and after construction.

Sincerely,



Robert D. Salmen

Chief Manager

Royalston City Market

bobsalmen@efsinvestments.com

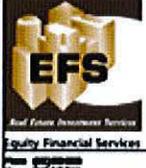
612.991.8000 (cell)

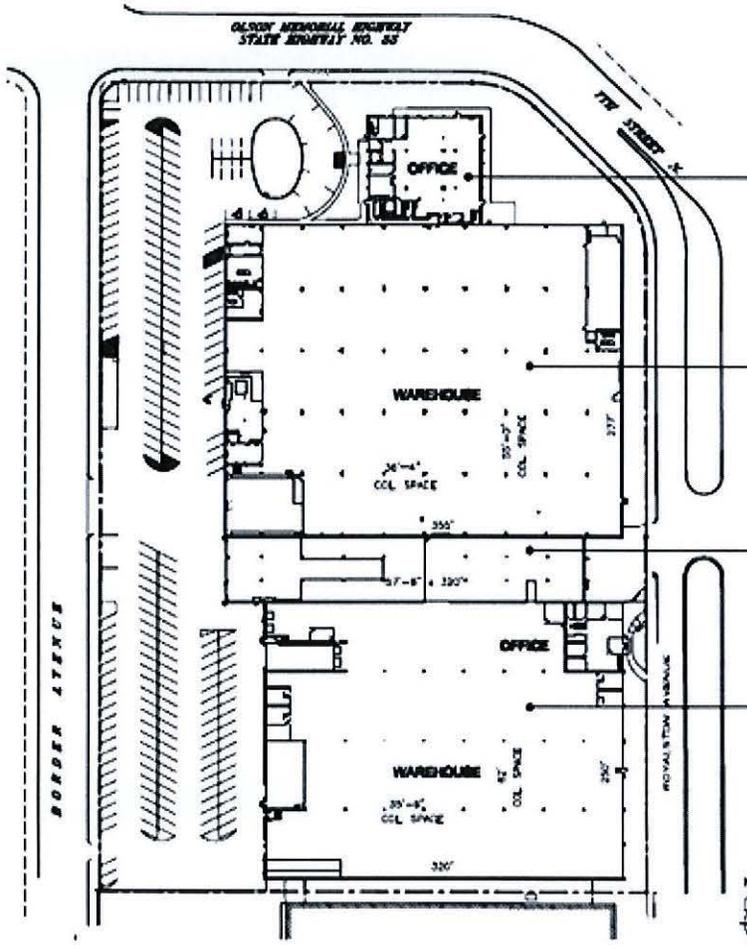
Cc: Richard Salmen, Esquire

Royalston City Market

415 & 501 Royalston Avenue

Site & Building Plan

<p>SITE & BUILDING PLAN 415 & 501 ROYALSTON AVE. MINNEAPOLIS, MINNESOTA</p> <p>September 22, 2010</p>	
--	---



BUILDING A
 1st Floor Office: 10,088 SF
 LL Office: 8,818 SF
 Total Building A: 18,916 SF

BUILDING B
 Total Warehouse B: 86,307 SF

BUILDING C
 Total Warehouse C: 18,428 SF

BUILDING D
 OFFICE AREA: 3,287 SF
 LL OFFICE: 3,287 SF
 WAREHOUSE: 78,703 SF
 Total Warehouse D: 83,297 SF

NORTH
 SITE PLAN
 SCALE: NTS

Royalston City Market
501 Royalston Avenue, #100
Minneapolis, MN 55405

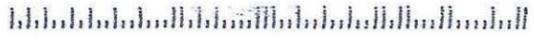
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PM
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2012



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

5541501843 0089



DEC 27 2012

BY:

We live on 21st Street, in Kenwood, about a block from where

The proposed light Rail station will be built. We are very excited about the prospect of such incredible access to light Rail and all of its environmental benefits. However, we are VERY concerned about a few issues. First and foremost, we read that you were suggesting a parking lot for the station. We were devastated to even imagine parking over any of the prairie restoration, natural woods, trails, or parklands that make our area so special for space for one hundred (!) cars. Our area is cherished for its wildlife and natural beauty - please do not destroy it with a parking lot. People can walk, bike, take a bus - be dropped off. These are the alternatives to consider in order to kick the car habit and keep the area special. ALSO - we are extremely concerned about noise & station aesthetics and ~~we~~ will do whatever we can do to help ensure that all is done to make certain the station blends in with the natural surroundings & the noise isn't disruptive to our daily life. Thank you so much for all the thought & consideration you've put into making the station a success. We look forward

Name: David Boxer & Emily Benz to may ahead.

12

11

05,
06



December 21, 2012

www.stlouispark.org

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

SUBJECT: Comments on the *Southwest Transitway Draft Environmental Impact Statement (SW DEIS)*

The City of St. Louis Park appreciates the opportunity to comment on the Southwest Transitway Draft Environmental Impact Statement (SW DEIS). Attached are comments derived from applying the City's SW LRT and freight rail policies to the information presented in the SW DEIS, and general comments regarding information and analyses in the SW DEIS.

In its September 2011 letter to the Met Council, the Federal Transit Administration (FTA) required that routing of freight rail traffic be incorporated into the SW Transitway project and DEIS as a condition of the FTA's funding of the SWLRT project. Alternative 3A-1 (co-locating freight rail and light rail in the Kenilworth corridor) was subsequently added into the SW DEIS. The SW DEIS concludes that Alternative 3A (LRT in Kenilworth corridor and freight rail relocated to the MN&S/BNSF) should be considered the "Environmentally Preferred Alternative."

C

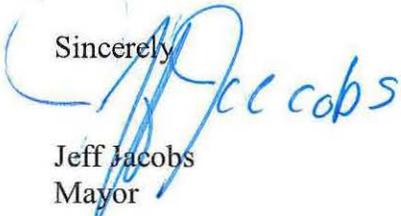
Overall, the City of St. Louis Park has not found information in the SW DEIS that supports this conclusion. There is not a fair, even and consistent comparison of the freight alternatives, and the data provided does not equate with the summary conclusions put forth in the SW DEIS.

The DEIS shows alternatives 3A and 3A-1 to be equal in many regards. Both achieve the basic purpose of constructing a LRT project well; ridership projections are equal, and operating costs are estimated to be equal. Improvements to regional mobility, access to jobs, and improvements to air quality are also equal. However, it is unclear on what basis Alternative 3A (relocation) was judged to be superior to alternative 3A-1 (colocation); we explain in detail our specific concerns in the attached comments.

C

The City of St. Louis Park requests that Hennepin County and the Metropolitan Council address the inadequacies in the SW DEIS to provide a much more fair and even evaluation of the two freight rail alternatives in order that the Metropolitan Council has a sound basis for making a responsible routing decision.

Sincerely,



Jeff Jacobs
 Mayor

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Attachments

1. City of St. Louis Park Resolutions: 10-070; 10-071; 10-005
2. FTA PE Approval Letter SW Corridor 09-02-11
3. Letter from City to Metropolitan Council dated 9-23-11
4. Letter from Metropolitan Council dated 10-21-11
5. EAW
 - a. MNS EAW Track profiles (by Kimley Horn and AECOM)
 - b. CP and TC&W letters of 06-14-11 on EAW
 - c. SEH Technical Memos 1-3
 - d. City comments on EAW; SEH Tech Memo #4 and attachments, including:
 - Southern connection drawing
 - Skunk Hollow wye area
 - Wider r-o-w north of Highway 5
 - Comparison of Alternative 3A and 3A-1 Freight Rail Corridor Widths and Proximity to Homes
 - e. North frontage road under MN&S
6. MnDOT EAW Withdrawal Resolution
7. Letter to HCRRA dated 10-14-08
8. Wooddale and Beltline Grade Separation Summary 05-05-11
9. Railroad Easement
10. SW LRT Traffic Review by SRF
11. TKDA Final Report 11-18-09
12. TKDA Plan Set 2009
13. RL Banks Study Presentation 11-29-10
14. TCWR Route Alternatives Study by Amfahr 11-29-10
15. STB questions, HCRRA response, City response
16. Specific Comments DEIS by page

City of St. Louis Park
Evaluation and Comments on the
Southwest Transitway Draft
Environmental Impact Statement (SW
DEIS)

December 31, 2012

I. Evaluation of SW DEIS in Context of St. Louis Park SW LRT and Freight Rail Policies

The City of St. Louis Park has been and continues to be a strong supporter of the Southwest Transitway LRT project. We look forward to implementation of SW LRT and the initiation of light rail train service for the benefit of our residents, our businesses and the region at large. Expansion of the transit system in the Metro area is a wise and prudent investment supported by the City of St. Louis Park. We have been eager and willing participants throughout the SW Transitway planning process and look forward to our participation in the SW LRT design process.

The City's support for SW LRT was memorialized in Resolution 10-005 (attached) sent to the Metropolitan Council in January 2010. The resolution stated the City's support for the SW LRT project and the Locally Preferred Alternative for the light rail trains, alternative 3A (relocation). It also acknowledged that construction of the SWLRT line would require changes to freight rail in St. Louis Park and Minneapolis, and it expressed concerns that the impacts of the freight rail changes be identified fairly and addressed fully.

The support for SW LRT was stated again in Resolution 10-070 in July 2010. That resolution also recognized the continued challenge presented by freight rail for the implementation of the SW LRT project and stated the conditions under which the rerouting of train traffic from the Kenilworth corridor to the MN&S tracks would be acceptable to the City of St. Louis Park. The resolution established the conditions under which the City would accept relocation of the freight trains to the MN&S tracks.

Below is the text from Resolution 10-070 which states the city's policy regarding freight rail rerouting. It says:

“NOW THEREFORE BE IT RESOLVED by the City Council of St. Louis Park that the City of St. Louis Park:

1. Supports the implementation of the Southwest Transitway LRT project; and, A
2. Continues to support the May 23, 2001 Railroad Task Force Recommendations adopted by the City Council October 21, 2001; and,
3. Opposes the introduction of any rerouted freight rail traffic north and south through the City of St. Louis Park; and, C
4. Opposes the rerouting of freight rail traffic from the Kenilworth corridor to St. Louis Park unless the following conditions are clearly met: C

- a. It is established through a very thorough and careful analysis that no other viable route exists;
- b. There is appropriate mitigation of any and all negative impacts associated with rail rerouting, funded by sources other than the City of St. Louis Park. Potential negative impacts that should be addressed include but are not limited to noise, vibration, odors, traffic congestion and safety, school use and safety, park use and safety; and, circulation/access in the community by vehicle, pedestrian, transit and bicycle;
- c. Elimination of railroad switching, sorting and blocking operations within the City of St. Louis Park; and funded by some other source than the City of St. Louis Park;
- d. Removal of the existing “wye” rail tracks in the vicinity of Oxford Street and any other tracks not needed for through train traffic including the rail tracks east of any new interconnections between the East-West CP-TCWR tracks and the North-South CP-MNS tracks;
- e. Creation of a freight rail single track corridor with significant right-of-way and safety measures incorporated between the track and adjacent properties;
- f. Creation of a whistle-quiet zone funded by sources other than the City of St. Louis Park throughout the entire north-south MNS corridor.”

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Paragraphs 4a through 4f in Resolution 10-070 (above) spell out the conditions under which the City of St. Louis Park would find re-routing Kenilworth train traffic to the MN&S tracks acceptable. Key among the conditions are (1) that it be shown that no other viable route for freight rail exists; and, (2) if freight trains were to be rerouted to the MN&S, adequate mitigation must be provided.

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The SW LRT project as described in the DEIS and the analysis provided in the DEIS fail to satisfy the conditions the City of St. Louis Park established as the basis for accepting rerouting of freight trains to the MN&S line. St. Louis Park believes that co-location in the Kenilworth corridor could be a viable route for freight rail; and, even if it proves not to be, the mitigation and other conditions under which the MN&S route would be acceptable to the City of St. Louis Park have not been met.

The failure of the DEIS to address these issues is described below.

A. Is there a viable alternative to MN&S for freight rail?

The first condition for accepting re-routing traffic to the MN&S is Resolution 10-070 item 4a:

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“a. It is established through a very thorough and careful analysis that no other viable route exists;”

For St. Louis Park, the acceptability of the MN&S tracks for re-routed Kenilworth trains starts with the question, is there any other viable alternative route for the freight trains? The City’s consultant, SEH completed analysis that showed how co-location in the Kenilworth corridor is viable. This analysis and attendant drawings were used as the basis for the co-location alternative and comparison in the SW DEIS. The SW DEIS does not show that co-location of freight rail and light rail in the Kenilworth corridor (alternative 3A-1 co-location) is not viable.

1. Section 4(f) Conclusion is Unproven

The DEIS concludes that co-location is not feasible primarily based on the conclusion that co-location requires the acquisition of .81 acres of Cedar Lake Park. It also concludes that this would not be a de minimis taking of parkland and that it would “constitute a section 4(f) use”, which means use of the Cedar Lake Park land would not be allowed by the federal Secretary of Transportation, thereby making alternative 3A-1 (co-location) unfeasible.

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Section 7.0 of the SW DEIS is labeled draft Section 4(f) evaluation. Its preliminary two-fold conclusion that the use of Cedar Lake Park “would likely not be avoided” or considered to be de minimis is unsupported by any factual analysis, does not comply with applicable federal rules, and exhibits a total disregard for any fair and objective analysis of co-location as a feasible alternative.

There are no facts set forth anywhere in the SW DEIS identifying the purported .81 acres of Cedar Lake Park to be acquired, nor how the calculation was made. It appears that the area in question is not actively used by the public, is former railroad property and is the current location of freight rail tracks in the Kenilworth corridor. At page 7-21, the DEIS states that “conceptual engineering completed to date” identifies the 0.81 acres. SW DEIS Appendix F (part 3) contains “conceptual engineering drawings.” They are the drawings prepared for the City of St. Louis by SEH in 2010. There is nothing in the appendix that addresses or identifies what land needs to be taken for the relocation of the existing-freight rail tracks; however the 3A-1 (SEH plan) drawings show co-located trains where the existing freight rail tracks are operating today.

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At ES-7 and 2-41, the SW DEIS states that the Kenilworth tracks “would need to be reconstructed to meet BNSF design standards for clearance requirements.” It is unclear whether a claimed clearance requirement is linked to the claimed .81 acre impact on Cedar Lake Park. The co-location assumes a 25’ distance between the freight railroad and light rail tracks. This 25’ distance is being used by Hennepin County Regional Rail Authority (HCRRA) for similar projects. Assuming this separation distance, there is no apparent need to relocate the freight rail track to the west into Cedar Lake Park any further than it is shown on the concept drawings for alternative 3A-1 (co-location). The freight rail track would remain in its present location.

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The Section 4(f) rules require that a project be designed to avoid or minimize the impact on 4(f) property. Specifically 23 C.F.R. § 744.3 requires the Metropolitan Council, as part of the co-

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location design process to analyze feasible and prudent alternatives, avoid the use of 4(f) property and if avoidance is not possible, to perform “all possible planning” to minimize harm to the parkland. There is absolutely no evidence in the DEIS that any attempt has been made, as part of whatever conceptual engineering on co-location has been performed, to avoid impact to Cedar Lake Park, if in fact an impact even exists. One seemingly obvious concept would be to shift the alignment east onto HCRRA property.

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There are also no facts or analysis as to why any impact to park land that might occur would not be considered “de minimis” which is defined by applicable rule as an impact that “will not adversely affect the features, attributes or activities” of the park land. There are no facts or analysis as to why any minor shifting of the freight rail track along the border of Cedar Lake Park, assuming it cannot be avoided, would not be de minimis. There are also no facts or analysis, even on a conceptual level, as to why the Minneapolis Park and Recreation Board would, potentially arbitrarily, refuse to consider such an impact to be de minimis, especially if mitigating steps were taken to lessen any impact.

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The HCRRA and its consultants prepared the SW DEIS. The Metropolitan Council will lead the process for the development of the SW FEIS. The SW DEIS concedes that no avoidance or mitigation analysis has been done on any of the alternatives. At Section 7.2 the SW DEIS states:

A series of coordination meetings will be conducted with the parties that control these Section 4(s007Aazf) protected properties, and/or the regulatory agencies responsible for these properties, to discuss the potential for the use of these properties and the results of avoidance and minimization efforts. The majority of these meetings would occur during preliminary engineering and would be presented in the Final Section 4(f) Evaluation.

At Section 7.4.1.2, the SW DEIS states:

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This summary is preliminary because design is not sufficiently advanced to conclude that avoidance and minimization measures have been exhausted. Additional efforts will be made during Preliminary Engineering to avoid or minimize the use of any of these Section 4(f) properties. The results of this additional analysis will be presented in the Final Section 4(f) Evaluation.

Despite this acknowledgment and the total lack of any facts in the SW DEIS relating to the claimed use of Cedar Lake Park, HCRRA at Section 7.4.1.5 of the SW DEIS concludes that co-location “would” necessitate additional expansion of ROW outside of the HCRRA-owned parcels into adjacent parkland.” In the next sentence the SW DEIS states that “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.” The Metropolitan Council as the lead agency for the SW FEIS must perform

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an independent, objective 4(f) review in accordance with the rules based upon facts and not conjecture.

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Furthermore, even assuming that co-location would involve an unavoidable use of 4(f) property which is not de minimis, there is no basis for assuming that re-routing freight trains to the MN&S route has met the statutory requirement that there be a “prudent and feasible” alternative. Without additional mitigation, agreement from the railroads on the design of this route, and complete evaluation of all the impacts associated with this route, that conclusion cannot be reached. The MN&S route does not meet typical railroad design standards, it presents severe operational challenges, has unique conditions such as tracks separating St. Louis Park High School from its athletic field, and tracks passing diagonally through intersections; these have not been adequately addressed in the SW DEIS and make the SW DEIS’s conclusions unsupported.

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2. Dismissing Alternative 3A-1 (co-location) is Premature

Drawing a conclusion in the SW DEIS that the co-location alternative is not feasible is premature and contradicts the direction to the Met Council from the FTA to study and address all the concerns prior to entering into the final design phase of the SWLRT project. The Met Council has not begun preliminary design, so concluding that co-location is not feasible in the SW DEIS pre-emptively dismisses the co-location alternative. St. Louis Park believes this conclusion is inappropriate at this stage of the SW LRT design process.

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3. Evaluation of Alternative Needs to Wait for Preliminary Engineering

The analysis of the freight rail impacts of the MN&S route is almost exclusively based on the EAW work completed on that corridor in 2010-11. Although that is the source of the SW DEIS’s analysis of the MN&S route, the comments submitted by St. Louis Park and the public regarding the EAW were not included in the SW DEIS documents or addressed as a part of the analysis. These comments are pertinent to the evaluation of the prudence and feasibility of the MN&S route for rerouted freight trains. The City of St. Louis Park dropped its legal challenge of the MN&S EAW with the understanding that a full analysis of the co-location option as well as the MN&S route would be done and that this work would include preliminary designs for both routes. The SW DEIS does not offer any new design or further analysis of either route from what was done during the MN&S study and the work by the City of St. Louis Park’s own consultants. There needs to be much more design and cost analysis before a co-location alternative is declared not viable.

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B. Mitigation in SW DEIS is Inadequate

The second condition for accepting re-routing traffic to the MN&S is Resolution 10-070 item 4b:

“b. There is appropriate mitigation of any and all negative impacts associated with rail rerouting, funded by sources other than the City of St. Louis Park. Potential negative impacts that should be addressed include but are not limited to noise, vibration, odors, traffic congestion and safety, school use and safety, park use and safety; and, circulation/access in the community by vehicle, pedestrian, transit and bicycle;”

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The inherent characteristics of the MN&S route require robust mitigation measures to protect the neighboring residents, businesses, students, community facilities; and, to ensure trains operate safely. These apply largely to the MN&S route, and many of them also would be necessary under the 3A-1 (co-location) alternative. A comparison of characteristics of the freight rail route alternatives is provided later in these SW DEIS comments, in section E.

City Resolution 10-070 recognized the need and importance of mitigation along the MN&S, BNSF and Bass Lake Spur; and made it a condition of acceptance of the MN&S route for freight rail. The mitigation alluded to in the SW DEIS is not adequate and falls well short of what is needed if a reroute to the MN&S is to be successful. Below, the City states the following items must be included to address negative impacts from freight trains in St. Louis Park.

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1. Track improvements/upgrades (both Alternatives 3A (relocation) and 3A-1 (co-location))

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The proposed improvements will upgrade the tracks to modern mainline standards that will include continuous welded rail and upgraded crossing signals with gates. This is part of the proposed project and is among the base improvements needed to make this route functional for the operation of trains. It is not really a mitigation action but will reduce vibration and noise.

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2. Mandatory environmental requirements (both Alternatives 3A (relocation) and 3A-1 (co-location))

The DEIS indicates that all mandatory environmental requirements such as wetland permits, waste disposal, erosion control, storm water runoff, construction noise, etc. will be met. This is not mitigation and is a basic requirement of any improvements.

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3. Whistle Quiet Zone (WQZ) and noise mitigation (both Alternatives 3A (relocation) and 3A-1 (co-location))

A Whistle Quiet Zone along the MN&S and Bass Lake Spur is a base line mitigation requirement. However, it only addresses the noise from train horns, and is not the only train noise mitigation needed - especially with regards to the MN&S route. The noise of locomotives operating at maximum power to pull train cars up the steep grades; the noise from train cars banging together and separating as they are pulled up and down the hilly MN&S route; the squeals of train wheels on tight curves and the noise of idling trains on the BNSF siding waiting to access the BNSF mainline all need to be mitigated. The WQZ topic is discussed fully later in Section F of these comments.

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4. Fencing & signage (both Alternatives 3A (relocation) and 3A-1(co-location))

The SW DEIS suggests fencing and signage to minimize pedestrian trespassing, but is not specific as to which areas would be included. Fencing is needed on both sides of all the tracks for safety. The tracks pass through single-family neighborhoods, neighborhood commercial areas and, past neighborhood parks and schools. The MN&S tracks expose these very walkable areas, with many children and many child-oriented facilities to safety risks. Fencing is needed to reduce these safety risks.

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5. Improvements to reroute coal trains (both Alternatives 3A (relocation) and 3A-1(co-location))

The coal trains that pass through St. Louis Park originate in Wyoming and Montana and bring coal to a sugar plant in Renville west of the Twin Cities. Currently trains coming from Wyoming and Montana travel all the way into Minneapolis using the BNSF tracks before backtracking through the Kenilworth corridor and St. Louis Park west to the sugar plant. The empty coal trains return to Wyoming and Montana without passing through St. Louis Park or Minneapolis. They go directly west from the sugar plant to Appleton, MN, and interchange back to the BNSF line.

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The loaded coals trains do not use the Appleton interchange because of track conditions on the west end of the TC&W. A track rehabilitation project to replace cross ties on the western part of the TC&W would allow for the reroute of the loaded coal trains and eliminate the need for the coal trains to pass through Minneapolis and St. Louis Park. TC&W has estimated that this project would cost about \$2 million. This is an important improvement that not only reduces train traffic and attendant negative impacts for both St. Louis Park and Minneapolis, but it makes freight rail movements more economical and reduces train traffic in the Target Field area.

6. Rail lubricators (Alternative 3A relocation)

Rail lubricators installed in the track are a mitigation to reduce wheel noise and rail wear on the tight curves of the MN&S route. Lubricators should be included on the MN&S route.

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7. Concrete ties or other vibration reduction methods (Alternative 3A relocation)

Concrete ties rather than wood ties would allow for less vibration induced in to the ground, because of the larger mass of the ties. Concrete ties also work better in the tighter curves to hold gauge. Vibration and noise are significant issues along the MN&S route especially. The close proximity of sensitive land uses like homes, the St. Louis Park High School and commercial buildings that already experience problems from vibrations need to be addressed and mitigated if increased train traffic is to be accepted on the MN&S.

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The Section 4.8.4 of the SW DEIS evaluation of ground vibration for the reroute uses the criteria “infrequent use” for locomotives and “occasional use” for rail cars. They determined that only one parcel is impacted from the expected vibration. The SW DEIS use of “infrequent” or “occasional” use by freight trains is not correct. Section 8.1.3 of the Transit Noise and Vibration Impact

Assessment is the section that discusses vibration impact criteria for freight trains. The guidelines require the use of “frequent” use as the guideline. This reduces the maximum impact allowed from 80 VdB or 75 DvB to 72 DvB. Using the graph in the MN&S Freight Rail Study (Exhibit 3, page 65), in Appendix H, the impacts should have been measured for all residential and commercial structures on parcels within 150 feet of the track. This needs to be evaluated under the correct criteria.

8. Elimination of all CP tracks east of Wooddale Avenue (Alternative 3A (relocation) and all siding east of Wooddale (Alternative 3A (relocation))

The Bass Lake Spur tracks do not extend east of Wooddale Avenue for any of the alternatives proposed in the SW DEIS that re-route trains to the MN&S tracks. TC&W railroad has indicated that unless a direct connection between the Bass Lake Spur to the MN&S tracks southbound is provided, TC&W will need track with enough space to accommodate 50-75 rail cars east of the existing switching wye connecting the MN&S tracks to the Bass Lake Spur. Space for 50 to 75 rail cars would require 3,000 to 4,500 feet of track east of the wye, which means freight rail tracks stretching east from the switching wye across Wooddale Avenue, across Hwy 100 and almost to Beltline Boulevard would be needed. This would have severe traffic and congestion impacts. A south connection from Bass Lake Spur to the MN&S tracks is needed to implement the SW LRT 3A (relocation) alternative in order to eliminate the tracks east of Wooddale Avenue. The need for the removal of the switching wye and providing the southbound connection from Bass Lake Spur to the MN&S tracks is described more fully later in the SW DEIS comments, in section D. This discussion focuses on the importance of eliminating freight tracks east of the Wooddale Avenue.

If the freight track remains east of Wooddale Avenue, SW LRT Alternative 3A (relocation) will have the same station/freight rail conflict issues as those presented by Alternative 3A-1 (co-location). Freight trains will interfere with the operations of the LRT stations and be a detriment to development in the area. One of the rationales for re-routing freight trains to the MN&S is to eliminate any detrimental impacts on stations and station areas created by the presence of freight trains. If trains are rerouted to the MN&S, it would be absolutely unacceptable to St. Louis Park to also be saddled with the burden of freight trains re-routed to the MN&S without the benefit of completely eliminating freight trains from the Wooddale and Beltline Station areas. Trains maneuvering through the switching wye would block Wooddale Avenue and Beltline Avenues more severely than trains continuing to use Kenilworth. At least the co-location trains would be simply moving through the area, whereas maneuvering trains would be stopping and starting. It would be noisier, more time consuming and much more disruptive to continue the maneuvering than to have trains moving through. Traffic delays caused by the trains crossing and re-crossing Wooddale Avenue and Beltline Boulevard and train cars potentially stored on these tracks would disrupt traffic, interrupt access to the SW LRT stations and create additional safety hazards.

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9. Visual blight of an elevated structure to connect from Bass Lake Spur to the MN&S

Connecting the Bass Lake Spur to the MN&S tracks will require a very large elevated structure. It will be very visible certainly from Louisiana Avenue and Hwy 7, in addition to surrounding properties. No comprehensive evaluation has been done to show what the structure will look like, what the visual impact will be on surrounding properties and neighborhoods, or what the impact will be on development potential near the structure or the existing businesses. The structure will be roughly one-half of a mile long. The train roadbed will be nearly 45 feet above the street by the time it crosses Louisiana Avenue, and still rising to a higher point. It does not show the height of the train cars themselves. When a train is present, the overall height of the structure and train will be well over 60 feet, the equivalent of a 6 story building. The trains will tower over all of the existing structures in the immediate area and effect visibility.

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While the presence of a SW LRT station at Louisiana is expected to enhance development opportunities, the presence of the massive rail structure and freight trains traveling on it high in the air will have an impact that the SW DEIS has not even acknowledged exists, much less attempted to evaluate. This is a critical issue that must be analyzed carefully, and if the MN&S route is chosen, it must be mitigated in some significant way. Without robust mitigation, the elevated freight trains and structure will deprive the SW LRT project of one of its most important potential benefits; major new private development and business investments. The Louisiana station serves one of the largest employers and the only hospital along the corridor. Park Nicollet Methodist Hospital is a major regional institution and a potential engine to drive new investment and job creation if the station area can provide an environment that is conducive to investment and growth. Elevated freight trains are a significant challenge to creating that environment. Mitigation needs to be included to address the potential adverse impacts.

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10. Removal of switching wye (both Alternatives 3A (relocation) and 3A-1 (co-location))

The switching wye allows the trains to transfer between the Bass Lake line and the MN&S. This has been a source of noise for the City for many years. Removal of the switching wye is a requirement of the City's resolution 10-070 for the City no matter what freight rail route or SW LRT alternative is chosen. The switching wye is discussed more fully later in section D of these comments.

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11. Connection to MN&S south (both Alternatives 3A (relocation) and 3A-1 co-location)

The proposed alignment in the SW DEIS does not address an efficient move of trains to the south. A direct south connection track is one of the steps necessary for the removal of the switching wye (discussed in greater detail in section D of these comments) and allows for an efficient train movement from the west to the south. It eliminates the multiple switching moves that are now necessary to make that move. This eliminates the potential noise, safety and traffic impacts caused by switching trains from the Bass Lake Spur to the MN&S track southbound.

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12. Grade separated Hwy 7 north frontage road (Alternative 3A (relocation))

The additional trains on the MN&S will put pressure on traffic at the four at-grade street crossings near the High School and the Central Community Center – which houses several community programs including the Park Spanish Immersion Elementary School, Central Clinic, Early Childhood Family Education programs, Early Childhood Special Education, and Community Education programs. Today school buses shuttle between the two schools both in the morning and afternoon of school days. The schools are within three blocks of one another but on opposite sides of the MN&S tracks. Today only two trains a day use the MN&S tracks. They are very short trains, typically 10 cars or less. They do not usually pose a problem today for school bus operations, because they don't block all four local streets that provide access between the school sites at once. The trains travel at very slow speeds and cross the streets quickly. The trains proposed to be re-routed to the MN&S are more numerous and much longer. They have a much greater potential to block intersections and create delays and safety problems. Because the four street crossings in the vicinity of the schools are so close together, there is the potential for all four intersections to be blocked at once. Other social services such as STEP – St. Louis Park Emergency Program, are located in the area near Central Community Center; rerouted trains would also have impact on the low income and disadvantaged persons travelling between these services.

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According to Table 2.3-2 in the SW DEIS on page 2-27, as many as eight trains would use the MN&S tracks on a given day if the MN&S route is chosen for freight rail. The table also says that the longest trains would be 120 cars or approximately 7,200 feet long (1.36 miles). Traveling at 10 mph, a 120 car train will take over eight to nine minutes to clear a single intersection. To clear all four intersections and for the crossing gates to re-open will take another four to five minutes, even a train as small as 26 cars would at one point be blocking all four intersections. The increased train traffic, from two very short trains a day to six to eight trains a day, only two of which have any realistic chance of being less than 26 cars, means disruption of school transportation will be a problem routinely. To provide a reliable route for school buses between the two schools, a grade separated frontage road on the north side of Hwy 7 should be built. The MN&S tracks would be bridged over the frontage road so that even when freight trains are blocking the existing local streets between the two schools, school buses could use the frontage road to cross beneath the trains and move between the two schools.

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13. Create 100-foot minimum width corridor in single family housing area. (Alternative 3A relocation)

The area north and south of Minnetonka Boulevard on the MN&S has a railroad right of way width of 66 feet. This is an inadequate ROW for tracks that will be used more intensely than they are today. The mitigation of creating a 100-foot minimum width corridor is to expand the right-of-way to allow a larger safety zone around the tracks. A more complete discussion of this issue is provided later in these comments, in section E.

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14. Pedestrian underpass to Dakota Park at 27th Street and 29th Street. (Alternative 3A relocation)

Alternative 3A (relocation) closes 29th Street. This leaves 28th Street as the only east-west access for the Birchwood and Bronx Park neighborhoods other than Minnetonka Boulevard which is a high traffic volume street at the south end of the neighborhoods. Vehicles using Minnetonka Boulevard simply to get from one side of the MN&S tracks to the other will be an added traffic problem for Minnetonka Boulevard and will present traffic safety problems.

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The existing MN&S tracks are hilly and uneven. The increased train traffic and intended increased train speeds will increase the safety risks at any at grade crossings and especially in this area. On the west side of the MN&S, at the north end of the Bronx neighborhood is Dakota Neighborhood Park and dog park; and, Peter Hobart Elementary school. Access to the Cedar Lake Regional trail is also at this location. These are attractions and logical destinations for bicyclists, pedestrians, dog walkers, and children. There needs to be a safe convenient way for people to access these community attractions. An underpass construction in the 27th Street ROW would allow safe, direct access to Dakota Park, the regional trail access and Peter Hobart School that would at least partially mitigate negative impacts for pedestrians in the neighborhoods. A grade separated underpass at 29th Street could be used by vehicles and pedestrians and would mitigate the problems created by pushing local traffic from the Birchwood and Bronx neighborhoods onto the congested Minnetonka Boulevard.

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15. Pedestrian overpass at Dakota Avenue (Alternative 3A relocation)

There are a high level of pedestrian movements in the Dakota Avenue area caused by the location of the high school and its facilities. This overpass would allow for an alternative route for pedestrians. The exact location is to be determined.

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16. Mitigation for sound and vibration at SLP High School (Alternative 3A relocation)

The High School has expressed issues with the current train operations and is concerned about the impacts of an increase in train traffic. Trains passing the High School create noise and vibrations that affect school equipment like self-focusing equipment. This mitigation item would be to help make improvements to the building to help mitigate the noise and vibration.

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17. Pedestrian bridge over Hwy 7 at MN&S

There are few accesses across Highway 7 and none between Wooddale Avenue and Louisiana Avenue. The MN&S rail bridge across Hwy 7 is a tempting way for people, especially kids, to cross Hwy 7 between Wooddale and Louisiana. The attractiveness to pedestrians of a bridge in this location should be acknowledged and in addition to construction of a new MN&S rail bridge, a bridge for pedestrians should be built in this location. It also could serve as a way to improve access to the Louisiana SWLRT station for people north of Hwy 7.

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18. Underpass connecting Roxbury and Keystone Parks (Alternative 3A relocation)

The Roxbury and Keystone Parks are on each side of the MN&S track. With the increased traffic on the MN&S there will be increased risks for park users and concerns for the safety of people attempting to cross the tracks to reach the adjacent park. These are small neighborhood parks, and this means park users will be close to the tracks and the risks they represent. An underpass between the parks would allow for better, safer circulation between the two parks. It would serve as partial mitigation of the hazards created from increased rail traffic.

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19. Beltline Boulevard Grade Separation (Alternative 3A-1 co-location)

Today traffic on Beltline Boulevard is experiencing delays; with the addition of a station at this location, additional traffic projected would add to the delays and congestion for vehicles, pedestrians and bicycles. With co-location of freight rail, light rail and a trail at Beltline Boulevard, vehicle traffic on Beltline would experience serious delays. Grade separation of freight rail would be of primary importance, in order for the LRT station to operate properly and serve riders who would be boarding at this station.

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20. Grade separation at Wooddale Avenue (Alternative 3A-1 co-location)

Today the confluence of trail traffic, vehicles and freight rail makes Wooddale Avenue a busy, complicated crossing; with the addition of a SW LRT station and the SW LRT line there will be additional traffic. With co-location of freight rail, light rail and a trail at Wooddale Avenue, the potential exists for access to the station to be interrupted by the presence of a freight train. Grade separation for pedestrians over or under the freight rail tracks would mitigate the potential blocking of pedestrian access to the station by freight trains. This mitigation is needed in order for the LRT station to operate properly and serve riders who would be boarding at this station. Grade separation of Wooddale from the freight rail tracks would be another option to consider to mitigate this problem, however putting the freight tracks over Wooddale would result in a grade too steep for trains; putting the freight tracks below Wooddale is not possible because of other restraints like the need for the tracks to remain at an elevation that makes it possible to cross over Hwy 100.

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C. Elimination of railroad switching, sorting and blocking operations within the City of St. Louis Park

The third condition for accepting re-routing traffic to the MN&S is Resolution 10-070 item 4c:

“c. Elimination of railroad switching, sorting and blocking operations within the City of St. Louis Park; and funded by some other source than the City of St. Louis Park;”

In addition to the switching wye in Skunk Hollow, there is a rail siding used to store and switch rail cars on the Bass Lake line. This track runs in the Bass Lake Spur right of way and is parallel to the Bass Lake Spur primary track. The use of the siding creates noise and safety issues for the City today; its continued use, once the SW LRT line is in place, will also interfere with the functioning of the LRT stations in St. Louis Park; and, the attractiveness of the areas immediately around the stations for transit-oriented development. All three of the City's stations, Louisiana, Wooddale and Beltline are potentially affected by the siding. The freight rail tracks are shown as removed to the west of Wooddale Avenue on the SW LRT concept drawings in the DEIS. It is important that not only those tracks are removed but all the sidings on the Bass Lake Spur near residential areas and station areas are removed. Storing and switching train cars in the Bass Lake Spur would have more severe negative impacts even than moving trains. Storing and switching entails more noise, takes more time, has more potential for blocking roads and pathways; and the potential for additional safety issues depending on what is stored or moved in rail cars in the area.

The mitigation for the problems presented by the siding tracks is to replace these storage tracks in a more compatible land use area outside of the City.

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D. Switching wye must be removed

The fourth condition for accepting the re-routing of traffic to the MN&S is Resolution 10-070 item 4d:

“d. Removal of the existing “wye” rail tracks in the vicinity of Oxford Street and any other tracks not needed for through train traffic including the rail tracks east of any new interconnections between the East-West CP-TCWR tracks and the North-South CP-MNS tracks;”

Elimination of the “skunk hollow” switching wye, Bass Lake siding and providing a connection to MN&S South are not included in the SW DEIS but should be. Elimination of the siding and switching wye south of the Bass Lake Spur in the Oxford Street industrial area needs to be included in the SWLRT project. Without creation of a direct connection between the Bass Lake Spur to the MN&S southbound and removal of the switching wye, a rail siding stretching from the MN&S tracks to Minneapolis will be needed to accommodate 50 to 75 rail cars. This siding means freight rail cars will interfere with both the Wooddale and Beltline LRT stations and the noise from switching will affect the nearby Louisiana Station area as well. This will be the case no matter which freight rail route (MN&S or Kenilworth) is chosen.

Q1

The negative impacts will be more significant on the station areas and surrounding area from the siding track than from the through train track. The reason is that use of the siding track will involve storage of cars for long periods of time, idling of stationary locomotives and the noisy, time consuming process of maneuvering train cars from the Bass Lake Spur to the MN&S or vice versa, as the wye can only accommodate moving 10-15 cars at a time. While a freight train passing through a station area may interrupt transit activity for a few minutes at a time while a train passes by, a

switching procedure could take hours and stored cars may be in place for days to weeks. The noise associated with switching is significantly greater and more disruptive to the surrounding area than moving trains. It will be detrimental to the development potential of station areas also. Switching involves repeated train starts and stops; and the accompanying crashing of cars coupling and uncoupling, and the noise of locomotives accelerating. This will limit the development potential of the station areas nearby and decrease the potential ridership on the SW LRT.

Q1

Eliminating the switching wye and the siding on the Bass Lake Spur in the vicinity of the Louisiana Station also has the benefit of making the reroute connection from the Bass Lake Spur to the MN&S northbound easier and less impactful. The proposed connection from the Bass Lake Spur to the MN&S shown in the SW DEIS rises on a bridge structure up and over the Bass Lake Spur siding track and the proposed SW LRT tracks. This results in the connection being higher and steeper than would be necessary if the siding was not present. The clearance over freight rail tracks is greater than what is required for LRT tracks. Eliminating the siding means the structure for the freight rail connection to the MN&S tracks could be lowered reducing the steepness of the grade which in turn would reduce the noise associated with locomotives straining to pull trains up this steep grade.

Elimination of the Bass Lake Spur in the vicinity of the Louisiana station would benefit the station as well. With the siding in place, access to the LRT station platform is potentially more complicated. The presence of rail cars stored or being maneuvered on the siding limit visibility of the station and make the pedestrian connections for LRT passengers more difficult, much less inviting, and raises safety perceptions for riders using the LRT.

The SW DEIS shows only the potential connection of the Bass Lake Spur to the MN&S tracks northbound. No direct connection southbound is included. Technically, the northbound connection from the Bass Lake Spur to the MN&S tracks could be used as a means to access the MN&S southbound as another way to replace the need for the switching wye. Trains would go north, stop and change the locomotive to the southern end of the train, and then head south. This solution, while technically possible is completely unworkable. For starters, using the northbound connection to the MN&S to go south would require trains to travel north until they reached a location with a siding where the locomotive could be moved from the north end of the train to the south end of the train. There is no suitable siding, or r-o-w width in St. Louis Park on the MN&S. The trains would need to travel from the Bass Lake Spur north through St. Louis Park only to switch the position of the locomotive and then retrace the route back through the City. The railroads would never find this extra travel time and effort acceptable from an operational point of view; nor would the city find it acceptable from the perspective of negative impacts on the community by adding two needless trips north on the MN&S and increasing the amount of time trains are idling. Essentially the area north of the Bass Lake tracks would be exposed to all the negative impacts and risks associated with trains traveling on the MN&S twice for a train trip that was not intending to travel north in the first place.

Q1

For all the reasons highlighted above, a southbound connection between the Bass Lake Spur and the MN&S tracks is needed as part of the SW LRT project and should be addressed in the SW DEIS.

Q1

E. Significant right-of way must be provided

The fifth condition for accepting re-routing traffic to the MN&S is Resolution 10-070 item 4e:

“e. Creation of a freight rail single track corridor with significant right-of-way and safety measures incorporated between the track and adjacent properties;”

The MN&S corridor is narrow (66 feet) with a single track (much of it elevated) that winds through a neighborhood commercial area, past St. Louis Park High School, small neighborhood parks, and 70 modest single family homes within 50 feet of the centerline, mostly on 50 foot lots. The average estimated market value for homes along the MN&S right of way is \$179,000 in 2012. This is in stark contrast to the Kenilworth corridor which even today is generally wider than the MN&S corridor, with widths up to 160 ft. and as noted in the DEIS itself, is characterized by “high income” housing often on relatively large lots. The average home along the MN&S tracks is roughly half the value of the lowest valued homes along the Kenilworth corridor in Minneapolis.

The MN&S passes by St. Louis Park High School; Keystone, Roxbury and Dakota city parks, the local food shelf, publicly owned low-income housing, elementary schools, and the high school athletic field. The MN&S corridor includes several scattered site public housing units for low-income residents, the Kenilworth corridor includes “high income housing” and in some cases high rise housing. The modest income residents of the MN&S corridor are being asked to shoulder the responsibility to accommodate freight traffic without any significant mitigation while the high income Kenilworth residents are not only relieved of the burden of negative impacts associated with freight rail, they are given the benefit of having light rail service. The bulk of the homes along the MN&S route will be more than ½ mile from the nearest LRT station. The Kenilworth residents will see the negative impacts of freight rail replaced by the positive benefits of convenient light rail service.

C

The MN&S corridor is not well suited to handle significant levels of freight rail traffic and if the level of train traffic is going to increase the corridor needs to be widened to increase safety and to provide more buffer to minimize the negative impacts of freight traffic. If the MN&S corridor is to take the Kenilworth train traffic, the MN&S corridor should be widened to a minimum 100 feet in width. This is a critical mitigation that is not included in the SW DEIS and should be. Further comparison of the MN&S corridor and the Kenilworth corridors are provided in a separate attached document.

C

F. Whistle Quiet Zone

The sixth condition for accepting re-routing traffic to the MN&S is Resolution 10-070 item 4f:

“f. Creation of a whistle-quiet zone funded by sources other than the City of St. Louis Park throughout the entire north-south MNS corridor.”

A Whistle Quiet Zone (WQZ) is provided in the SW DEIS for the MN&S route as a mitigation measure intended to eliminate the most severe noise impacts from freight traffic. This is appropriate and important mitigation; however it does not resolve all the noise and potential adverse vibration impacts associated with train traffic increases on the MN&S. Nor is receiving WQZ designation for the MN&S tracks a forgone conclusion.

The Federal Transit Administration (FTA) has a prescribed process and rules to evaluate noise and vibration issues (Transit Noise and Vibration Impact Assessment). If noise or vibration exceeds certain standards for various types of land use, projects are required to mitigate those impacts. The SW DEIS noise and impact analysis (Sections 4.7 and 4.8) was done using the impact of light rail trains, not freight trains.

The SW DEIS proposes that a railroad WQZ is the only mitigation measure that is needed to bring the freight rail reroute alternative into noise level compliance. Other noise mitigation measures may be necessary to mitigate impacts of trains going up an incline and going through several curves. Quiet Zones are local initiatives meant to minimize train noise from whistles, but the program is administrated by the Federal Railroad Administration (FRA). If a community meets its risk index standards, Quiet Zones can be approved, however they are not a foregone conclusion.

Quiet Zones must be applied for by the local road authority but in areas with multiple jurisdictions, one road authority can be the lead agency. Bells located on the signals will continue to operate. The minimum safety devices at a crossing are railroad signals with gates. A risk assessment is done for each crossing and certain types of crossings may need additional safety improvements such as center medians or four quadrant gates.

A field study is required; the diagnostic team from the FRA, MNDOT, the railroad companies and the road authority will evaluate each crossing any potential improvements. The evaluation of the vehicles, roadways and train traffic is straight forward.

There are several areas that can make quiet zones difficult to implement including:

- i. The risk analysis is a mathematically based program that has a difficult time accurately reflecting large changes in either train or road activity. The formulas are influenced by previous crash histories that are not reflected if conditions change quickly.
- ii. The rules are not clear on how pedestrians should be considered. The FRA relies heavily on the engineering judgment of the diagnostic team. The team needs to evaluate how extensive the pedestrian movements are, the type of pedestrian groups (young children,

older people, mobility challenged, students, etc.), potential for trespassing on railroad property, attractive nuisances (shortcuts, bridges, other side of the track, etc.), sight distance of an approaching train, sight distance of a pedestrians and use time. Treatment of Quiet Zones for pedestrians has ranged from doing nothing, to installing a few signs, to very extensive fencing and control measures.

- iii. The rules do not address private crossings and what safety improvements should be done at them.
- iv. The FRA has the authority to rescind a quiet zone if there is a rise in crashes or incidents.

The train engineer also has wide latitude on when to use the horn in a quiet zone area. The engineer can sound the horn when:

- i. If there is track maintenance or other construction in the area;
- ii. If a potential dangerous situation is seen, such as a vehicle stopped on the track or pedestrian trespassers;
- iii. If crossing signals are malfunctioning.

It should therefore be understood that a whistle zone in and of itself does not mean horns will not be used. The railroad companies commented on this issue in their official comments on the MNS EAW and included:

From Canadian Pacific: “Quiet zones can be an effective tool for improving grade crossing safety while minimizing noise. However designing and constructing the improvements needed to meet FRA requirements for quiet zones may be difficult – especially considering the site and geometrics in the MN&S corridor.

From TW&W: “Quiet Zone: TCW urges city, county, and state officials to thoroughly and carefully consider the residual safety hazards that are associated with a quiet zone in St. Louis Park versus the associated environmental benefits. We have safety concerns due to a number of factors: 1) increase in train size, speed, and frequency; 2) proximity to schools, business, and residential; 3) an increased number of at grade crossings. While we understand the concern for train whistle and associated noise impacts, we strongly urge consideration of these safety factors when decisions are made.”

It is important to note that a WQZ will only address the noise associated with train whistles, bells and horns. It does not also address the noise from locomotives pulling trains up steep grades, squeals from trains moving through tight curves or noise from switching operations. These topics are all raised elsewhere in these comments (sections B-3, 6, 7). Noise from these sources is not adequately addressed in the SW DEIS and must be mitigated by some means if freight trains are to be re-routed to the MN&S tracks.

The crossings in St Louis Park are unique and the risk numbers for vehicles are relatively low but treatments for protecting the safety of pedestrians will be a challenge. A formal diagnostic team review should be done early in the Preliminary Engineering process to evaluate if a WQZ can be approved. The results of the diagnostic team’s review should be considered when evaluating which alternative route for freight trains is the preferred and selected alternative. The City should not have to run the risk that the decision is made to relocate Kenilworth traffic to the MN&S tracks based in part on the understanding that a WQZ will be created, only to find out later that creating a WQZ is not approved. The WQZ evaluation must be done before a freight rail route decision is made.

C

II. LRT Related Concerns

A. Mitigation and Project Impact needs: Mitigation and specific project elements are needed for the LRT project, including:

1. Roadway system in station areas.

In St. Louis Park, additional roadway, bike and pedestrian access improvements will be needed to handle the additional circulation in the station areas. The increase in traffic in and around the station areas will require new access to the station, including a circulation system for drop off and parking, bike and pedestrian access, access for local business and residential traffic; this will likely include new infrastructure in and around the station areas to ensure a functioning transportation system.

12

2. Grade separation of the regional trail.

In either freight rail location alternative, grade separation of the regional trail needs to be considered at the Beltline Boulevard and Wooddale Avenue crossings. This is a heavily used trail (over 500,000 users annually) and will have a significant amount of vehicle traffic around the station areas.

P7

The Cedar Lake LRT Regional Trail is shown to move from the north side of the rail to the south side of the rail at Wooddale Avenue. Walkers and bikers would have to turn south or north, and cross the tracks in order to stay on the regional trail. This movement is very awkward and needs to be remedied to become a straight, through route. Grade separation may be able to solve the crossing issue, if it is used to switch the trail to the other side of the trains. Grade separation of the trail would improve the crossing and could solve the crossing issue where the trail is shown to switch sides at Wooddale.

3. Maintain access to Lilac Park from the regional trail.

The regional trail is shown on the south side of the light rail tracks east of Highway 100. The new Lilac Park is on the north side immediately east of Highway 100. Access from the trail to the park for users would need to remain under all alternatives.

N1

4. Trail/sidewalks should be provided along both sides of the LRT line for access to Lilac Park and other destinations along the trail.

The SW LRT will share its corridor with the Regional Trail through St. Louis Park. It will be on one side of the LRT tracks and in at least some locations freight rail tracks too. Supplemental trails or sidewalk should be provided on the side of the SW LRT corridor that does not have the Regional trail as a way to enhance pedestrian and bicyclist access to the stations and from the stations to surrounding land uses. In essence supplemental sidewalk/trails along with the Regional Trail would be the equivalent of having sidewalks on both sides of a street, providing safe accessibility for pedestrians no matter on which side of the SW LRT corridor they happen to be.

P9

5. Noise from LRT crossing signals and train horns must be addressed.

C

SLP has many residents who live close to the LRT stations and will hear LRT bells and whistles. Mitigation should be implemented to minimize the sounds of the relatively constant bells and whistles, including incorporating design elements that reduce impacts on surrounding neighborhoods.

B. Potential Improvements to the SWLRT Project:

1. The Cedar Lake Regional Trail switches sides at Wooddale Avenue

The SW DEIS plans show the Regional Trail users would have to make two 90-degree turns and cross the rail tracks at Wooddale to stay on the trail. This is not practical for trail users and must be redesigned to provide a continuous connection on the trail.

P9

2. An alternative alignment for the SWLRT line and location for the Louisiana Avenue Station using the switching wye should be evaluated.

I2

Moving the SW LRT line south of its current planned location in the HCRRRA right-of-way, possibly using the to be vacated switching wye right of way, would move the SW LRT much closer to Methodist Hospital, an employer of over 4,100 people, and into the center of the Skunk Hollow industrial area. Moving the SW LRT line and station slightly to the south in this area could serve this job rich location, boost SWLRT ridership, and reduce the need for on-site parking. It would also better serve residential areas and could spur new development

investments in the Skunk Hollow area. This idea needs to be evaluated in Preliminary Engineering.

3. An alternate alignment in the Beltline Station Area should be considered and evaluated.

The proposed Beltline Station location is just outside the desirable walking distance for several nearby major potential transit users. Moving the SW LRT line and station slightly south in this area could make the station more convenient to Excelsior Boulevard, the City's Rec Center, Park Nicollet Clinic, high density housing and the commercial uses along Park Center Boulevard and other retail and recreational destinations. This idea needs to be evaluated in PE.

12

III. DEIS General Concerns

The SW DEIS does not evenly evaluate and compare the alternatives 3A (relocation) and 3A-1 (co-location). Both alternatives are consistent with the designation of the Kenilworth route as the Locally Preferred Alternative (LPA) route for the SW light rail trains. The designation of the LPA in the Metropolitan Council's regional Transportation Policy Plan was for the light rail train route. The designation does not specify the location for freight train traffic, and, it was approved prior to the FTA's requirement to include freight rail routing in the SWLRT project and environmental analysis. It was clear during the LPA route selection process, freight rail rerouting was not a part of the analysis and was not discussed in any substantive way, and therefore was not a consideration in the LPA decision. Both alternatives 3A-1 (co-location) and 3A (relocation) re-route should be considered - and labeled as - LPA alternatives.

C

The SW DEIS does not evenly evaluate the alternatives as it does not specify the criteria or factors used to reach its summary conclusions, or provide data in the DEIS supportive of its conclusions. Because of the use of segments, data relating to 3A-1 (co-location) includes Segment A data, and Segment A extends all the way to downtown. This means the data is not accurately capturing the comparison between the freight rail alternatives. There is a lack of supporting detailed information for conclusions reached on such items as wetlands, floodplains, park land, and community cohesion, acquisition of properties, capital costs, and economic impacts among others. For example, the total amount of wetland impacted in alternative 3A-1 (co-location) is .9 acres, versus 2.9 acres for alternative 3A (relocation) according to table ES.1. Yet, Table ES.2 concludes that alternative 3A-1 (co-location) "does not meet the goal" of protecting the environment and alternative 3A (relocation) is show as "some meets the goal." This evaluation does not follow the data presented; its conclusions are erroneous.

C

In addition, the potential impacts of increased freight rail traffic along the MN&S are minimized, such as the evaluation of impacts on community cohesion, or the evaluation of potential adverse environmental impacts associated with each alternative. In the evaluation of the potential adverse environmental impacts associated with the 3A-1 (co-location) alternative in Chapter 11 of the SW

C

DEIS, it is stated on page 11-12 that acquiring “primarily high quality, high income multi-family housing by the West Lake Street station,” is inconsistent with state, regional and local policies. What the policies are that guide acquisitions for clearly public purposes (public transit in this case) away from high income family housing are not provided. There is no explanation of why high income matters, and if it does, in the case of acquisitions for public purposes. It seems to imply there is a higher value to “high income” housing, than to what housing is impacted by freight rail relocation.

Beyond the failure of the SW DEIS to meet the requirements of the City of St. Louis Park’s Resolution 10-070, the City of St. Louis Park has many other concerns with regards to the SW DEIS. The specific concerns are described below.

A. New goal and the State Rail Plan Rationale inappropriate for SW LRT DEIS

The SW DEIS introduces in Chapter 1 Purpose and Need, a new goal - Goal 6 – “To support an economically competitive freight rail system,” which relates to freight rail and the State Rail Plan. This is inappropriate because:

K3

1. This goal was not adopted through any public process.
2. The rationale and description for constructing connections to the MN&S tracks and re-locating freight rail to the MN&S has been broadened to be consistent with the new Goal 6. It essentially states that one of the reasons for choosing alternative 3A (relocation) is that it helps implement the State Rail Plan, provides opportunities for TC&W trains and possibly other railroads to reach places other than where TC&W trains are going today; yet the SW DEIS does not anticipate any increase in train traffic on the MN&S or evaluate the impact of trains going north of the BNSF tracks in St. Louis Park, Golden Valley and beyond. The potential impact from possible additional train traffic is reason for more robust mitigation along the MN&S route.
3. All of the alternatives in the SW DEIS would need additional evaluation with this new goal; previously action was only taken on the LRT routes, not freight rail routes.
4. This DEIS is supposed to be about the SW LRT project not the State Rail Plan; introducing this element is inappropriate for this plan and the SW DEIS.
5. The new goal introduces many questions and complications about the impacts of the State Rail Plan; including the references to intercity rail on the MN&S tracks.
6. Several other communities are impacted by the introduction of the State Rail Plan and suggestion that TC&W trains will use the CP Humboldt Yard; those cities that the MNS travels through include: Golden Valley, Crystal, Edina, and Bloomington, and they were not included in the SW DEIS process.
7. Passenger rail along the MNS is discussed in the State Rail Plan and therefore would need to be addressed in relation to rerouting freight trains on the MN&S.

B. Comparison of Freight Routing Alternatives is Incomplete

Freight rail routing impacts are not adequately addressed or accurately evaluated in the reroute alternative 3A (relocation); the evaluation

C

1. Cost Comparison

The total cost in 2012 dollars for alternative 3A-1 (co-location of freight rail) is shown to be \$22,866,000 more than alternative 3A (re-routing freight rail to the MN&S) in corrected Table 8.1-1. However insufficient detail and supporting information is provided to evaluate these numbers. The cost of 3A (relocation) does not include what would be required to address the impacts and issues related to relocating on the MN&S, or any compensation to railroads for additional operations and maintenance costs.

T0

T2

2. The evaluation of construction impacts appears arbitrary and impacts are not explained.

The evaluation table in Chapter 11 shows construction impacts as “medium” in the relocation alternative (3A) versus being shown as “high” for the co-location alternative (3A-1), even though relocation of freight would have far more construction complexity and cost than co-location; with the construction of a major bridge structure near Louisiana Avenue, a new track structure in the Iron Triangle connecting to the BNSF r-o-w, and a new 11,000-foot long siding on the BNSF r-o-w in St. Louis Park and Minneapolis. Some reconstruction of freight tracks in the Kenilworth corridor for co-location would be relatively minor in relation to the construction required to make relocation work.

C

3. Community Cohesion inaccurately portrayed

“Community Cohesion,” the evaluation of how freight rail and LRT lines will split neighborhoods is shown in table 11.1-1 page 11-5 as having “no impact” for the relocation alternative (3A) versus “slight adverse impact” in the co-location alternative (3A-1) - even though both the MN&S and the Kenilworth corridors experience freight rail traffic today, and, the Kenilworth traffic today is the train traffic that would be rerouted to the MN&S tracks. The same train traffic corridor has been judged as having a negative impact in the Kenilworth and as having no impact in the MN&S corridor. This is despite the fact that rerouting to the MN&S corridor will involve the actions and impacts listed below.

C

- i. The changes needed to accommodate the increased and rerouted trains includes closing of at least one local street, 29th Street thereby reducing the accessibility across the MN&S tracks for vehicles, bicycle and pedestrians. The neighborhoods affected by closing 29th Street are otherwise served by a traditional grid of neighborhood streets. (This is further described in section B.14 of these comments above).
- ii. The closed 29th Street north of Minnetonka Boulevard means reduced accessibility for an approximately 30 block neighborhood east of the MN&S tracks to Hobart School,

Dakota Park and access to the Cedar Lake Regional Trail immediately on the west side of the MN&S tracks.

- iii. The MN&S tracks wind their way through the Walker Street/Library Lane/Lake Street commercial area. In one case they literally pass through an intersection on a diagonal, resulting in the potential for trains to block both streets at once, creating inconvenience for pedestrians and drivers and adversely impacting local businesses. This same area is home to the High School, the Spanish Immersion Elementary School, STEP (the local food shelf and service organization) the High School's athletic fields and stadium, in addition to a block of businesses along Lake Street. While trains travel through and disrupt this area today, the volume is extremely low: two trains of approximately 10 cars each per day. The trains that would be relocated to the MN&S are 4 to 6 trains a day and 30 to 120 cars in length. This is a significant increase in potential disruption to community cohesion.
- iv. By comparison, virtually none of these conditions are present in the Kenilworth corridor or in the section of Bass Lake Spur east of the MN&S tracks. No streets are proposed to be closed in these areas if freight traffic remains in Kenilworth, no schools are located adjacent to the rail ROW, and the tracks do not bisect any commercial areas.

C

4. Conclusion regarding continuous flow of freight rail is inaccurate

The DEIS concludes in Chapter 11 table 11.1-1, page 11-7 that the relocation alternative achieves “continuous flow of freight rail throughout the study area” and that the co-location alternative does not. This is not true. Both routes for freight trains are continuous to TC&W's current destinations. Neither alternative 3A (relocation) nor 3A-1(co-location) allows “continuous flow” to the destinations that TC&W railroad hopes to reach in the future. Neither alternative provides a direct connection southbound on the MN&S which is the route TC&W wants for future access to the grain terminals to the south.

C

The SW DEIS presumes that TC&W would benefit from being able to access the MN&S and use it to reach places to the north that it does not seek to go. Chapter 1, pages 1-11 and 1-12 state that alternative 3A (relocation) would improve access to the Humboldt Yard for TC&W via the MN&S and that access to Humboldt Yard would be a better destination for TC&W trains than its current destination, St. Paul. This is stated despite the fact the MN&S tracks would result in a circuitous and time consuming route to reach TC&W's desired location, St. Paul. Use of the MN&S to reach either St. Paul or the Humboldt Yard would have negative impacts on St. Louis Park; the at grade crossing of Cedar Lake Road in St. Louis Park would be affected and was not studied for impacts, for instance. Impacts on other communities along the route beyond St. Louis Park were also not shown in the SW DEIS. The SW DEIS presents no evidence that the TC&W has any interest in reaching the Humboldt Yard or using the MN&S as a means to reach St. Paul.

C

The DEIS also states in Chapter 1, page 1-12 that the new connection to the MN&S proposed in alternative 3A (relocation) would improve access for TC&W to Savage on the Minnesota River. This is not true. The connection to the MN&S proposed in the SW DEIS is only a connection to MN&S northbound. This is not an improvement for trains seeking to go south on the MN&S; and if it were used for that purpose it would increase the negative impacts of freight traffic on the MN&S as explained earlier in these comments in section D. Only adding a direct connection to MN&S southbound from the Bass Lake Spur and elimination of the Skunk Hollow wye would be an improvement in the continuous flow of freight rail traffic, and that is not part of any of the build alternatives considered in the SW DEIS.

C

5. Improve mobility goal evaluation inaccurate

The SW DEIS shows in Chapter 11, Table 11.2-1, page 11-9 that Alternative 3A, relocating freight trains, “supports” the goal of improved mobility while alternative 3A-1 (co-location) is shown as only “somewhat supports” this goal. Both alternatives support mobility. There is no difference in ridership, user benefits, travel times or cost per passenger mile between the alternatives 3A (relocation) and 3A-1 (co-location). Both should be judged as supporting mobility.

C

6. Protect the environment goal conclusion incorrect

This goal is shown for alternative 3A (relocation) in Chapter 11, Table 1.2-1, page 11-9 as “somewhat supports goal” vs. being shown as “does not support goal” for alternative 3A-1 (co-location) even though the data shows more wetland and floodplain impacts, among other items, for the relocation alternative. How this conclusion is reached is not documented.

For Wetlands and Floodplain (4.2.2.1), Alternative 3A-1 (co-location) clearly has less impact on wetlands and floodplains. Construction of the Iron Triangle connection from the MN&S tracks to BNSF in Alternative 3A (relocation) is in both a wetland and a floodplain area and is shown to affect two acres more wetland and two acres more floodplain than alternative 3A-1 (co-location); it is difficult to understand why the environmental goal conclusion does not account for this data.

K3

The taking of .81 acres of Cedar Lake Park is shown in Table 11.1-1 under the Protect the Environment goal; however the SW DEIS does not show where this land is and does not give support for why it must be taken. The SW DEIS also does not show that the Cedar Lake bike trail could be rerouted, which could allow the park land to be avoided, rather than “taken.”

C

Regarding Groundwater (4.1.3.4), the SW DEIS has identified potential groundwater issues near Minnehaha Creek. The reroute alignment proposes a major railroad bridge in this area that will require substantial footings and piers. The SW DEIS table (ES-1) does not identify this as an area of potential major impacts to the ground water. These major structures would not be required in the co-location alternative.

7. Preserve and protect the quality of life goal inaccurately judged

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K3

This goal is shown for Alternative 3A (relocation) in Chapter 11, Table 1.2-1 as “support goal” vs. being shown as “does not support goal” for Alternative 3A-1 (co-location). It is stated that co-location would “divide neighborhoods” in the Kenilworth neighborhood. This seems to be a completely arbitrary conclusion. Equal train traffic will have similar impacts on adjoining neighborhoods no matter which neighborhood it passes through. See the Community Cohesion discussion above. Increased freight rail traffic on the MN&S tracks will have at least as disruptive an impact on “community cohesion” on neighborhoods and Lake Street area businesses as maintaining freight rail in the Kenilworth corridor.

The other specific evaluation measures listed in Table 11.1-1 on page 11-5 for this goal are property acquisitions and environmental justice. It is difficult to understand how acquisition of property relates to the quality of life goal. The question should be: what are the quality of life impacts on the residents, businesses and the community once the SW LRT project including freight rail improvements is built, not whether property is acquired to implement the project. Nonetheless, the property acquisition totals included in Table 11.1-1 overemphasize the acquisition impacts for the 3A-1 alternative and under represent them for the 3A (relocation) alternative. The 3A-1 (co-location) alternative assumes a full taking of the 57 unit townhome development along the proposed co-location freight rail tracks in the Kenilworth corridor. Acquisition of all these townhomes adds nearly 200 feet of right of way in this section of the Kenilworth corridor. While the exact location of the freight rail tracks in a co-location alternative is not yet known, it is clear that the full width of the townhome property would not be needed to accommodate the 3A-1 and create a minimum 100 foot wide corridor.

Conversely, in the SW DEIS alternative 3A (relocation) and all the alternatives that include relocation of freight rail to the MN&S tracks do not include acquisition of 42 homes that are within 50 feet (in some cases much closer) of the center-line of the MN&S tracks. These acquisitions should be included in the mitigation for the 3A alternative and in the count of acquisitions included in Table 11.1-1.

Neither alternatives 3A (relocation) nor 3A-1 (co-location) meet the standard for finding a disproportionate impact on minority, low income or transit dependent populations. However, there is no question that the socio-economic characteristics of the MN&S and the Kenilworth corridor are very different. Kenilworth homes are clearly higher valued than homes along the MN&S tracks, but regardless of income levels or home values the presence of freight trains have the potential to be detrimental to quality of life and the SW LRT project should include efforts to mitigate those potential negative impacts. This is especially true for the properties along the MN&S tracks. They are being asked to endure the negative impacts of increased freight rail traffic so that others can benefit of LRT within easy walking distance of their homes. Kenilworth properties would be asked to continue to endure the freight rail traffic they have today, but gain the presence and access to LRT.

8. Support for economic development goal analysis is incomplete

This goal is shown for Alternative 3A (relocation) in Chapter 11, Table 1.2-1 as “supports goal” vs. being shown as “somewhat supports goal” for alternative 3A-1 (co-location). The evaluation of the performance of the SW LRT alternatives overestimates the impact of freight rail on alternative 3A-1 (co-location), and underestimates the impact of freight rail on alternative 3A (relocation).

Five LRT stations would be affected by the presence of freight trains if the co-location alternative (3A-1) were implemented. Freight train traffic has the potential for negative impacts on the development opportunities near these stations. However two of the five stations have limited development opportunity already. The Penn station already is difficult to access and must contend with the presence of BNSF freight rail traffic no matter which alternative SW LRT route is chosen. These conditions make development opportunities more challenging whether or not freight trains travel on the Kenilworth corridor.

K3

C

The 21st Street station also has limited development potential. It is in a fully developed single family neighborhood with limited opportunities for new development. It has a ridership shed that is almost completely to the east of the LRT tracks. Access to the station at 21st Street from the east would not be hindered by the presence of freight trains on the west side of the LRT tracks.

The other three stations also have with one dominant side to the station areas. West Lake, Beltline and Wooddale all have the greatest opportunities for new development on the south and east side of the LRT station. This reduces the negative impacts of freight train in these station areas. Two LRT stations in Hopkins are co-located, yet the SW DEIS does not indicate any negative impacts to those station areas in development potential.

With regards to Alternative 3A (relocation), the evaluation of this goal did not consider what impacts increased train traffic on the MN&S would have on development opportunities, nor did it consider what the negative impacts of the structure needed to connect the Bass Lake Spur to the MN&S tracks would have. Between Hwy 7 and Brunswick Avenue in St. Louis Park, the MN&S tracks wind its way past several commercial properties and businesses. Virtually all of the adjoining properties in this area are less than 50 feet away from the center line of the tracks. Many are less than 25 feet away. They experience noise and vibrations today that are detrimental to their economic strength. Increasing the train traffic significantly has the potential to be detrimental to these properties and businesses.

The new structure needed to connect the Bass Lake Spur to the MN&S tracks not only requires the permanent acquisition of nearly 3 acres of commercial/industrial land and the relocation of at least one business from St. Louis Park, the structure itself will make station area development in the Louisiana Station area more difficult. Property would be taken off of the tax rolls for a reroute, reducing the economic development and redevelopment opportunities in the immediate

area. The proposed structure connecting the Bass Lake Spur to the MN&S tracks is a very large elevated structure that will have negative visual impacts on the surrounding area in general and the development potential of the Louisiana station area specifically. These impacts were not taken into consideration in the evaluation of alternative 3A's (relocation) of the support for economic development goal.

9. Support economically competitive freight rail system goal evaluation inaccurate

K3 **C**

This goal is shown for Alternative 3A (relocation) in Chapter 11, Table 11.2-1 as “support goal” vs. being shown as “does not support goal” for Alternative 3A-1 (co-location). This was not a goal identified, discussed or endorsed in the SW LRT technical advisory or policy advisory committees of the SWLRT project during the Alternatives Analysis or the SW DEIS process. Even so, it is difficult to understand the rationale for why Alternative 3A (relocation) is shown as “supports goal”, while Alternative 3A-1 (co-location) is shown as “does not support goal”. Both alternatives are shown as providing “safe, efficient and effective movement of freight throughout the region, state and nation” according to Table 11.1-1. However, Alternative 3A (relocation) is shown to provide “continuous flow of freight rail throughout the study area” and Alternative 3A-1 (co-location) is not in Table 11.1-1. This is an error. Both routes for freight rail provide continuous flow of freight rail throughout the study area. Both routes provide a means for the TC&W trains to get to their current destination.

The goal of improving access via the MN&S tracks to places north of the BNSF tracks is outside of the SW DEIS study area and is out of place in the SW DEIS. Furthermore no impacts from trains traveling north of the BNSF tracks have been addressed. The TC&W has indicated that they do not have any interest in going north of the BNSF tracks to access the Humboldt Yard to interchange their normal trains. The TC&W trains are headed to St. Paul and the Humboldt Yard is not a desirable alternative destination.

10. Operational functionality for the railroads

Q2

The SW DEIS uses the engineering designs for freight rail routes that were previously prepared outside the SW DEIS and SW LRT design process. The MN&S freight rail route is the route used in the vacated Hennepin County's EAW on the freight railroad reroute. The Kenilworth co-location route is the route prepared by SEH for the City of St. Louis Park as part of the City's previous investigation on the potential for freight rail co- location. The SW DEIS did not advance the engineering or analysis on either option in order to resolve issues or identify impacts to provide a fair comparison. Further analysis and design is left for the Preliminary Engineering contractor. Both options will be studied during the PE phase and any evaluation of the alternative routes in the SW DEIS at this point in the process is less than complete.

Many rail operation questions regarding the MN&S for re-routing Kenilworth freight trains have been identified previously and are not addressed in the SW DEIS but will need to be. Among them are the following.

- a. How will the railroads handle delays in getting on to BNSF track from the MN&S? Do railroads have to be paid for this access? There is no train operational analysis to show that the reroute is a workable alternative. A train operation model would show if the longer trains can navigate the curves and grades or will require additional locomotives, possibly using distributive power (DPU). (TC&W's locomotives are not setup to operate as DPU). C
- b. There are tight curves and steep grades not usually associated with mainline operations. There are grades well in excess of 1 percent. There are no track profiles included in the SW DEIS to understand the impacts and what the grades would be.
- c. The Canadian Pacific Railroad (CP) and the Twin Cities & Western Railroad (TC&W) both submitted comments during the EAW process that show major issues with the reroute design. The SW DEIS does not address any of those concerns. Are there any agreements with the railroad companies regarding the reroute already in place?
- d. The CP and TC&W have indicated that they would not accept ownership of the new structures; it is unclear what entity would own and maintain the track and structures, and no indication of what it would cost.
- e. The EAW and SW DEIS anticipates that the MN&S track would be out of service for up to 1 month during construction, which is unacceptable to CP and its customers.
- f. The EAW showed the bridge for moving freight rail over the LRT and connecting to the MN&S would have a vertical clearance of just 20' 6" over the track; Minnesota statutory requirement for clearance is 22'. This means the bridge for freight rail would have to be even higher than currently shown.
- g. The SW DEIS did not provide any additional noise and vibration field data that would help calibrate the noise and vibration models. During the EAW process, the models were based on limited data on current MN&S trains and did not use long, heavy train data or provide accurate information on impacts. It also did not include inclines and curves in its analysis; or review the potential noise and vibrations from trains idling on the proposed new BNSF siding. C
- h. A derailment study should be done to determine the risk of the trains transferring to the MN&S. C
- i. The LRT drawings in the SW DEIS show that freight tracks will terminate at Wooddale Avenue. The TC&W has indicated that they will need track east of the Skunk Hollow wye to switch about 60 car trains from the south. The DEIS must include elimination of the skunk hollow switching wye and provision of a south connection to the MN&S for this to happen. It is not shown. Q1
- j. The reroute for the TC&W trains works only for north or east bound trains. The movement to the south towards Savage is still inefficient and very difficult to accomplish. Unless a new southern connection is made to the MN&S, the railroads would be required to maintain the Skunk Hollow wye or use the new siding along the BNSF to run around the train to access the MN&S south. The railroad operators would not agree to this movement, and it would have an impact on the BNSF tracks. The going north to go south movement would require

the southbound trains to pass through the MN&S track twice and the approval of the BNSF. Neither of these issues is discussed in the SW DEIS. If the Skunk Hollow wye is eliminated, there is a customer west of Louisiana that would have its rail access severed and would have to be relocated.

Q1

k. If the reroute alternative is chosen, there should be several modifications to the grades, curves and right of way needed to improve safety and operations.

1. The minimum right of way should be 100 feet wide.
2. The curves and grades need smoothing to minimize the roller coaster affect.
3. The area near Louisiana Avenue should be rethought. Assuming that there are no freight tracks east of the existing MN&S bridge the LRT and reroute grades could be adjusted to lower the overall height. The depth of structure should also be reviewed to lower the height.

C

11. Circulation in the Minnetonka Boulevard area

There should be a circulation study in the area north of Minnetonka Boulevard to evaluate how to minimize the impacts of the proposed closing of 29th Street, including looking at new bridges, pedestrian trails and noise buffers.

C

12. Impacts of areas adjacent to Iron Triangle and new siding on BNSF

The reroute has a major impact to wetland and flood plain in the iron triangle area (section g above). Presumably, this is why the tables show an increase of two acres in impact to the wetlands and two acres to the floodplain over the co-location alternative. The north edge or the iron triangle also forms the boundary of the known peat deposit. This peat deposit could easily extend into the wetland and could require extensive geotechnical treatment that may impact additional wetland or flood plain areas.

C

Important to note is that the track profile is 1.5 % in this area. This violates normal mainline railroad design guidelines. To resolve the profile issue, the track may need to rise, resulting in a much greater impact. Table 4.2.2 suggests that a bridge over the wetland as a potential mitigation measure but the plans or capital cost estimate do not include the cost of this structure.

C

The iron triangle area is also a difficult area to access for construction. There is no analysis of impacts to the environment for construction access to this area. The only non-wetland public access is via the Cedar Lake Trail.

13. Segment data

Because of the use of segments for specific areas in the SW DEIS, data relating to 3A-1 (co-location) includes Segment A data, and Segment A extends all the way to downtown

C

Minneapolis. This means the data is adding too much information to the freight rail comparison and not accurately capturing the comparison between the freight rail alternatives.

L4

14. Train and rail-car counts need documentation

Table 2.3-2 states existing number of trains on the MN&S tracks are one round trip train of 10 to 30 cars daily. There is no back up documentation to support this statement. The MN&S Freight Rail Report is given as the source for the information in the table, however there is no source or documentation for these numbers footnoted in the MN&S Freight Rail report either. The DEIS should establish by actual train and rail car counts the current level of freight rail traffic on the MN&S tracks. This is important base information needed in order to understand the impact of rerouting trains from Kenilworth to the MN&S. Experience in recent years suggests that the typical trains on the MN&S tracks are much shorter than 30 rail cars in length. Ten to 15 rail-car trains and sometimes even shorter trains are typical on the MN&S five days a week today.

C

The number of trains and number of rail-cars stated in Table 2.3-2 is also noted as from the MN&S Freight Rail Report and should be updated with better and more fully documented information. Bob Suko, with TC&W indicated that a more accurate description of the TC&W rail operations today (12/14/12) would be the following.

- Six to seven days per week regular train service with 65-75 cars both ways
- 110 car unit grain trains at about three per week assuming 1.5 loaded and 1.5 empty per week
- Ethanol is 80 car units between six to eight per month 1/2 empty and 1/2 loaded
- About 12-15 unit coal trains annually, no empty return
- About 12-15 loaded DDG unit trains annually

The significance of these numbers and importance of accurate numbers, is that the greater the number of trains and rail cars the more noise, vibration and disruption in the communities where the trains travel. There is no guarantee that future conditions will be the same as current conditions, but they are at least one indication of the train traffic that the communities will experience. Today the MN&S tracks are handling something on the order of 150 rail cars a week. If the TC&W trains currently operating in Kenilworth are rerouted to the MN&S that would mean the MN&S would experience an additional 1,300-1,500 rail cars per week, a 1000% increase.

C

C. Traffic Impact Comments

1. Transit Effects

The transit ridership was prepared using standard, accepted methods available at the time the draft was prepared. Station boardings are provided for each station in Appendix H, but no conclusions can

be drawn specific to the reasonableness of those estimates. It is our understanding that the transit ridership will be updated as part of the design phase using newly available information for the FEIS, such as the 2010 Transit On Board Survey.

P2

2. Effects on Roadways

The initial comment regarding a single growth factor was not addressed in the revised DEIS. The year 2030 traffic forecasts were developed by applying a growth factor to the existing (year 2010) traffic volumes. The regional model was used to determine growth, but a single 1.12 factor continues to be applied along the entire corridor. Generally, it can be expected that this approach would understate developing area growth and overstate fully developed area growth, but specific roadways may be differently affected. A “risk assessment” approach could be used at intersections with failing or near-failing levels of service to determine the extent to which a higher growth assumption would affect the conclusions of the analysis.

P4

An existing and future intersection operations analysis was completed using the Synchro/SimTraffic software. It is stated that Synchro/SimTraffic does not have the direct capacity to model LRT. The Southwest Transitway DEIS – Traffic Analysis Update in Appendix H also states that each station and the impacts on operations and circulation will be addressed in a detailed analysis as part of the FEIS. It is our understanding that VISSIM will be used to better assess LRT operations in the design phase of the SW LRT.

The operations analysis completed for year 2017 and 2030 build conditions identified intersections that are expected to operate at an unacceptable level of service. Further analysis of the potential mitigation measures will be addressed in the FEIS.

The Southwest Transitway DEIS – Traffic Analysis Update in Appendix H includes assumptions related to future LRT and freight trains operating in the Kenilworth corridor. The operations analysis assumes a freight train with 30 cars at 60 feet each, traveling at 10 mph. This results in 150 seconds for a freight train to cross an intersection. According to field observations conducted for the City in 2011, a freight train traveling across Wooddale Avenue and Beltline Boulevard required 10 minutes of vehicular delay during the morning peak hour. The significant difference between the observed delay and assumed delay for a freight train crossing could have a measurable impact on the operations analysis results for 2018 and 2030. In addition, the Southwest Transitway DEIS – Traffic Analysis Update results state that “these queues are not anticipated to impact the signal operations at the high volume intersection of CSAH 25 and Beltline Boulevard.” Further analysis of this issue should be addressed as part of the FEIS.

P4

The At-Grade Queue Analysis in Appendix H includes the details of the queuing impacts related to various freight train lengths. This technical memorandum dated May 31, 2012 was completed after the Southwest Transitway DEIS – Traffic Analysis Update (March 21, 2012). This analysis further evaluated the 30-car train at 10 mph, in addition to a 120-car train at 10 mph. The results of the 2010

P4

and 2030 analysis identified significant queues impacting adjacent intersections along the Wooddale Avenue and Beltline Boulevard corridors for the 30-car and 120-car scenarios. The general note summarizing the analysis states that “a scenario in which a (LRT) train arrives during this relatively short timeframe is possible, but would likely be a relatively rare occurrence.” As previously stated, further analysis of this issue should be addressed as part of the FEIS.

P4

The Operational Impacts at Intersections section describes the analysis conducted to identify LRT impacts on intersection operations to determine “how well intersections function to move traffic and pedestrians”. However, this section is limited to vehicular and freight rail traffic. The Southwest Transitway DEIS – Traffic Analysis Update in Appendix H states that pedestrians were not modeled due to low pedestrian counts. The impacts on pedestrians and bicyclists traveling through the intersections and roadways near the LRT stations should be considered in the FEIS. This should also include impacts on the regional trail at-grade crossing in close proximity to the future LRT alignment.

P8,
P9

D. Vacated EAW and other Processes

The re-routing of trains from Kenilworth to the MN&S tracks is not a new idea. It is a concept that was the focus of an EAW that was prepared and submitted in 2011 and vacated later that year. While that process is not acknowledged in the SW DEIS, it appears that the design for the re-route proposed in the SW DEIS and the evaluation of that design is identical to the work done for the vacated 2011 EAW, with no new analyses. In 2011 the City carefully reviewed the EAW and found it to be inadequate. The City hired its own independent consultant (SEH) to help review the EAW, identify potential alternative routes for freight rail and analyze the potential of freight rail in both the MN&S and the Kenilworth routes. One of those alternative Kenilworth routes formed the basis for the SW DEIS co-location alternative (Alternative 3A-1). Since the SW DEIS essentially incorporates the 2011 EAW and SEH concept plan, the City is submitting as part of its comments on the SW DEIS, its comments on the 2011 EAW and the four technical memos prepared by SEH regarding freight rail and the freight rail alternative routes. All of the materials St. Louis Park previously submitted are attached.

C

E. Freight Rail Easement Description in Error

In the Implementation of Freight Rail Relocation section of Chapter 2, page 2-27, the DEIS says that “A perpetual easement across the remediated property for the proposed freight rail connection was granted by Hennepin County to the City of St. Louis Park...”. This is incorrect. The City was required as a condition of an Environmental Remediation Fund (ERF) grant to secure an easement for the area anticipated to be needed for connecting Bass Lake Spur to the MN&S. The City holds the easement which was granted by the redeveloper of the former National Lead site. Real Estate Recycling received contamination cleanup grants from Hennepin County, the Metropolitan Council and the State of Minnesota, as well as tax-increment financing from the City of St. Louis Park so as to facilitate the construction of the *Highway 7 Corporate Center* on the north portion of the

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property. As a result of that redevelopment project, the City of St. Louis Park holds the easement for rail purposes across the southern portion of the site. If the easement is not needed for a rail re-route connection, it is anticipated that the easement would be released making it possible to construct another building in the southern portion of the site. The easement was secured by the City of St. Louis Park in 2006.

C

The area included in the easement was based on the plan included in the 1999 St. Louis Park Railroad Study. It is important to note that the 1999 St. Louis Park Freight Rail Study contemplated that the complete connection between the Bass Lake Spur and the MN&S could be accomplished in existing right of way and an easement across the former National Lead site. The improvement was expected to involve new track starting at Louisiana Avenue and continuing east toward the MN&S tracks, eventually curving to the north and connecting with the MN&S tracks just before (to the south of) the railroad bridge over Hwy 7.

The project as proposed in the DEIS is dramatically bigger than what was anticipated in 1999. It starts roughly 2000 feet west of Louisiana Avenue instead of at Louisiana Avenue. It requires the taking of temporary and permanent easements; and, acquisition of property and relocation of businesses on the south side of the Bass Lake Spur right of way that was never anticipated in 1999. It requires the construction of a new bridge over Hwy 7, and construction of new MN&S track south of Hwy 7 for roughly 1000 feet, neither of which was anticipated in 1999. These actions are in addition to using the easement secured and held by the City of St. Louis Park.

C

The history of how TC&W trains came to be in Kenilworth in the late 1990s and what role the MN&S alternative route played in that decision may be hard to sort out. Many people have different opinions of what the history of that decision is, but it is absolutely clear that the scope and character of the project to connect the Bass Lake Spur to the MN&S tracks is dramatically different from what was envisioned in the late 1990s. That is a key reason why a complete and accurate evaluation of the actual specific current proposal should be the basis for a decision on the appropriate SWLRT alternative. The project envisioned over 10 years ago is not the project proposed today.

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F. Comments on the 12/12/12 DEIS update regarding questions from the Surface Transportation Board

The Surface Transportation Board (STB) is an economic regulatory agency that Congress charged with resolving railroad rate and service disputes and reviewing proposed railroad mergers. The STB is an independent decision-making board, although it is administratively affiliated with the Department of Transportation. The STB serves as both an adjudicatory and a regulatory body. The agency has jurisdiction over railroad rate and service issues and rail restructuring transactions (mergers, line sales, line construction, and line abandonments) plus other transportation issues. The STB accepted an invitation by the FTA to be cooperative agency for the SW LRT project. The freight railroad issues on the SW LRT project may or may not be under the jurisdiction of the STB.

Q0

HCRRA on December 10, 2012 answered a series of questions from the STB on the SW LRT DEIS. These questions and responses were posted on the project website on December 12, 2012. The City comments for submittal on December 31, 2012 on the entire SW LRT DEIS cover many of the issues raised by the STB but they are spread throughout the DEIS comments. Attached are the STB questions, the response from HCRRA, and responses from the City on the questions.

Attachments:

1. City of St. Louis Park Resolutions: 10-070; 10-071; 10-005
2. FTA PE Approval Letter SW Corridor 09-02-11
3. Letter from City to Metropolitan Council dated 9-23-11
4. Letter from Metropolitan Council dated 10-21-11
5. EAW
 - a. MNS EAW Track profiles (by Kimley Horn and AECOM)
 - b. CP and TC&W letters of 06-14-11 on EAW
 - c. SEH Technical Memos 1-3
 - d. City comments on EAW; SEH Tech Memo #4 and attachments, including:
 - Southern connection drawing
 - Skunk Hollow wye area
 - Wider r-o-w north of Highway 5
 - Comparison of Alternative 3A and 3A-1 Freight Rail Corridor Widths and Proximity to Homes
 - e. North frontage road under MN&S
6. MnDOT EAW Withdrawal Resolution
7. Letter to HCRRA dated 10-14-08
8. Wooddale and Beltline Grade Separation Summary 05-05-11
9. Railroad Easement
10. SW LRT Traffic Review by SRF
11. TKDA Final Report 11-18-09
12. TKDA Plan Set 2009
13. RL Banks Study Presentation 11-29-10
14. TCWR Route Alternatives Study by Amfahr 11-29-10
15. STB questions, HCRRA response, City response
16. Specific Comments DEIS by page

RESOLUTION NO. 10-005

RESOLUTION RELATING TO HENNEPIN COUNTY'S DECISION OF A LOCALLY PREFERRED ALTERNATIVE FOR THE SOUTHWEST TRANSITWAY

WHEREAS, the City of St. Louis Park has been an active participant and supporter of transit in the Southwest corridor, and

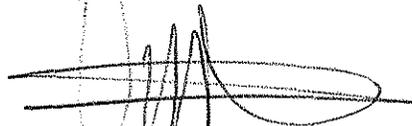
WHEREAS, the City of St. Louis Park has participated in the Technical, Policy and Community Advisory Committees for the Southwest Transitway, and

WHEREAS, the Technical Advisory Committee (TAC) unanimously recommended the selection of Route 3A as the locally preferred alternative with conditions including that agencies work cooperatively to identify impacts, mitigation requirements, and mitigation funding options to address the potential of rerouting freight rail in a parallel process with the Southwest LRT DEIS and to identify the freight rail issue and impacts as a part of the "secondary and cumulative impacts."

WHEREAS, the Policy Advisory Committee (PAC) recommended the selection of Route 3A as the locally preferred alternative with the conditions as recommended by the TAC.

NOW THEREFORE BE IT RESOLVED by the City Council of St. Louis Park that it supports Hennepin County's decision of LRT alignment 3A as the locally preferred alternative for the Southwest Transitway.

Reviewed for Administration:



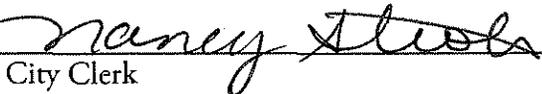
City Manager

Adopted by the City Council January 19, 2010



Mayor

Attest:



City Clerk

RESOLUTION NO. 10-070

RESOLUTION RELATING TO FREIGHT RAIL ACTIVITY IN
THE CITY OF ST. LOUIS PARK

WHEREAS, the City of St. Louis Park is committed to protect and enhance the quality of its neighborhoods; and,

WHEREAS, several railroads operate within the City of St. Louis Park and railroad operations can have adverse impacts on the City and its neighborhoods; and,

WHEREAS, the City of St. Louis Park seeks to provide a clear, concise statement of its position regarding freight rail activity in the City today and in the future; and,

WHEREAS, the City of St. Louis Park has always opposed the rerouting of freight rail traffic through our community; and

C

WHEREAS, the City of St. Louis Park adopted the Railroad Task Force Recommendations of May 23, 2001 by Resolution No. 01-120, which included St. Louis Park's opposition to the rerouting of freight rail; and,

WHEREAS, the City of St. Louis Park has been an active participant and supporter of transit in the Southwest corridor, and

WHEREAS, the City of St. Louis Park has participated in the Technical, Policy and Community Advisory Committees for the Southwest Transitway, and

WHEREAS, the Technical Advisory Committee (TAC) unanimously recommended the selection of Route 3A as the locally preferred alternative with conditions including that agencies work cooperatively to identify impacts, mitigation requirements, and mitigation funding options to address the potential of rerouting freight rail in a parallel process with the Southwest LRT DEIS and to identify the freight rail issue and impacts as a part of the "secondary and cumulative impacts."; and,

WHEREAS, the City of St. Louis Park adopted Resolution No. 10-05 in support of Hennepin County's decision of LRT alignment 3A (through the Kenilworth Corridor) as the locally preferred alternative for the Southwest Transitway ; and,

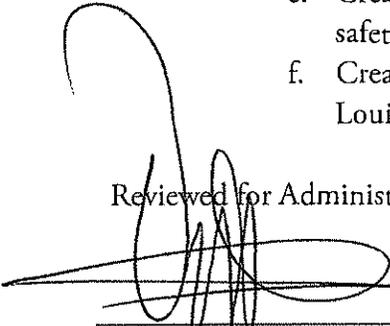
WHEREAS, the City of St. Louis Park participated in the Technical, Policy and Community Advisory Committees for the Southwest Transitway.

NOW THEREFORE BE IT RESOLVED by the City Council of St. Louis Park that the City of St. Louis Park:

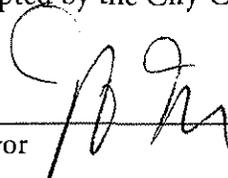
1. Supports the implementation of the Southwest Transitway LRT project; and, A
2. Continues to support the May 23, 2001 Railroad Task Force Recommendations adopted by the City Council October 21, 2001; and,
3. Opposes the introduction of any rerouted freight rail traffic north and south through the City of St. Louis Park; and, C
4. Opposes the rerouting of freight rail traffic from the Kenilworth corridor to St. Louis Park unless the following conditions are clearly met:
 - a. It is established through a very thorough and careful analysis that no other viable route exists;
 - b. There is appropriate mitigation of any and all negative impacts associated with rail rerouting, funded by sources other than the City of St. Louis Park. Potential negative impacts that should be addressed include but are not limited to noise, vibration, odors, traffic congestion and safety, school use and safety, park use and safety; and, circulation/access in the community by vehicle, pedestrian, transit and bicycle;
 - c. Elimination of railroad switching, sorting and blocking operations within the City of St. Louis Park; and funded by some other source than the City of St. Louis Park;
 - d. Removal of the existing "wye" rail tracks in the vicinity of Oxford Street and any other tracks not needed for through train traffic including the rail tracks east of any new interconnections between the East-West CP-TCWR tracks and the North-South CP-MNS tracks;
 - e. Creation of a freight rail single track corridor with significant right-of-way and safety measures incorporated between the track and adjacent properties;
 - f. Creation of a whistle-quiet zone funded by sources other than the City of St. Louis Park throughout the entire north-south MNS corridor.

Reviewed for Administration:

Adopted by the City Council July 6, 2010



 City Manager



 Mayor

Attest:



 City Clerk

RESOLUTION NO. 10-071

RESOLUTION REQUESTING HENNEPIN COUNTY REGIONAL RAIL AUTHORITY (HCRA) REANALYZE THE POTENTIAL ROUTES IN THE 2009 TCWR FREIGHT RAIL REALIGNMENT STUDY IN GREATER DETAIL

WHEREAS, in 2009 Hennepin County Regional Rail Authority conducted a study titled, "TCWR Freight Rail Realignment Study" that evaluated options for moving freight rail from the Kenilworth corridor; and

WHEREAS, this study considered six options for TCWR operations, and

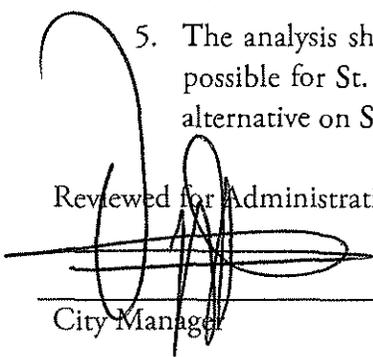
WHEREAS, the six options were not adequately or equally evaluated in the report, and

WHEREAS, additional information that evenly applies criteria to each option is necessary to ensure a viable, cost-effective route is selected.

NOW THEREFORE BE IT RESOLVED BY the City Council of the City of St. Louis Park:

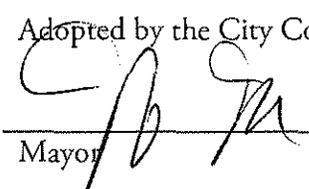
1. The City Council hereby requests Hennepin County Regional Rail Authority more fully evaluate the six options previously evaluated.
2. The additional study should evenly apply the same evaluation criteria to each route.
3. The evaluation should include, but not be limited to, such items as: an explanation of the future routes to Minneapolis and St. Paul; impacts to crossing Highway 100; a quantification of the number of at-grade road crossings and number and proximity of homes, schools and other sensitive uses along each route; impacts on public safety and transportation networks; operational impacts for TCWR and cost to compensate for possible competitive TC&W disadvantage due to route selection; an analysis of routing both freight rail and light rail through the Kenilworth corridor right-of way; and more detailed analysis of the projected costs for each route, including property acquisitions, environmental mitigation, and other factors outlined in the letter from St. Louis Park to the County in July 2009.
4. The evaluation should ensure that the analysis and criteria are applied consistently and equally for each route to provide a basis and understanding for decision making.
5. The analysis should be done in sufficient detail and reported in a format that makes it possible for St. Louis Park to fully understand the positive and negative impacts of each alternative on St. Louis Park itself.

Reviewed for Administration:



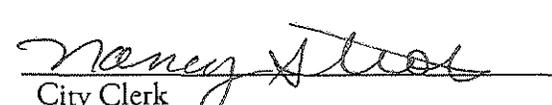
City Manager

Adopted by the City Council July 6, 2010



Mayor

Attest:



City Clerk



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

REGION V
Illinois, Indiana,
Michigan, Minnesota,
Ohio, Wisconsin

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312-886-0351 (fax)

The Honorable Susan Haigh
Chairman
Metropolitan Council
390 Robert Street North
St. Paul, MN 55101-1805

September 2, 2011

Re: Preliminary Engineering Approval for the Minneapolis Southwest Corridor Light Rail Project

Dear Ms. Haigh:

The Federal Transit Administration (FTA) is pleased to inform you that the Metropolitan Council's (MC) Southwest Corridor light rail transit (LRT) project located in the City of Minneapolis and Hennepin County has been approved into the preliminary engineering (PE) phase of project development of the New Starts program. This approval for the initiation of PE is a requirement of Federal transit law governing the New Starts program [40 U.S.C. Section 5309(e)(6)].

This PE approval is for an approximately 15.8-mile double track light rail line extending from the current Target Field station on the eastern end of the route in downtown Minneapolis through several suburban municipalities, including Minnetonka, Hopkins, St. Louis Park and terminating in Eden Prairie at Mitchell Road/Trunk Highway 5 on the western end of the route. The project includes construction of 17 new at-grade stations, 15 park-and-ride facilities with 3,500 total spaces, 26 light rail vehicles and a new rail maintenance facility. The project will operate in a dedicated surface transitway in the median of existing streets, with approximately 1.47 miles of elevated guideway via a flyover bridge over active Burlington Northern Santa Fe Railway freight tracks at Lyndale Junction in Minneapolis and 0.2 miles of tunnel where the LRT line will operate under existing streets near Target Field. The project will link to the existing Hiawatha LRT and the Northstar commuter rail lines and the Central Corridor LRT line, currently under construction, at Target Field and will share tracks with the Central Corridor on 5th Street in downtown Minneapolis, thus providing a one-seat ride from Eden Prairie to Union Depot in downtown St. Paul. The estimated capital cost of the project in year-of-expenditure dollars is \$1,250.48 million. MC is seeking \$625.24 million (50 percent) in Section 5309 New Starts funds. The Southwest LRT line is expected to carry 29,700 average weekday riders in 2030.

With this approval, MC has pre-award authority to incur costs for PE activities prior to grant approval while retaining eligibility for future FTA grant assistance for the incurred costs. This pre-award authority does not constitute an FTA commitment that future Federal funds will be approved for the project. As with all pre-award authority, all Federal requirements must be met prior to incurring costs in order to retain eligibility of the costs for future FTA grant assistance. FTA's approval to initiate PE is not a commitment to approve or fund any final design or construction activities. Such a decision must await the outcome of the analyses to be performed during PE, including completion of the environmental review process.

FTA is required by law to evaluate a proposed project against a number of New Starts criteria and ensure that prospective grant recipients demonstrate the technical, legal and financial capability to implement the project. Based on an evaluation of the Southwest LRT project against these criteria, FTA has assigned the project an overall rating of “*Medium*.”

FTA and its Project Management Oversight Contractor (PMOC) conducted a detailed review of the scope, schedule, cost and project risks of the Southwest LRT and the technical capacity and capability of MC to implement the project. FTA has determined that the project meets the requirements for entry into PE and that the MC possesses the technical capacity and capability to implement the project. Some of the key items that MC must address during PE include:

Project Scope

- Solidify the scope for an Operating and Maintenance Facility (OMF). It is unclear if a heavy OMF or a light OMF will be needed. MC must make a decision as early in PE as possible so the corresponding impacts can be properly evaluated during the environmental review process.
- In consultation with the Federal Railroad Administration (FRA), determine the design requirements for adequate safety features for street-grade crossings between the Southwest LRT line and existing freight rail tracks. During PE, MC must address any design standards that FRA requires such as crash walls or grade separations between the Southwest LRT and freight traffic prior to seeking entry into Final Design.
- Analyze the impacts of relocating the Twin Cities & Western freight line, which currently operates on a segment of the planned Southwest LRT route, in the project’s Environmental Impact Statement (EIS). Because the freight relocation is necessary for MC to be able to implement the Southwest LRT project as planned, the cost and scope of the freight line relocation must be included in the Southwest LRT project scope and budget, regardless of the funding sources that may be identified to pay for the work. This must be completed prior to seeking entry into Final Design.
- Analyze the reconfiguration of the Canadian Pacific Railroad’s freight tracks where they will be elevated over the Southwest LRT line and include the analysis in the Southwest LRT project’s EIS and cost and scope. The planned flyover, as currently designed by MC, shows sharp curvature, steep grades, and insufficient clearances. This must be completed prior to seeking entry into Final Design.
- Analyze the infrastructure needs, implementation schedule, and planned operations of the Interchange project as it may impact the design, cost, and operations of the Southwest LRT project. The evaluation must be completed prior to seeking entry into Final Design.

Project Schedule

- Based on the results of FTA’s pre-PE risk assessment, the schedule for the project is overly aggressive. MC currently projects a Revenue Service Date (RSD) of April 2017. FTA recommends a RSD no earlier than the first quarter of 2018. MC should work with FTA during PE to arrive at an agreed upon schedule.

- During PE, MC should develop a comprehensive third party coordination plan to address all stakeholder issues, particularly right-of-way acquisition plans, memoranda of agreement (if appropriate), and all requisite permits.

Project Cost

- MC should implement design-to-budget controls and procedures that would require the design team to continually monitor the affect of design development and evolution on the overall project cost, in conjunction with cost estimating activities.

Technical Capacity

- During PE, MC should revise the Project Management Plan (PMP) to specify that staff from the Central Corridor LRT project will also be used for the Southwest LRT project. The MC needs to ensure that adequate staff with the requisite technical expertise will be available to manage the Southwest LRT project's implementation.

Project Funding

The payout of FTA Section 5309 New Starts funds in MC's financial plan exceeds \$100 million per year from 2015 through 2017. Given the current uncertainty surrounding a timeframe for surface transportation reauthorization, the significantly reduced Fiscal Year (FY) 2011 budget for the New Starts program, and the current conversations in Congress surrounding development of the FY 2012 budget, MC should assume no more than \$100 million per year in annual New Starts funding. Given the considerable number of large, high cost projects currently in the New Starts pipeline, it is not possible for the program to provide significantly higher amounts than this on an annual basis to any one project should the program funding level remain at its FY 2011 level of \$1.6 billion. In the event the New Starts program's funding level increases prior to execution of a Full Funding Grant Agreement for the project, FTA will reconsider adjustments to the annual New Starts funding assumptions and coordinate with MC appropriately.

Civil Rights Compliance

Pursuant to the Civil Rights Act of 1964 and its implementing regulations, including FTA Circular 4702.1 (Title VI Program Guidelines for FTA Recipients, Part II, Section 114), FTA approved MC's Title VI program on March 17, 2011. MC must submit a Title VI program update at least 30 calendar days before the current Title VI approval expires on March 17, 2014.

MC has an approved Disadvantaged Business Enterprise goal (DBE). An updated DBE three-year goal is due to FTA on August 1, 2014. MC's most recent Equal Employment Opportunity Plan expires on November 11, 2013.

As project development continues, MC is reminded to ensure that the vehicles, stations and facilities are designed and engineered to ensure compliance with current standards for accessibility under U.S. Department of Transportation regulations implementing the transportation provisions of the Americans with Disabilities Act of 1990 (ADA). MC is advised to independently verify manufacturers' claims of ADA compliance, and to consult with FTA's Office of Civil Rights concerning ADA requirements as project development progresses. The Office of Civil Rights will provide MC a separate letter further detailing ADA compliance issues in the near future.

MC must work with FTA during PE to address the concerns identified above, along with any others that are identified as project development progresses. As PE proceeds, FTA will provide more detail to MC regarding other deliverables that should be completed prior to requesting approval to enter Final Design.

FTA looks forward to working closely with MC during the development of the Southwest light rail project. If you have any questions regarding this letter, please contact Cyrell McLemore of my office at (312) 886-1625.

Sincerely,



Marisol R. Simón

September 23, 2011

Ms. Susan Haigh, Chair
Metropolitan Council
390 Robert St. North
St. Paul, MN 55101-1805

Dear Ms. Haigh,

Congratulations to you and the Metropolitan Council on receiving authorization from the Federal Transit Administration (FTA) to enter into the Preliminary Engineering (PE) phase for the Southwest Light Rail Transit (SWLRT) project. As has been stated a number of times in the past, the City of St. Louis Park is a strong supporter of the SWLRT project and is truly excited to have received the news that the project will be taking this significant step toward implementation. We look forward to working in partnership with the Metropolitan Council, Hennepin County, MnDOT and our partner communities along the SWLRT Corridor on the planning, design and ultimately construction of this next component of the regional LRT system.

The FTA letter authorizing PE included a list of "key items" that must be addressed during the PE process which have significant implications for St. Louis Park. Of particular note for St. Louis Park are the items that deal with (1) analyzing the impacts of relocating the TC&W freight line within the SWLRT Environmental Impact Statement (EIS); (2) required the freight rail relocation issue to be included in the SWLRT project scope and budget; (3) referenced a Canadian Pacific "flyover" of the SWLRT line; and, (4) noted the need for Federal Railroad Administration (FRA) involvement in determining appropriate standards for safety features and separation between SWLRT and freight traffic.

While the inclusion of the freight rail issue in the SWLRT project is a significant development in the on-going Freight Rail/LRT debate, we recognize that the references to freight rail in the FTA's letter are far from a detailed plan on how to proceed. It does not necessarily resolve the issue of where TC&W trains will be routed and does not resolve specifically what mitigation for freight rail relocation is needed. The FTA requirement to include freight rail relocation and the analysis of potential impacts in the SWLRT project raises many questions about how this will be done and what happens next.

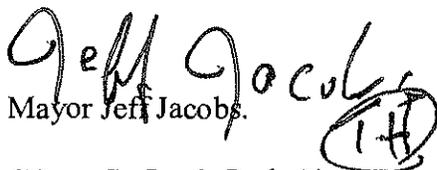
The City of St. Louis Park respectfully requests that the Metropolitan Council provide clarification at the earliest possible date as to how the key items listed in the FTA letter will be addressed during the PE process. More specifically we ask the following:

1. The third bullet in the Project Scope list in the FTA letter states that the impacts of relocating the TC&W freight line be analyzed in the SWLRT EIS. The City is requesting

- clarification about how this will be done, who will do the work and when, and how will the NEPA required EIS scoping process be handled?
2. At the core of the NEPA process is the requirement to consider and evaluate alternatives. Based on this requirement, can St. Louis Park assume that, at a minimum, one of the alternatives for the routing of the TC&W trains that will be considered and evaluated is co-location of freight and LRT trains in the Kenilworth Corridor? Please note that St. Louis Park has analyzed co-location of freight and LRT in the Kenilworth Corridor and has found it to be feasible and advantageous for a variety of reasons including safety and cost. We would be happy to share this information with you.
 3. The fourth Project Scope bullet refers to "reconfiguration of the Canadian Pacific Railroad's freight tracks..." It also references a "flyover". Clarification is sought as to where the referenced tracks are located; and, if it is referring to tracks in St. Louis Park. The City requests participation in the analysis and design process required by FTA.
 4. The second Project Scope bullet states that design requirements and standards regarding freight rail/LRT crossings and freight rail/LRT separations need to be developed in consultation with the FRA. The City would like to know when and how the Met Council will satisfy this FTA requirement and requests inclusion in this process.
 5. What will be the overall plan for allowing public participation and information sharing during the PE process?

We look forward to your response to this letter and working together in partnership toward successful implementation of the SWLRT project. We believe authorization by the FTA to begin SWLRT PE makes it all the more important that we move forward to address unresolved issues in a spirit of cooperation and a focus on problem solving. We believe inclusion of the freight rail issue in the SWLRT PE process can be embraced as a constructive step and an opportunity to move forward the overall SW LRT project. We hope that you will see this request for clarification and information in that light.

Sincerely,


Mayor Jeff Jacobs.

CC: St. Louis Park City Council
Jim Brimeyer, District 6 Representative, Metropolitan Council
Mark Fuhrman, Metropolitan Council
Hennepin County Commissioner Gail Dorfman
Phil Eckhert, Director of Housing, Community Works and Transit
Marisol R. Simon, FTA

October 21, 2011

Mayor Jeff Jacobs
City of St. Louis Park
5005 Minnetonka Blvd.
St. Louis Park, MN 55416

Dear Mayor Jacobs,

I am writing in response to your letter dated September 23, 2011 where you ask several questions on behalf of St. Louis Park related to the Federal Transit Administration's (FTA) letter authorizing the Southwest Light Rail Transit Project (SWLRT) entry into Preliminary Engineering.

On behalf of the Metropolitan Council, thank you for your community's strong commitment to partnering in the success of this project. We are all excited to have received the FTA letter allowing us to begin the necessary planning and engineering work to resolve this project's critical challenges.

The Met Council understands the city's concerns regarding the freight rail relocation issue. As we are still early in the development process of the SWLRT project, we are not able to readily answer all of your questions at this time. What we do know is the FTA is now considering the work related to resolving this issue part of the scope and budget of SWLRT. The FTA has not weighed in on what roles local agencies are to take in this process and view this determination as a local decision. Hennepin County Regional Railroad Authority has been the lead agency on the Draft Environmental Impact Statement for SWLRT and will continue in that role with ongoing support from the project office.

The Met Council and the project office recognize the importance of local stakeholders in the development and evaluation of all critical elements of the project, including Freight Rail Relocation. We understand St. Louis Park's desire to be a participant in the technical evaluations of the Freight Rail Relocation issue and will invite city staff to participate in these discussions when appropriate.

The project office is currently in the process of seeking a senior management position that will be responsible for communications and outreach for SWLRT. This person will be responsible for the development of a proactive communications plan that allows for ample public participation and for effective delivery of project information to stakeholders as well as the general public. We hope to have this individual working on the project within the next 30 – 60 days.

Again, thank you for your strong interest in SWLRT. We look forward to St. Louis Park's continued support.

Sincerely,

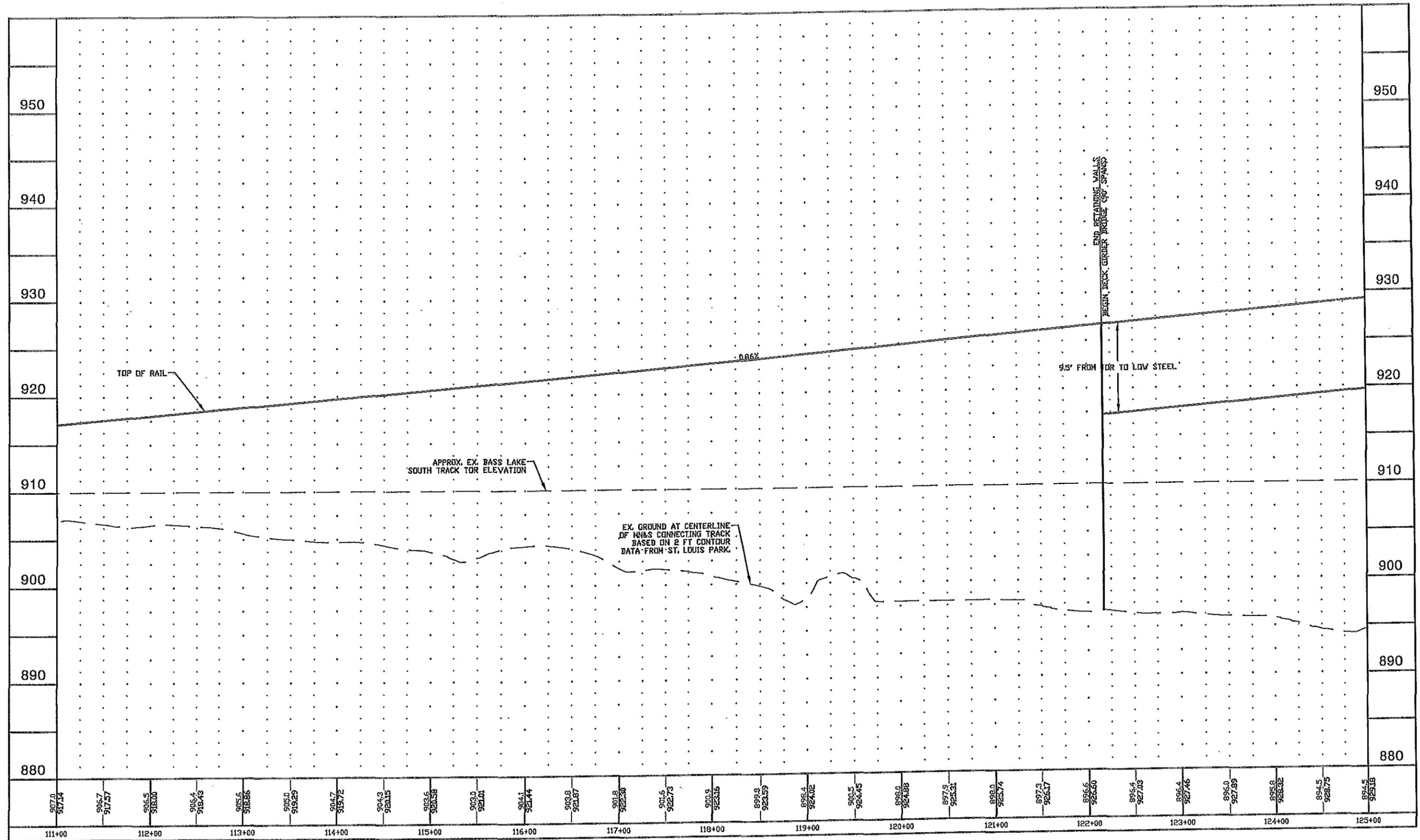

Susan Haigh
Chair, Metropolitan Council

cc: St. Louis Park City Council
Jim Brimeyer, Metropolitan Council Member
Mark Fuhrmann, CCPO

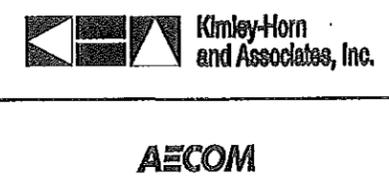
Henn. Co. Commissioner Gail Dorfman
Phil Eckhert, Hennepin County
Marisol Simon, FTA

www.metrocouncil.org

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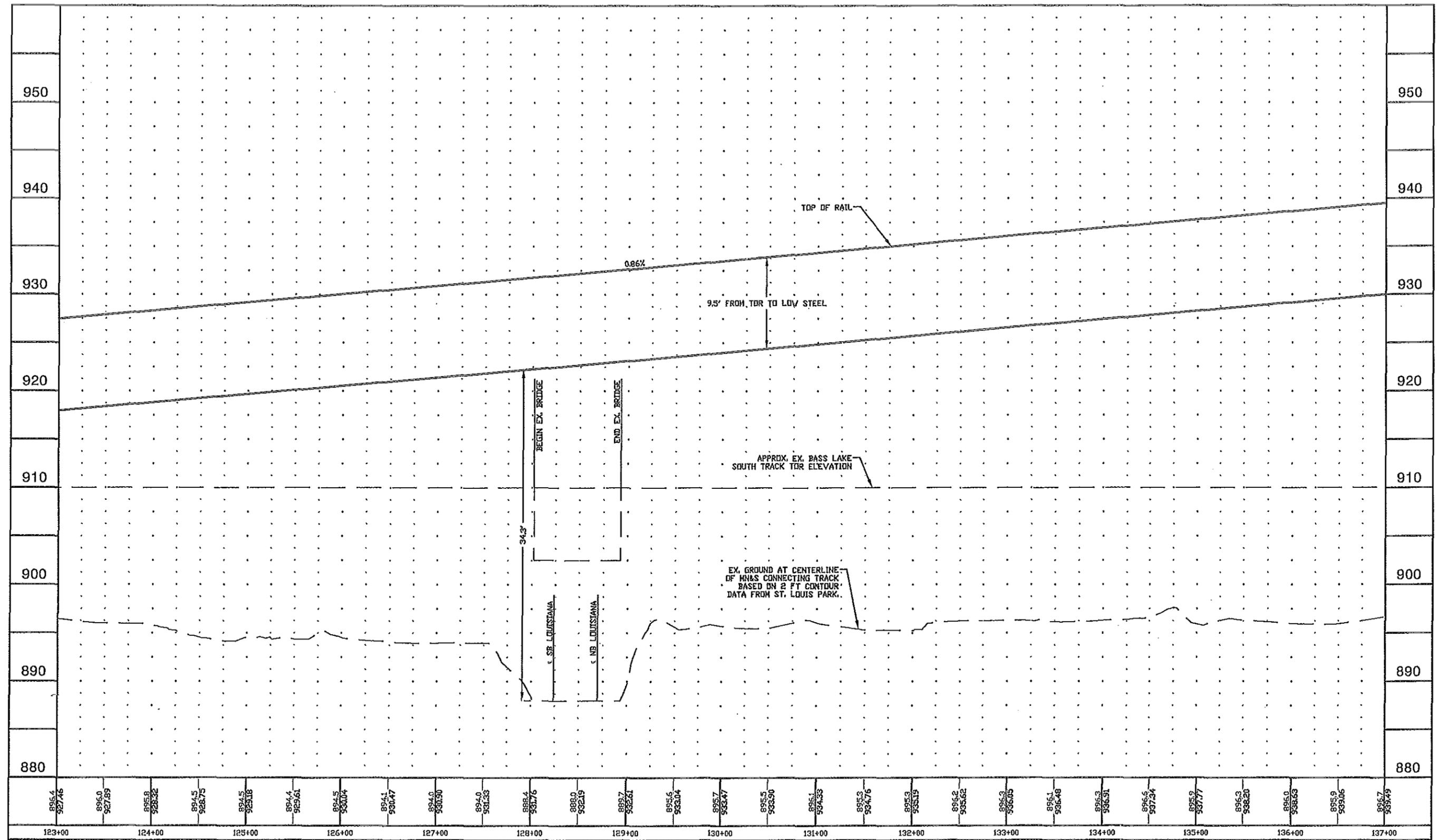


MN&S FREIGHT RAIL STUDY

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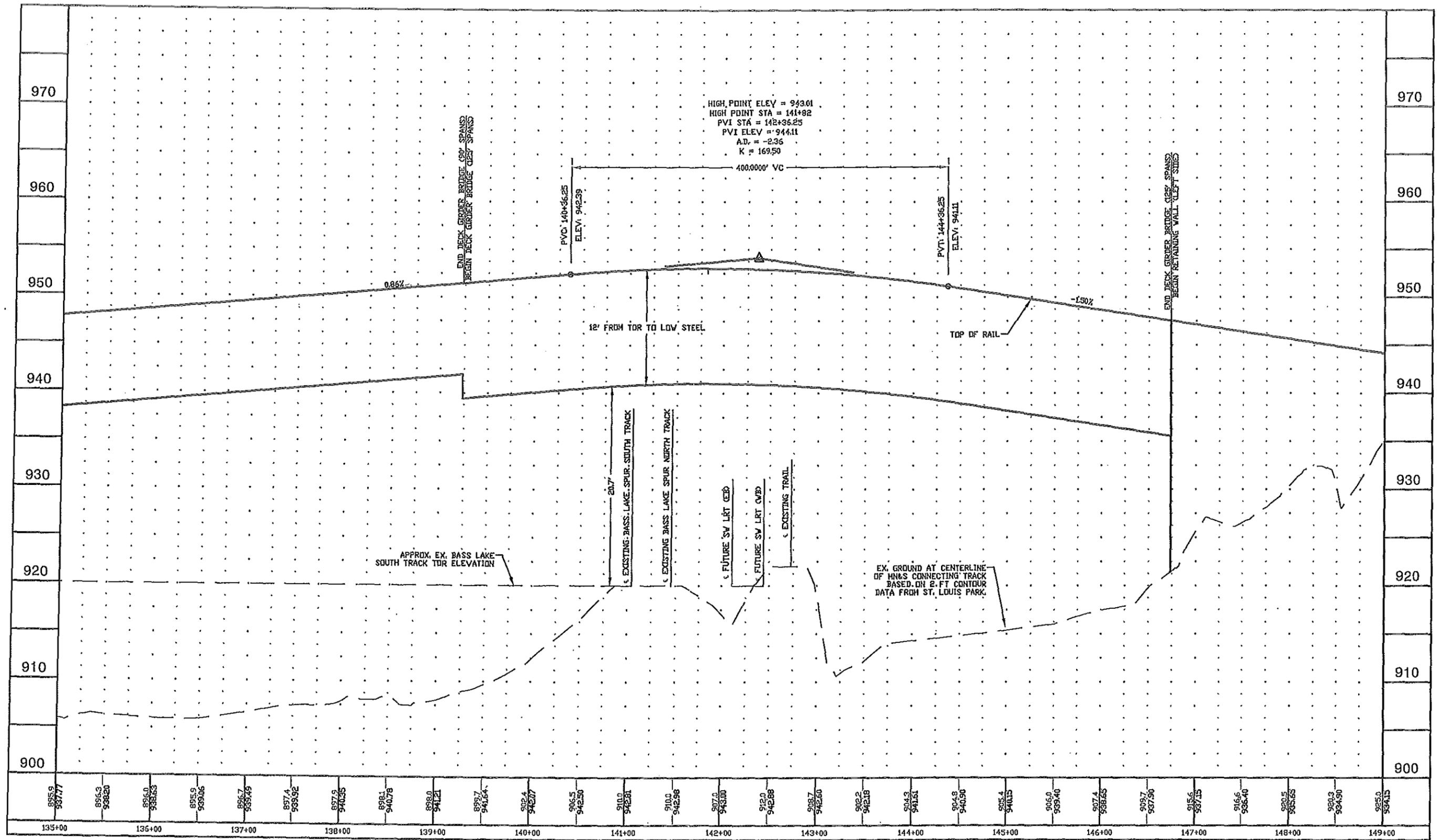
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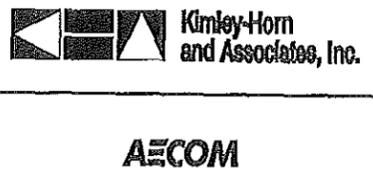
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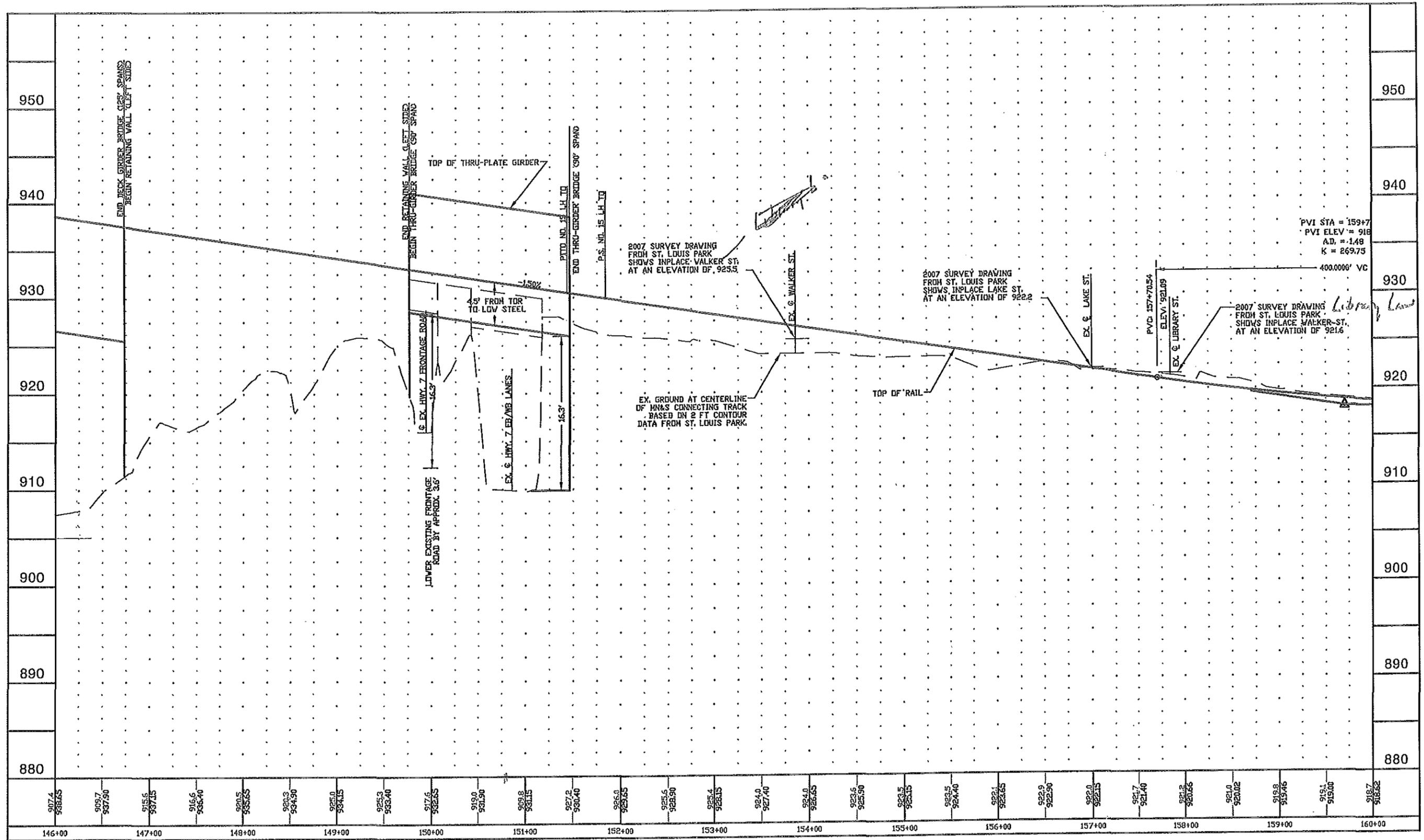


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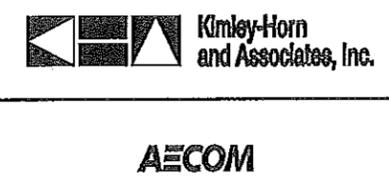
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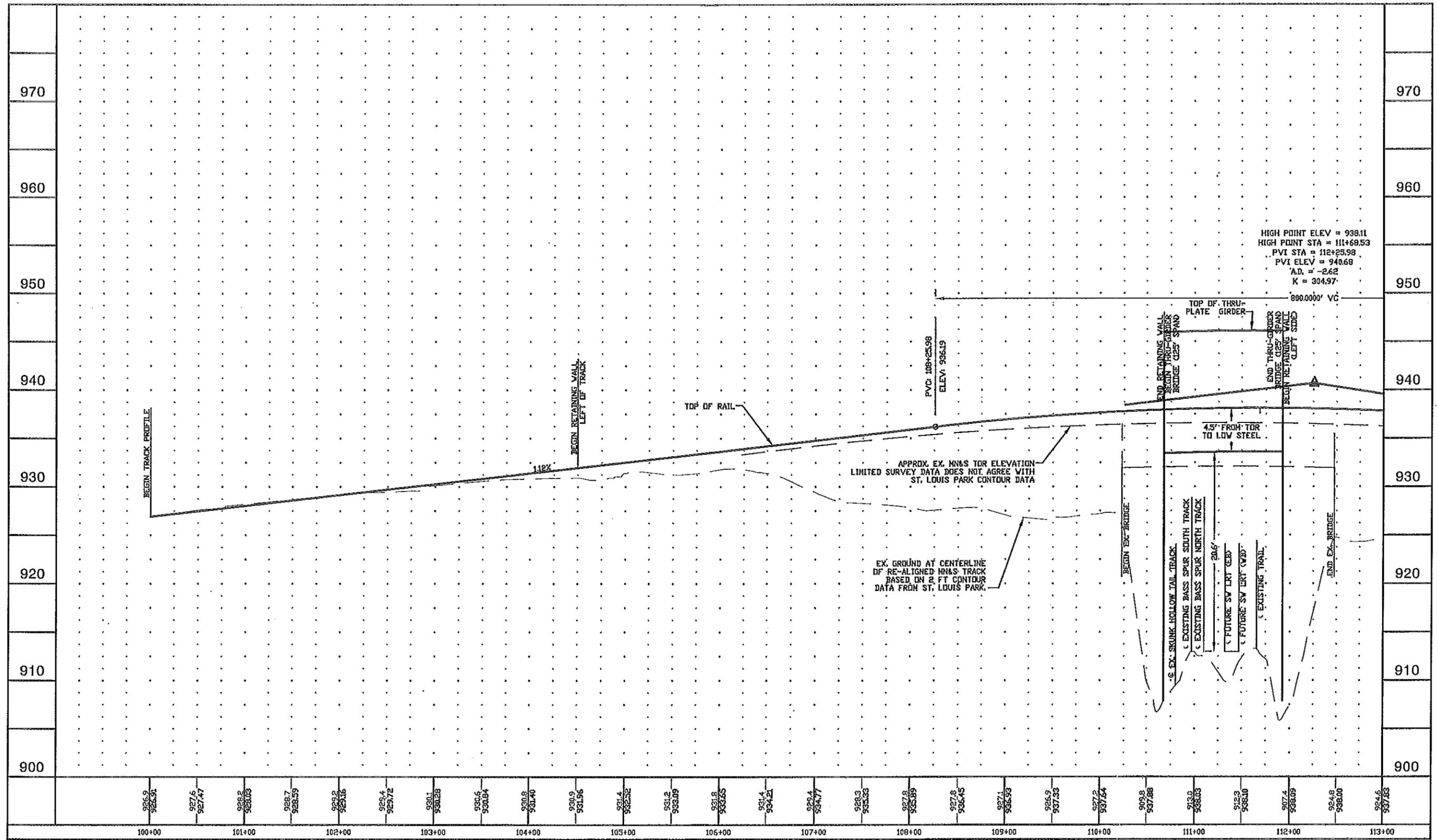


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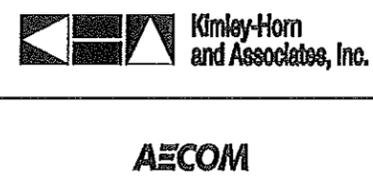


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EX. GROUND AT CENTERLINE
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 DATA FROM ST. LOUIS PARK.

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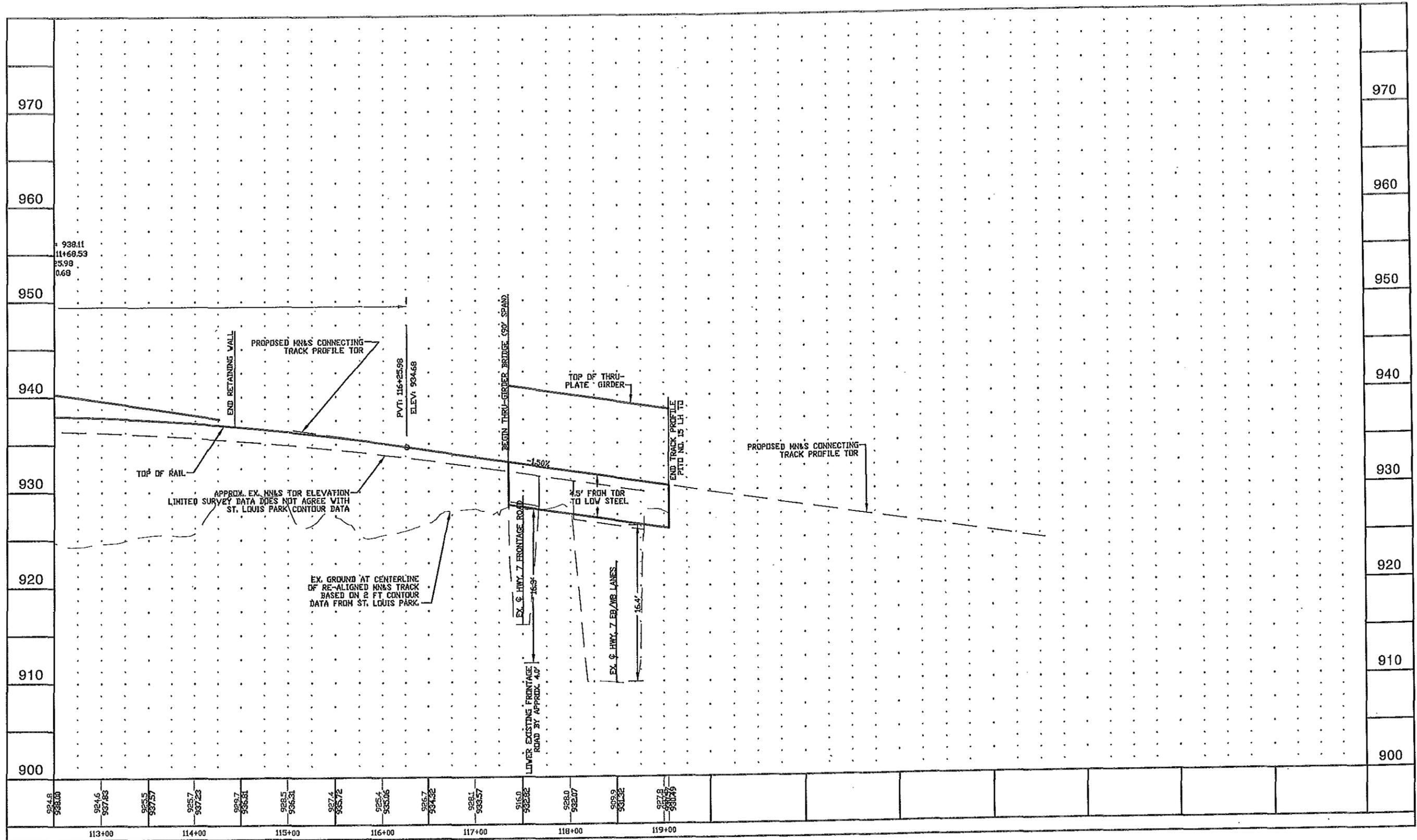


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Kimley-Horn
and Associates, Inc.

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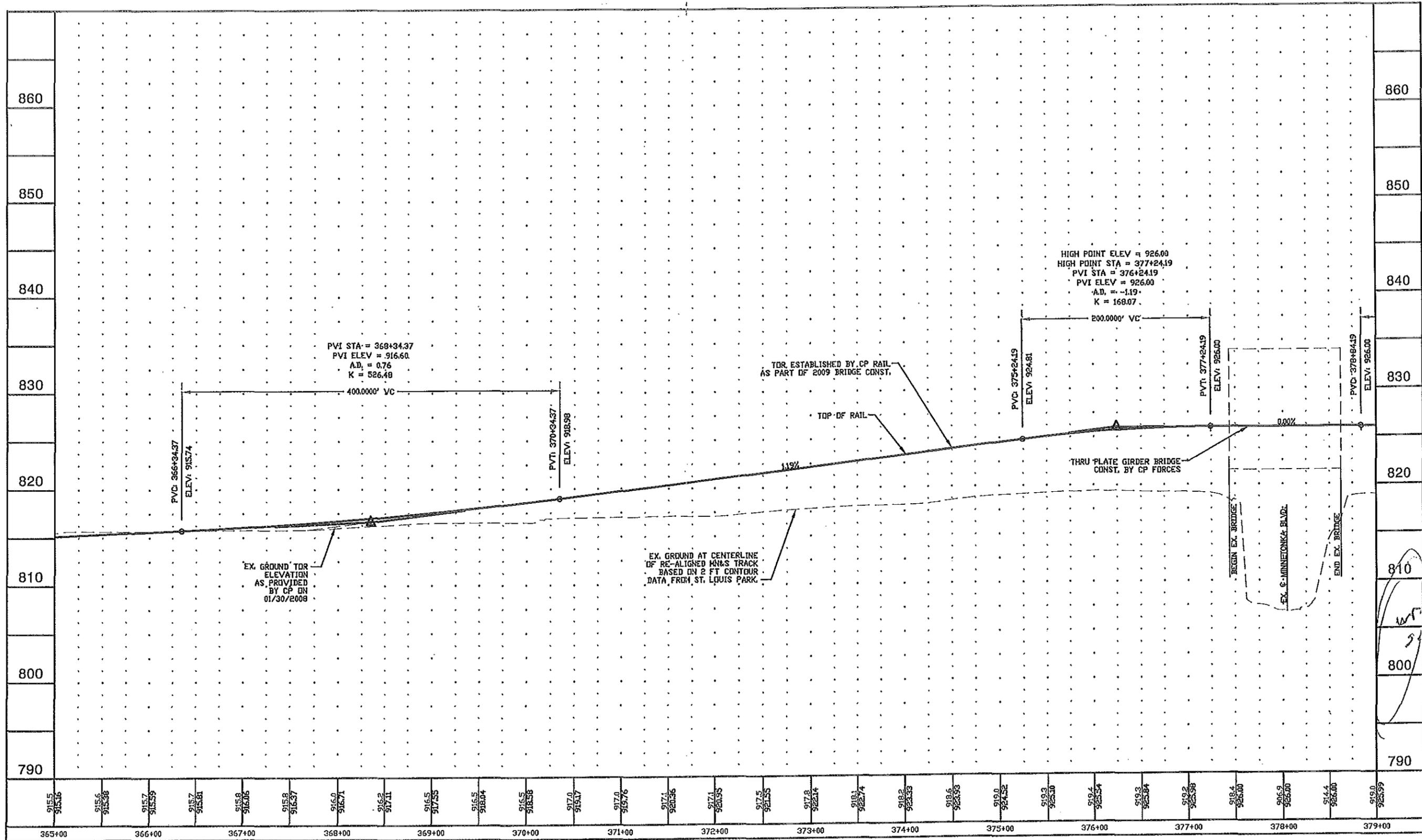
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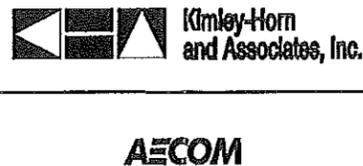
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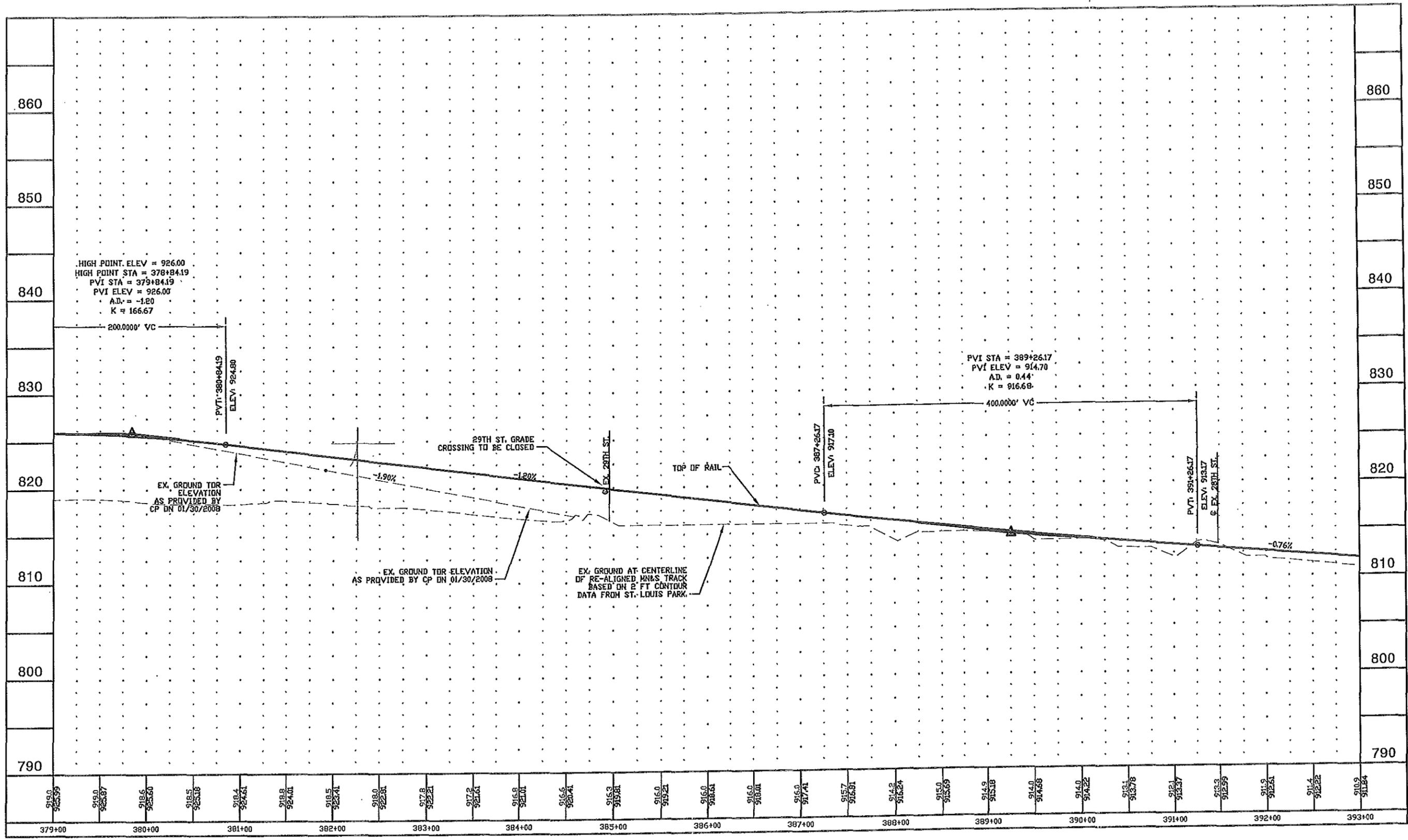


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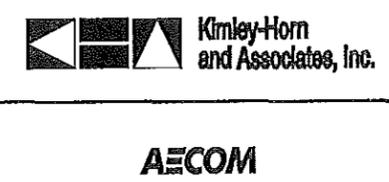
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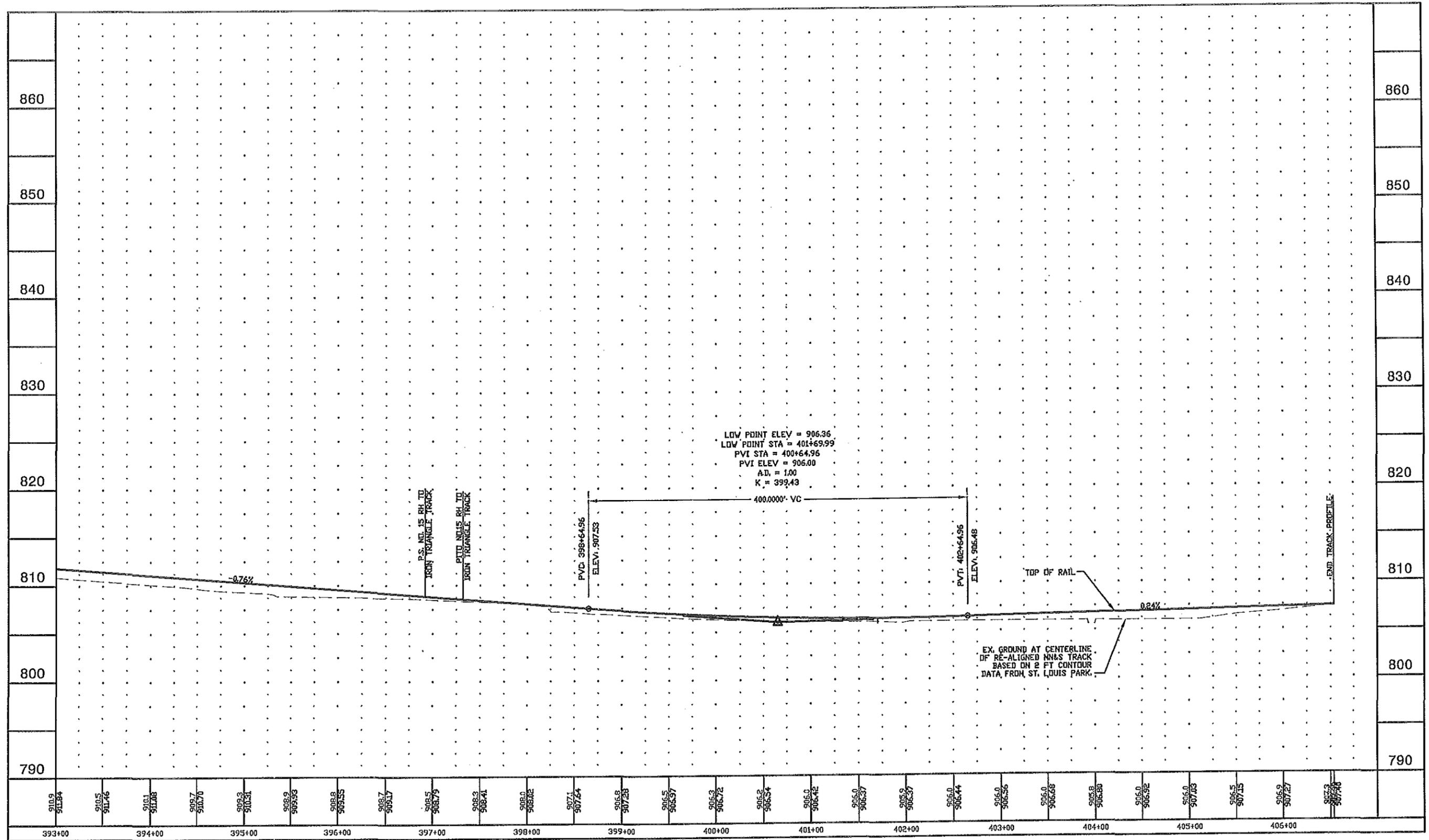


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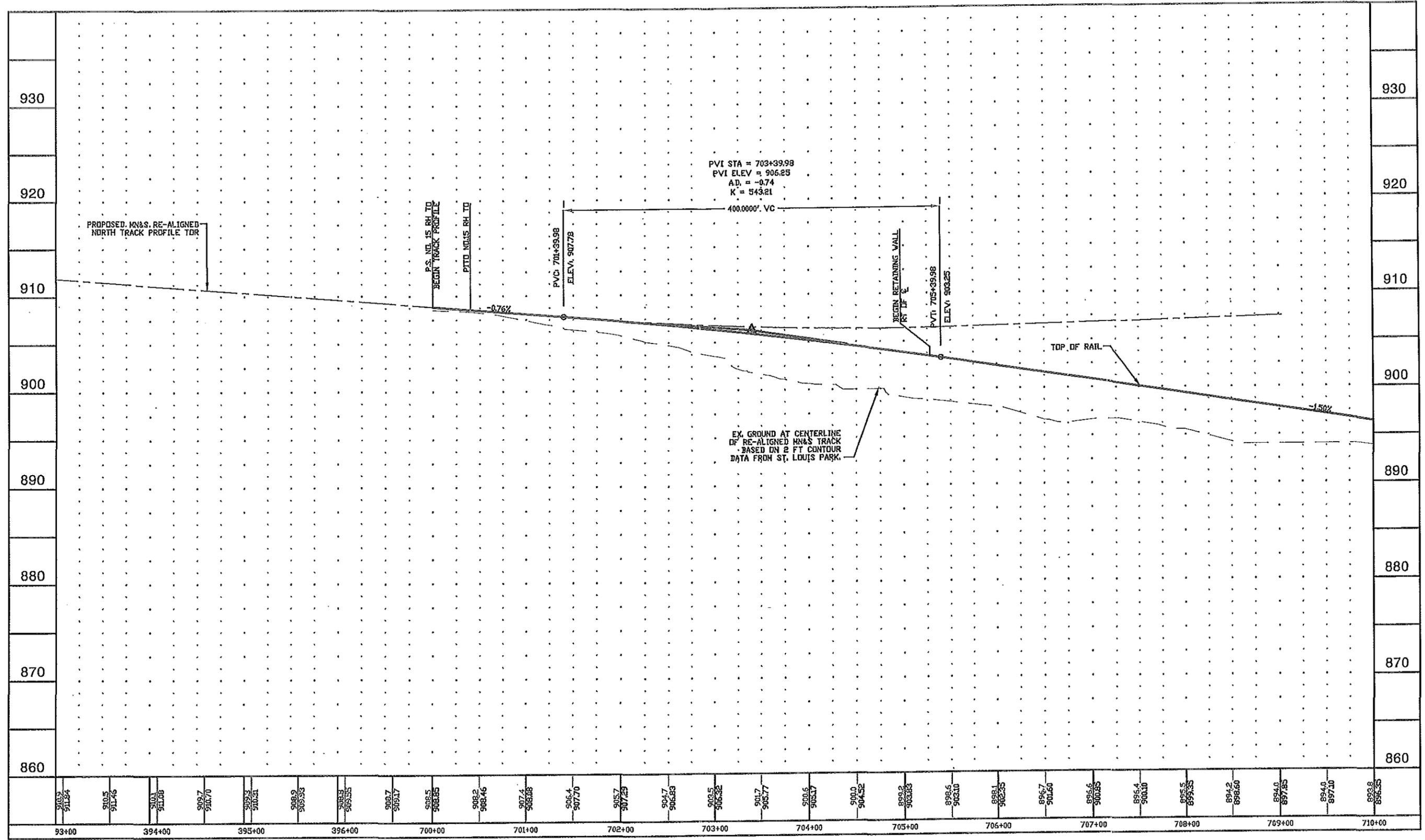
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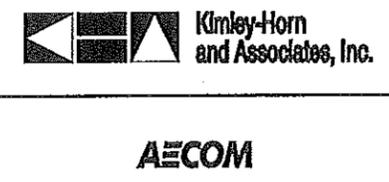
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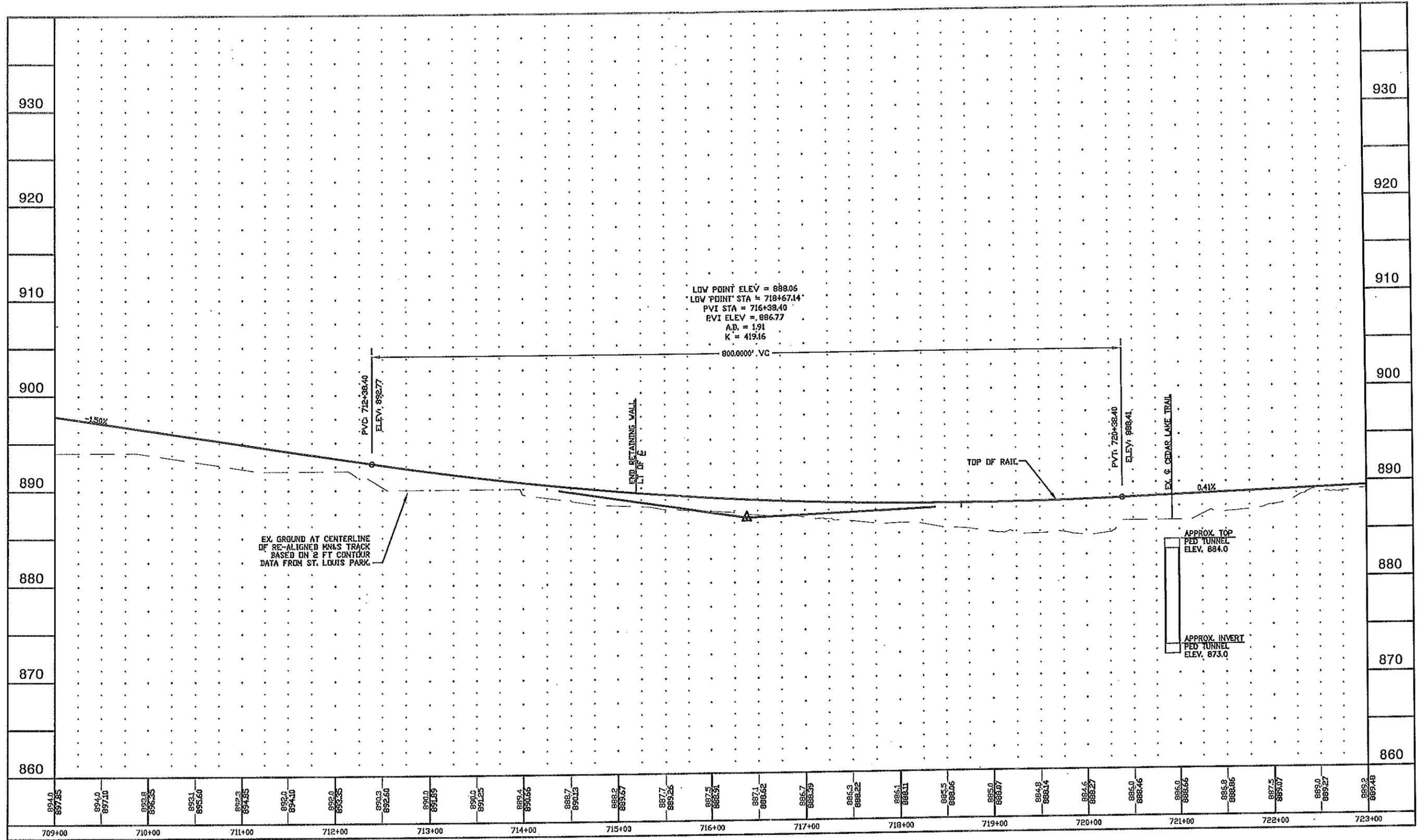


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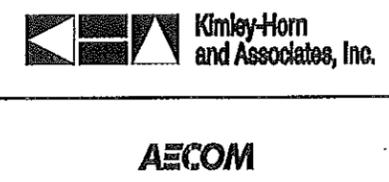
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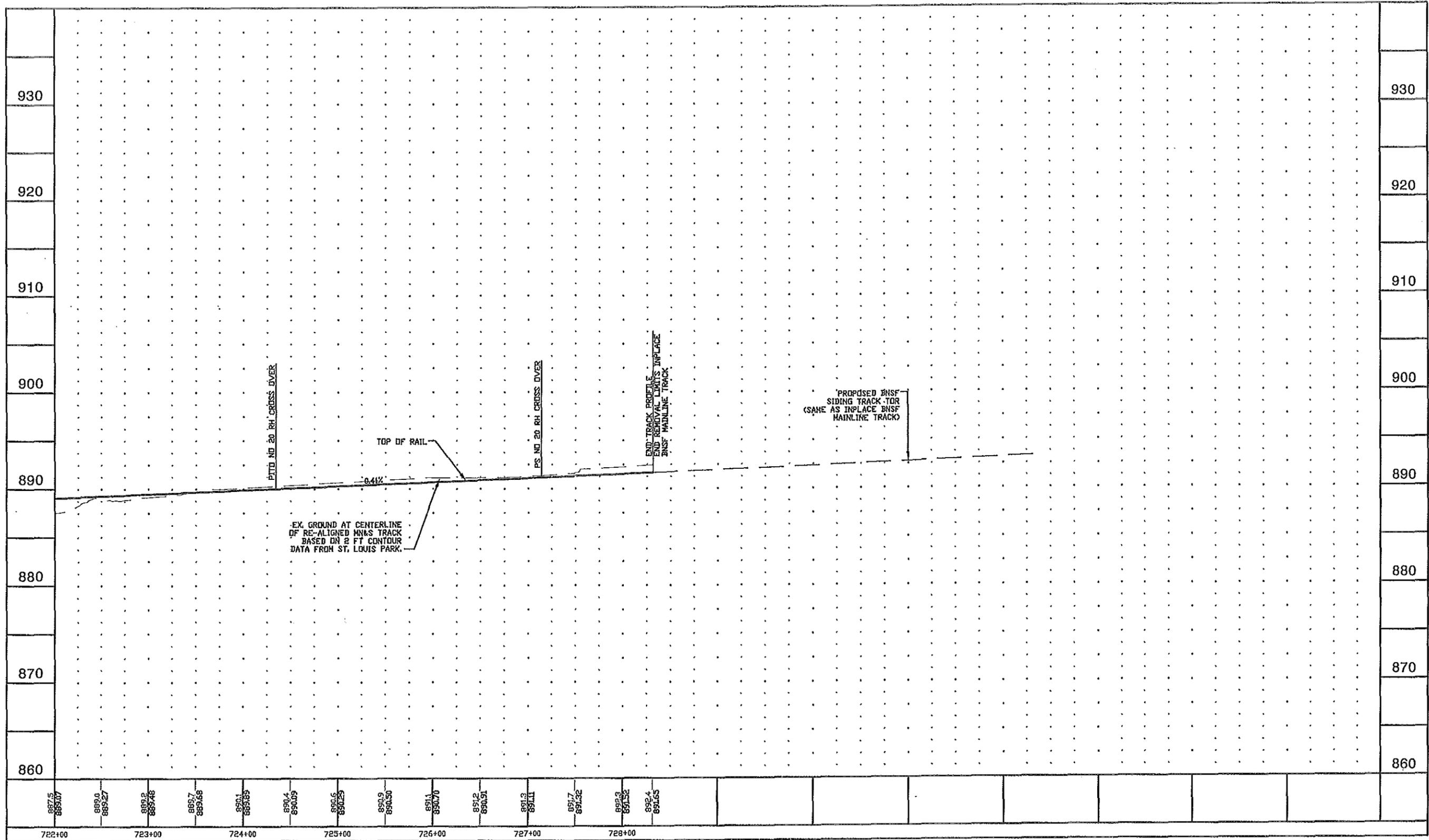


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**CANADIAN
PACIFIC
RAILWAY**

501 Marquette Avenue
Minneapolis, Minnesota 55402

June 14, 2011

Mr. Frank Pafko
Director, Office of Environmental Stewardship
Minnesota Department of Transportation
395 John Ireland Boulevard, MS 620
St. Paul, MN 55155-1899

VIA E-MAIL: frank.pafko@state.mn.us

RE: Comments on MN&S Freight Rail Study Environmental Assessment Worksheet

Dear Mr. Pafko:

Thank you for the opportunity to comment on the environmental assessment of the proposed upgrades to the MN&S rail corridor. As owner and operator of some of the railroad track under study, the Canadian Pacific (CP) will ultimately need to concur in the final design and approve the proposed changes made to our property. These comments are not intended to fulfill that function, nor are they intended to serve as an endorsement or rejection of the proposed project. Rather, by submitting comments, CP would like to ensure that any assumptions about the project are accurate and that the proposal aligns with our expectations about how we manage and operate the MN&S property. In that spirit, we would like to make you aware of the following:

- At this time, CP has not made any commitments to own, operate or maintain the new structures or track proposed in the EAW.
- We have reviewed comments to be submitted by the Twin Cities and Western Railroad (TC&W) and are largely in agreement with their concerns.
- The document fails to recognize impacts to CP of the upgraded infrastructure and increased tonnage. The cost of operating and maintaining the new track, structures, signalization system, and connections from the Bass Lake Spur to the MN&S and from the MN&S to the BNSF will be much more expensive and is expected to exceed any revenue derived from TC&W's use of the track. 1-1-1
- The proposed physical improvements should address the operating needs of the railroads for grade and curvature. Such a significant investment for improvements should result in a design that is not operationally deficient. 1-1-2
- Quiet zones can be an effective tool for improving grade crossing safety while minimizing noise. However, designing and constructing the improvements needed to meet FRA requirements for quiet zones may be difficult – especially considering the site and geometrics in the MN&S corridor. 1-1-3
- CP will experience track outages during construction of the proposed project, particularly during reconstruction of the bridge over Trunk Highway 7. The disruptions will challenge the ability for CP's customers, including Progressive Rail, to receive service 1-1-4

for almost a month. No plan for phasing construction to accommodate disrupted CP traffic is provided. (page 14) ↑ 1-1-4 (cont.)

- There are references to a number of permits that may be required for completion of the project. (page 16) Without analyzing the specifics of any of the identified permit requirements, we simply note that state and local permitting requirements may be subject to preemption by the federal laws regulating rail transportation. 1-1-5
- If any attempts are made to reduce the grade of the new connection from .86% for improved railroad operations, Minnehaha Creek could be impacted. Even existing grades at locations on the MN&S of 1.5% and 1.2% present operating difficulties for the proposed longer, heavier trains. 1-1-6
- Due to the possibility of disturbing contaminants at the Golden Auto National Lead Site, it is unlikely that CP would be interested in taking on responsibility for construction or ownership of the new connection between the Bass Lake Spur and the MN&S. 1-1-7
- Some proposed physical improvements, such as the installation of fencing, are not betterments that the CP would ordinarily agree to make and would have to be built and maintained by others. 1-1-8
- CP has not committed to owning the new retaining walls (page 71). The process of designing these walls will require a high level of community engagement. This is not something CP is in a position to undertake, but that a public entity would need to coordinate. 1-1-9

If the proposed project moves forward, CP wants to ensure balance between the interests of the railroads, our customers, and those of the community. Based on the scope of the project and characteristics of some of the improvements, CP may decline to take possession of them, as significant cost and liability are shifted to us. We do not make this point to undercut the potential viability of the project if properly carried out, but to caution that there are still significant decisions to be made that will impact private and public expectations going forward.

Respectfully submitted,

Judy Mitchell

Judy Mitchell
Director Strategic Initiatives
Passenger Rail US
Canadian Pacific Railway



TWIN CITIES & WESTERN RAILROAD COMPANY

June 15, 2011

Frank Pafko
 Director, Office of Environmental Stewardship
 Minnesota Department of Transportation
 395 John Ireland Boulevard, MS 620
 St. Paul, MN 55155-1899

2925 - 12th Street East
 Glencoe, MN 55336
 (320) 864-7200
 FAX (320) 864-7220

RE: Comments on MN&S Freight Rail Study Environmental Assessment Worksheet

Thank you for the opportunity to review and submit comments relating to the environmental assessment worksheet. As a freight operator over the proposed and current rail, please accept our comments below in response to the MN&S Freight Rail Study - Environmental Assessment Worksheet (EAW) dated 05.12.2011.

Licensing and STB Approval

The common carrier operations of Twin Cities & Western Railroad Company ("TCW") are subject to the federal Surface Transportation Board ("STB"), which has "exclusive" jurisdiction over "transportation by rail carriers." 49 U.S.C. § 10501(b). "Transportation" is defined broadly, to include any "property . . . of any kind related to the movement of passengers or property, or both, by rail, regardless of ownership or an agreement concerning use." 49 U.S.C. § 10102 (9) (A). Under the ICC Termination Act of 1995, a common carrier must obtain regulatory authority to conduct operations on the rail lines of a third party. Accordingly, TCW obtained such authority from the STB in 1998 in connection with relocating its rail operations from the Merriam Park Line (also known as the 29th Street Corridor, now the Midtown Greenway), also owned by Hennepin County Regional Railroad Authority, to the Kenilworth Corridor prior to commencing operations over the Kenilworth Corridor. Moreover, and of particular importance with respect to the project described in the EAW, a common carrier generally must obtain regulatory authority to discontinue operations over the line of a third party or to re-locate operations onto another rail line. The EAW lists several licenses and permits which must be obtained for the project. (EAW, p. 16). The EAW, however, does not mention or discuss the necessity of seeking and obtaining similar regulatory authority from the STB for this relocation project.

TCW has not approved or accepted the proposed reroute design. We have serious misgivings about the design of the proposed connection between the CP Bass Lake Spur and the CP MN&S Spur and the grade on the MN&S. Those concerns focus on the safety, efficiency and costs of TCW's proposed operations over that connection and the adverse effects on shippers. TCW's customers have expressed similar concerns to senior officials of our company. Under these circumstances, attempts to obtain regulatory authority for this relocation project (including

authority for TCW to discontinue its current rail operations over the Kenilworth Corridor) could raise opposition from various entities, as well as judicial challenges.



The EAW does not discuss either the need to obtain STB regulatory authority as a condition to completing the proposed project or the prospect that such authority may not be forthcoming. These issues should be carefully considered before HCRRA proceeds along the lines described in the EAW.

Failure to identify environmental impacts from increased curvature and gradients

- TCW's existing operations consists of at a maximum ascending eastbound grade of 0.40% and a maximum curve of 3.5 degrees on the Bass Lake Spur, and a maximum eastbound ascending grade of .45% (this is a short segment preceded by a longer segment of descending grade of .65%) and a maximum curvature of 6 degrees on the Kennilworth corridor. The proposed design proposes a maximum ascending eastbound grade of 0.86% (ascent from Bass Lake Spur to the MN&S) and maximum curve of 8 degrees on the new design element. (EAW, p. 8, Proposed Action - Key Design Elements section) On the MN&S, the proposed grade is 1.2%. (EAW, p. 12, Detailed Project Description) 1-2-3

- If the .86% and the 1.2% grades are assumed to be final, the increased noise from accelerating locomotives struggling to make the increased grades will be significant. The EAW fails to discuss or assess the increased noise. (EAW, p. 48 - 55, Noise section) 1-2-4

- The increased curvature creates additional friction, which amplifies the noise emissions including high-frequency squealing and echoing. The EAW again fails to discuss or assess the increase in noise due to greater curvature. This increased noise is not identified or assessed in the EAW. (EAW, p. 48 - 55, Noise Section) 1-2-5

- The greater grades will result in increased diesel emissions due to the need for more horsepower because of the increased grade. (EAW, p. 47, Air Quality Hot Spot Analysis/Mobile Air Source Toxins) The EAW fails to make any assessment of this. 1-2-6

- The EAW does not identify the linear feet associated with increased grades, which has a direct environmental impact on noise, emissions, vibration, etc. (EAW, p. 12, first paragraph) 1-2-7

- The EAW does not identify the grade to traverse from the west-bound BNSF Wayzata Subdivision to the south-bound MN&S. (EAW, p. 8, Proposed Action - Key Design Elements section) 1-2-8

- The EAW does not identify and measure vibration of existing train traffic on the existing TCW route. (EAW, p. 63, Existing conditions) 1-2-9

- The existing connection to BNSF at Cedar Lake Junction is directly to the main line. The proposed project shows the existing BNSF mainline at the Iron Triangle will be converted to a siding track. The emissions, vibration, and nuisance impacts of this siding are not identified. (Track Plan, Sheets 15-22)

1-2-10

Inaccuracies in the EAW, EIS, AUAR or other accompanying documents

- The proposed increased east-bound grade and curvature does not improve TCW's operational efficiency for freight movement through the City of St. Louis Park as stated. (EAW, p. 47, third paragraph) Instead, the increased grade and track curvature lessens our operational efficiency by requiring additional horsepower. The increased curvature would produce increased wear and tear on car and locomotive wheels.

1-2-11

- The EAW assumes the TC&W freight operations which are to be relocated have an average of 50 carloads/train for CP and an average of 20 carloads/train for UP. (EAW, p. 7, Regular Trains) However, TCW's current carload averages are greater; the average train size of our current operation is 68.5 cars/train for CP and 23.5 carloads/train for UP.

1-2-12

- Our existing operations would lead the 8-8:15 a.m. scenario to be more common than "relatively rare". (EAW, p. 41, last paragraph)

1-2-13

- Correction in the sentence, "The times in the table are based on the time when the first car enters the corridor until the time when the first car exits the corridor." (EAW, p. 40, third paragraph) We believe this should read "...when the last car exits the corridor."

1-2-14

Environmental impacts that have not been adequately addressed

- The EAW says TCW trains will be temporarily rerouted during the 1-week to 4-week duration when the MN&S bridge over TH7 and the TH7 South Frontage Rd would be removed and reconstructed but does not discuss what routes would be available or the impacts of such disruption on TCW and its customers. (EAW, p. 14, Disruption of Rail Operations)

1-2-15

- The "Economics" section does not mention, much less resolve, the increased operating costs to TCW from increased grades and curvatures. (EAW, p. 88, Economics)

1-2-16

Possible mitigation measures that could or should be added to the proposal

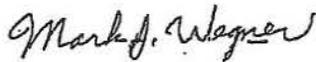
Quiet Zone: TCW urges city, county, and state officials to thoroughly and carefully consider the residual safety hazards that are associated with a quiet zone in St. Louis Park versus the associated environmental benefits. We have safety concerns due to a number of factors: 1) increase in train size, speed, and frequency; 2) proximity to schools, business, and residential; 3) an increased number of at grade crossings. While we understand the concern for train whistle and associated noise impacts, we strongly urge consideration of these safety factors when decisions are made. (EAW, p. 44, Mitigation)

1-2-17

Design review

TCW has not approved the proposed design. We have not thoroughly reviewed the proposed design or hired an engineer to review it. Engaging in such a review does not seem appropriate unless the project is going to proceed. Hennepin County has now represented that the cost of the proposed project is \$76.7 million. We are not aware that Hennepin County or any other government entity has such funds available or committed for this project. We also are not aware of any timetable for obtaining such funds. This cost estimate is, moreover, plainly insufficient since it does not include money to ameliorate the increased costs of operations which will be caused by the proposed design. TCW anticipates retaining an expert to review whatever is the proposed design at the time that adequate funding appears on the horizon. We may have further comments based on that review.

Respectfully submitted,



Mark Wegner
President
Twin Cities & Western Railroad
2925 12th Street East
Glencoe, MN 55336



MEMORANDUM

TO: City Council Members
FROM: Dave McKenzie, P.E.
Samuel Turrentine, Transportation Planner
DATE: December 8, 2010
RE: Technical Memorandum #1
SEH No. STLOU 114331

This memorandum provides background information on the existing regulatory framework of the railroad industry, an overview of federal railroad safety standards (e.g., track, at-grade crossing, and train operating standards), a description of current train operations in St. Louis Park, and provides preliminary comments on the Hennepin County freight rail studies.

RAILROAD REGULATION

In May 2004, the League of Minnesota Cities (LMC) published an informational memorandum titled Railroads and Cities which outlines many of the areas in which federal and state agencies regulate railroads and the ways in which cities may regulate railroad issues within their communities. The LMC memorandum describes local jurisdictional authority over railroads as being limited. For informational purposes, a copy of the LMC memorandum is included in Attachment A.

Table 1 identifies public agencies with oversight and/or program responsibility for railroads under the existing regulatory framework.

Table 1 – Existing Regulatory Framework for Railroads

Table with 2 columns: Agency/Entity and Responsibility and Involvement. Rows include Private (Railroad Companies), Federal (Federal Highway Administration (FHWA), Federal Railroad Administration (FRA)).

Agency/Entity	Responsibility and Involvement
	<p>mechanical equipment, and hazardous materials.</p> <ul style="list-style-type: none"> • Issues regulations governing track, wayside signal and train control systems, highway-rail grade crossing automatic warning device systems, mechanical equipment (i.e. locomotives and rail cars) and railroad operating practices. • Enforces regulations regarding rail transport of hazardous materials issued by the Pipeline and Hazardous Materials Safety Administration (PHMSA). • Oversees railroad compliance of more than 2,000 regulations by conducting routine and targeted inspections, audits and special assessments of railroad operations. • Retains the right to issue compliance orders, special notices for repair, disqualification orders, injunctions and emergency orders. • Does not regulate the length of time a train may block a grade crossing. • FRA rail safety rules address standing (idling) trains that unnecessarily activate grade crossing warning devices such as flashing lights and gate arms. • Focuses on preventing rail trespassing, not enabling it by making the behavior safe. • Sponsors research into railroad and crossing safety issues. • The agency is part of the USDOT.
Surface Transportation Board (STB)	<ul style="list-style-type: none"> • Regulates interstate shipments of freight. • Resolves freight rate and rail service disputes. • Authorizes track abandonments. • Authorizes construction of new lines of rail except for sidings and spurs. • Authorizes mergers and creation of railroad companies. • Successor agency to the Interstate Commerce Commission. • The STB is an independent, bipartisan adjudicatory agency organizationally housed within the USDOT.
Federal Transit Administration (FTA)	<ul style="list-style-type: none"> • Administers federal funds for intracity transit projects. • Publishes an annual Safety Management Information System report that compiles and analyzes transit safety and security statistics reported through FTA’s National Transit Database (safety data include highway-rail grade crossing collisions). • The agency is part of the USDOT.
Environmental Protection Agency (EPA)	<ul style="list-style-type: none"> • Enforces air, water, and noise standards (the air and water standards are of general application to other industries, the noise standards are specific to railroad equipment and operations).
State	
Minnesota Department of Transportation (Mn/DOT)	<ul style="list-style-type: none"> • Responsible for developing the Minnesota Comprehensive Statewide Freight and Passenger Rail Plan (“State Rail Plan”). • Determines appropriate warning devices at-grade crossings. • The commissioner of transportation has the authority to order closure, vacation, relocation, consolidation, or separation of public at-grade crossings. • Administers the Railroad–Highway Grade Crossing Safety Improvement Program for the State of Minnesota.
Minnesota Pollution Control Agency (MPCA)	<ul style="list-style-type: none"> • Enforces clean air, ground, and water rules (the MPCA doesn’t enforce noise regulations, it measures noise levels for compliance with federal standards).
Local	
Regional Railroad Authorities (RRA)	<ul style="list-style-type: none"> • Promotes and preserves transit development and implement interim uses of rail corridors. • Owns railroad corridors. • Operates a railroad.
County/Cities	<ul style="list-style-type: none"> • Responsible for the design, construction, and maintenance of the roadway approaches to public at-grade crossings. • Negotiate with Railroads for crossing improvements. • Conduit for public funding of railroad projects.

Sources: USDOT FHWA Railroad-Highway Grade Crossing Handbook—Revised Second Edition. FRA Fact Sheets for News Media.

RAILROAD SAFETY

Railroad safety is complex and interwoven sets of rules developed by the railroad and the Federal agencies. There are three distinct areas of rule making:

- 1) Track Safety Standards,
- 2) Highway-Rail Grade Crossing Safety Standards, and
- 3) Train Operating Standards.

This memorandum will only highlight these areas and is not a complete set of rules.

Track Safety Standards

The FRA track safety standards govern the condition of the track and provide a framework to determine what is safe and how to operate on track based on its condition. The FRA's federal track safety standards generally focus on four main areas:

- **Track Structure:** Rails, cross-ties, track switches, tie plates, and rail fastening systems
- **Track Geometry:** Track gage, alignment, elevation, curvature, and track surface
- **Road Bed:** Drainage and vegetation (vegetation cannot obstruct signs and signals)
- **Track Inspection:** Frequency and quality of inspection, special inspections, and recordkeeping

For additional detail, please see the FRA Track Standards and Inspection Fact Sheet in Attachment B of this memorandum.

Highway-Rail Grade Crossing Safety Standards

Federal regulation defines a "highway-rail grade crossing" as a location where a public highway, road, street or private roadway crosses one or more railroad tracks at grade. A highway-rail grade crossing can either be public, private, or pedestrian.

A public crossing is the location where railroad tracks intersect a roadway which is part of the general system of public streets and highways and is under the jurisdiction of and maintained by a public authority and open to the general traveling public. Usually both highway approaches to a public crossing are maintained by a public authority. A private crossing is a highway-rail crossing which is on a private roadway which may connect to the general system of public streets and highways but is not maintained by a public authority. Private crossings are found on farms and in industrial/commercial complexes or they provide access to recreational and residential areas. A pedestrian crossing is a separate designated intersection where pedestrians but not vehicles, cross a track.

The *USDOT FHWA Railroad-Highway Grade Crossing Handbook - Revised Second Edition* divides highway-rail grade crossings into two components. Each component and corresponding elements is described in Table 2.

Table 2 - Components of a Highway-Rail Grade Crossing

Component	Elements	Description
Highway Component	Driver	<ul style="list-style-type: none"> Responsible for obeying traffic control devices, traffic laws, and the rules of the road.
	Vehicle	<ul style="list-style-type: none"> The design and operation of a railroad grade crossing must take into account the numbers and types of vehicles that can be expected to use it.
	Pedestrians	<ul style="list-style-type: none"> One difference between the driver and a pedestrian at a grade crossing is the relative ease with which a pedestrian can enter the trackway even if pedestrian gates are provided.
	Roadway	<ul style="list-style-type: none"> A major component of the crossing consists of the physical aspects of the highway on the approach and at the crossing itself. The following roadway characteristics are relevant to the design and control of highway-rail grade crossings: location (urban or rural); type of road (arterial, collector, or local); traffic volumes; geometric features (number of lanes, horizontal and vertical alignment, sight distance, crossing angle, etc.); crossing surface and elevation; nearby intersecting highways; and illumination.
	Traffic Control Devices	<ul style="list-style-type: none"> Traffic control systems for highway-rail grade crossings include all signs, signals, markings, and illumination devices and their supports along highways approaching and at railroad crossings at grade. The function of these devices is to permit safe and efficient operation of highway and rail traffic over crossings.
Railroad Component	Train	<ul style="list-style-type: none"> The design of traffic control systems at crossings must allow for a wide variation in train length, train speed, and train occurrence.
	Track	<ul style="list-style-type: none"> Track includes rail, ties, ballast, crossing surface, and sight distance. These provide the interface between the rail system and the road system. The railroad normally pays for this.

Sources: *USDOT FHWA Railroad-Highway Grade Crossing Handbook—Revised Second Edition.*

In the remainder of this section, the following elements are described in greater detail.

- Traffic Control Devices
- Pedestrians
- Establishing a Quiet Zone

Traffic Control Devices Element

The *Minnesota Manual on Uniform Traffic Control Devices (MUTCD)* contains standards for traffic control devices that regulate, warn and guide road users along all roadways within the State of Minnesota. Warning devices installed at highway-railroad grade crossings can be either passive or active systems. Passive warning devices include advance warning signs and any combination of crossbucks, stop, and yield signs installed at the crossing. Active warning devices include any combination of advance warning signs in conjunction with any combination of flashing light signals (with or without gates), which are activated by a train approaching the crossing.

Pedestrians Element

The *USDOT FHWA Railroad-Highway Grade Crossing Handbook - Revised Second Edition* emphasizes that it is important to understand four contributing factors that may motivate pedestrians to enter railroad right-of-way (identified below) in order to establish effective preventive measures.

- 1) As a consequence of urban development, railroads often act as physical dividers between important, interrelated elements of communities.
- 2) Railroads have always attracted juveniles as “play areas.”

- 3) At or near commuter stations, passengers frequently use short cuts before or after boarding a train.
- 4) Some people are prone to vandalism.

The *Handbook* identifies several types of preventative measures that might be employed, including:

- Fencing or Other Devices for Enclosing Rights-of-Way;
- Grade Separation;
- Additional Signing;
- Safety Education; and
- Surveillance and Enforcement.

According to the FRA, the railroad operating environment is an inherently hazardous one for which railroad employees receive extensive safety awareness training. Trespassers do not have the benefit of this knowledge nor are they aware of current and pending train movements, and by failing to properly use designated crossing locations such as highway-rail grade crossings and dedicated pedestrian access paths, are susceptible to life-threatening injuries or death.

Establishing a Quiet Zone

Findings from the City's Whistle Quiet Zone Assessment completed in 2006 indicate that three Quiet Zones are possible for the City (north CP track, south CP track, and east/west CP track). A Quiet Zone is a section of a rail line at least one half mile in length that contains one or more consecutive public highway-rail grade crossings at which locomotive horns are not routinely sounded. Under the Train Horn Rule, locomotive engineers must sound train horns for a minimum of 15 seconds, and a maximum of 20 seconds, in advance of all public grade crossings, except:

- If a train is traveling faster than 45mph, engineers will not sound the horn until it is within ¼ mile of the crossing, even if the advance warning is less than 15 seconds.
- If a train stops in close proximity to a crossing, the horn does not have to be sounded when the train begins to move again.
- There is a "good faith" exception for locations where engineers can't precisely estimate their arrival at a crossing.

For additional detail, please see The "Train Horn" Final Rule Summary in Attachment C of this memorandum.

Train Operating Standards

Train operation rules directly involve how a train is operated including speed, dispatching, car inspection, locomotive inspections, train handling and rail car switching. These rules are complex and do not directly impact the City.

RAILROAD RIGHT-OF-WAY REQUIREMENTS

Railroad right-of-way is defined as property owned or controlled by a railroad. The needed right-of-way width is determined by the number of tracks, drainage requirements, embankment width, and available land. Typical railroad right-of-way is 100 feet, but could vary between 20 and 300 feet. Table 3 identifies the existing railroad right-of-way for the rail segments of interest within the City (see corresponding exhibit in Attachment D).

Table 3 – Existing Railroad Right-of-Way for the Rail Segments of Interest

Rail Segments of Interest		Right-of-Way Description
CP Rail MN&S Sub	Between CP Rail Bass Lake Spur and BNSF Wayzata Subdivision Mainline	<ul style="list-style-type: none"> • North of 27th Street width varies from 280 feet to include triangle shaped parcel formerly used for interconnect to BNSF mainline. • Right-of-way is 66 feet between 27th Street and Minnetonka Blvd, south of Minnetonka Blvd. • Right-of-way consists of several parcels varying in width from 34 feet to 145 feet with a typical width of approximately 100 feet.
	South of CP Rail Bass Lake Spur	<ul style="list-style-type: none"> • North of 39th Street right-of-way is composed of several parcels varying in width from 80 to 153 feet. • Between 39th Street and Excelsior Blvd, right-of-way width is 66 feet constant. • South of Excelsior, right-of-way varies from 66 to approximately 164 feet.
CP Rail Bass Lake Spur	East of CP Rail MN&S Sub	<ul style="list-style-type: none"> • The right-of-way over this segment is divided into two parallel parcels. • CP owns the south half (about 70 feet), and HCRRA owns the north half of this right-of-way (about 100 feet). • The total right-of-way width varies from 75 feet to 235 feet.
	West of CP Rail MN&S Sub	<ul style="list-style-type: none"> • The right-of-way over this segment is divided into two parallel parcels. • CP owns the south half (about 70 feet), and HCRRA owns the north half of this right-of-way (about 100 feet). • The total right-of-way width is constant, measuring between 164 and 170 feet over this entire segment.
CP Rail Interchange Track (Interconnect or Switching Wye)		<ul style="list-style-type: none"> • There are only a few right-of-way parcels owned by the CP over the length of the interconnect. • Much of the segment is located within easements on private property. • The right-of-way that remains varies in width from 31 to 90 feet.

Source: *St. Louis Park Railroad Report*, 1999. SEH, Inc.

Clearance

The minimum statutory vertical clearance between the railroad and highway is 22 feet. FHWA has a design standard of 23 feet and the railroads would prefer 24 or 25 feet. Mn/DOT has a standard of 16 feet 4 inches for roadways under a track. Local streets can be as low at 14 feet 6 inches.

The minimum statutory horizontal width is 8 feet 6 inches on tangent track. It increases on curved track. This clearance standard is for areas such as a bridge pier, a loading dock or passenger station platform. Mainline track or frequently used areas need a larger safety or buffer zone. This buffer zone is not well defined in rules but 25 feet is a generally considered the minimum. This allows for space in an emergency but also for maintenance and drainage issues. The FRA is also using 25 feet as a minimum flagging distance for railroad employees. Flagging distance means that if a person is within that distance, they should know or be accommodated by someone that is aware of current train operations.

EXISTING CONDITIONS

The current role of St. Louis Park’s active railroad corridors is for freight movement. In general, trains run within private railroad right-of-way. This, and Federal statutes, allow railroad companies to set their own schedules and operate 24 hours a day, seven days a week, without City regulation. As stated on CP Railway’s website, the number of trains can change at any time – traffic can either increase or decrease, the number given is merely a snapshot in time. Table 4 provides an overview of current train operations.

Table 4 – Existing Train Operations

Rail Segments of Interest	Description
CP Rail MN&S Sub	CP Railway <ul style="list-style-type: none"> Operates one local train, round trip, 5 days per week (approximately 10-30 cars).
	TC&W (Trackage Rights) <ul style="list-style-type: none"> TC&W is currently not running trains on the MN&S line. TC&W currently has the right to operate on the MN&S corridor, both north to get to the Camden river terminal in north Minneapolis as well as south to get to the Savage river terminals. TC&W also has the option of running north on the MN&S Sub to CP’s Humboldt yard to get into Minneapolis and St. Paul.
CP Rail Bass Lake Spur	CP Railway <ul style="list-style-type: none"> N/A
	TC&W (Trackage Rights) <ul style="list-style-type: none"> <u>Regular Operations (5 days/week and 6 days/week)</u> <ul style="list-style-type: none"> 1 eastbound train (< 80 cars) bound for CP’s St. Paul Yard during the AM. 1 eastbound train (~ 30 cars) bound for Minnesota Commercial’s Main Rail Yard in the Midway and Union Pacific’s Western Avenue Yard during the AM. 2 westbound trains bound for Hopkins during the PM. <u>Longer “Unit” Trains (full trainloads of one commodity)</u> <ul style="list-style-type: none"> Ethanol = approximately 1 loaded and 1 empty ethanol unit train per week (typically 80 cars in length). Coal = approximately 2 loaded coal trains per month (typically 123 cars in length).
CP Rail Interchange Track (Interconnect or Switching Wye)	CP Railway <ul style="list-style-type: none"> Serves one industrial customer.
	TC&W (Trackage Rights) <ul style="list-style-type: none"> TC&W uses this interchange point to reach the Camden river terminal in north Minneapolis (to the north) as well as the Savage river terminals (to the south). Due to current market conditions, this movement is not currently occurring but could resume if market conditions favoring movement of grain by barge develop. TC&W also has the option of running north on the MN&S Sub to CP’s Humboldt yard to get into Minneapolis and St. Paul. TC&W uses this interchange point for locomotive maintenance movements and to interchange with Progressive Rail Incorporated.

Source: *Twin Cities and Western Railroad Summary of Train Operations Memorandum* (dated August 2010). MN&S Freight Rail Study Website and Project Management Team Materials.

Existing and forecast train operations are discussed in greater detail in the *Twin Cities and Western Railroad Summary of Train Operations Memorandum* (dated August 2010) and the Frequently Asked Questions (FAQ) Section of the MN&S Freight Rail Study Website. A copy of both of these documents is included in Attachment E of this memorandum.

Table 5 provides an overview of the existing conditions at each at-grade crossing for the rail segments of interest (see Attachment F for corresponding exhibit).

Table 5 – At-Grade Crossing Summary for the Rail Segments of Interest

Rail Segments of Interest		Crossing #	Location	24-Hour Traffic Count	Crash History at Crossing (1999-2008)	Existing Control	Recent or Planned Improvements	
CP Rail MN&S Sub	North of BNSF Wayzata Subdivision Mainline	#854230K	Cedar Lake Road	12,207 (2009)	Rear-End Collision at Crossing (2006)	Overhead Flashers	None	
	Between CP Rail Bass Lake Spur and BNSF Wayzata Subdivision Mainline	#854231S	W. 28 th Street	1,303 (2009)	None	Stop Signs with Crossbucks	None	
		#854232Y	W. 29 th Street	109 (2004)	None	Stop Signs with Crossbucks	None	
		#854233F	Brunswick Avenue (North)	N/A (Pedestrians Only)	None	None	Roadway Crossing Closed 2005. Pedestrian Crossing Constructed 2006.	
		#854234M	Dakota Avenue	4,583 (2009)	Rear-End Collision at Gates (2006)	Flashers and Gates	Gates and New Concrete Surface Constructed 2005.	
		#854235U	Library Lane	No Count Available	None	Flashers	Programmed for Gate Installation in 2011/2012.	
		#854236B	Lake Street	4,017 (2009)	Collision With Train (2002)	Overhead Flashers		
		#854237H	Walker Street	2,805 (2009)	None	Flashers	None	
	South of CP Rail Bass Lake Spur	#379742T	Brunswick Avenue (South)	N/A (Pedestrians Only)	None	None	Roadway Crossing Closed 2003. Pedestrian Crossing Constructed 2004.	
		#854241X	Alabama Avenue	3,025 (2009)	None	Flashers	Programmed for Gate Installation in 2011/2012.	
		#854242E	Excelsior Boulevard	25,500 (2007)	None	Overhead Flashers and Gates	None	
		#854243L	W. 41 st Street	976 (unknown)	None	Stop Signs with Crossbucks	None	
		#854244T	W. 42 nd Street	258 (unknown)	None	Stop Signs with Crossbucks	None	
		#854245A	Brookside Avenue North	1,160 (unknown)	Collision With Train (2007)	Flashing Lights	None	
		#854246G	Brookside Avenue South	Unknown	None	Flashing Lights	None	
	CP Rail Bass Lake Spur	East of CP Rail MN&S Sub	#397741L & #185195B	Wooddale Avenue	6,700 (2007)	None	Overhead Flashers and Gates	None
			#187142J	Ottawa Avenue	8,700 (unknown)	None	Overhead Flashers and Gates	None
West of CP Rail MN&S Sub		None	N/A	N/A	N/A	N/A	N/A	
CP Rail Interchange Track (Interconnect or Switching Wye)		#379744G	Oxford Street	3,300 (unknown)	None	Crossbucks	None	
		#379745N	Louisiana Avenue	10,500 (2007)	None	Overhead Flashers	None	

Source: Kimley Horn and Associates. FRA Office of Safety Analysis - Generate Crossing Inventory and Accident Reports.

ENVIRONMENTAL REVIEW REQUIREMENTS

Since railroads are privately owned, it is obvious that the sources of funds to operate, maintain, and improve a freight railroad are drawn from private capital. Public freight rail investment, as currently being proposed, can trigger federal and/or state environmental review requirements. It is also helpful to understand the interaction between the environmental review document(s) and the negotiated railroad agreement between HCRRA and the private freight rail companies.

Federal Environmental Review Requirements

The National Environmental Policy Act (NEPA) of 1969 requires that social, economic, and environmental (SEE) considerations be included in the planning of projects that receive federal funding. The NEPA process is actually an "umbrella" term for compliance with over 40 environmental laws, regulations, and executive orders. The extent of environmental studies and depth of analysis is dependent on the complexity of the project and its anticipated effects. The documentation may range from short environmental determination statements to extensive and complex studies with preparation of an Environmental Impact Statement (EIS). Listed below are the three classes of actions which prescribe the level of documentation required in the NEPA process.

- **Class I Actions:** are those that significantly affect the environment and require an Environmental Impact Statement (EIS).
- **Class II Actions:** do not individually or cumulatively have significant environmental effects and are considered Categorical Exclusions (CE). Generally, no formal public involvement is required.
- **Class III Actions:** are those not clearly Class I or Class II, where the significance of the environmental impacts is uncertain; they require the preparation of an Environmental Assessment (EA) to assist in determining the need for an EIS. Should environmental analysis and interagency review during the EA process find a project to have no significant impacts on the quality of the environment, a Finding of No Significant Impact (FONSI) is issued.

Federal regulations have general thresholds established for identifying the process and documentation required. Since federal funds have not been identified for the possible rerouting of freight, the current project associated with the MN&S Freight Rail Study is not following a federally-funded project development path. Instead, the MN&S Freight Rail Study includes preparation of a state Environmental Assessment Worksheet (EAW) for the proposed route to meet state environmental review requirements. It should be noted that any government unit with approval authority can order a discretionary EAW if it determines that the project may have the potential for significant environmental effects. The state's environmental review program is based on the Minnesota Environmental Policy Act (MEPA) of 1973 which established a formal process for investigating the environmental impacts of major development projects. The consultant team for the MN&S Freight Rail Study is currently proposing to include a technical appendix with the state EAW that will outline the additional issues requiring evaluation to obtain federal environmental approval. The preparation of a federal environmental review document is likely to be necessary if federal funding becomes available for the project.

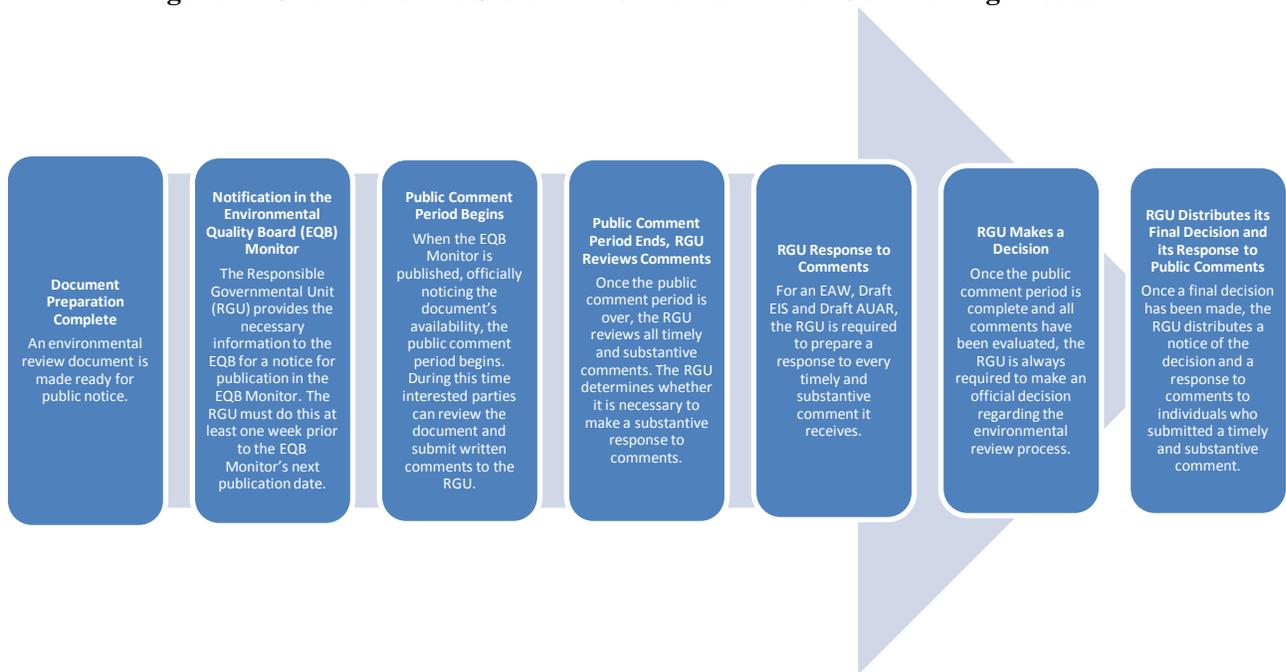
State Environmental Review Requirements

The state EAW document is designed to provide a brief analysis and overview of the potential environmental impacts *for a specific project* (emphasis added) and to help the Responsible Governmental Unit or RGU (identified as Mn/DOT for the MN&S Freight Rail Study) determine whether a state Environmental Impact Statement (EIS) is necessary. The RGU is the governmental unit determined to have the greatest authority to approve or disapprove a project. The EAW consists of a standard list of 31 questions and is meant to set out the basic facts of the project's environmental impacts to screen projects

that may have the potential for significant environmental effects. The EAW is not meant to approve or disapprove a project, but is simply a source of information to guide other approvals and permitting decisions. The EAW is subject to a 30-day public review period before the RGU makes a decision about whether the project also needs a state EIS.

Overall, the state EAW process consists of four basic steps: 1.) the project proposer supplies complete data to the RGU; 2.) the RGU prepares an EAW; 3.) the public comments during a 30-day period; and 4.) the RGU makes a decision about the need for an EIS, based on the EAW, comments received and comment responses. The following flow chart (Figure 1) describes the typical steps of the state environmental review commenting process.

Figure 1 - Overview of the State Environmental Review Commenting Process



Source: *A Citizen's Guide: Commenting on Environmental Review Projects*. Environmental Quality Board.

SOUTHWEST LIGHT RAIL TRANSIT (LRT) PROJECT

HCRRA recommended LRT 3A or the Kenilworth-Opus-Golden Triangle alignment as the locally preferred alternative (LPA) in November 2009. The Metropolitan Council formally amended the region's long-range Transportation Policy Plan (TPP) at its meeting on May 12, 2010, completing the locally preferred alternative (LPA) selection process for the Southwest Transitway. Plans to implement LRT in the Kenilworth Corridor have assumed the removal of the freight rail tracks and the relocation of freight rail service. Throughout the LRT process, it has been disclosed that freight rail operations would be relocated under a separate action. The Southwest LRT Draft Environmental Impact Statement (DEIS) is currently under review by the FTA.

Railroad Agreement between HCRRA and the Private Freight Rail Companies

To facilitate the connection of TC&W to the east, HCRRA rehabbed the Kenilworth Corridor as a temporary route and facilitated an agreement between BNSF, CP, and TC&W to provide trackage rights into and through St. Paul. HCRRA is responsible for providing an acceptable alternative alignment to

TC&W if they are required to relocate or seek to relocate from the current alignment for any reason. According to the agreement, any re-route must be a *safe, economical, and efficient* route for TC&W.

ALTERNATIVES

Freight rail studies that have been prepared to date include:

- *St. Louis Park Railroad Report*, 1999.
- *Analysis of Coexistence of Freight Rail, Light Rail Transit (LRT) and Trail*, August 2009.
- *TCWR Freight Rail Realignment Study*, November 2009.
- *The Mn/DOT Statewide Freight Rail Plan*, 2010.
- *Twin Cities and Western Railroad Summary of Train Operations*, August 2010.
- *Freight Rail Study Evaluation of TCWR Routing Alternatives*, Prepared for HCRRA, Prepared by Amfahr Consulting, November 2010.
- *Kenilworth Corridor: Analysis of Freight Rail / LRT Coexistence*, Prepared for HCRRA, Prepared by R. L. Banks & Associates, Inc., November 2010.
- *MN&S Freight Rail Study* (Currently Underway).

The universe of alternative freight routes, based on the above studies, is identified in Table 6.

Table 6 – Identified Universe of Alternative Freight Routes

Primary Studies	Alternative Freight Routes
<i>Freight Rail Study Evaluation of TCWR Routing Alternatives</i> , Prepared for HCRRA, Prepared by Amfahr Consulting, November 2010.	Western Connection
	Chaska Cut-Off
	Midtown Corridor
	Highway 169 Connector
<i>Kenilworth Corridor: Analysis of Freight Rail / LRT Coexistence</i> , Prepared for HCRRA, Prepared by R. L. Banks & Associates, Inc., November 2010.	Kenilworth Corridor
	- Scenario 1: All Three Grade Alignments At-Grade
	- Scenario 2: Trail Relocated
	- Scenario 3: Bicycle Trail on Structure
	- Scenario 4: LRT on Structure
	- Scenario 5: LRT in Tunnel
	- Scenario 6: Freight and LRT Share Use of Track
- Scenario 7: LRT Single Track	
<i>MN&S Freight Rail Study</i> (Currently Underway)	MN&S Sub Alignment

Preliminary comments on the “Amfahr” and “R.L. Banks” freight rail studies are provided in Tables 7 through 9.

Table 7 - Preliminary Comments on “Amfahr” Study

Route Alternatives		Western MN Connection	Chaska Cut-Off	Midtown Corridor	Hwy 169 Connector
Description		Reroute All TC&W Traffic West Through Granite Falls On The BNSF	Reroutes Traffic Thru Chaska On The Union Pacific Railroad	Reestablish Freight Traffic In The 29 th Street Corridor	Reestablish Freight Traffic On BNSF Abandon Track From Hopkins To St. Louis Park
Cost (millions)	Construction R/W		\$100.4	\$192.8	\$73.6
	Total Cost	?	\$9.8 \$129.8	\$2.8 \$195.6	\$38.0 \$121.6
Positive		<ul style="list-style-type: none"> • Current RR Alignments 	<ul style="list-style-type: none"> • Bypass of St. Louis Park • New Customers In Chaska 	<ul style="list-style-type: none"> • Acceptable RR Profile 	<ul style="list-style-type: none"> • Bypass of St. Louis Park
Negative		<ul style="list-style-type: none"> • Complete Change In TC&W Traffic Pattern • Acquiring Trackage Rights From BNSF 	<ul style="list-style-type: none"> • New Minnesota River Crossing • Profile Grade Issues • Acquisition of 25 Housing Units • Acquiring Trackage Rights From UP RR 	<ul style="list-style-type: none"> • Conflicts With Midtown Transit Options • Track Conditions East of River 	<ul style="list-style-type: none"> • Acquisition of 131 Housing Units • Acquiring Trackage Rights From BNSF
Additional Information Needed?		<ul style="list-style-type: none"> • Does a Rate Subsidy Make Sense? • Additional Cost Information 	<ul style="list-style-type: none"> • Additional Cost Information 	<ul style="list-style-type: none"> • Additional Cost Information 	<ul style="list-style-type: none"> • Additional Cost Information
Comments		<ul style="list-style-type: none"> • Additional Information On Traffic Patterns And Costs 	<ul style="list-style-type: none"> • Not Viable 	<ul style="list-style-type: none"> • Not Viable 	<ul style="list-style-type: none"> • Not Viable

Table 8 – Preliminary Comments on “R.L. Banks” Study (Scenarios 1 – 4)

Route Alternatives		Scenario #1	Scenario #2	Scenario #3	Scenario #4
Description		Freight Rail, SW LRT And Trail All In Same Corridor	Freight Rail And SWLRT Same Corridor; Trail Relocated	Trail Above SW LRT And Freight Rail	SW LRT Above Freight Rail And Trail
Cost (millions)	Construction R/W Total Cost	\$30-38 \$21 \$51-59	\$43-55 \$65 \$109-120	\$71-88	\$112-139
Positive		<ul style="list-style-type: none"> Minimum Disruption To TC&W RR 	<ul style="list-style-type: none"> Minimum Disruption To TC&W RR 	<ul style="list-style-type: none"> Minimum Disruption To TC&W RR No Additional R/W Is Needed 	<ul style="list-style-type: none"> Minimum Disruption To TC&W RR No Additional R/W Is Needed
Negative		<ul style="list-style-type: none"> Acquisition of 33 to 57 Housing Units¹ Complicates Station Areas Parkland Impacts No Grade Separation At Cedar Lake Parkway² Additional LRT Bridge 	<ul style="list-style-type: none"> Acquisition of 117 Housing Units¹ Major Disruption To Trail System Complicates Station Areas Parkland Impacts No Grade Separation At Cedar Lake Parkway Additional LRT Bridge 	<ul style="list-style-type: none"> No Grade Separation At Cedar Lake Parkway Complicates Station Areas Isolated Trail Visual Impact 	<ul style="list-style-type: none"> No Grade Separation At Cedar Lake Parkway Complicates Station Areas Expensive Visual Impact Over Lake Street
Additional Information Needed?		<ul style="list-style-type: none"> Detailed Cost Estimates 	<ul style="list-style-type: none"> Detailed Cost Estimates 	<ul style="list-style-type: none"> Detailed Cost Estimates 	<ul style="list-style-type: none"> Detailed Cost Estimates
Comments		<ul style="list-style-type: none"> Assumes LRT Was Fixed Alignment Freight Track On West Side Additional Study Needed If LRT Alignment Can Be Adjusted 	<ul style="list-style-type: none"> Assumes LRT Was Fixed Alignment Freight Track On East Side Additional Study Needed If LRT Alignment Can Be Adjusted 	<ul style="list-style-type: none"> Freight Track On West Side Not Viable 	<ul style="list-style-type: none"> Freight Track On West Side Not Viable

¹ Source: *Kenilworth Corridor: Analysis of Freight Rail / LRT Coexistence*, R. L. Banks & Associates, Inc., November 2010.

² Notes: Southwest LRT current plans show grade separation at Cedar Lake Parkway.

Table 9 – Preliminary Comments on “R.L. Banks” Study (Scenarios 5 – 7)

Route Alternatives		Scenario #5	Scenario #6	Scenario #7
Description		SW LRT In Tunnel; Freight Rail And Trail On Grade	Freight Rail And SW LRT Share Track And Trail	SW LRT On One Track; Freight Rail On One Track And Trail
Cost (millions)	Construction R/W Total Cost	\$203-230	\$35-43	\$31-38
Positive		<ul style="list-style-type: none"> • Minimum Disruption To TC&W RR 	<ul style="list-style-type: none"> • No Property Acquisition • No Additional R/W Is Needed 	<ul style="list-style-type: none"> • Minimum Disruption To TC&W RR • No Additional R/W Is Needed
Negative		<ul style="list-style-type: none"> • No Grade Separation At Cedar Lake Parkway • Complicates Station Areas • Ground Water Issues • Very Expensive 	<ul style="list-style-type: none"> • No Grade Separation At Cedar Lake Parkway • Complicates Station Areas • Additional LRT Bridge • Major Disruption To TC&W Schedule 	<ul style="list-style-type: none"> • No Grade Separation At Cedar Lake Parkway • Complicates Station Areas • Additional LRT Bridge • Major Impact to LRT Capacity/Operations
Additional Information Needed?		<ul style="list-style-type: none"> • Detailed Cost Estimates 	<ul style="list-style-type: none"> • Detailed Cost Estimates 	<ul style="list-style-type: none"> • Detailed Cost Estimates
Comments		<ul style="list-style-type: none"> • Freight Track On West Side • Not Viable 	<ul style="list-style-type: none"> • Freight Track On West Side • Freight Trains Allow For 3 Hours/Day In Early Morning • Not Viable 	<ul style="list-style-type: none"> • Freight Track On West Side • Not Viable

NEXT STEPS

Although the three HCRRA studies have different levels of detail and analysis, it is possible to narrow down the viability of some options. Our review of the 12 options suggests that only four are reasonable options for further study.

The four options are:

1. Co-locating the freight rail, LRT and trail in the Kenilworth Corridor
2. Locating freight and LRT in the Kenilworth Corridor and relocating the commuter regional trail to another corridor
3. Freight rate subsidies for TC&W to operate to the west of the Twin Cities
4. Relocate the freight traffic to the MN&S corridor.

In the Kenilworth Corridor the unanswered question is developing the best alignment for a combined freight track and LRT track in the same corridor. The current alignment was designed to provide the best alignment for the LRT. After this is established the issues of right of way, trail location, parkland impacts can be evaluated.

The freight rate subsidy options needs to be quantified. How much would it really cost?

The study of the reroute onto the MN&S corridor is ongoing and the impacts are not defined at this time. The additional information that will need to be evaluated includes:

- What width is needed for freight rail, LRT and the regional trail?
- What right of way is available in the Kenilworth Corridor?

S2

- What are the parkland (4f) issues and can they be mitigated?
- How does the presence of freight rail affect the design and operation of the LRT stations?
- Understanding of the costs of freight rail and LRT and how it will be split?
- What is the cost of a freight rail subsidy and how to pay for it?
- How does the freight rail location affect the development and redevelopment within the City?
- How do these alternatives affect other stakeholders outside of the City?
- What is the long-term implication of each of these alternatives?

The goal is the successful implementation of the Southwest LRT with as little freight impact to St. Louis Park.

Attachments

- **Attachment A:** *Railroads and Cities*, League of Minnesota Cities (LMC) Informational Memorandum (May 2004)
- **Attachment B:** FRA Track Standards and Inspection Fact Sheet
- **Attachment C:** The “Train Horn” Final Rule Summary
- **Attachment D:** Existing Railroad Right-of-Way Ownership Map
- **Attachment E:** Twin Cities and Western Railroad Summary of Train Operations Memo (August 2010) & MN&S Freight Rail Study Website - Frequently Asked Questions Section (Existing and Forecast Train Operations)
- **Attachment F:** Existing At-Grade Railroad Crossings Map

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Attachment A

Railroad and Cities, League of Minnesota Cities Informational Memorandum (May 2004)



GOVERNING & MANAGING INFORMATION

Railroads and Cities

465.1

May 2004

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Railroad Highlights



1. Who regulates railroads?

A number of state and federal agencies regulate railroads. Cities also have some limited ability to regulate railroads. The following federal agencies regulate trains:

- Federal Railroad Agency (FRA)
- Surface Transportation Board (STB)
- Federal Highway Administration (FHWA)
- National Transportation Safety Board (NTSB)
- Environmental Protection Agency (EPA)

Railroads are also regulated at the state level. The following state agencies regulate railroads:

- Minnesota Department of Transportation, Office of Freight, Railroads and Waterways (OFRW)
- Minnesota Pollution Control Agency (MPCA)

Local jurisdictions, such as cities, counties, and towns, also have some ability to regulate certain aspects of railroads. But this authority is rather limited because of the degree to which the federal and state agencies have control.

2. Can cities ban train horns?



A city cannot ban the use of locomotive horns, unless the city follows procedures in the federal train horn rule. This interim federal rule regulating the use of locomotive horns was published on Dec. 18, 2003. It will take effect on Dec. 18, 2004. The rule requires that locomotive horns be sounded at virtually all public highway-rail crossings in the United States. Any community in the country can keep an existing quiet zone or establish new quiet zones if all the complex procedures described in the rule are followed correctly. FRA approval may be required for either pre-rule quiet zones or new quiet zones.

The federal rule pre-empts state and local regulations regarding the use of train horns.

3. Can cities regulate noise from trains?



Most noise regulation for railroads occurs at the federal level. Cities probably have little authority to regulate in this area.

4. Can cities zone railroad property?

Cities may enforce zoning regulations on some railroad property. Generally, a city may impose its zoning regulations on land that is not being used for railroad purposes. However, cities are more limited in their ability to regulate land that is being used for railroad purposes.

5. Can cities regulate train speed?



Cities appear to have little ability to regulate train speeds. Maximum speeds that are allowed on tracks are set by the FRA. State statute allows the Minnesota Department of Transportation (Mn/DOT) to set safe speeds at crossings, but some believe this authority is pre-empted by the federal regulations.

6. Whose responsibility is it to maintain and pay for grade crossings?

Railroads are responsible for maintaining and repairing railroad grade crossings and their surfaces. The costs to improve, repair or maintain a grade crossing may be shared jointly with the owner or lessee of the track, the road authority having jurisdiction over the public highway involved and funds available from Mn/DOT. Cities are responsible for costs to improve, repair or maintain sidewalks adjacent to highway-rail crossings.

7. Can cities tax railroad property?



Property owned by railroads is taxable, but the procedure for taxing such property varies depending on how the land is used. If the land is not used for railroad purposes, the valuation and taxing procedure is the same one that the city would use for other property within the city.

If the land is used for railroad purposes, the process is different. The Department of Revenue determines the market value of the land using a complex formula. The values are apportioned to local taxing jurisdictions and certified to each respective county after an equalization formula has been applied. The taxing jurisdictions then proceed in the same manner as they would for other property in the city.

8. Can special assessments be put on railroad property?



Cities may levy special assessments against railroad property for the cost of improvements that benefit that property. Notice must be given to the railroad in the same manner as other property owners, and the assessment amount cannot exceed the value that the improvement has to the property.

9. Can the cost of abating a nuisance be levied against railroad property and collected with its property taxes?

Sometimes railroad property can fall into disrepair or become a dumping ground for appliances or trash. These conditions can become a threat to public health. Cities can address such situations in their nuisance ordinances and require that the property be cleaned up. The city may also provide that it will abate the nuisance if it is not cleaned up and bill the railroad for the cost of the cleanup. The city's ordinance may provide for making unpaid service charges to abate nuisances a special assessment against the property.

10. Who can put traffic signs at railroad crossings?

All traffic signs and signals must be approved by Mn/DOT before they can be installed at railroad crossings. Signs and signals must meet certain criteria for signs and signals found in the *Manual on Uniform Traffic Control Devices*.

11. Who is liable for accidents at railroad crossings?



Responsibility for accidents at railroad crossings is a fact determination that must be made for each individual accident after considering the specific circumstances of the incident. The federal train horn rule is intended to remove liability from the railroads for failure to sound the horn at highway-rail crossings within a quiet zone. However, since damages and losses from such accidents are usually substantial, everyone who might have contributed to the circumstances will probably be included in a lawsuit. This could include the railroad, the owners of any property that is damaged, anyone who was injured or killed (or one of their relatives), the manufacturer of whatever was being transported by the railroad, and quite possibly the city, among others.

12. What can city officials do to help residents who have complaints about railroads?

If the complaint deals with an area that is controlled by federal or state law, city officials should communicate this fact to the resident. The complaining person should be provided with the name and phone number of both the railroad and the appropriate regulatory agency so he or she can contact them with their complaint. In addition, the city should contact the railroad directly to make it aware of the complaint. Even in areas where a city is without formal regulatory powers, a railroad will want to maintain good relations with the community.

City officials might also suggest the person contact his or her state or federal lawmaker about changes to existing legislation. Cities can also work towards encouraging such legislative changes.

If the complaint deals with an area where the city has power to regulate, the city can contact the railroad about remedying the situation. If an agreement cannot be reached with the railroad, the city could consider passing and/or enforcing an ordinance.

13. Where can cities get further information?



The League of Minnesota Cities has other information that discusses issues relating to railroads. Call the League's Research and Information Service at (651) 281-1200 or (800) 925-1122 for further information.

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Part I. Introduction

Railroads have played an important role in the development of the United States and in the growth of Minnesota. When trains first reached the western U.S., the population of the West Coast exploded as people could now travel faster and more efficiently. Freight trains made it easier to ship products and the mining, logging, and agriculture industries began growing rapidly. Today, freight trains are an important means of transporting large amounts of goods to various shipping ports that link many Minnesota businesses to the world market.

With growth, however, problems can also arise. As cities grow and more trains run through cities more frequently, traffic congestion and noise can become issues. This memo discusses many of the more common concerns cities must deal with when a railroad runs through city limits. It also outlines many of the areas in which federal and state agencies regulate railroads, and the ways in which cities may regulate railroad issues within their communities.

49 C.F.R. § 1201.1 – 1. See *Information about Minnesota's Railroads* www.dot.state.mn.us/ofrw/railroads.html.

Many different types of railroads operate within Minnesota. Railroads are classified as Class I, Class II or Class III, with Class I railroads having the larger operating revenues. The Surface Transportation Board (STB) determines the classification of each railroad based upon its annual operating revenues. These classifications are used for accounting and reporting standards. Regional and short-line railroads are lighter density lines that have been spun off by a Class I carrier.

Part II. Railroad regulatory agencies

The railroad industry is regulated at various levels. Although primarily controlled at the federal level, the state also has jurisdiction in some situations. Local regulation is more limited.

B. Federal

Many federal regulatory agencies regulate railroad equipment and operations. The following agencies are among those that commonly regulate railroads:

The [FRA](#) can be contacted at 1-800-724-5040.

- ***Federal Railroad Administration (FRA)***. The FRA regulates rail safety in five disciplines, including tracks, signal and train control, operating practices, mechanical equipment, and hazardous materials. The FRA is part of the U.S. Department of Transportation.

The [STB](#) can be contacted at (202) 565-1500.

The [FHWA](#) can be contacted at (651) 291-6100.

The [NTSB](#) can be contacted at (630) 377-8177 or (202) 314-6000.

The [EPA](#) can be reached at 1-800-621-8431.

- ***Surface Transportation Board (STB)***. The STB has jurisdiction over many different areas. The important ones relating to railroads include railroad rate and service issues, rail restructurings (such as mergers and line sales, construction, and abandonment), and some related labor issues.
- ***Federal Highway Administration (FHWA)***. The FHWA maintains several highway safety programs and funds to improve railway-crossing safety. This office is primarily responsible for administering federal funds to help with these costs. The agency is part of the U.S. Department of Transportation.
- ***National Transportation Safety Board (NTSB)***. The NTSB is responsible for independent accident investigation in several areas. With regard to railroads, the NTSB investigates accidents in which there is a fatality or substantial property damage or accidents that involve a passenger train. It also investigates highway accidents, including railroad crossing accidents.
- ***Environmental Protection Agency (EPA)***. The EPA enforces air, water, and noise standards. The air and water standards are of general application to other industries, but the noise standards are specific to railroad equipment and operations.

C. State

The following state agencies are also involved in regulating railroads:

Contact [Mn/DOT](#) at (612) 296-3000 or (800) 657-3774 or (800) 627-3529 (TTY) or the League for the name and phone number of individuals within OFRW and their area of specialty.

The [MPCA](#) can be contacted at (651) 296-6300 or 800-657-3864 or TTY 651-282-5332.

- ***Office of Freight, Railroads and Waterways (OFRW)***. This office deals with a number of railroad areas, including track repair and removal, accident reports, railroad/traffic signals, grade crossing safety, signs, signals, and surfaces, among others. This office is part of the Minnesota Department of Transportation (Mn/DOT) and also part of the Office of Freight and Commercial Vehicle Operations (OFCVO).
- ***Minnesota Pollution Control Agency (MPCA)***. The MPCA enforces clean air, ground, and water rules. Although it doesn't enforce noise regulations, it does measure noise levels for compliance with federal standards.

D. Local regulation

Regulation at the local level is generally rather limited. However, cities currently appear to have some ability to regulate the following areas:

See Part IV - A - *Train horns*.

Use of locomotive horns. A federal rule published Dec. 18, 2003, and effective Dec. 18, 2004, pre-empts state or local government regulations as to the use of locomotive horns. However, a city can maintain a qualified existing quiet zone or establish a new quiet zone by following all the complex procedures set out in this federal train rule. A quiet zone is a section of a rail line that contains one or more consecutive public crossings at which locomotive horns are not routinely sounded.

See Part VII - D - *Special assessments* and E - *Maintenance of railroad property*.

- **Special assessments.** Cities can use special assessments to collect the costs of improvements that will benefit railroad property. The amount assessed may not exceed the increase in the market value of the property as a result of the improvement. The cost of nuisance abatement may also be collected using special assessments.

See Part VII - C - *Property taxes*.

- **Property taxes.** Cities can collect property taxes from railroad property, but the valuation of the property is done by the state in most circumstances.

See Part VII - F - *Zoning*.

- **Zoning.** Cities can enforce their zoning regulations against some types of property owned by railroads. Generally, a city cannot use its zoning regulations to prohibit property being used for railroad operating purposes, but other non-operating property may be made to comply with local zoning regulations.

Part III. Railroad crossings

Railroads cross other public rights-of-way in different fashions. The most common is the grade crossing, where the railroad and the highway/street share an intersection at the same level. In addition to this type of crossing, there are overpasses (where the railroad passes above the street or highway) and underpasses (where the railroad passes beneath the street or highway). This memo only addresses public crossings, although the information may also apply to private rail crossings.

E. Bridges and tunnels

If a grade crossing is found to be hazardous, the commissioner of Mn/DOT may order several remedies. Two of these options are to separate the grade and provide either an underpass (tunnel) or an overpass (bridge) for the tracks. The commissioner of Mn/DOT will also determine the cost of installing and maintaining such structures. The cost is usually divided between the railroad authority and the road authority (city, town or county).

[Minn. Stat. § 219.40, subd. 1.](#)

Also see Part III - B - 7 - *Dangerous crossings—how to proceed*.

F. Grade crossings

[Minn. Stat. § 219.16.](#)

According to Mn/DOT, there are 5,093 public rail crossings and 3,254 private rail crossings in Minnesota. State statute defines a “grade crossing” as the intersection of a public highway and the tracks of a railroad on the same plane or level. This definition does not include street railways within a city’s limits.

[49 C.F.R. § 234.5.](#)

Federal regulation defines a “highway-rail grade crossing” as a location where a public highway, road, street or private roadway crosses one or more railroad tracks at grade. This definition also includes sidewalks and pathways that cross railroad tracks.

Sternitzke v. Donahue’s Jewelers, 83 N.W.2d 96 (1957); *Donalk v. Moses*, 94 N.W.2d 255 (1959); *Kopveiler v. Northern Pac. Ry. Co.*, 160 N.W.2d 142 (Minn. 1968).

Cities retain the primary duty and responsibility with respect to the maintenance and repair of public sidewalks in the right of way adjacent to a highway-rail grade crossing. A city should adopt a policy for street and sidewalk maintenance, inspection, and repair and follow their policy. For more information, see the LMCIT information memo, “*Streets and Sidewalks.*”

1. New grade crossings

[Minn. Stat. § 219.072;](#)
[Minn. R. § 8830.2700.](#)

The commissioner of Mn/DOT must approve all new grade crossings. The city and the railroad can agree to the new crossing and then seek approval from the commissioner. If the city and the railroad cannot agree, either can file a petition with the commissioner to decide on any of the following matters:

- Whether a new crossing is needed.
- Where the new crossing should be located.
- The type of warning devices required.

The petition must set forth the facts and submit the matter to the commissioner for determination. The commissioner will give reasonable notice to hold a hearing and issue an order determining the matters submitted.

If the commissioner approves the new grade crossing, he or she may also direct that the costs be divided between the railroad company and the city as the parties may agree. If the city and the railroad do not agree on the division of costs, the commissioner may determine the amount on the basis of benefit to each.

[Minn. Stat. § 219.073.](#)

Mn/DOT is seeking to reduce the number of grade crossings in the state. Because of this, it may be difficult for cities to get approval of a new grade crossing.

2. Changes of grade

Minn. Stat. § 219.08.

State law also sets requirements for grade crossing changes. When a railroad company changes or raises the grade of its tracks at a crossing, it must also grade the approaches on each side in order to make the approach and crossing of the tracks safe for vehicles.

3. Grade crossing improvements

23 C.F.R. § 646.210 (b).

The Federal Highway Administration (FHWA) has adopted a regulation providing that federal aid projects for grade crossing improvements do not require railroads to share in the cost of improvements.

23 C.F.R. § 646.210 (a).

The regulation also states that state laws requiring railroads to share in the cost of work for the elimination of hazards at railroad crossings do not apply to federal aid projects.

4. Maintenance/upgrades

Minn. Stat. § 219.071, subds. 1, 2.

It is the responsibility of the railroad (both the owner and the lessee) to keep a grade crossing surface safe and passable for vehicles in a manner consistent with federal track safety standards.

If a grade crossing surface needs improvement, repair or maintenance, the work may be paid jointly by the railroad company, its lessee, the road authority, and available state and federal funds.

5. Closing crossings

Minn. Stat. § 219.073.

In recent years, Mn/DOT has sought to reduce the number of grade crossings in Minnesota.

Minn. Stat. § 219.074.

Public bodies and railroad companies may agree to the vacation, relocation, consolidation or separation of grades at grade crossings. If they cannot agree on the relocation, manner of construction, or a reasonable division of expenses, either may file a petition with Mn/DOT, which will hold a hearing to make a determination.

6. Signs and signals

Minn. Stat. § 219.06.

State statute requires that a railroad company must maintain a proper and conspicuous sign wherever its lines cross a public road. If a railroad fails to do this, it must pay \$10 for each day it fails to meet the requirement. The money must be paid to the municipality with authority over the public road the railroad crosses.

Minn. Stat. §§ 219.17 -20;
Minn. Stat. § 219.26; Minn.
Stat. § 219.30.

Mn/DOT regulates railroad warning signs and crossing stop signs. Municipalities must get permission from Mn/DOT in order to install a new sign or to remove an existing sign. It is a crime to remove, damage or destroy any railroad sign or device without permission from Mn/DOT.

Minn. Stat. § 219.20.

A stop sign is required at each grade crossing if necessary for the reasonable protection of life and property. The commissioner of Mn/DOT determines whether conditions exist that make it necessary for people to stop before the crossing. A city may submit a petition to the commissioner if it would like a stop sign installed at a crossing.

Minn. Stat. § 219.24.

The Mn/DOT commissioner also has the power to determine if safety issues warrant the railroad installing additional devices or signals. However, the public authority responsible for safety and maintenance of the roadway that crosses the railroad tracks may install additional or alternative safety measures to maintain an existing quiet zone or establish a new quiet zone subject to the federal train horn rule. Local authorities must notify all involved well before installing additional or alternative safety measures at a grade crossing.

See Part IV-A *Train Horns I. Federal Train Horn Rule.*

Minn. Stat. § 219.19.

The Mn/DOT commissioner may designate additional warning sign requirements if necessary for the protection of life and property. If an additional warning sign is required, the road authority pays the cost and maintenance of the sign.

49 U.S.C.A. § 20504; 49 U.S.C.A. § 20134 (b); 49 C.F.R. § 234.1-234.6.

The U.S. Dept. of Transportation regulates signal systems to ensure the safe maintenance, inspection, and testing of signal systems and devices at railroad highway grade crossings. The regulation is done through the Surface Transportation Board (STB) and the Federal Railroad Administration (FRA).

7. Dangerous crossings—how to proceed

Minn. Stat. § 219.14.

The commissioner of Mn/DOT may investigate and determine whether a railroad crossing over a street or public highway is dangerous to life and property. If the crossing is found to be dangerous, the commissioner may order the crossing protected in any reasonable manner, including requiring the railroad to separate the grades.

Minn. Stat. § 219.39.

City councils, county boards, township boards, and railroad companies may submit petitions asking the commissioner to determine if a railroad crossing a street or highway appears to be dangerous to life and property. The petition must give reasons for the allegation. Upon receiving the petition, the commissioner must investigate the matters contained in the complaint and, when necessary, initiate a hearing.

G. Safety

Also see Part VIII - B – *Liability.*

Safety is an important issue to railroads, public roadway authorities, and the general public. Sight lines, obstructions to view and traffic, and maintenance of the crossing and its signs and signals are important for ensuring safety.

1. Sight lines/view

Railroads are generally responsible for keeping obstructions from blocking the view of motorists or pedestrians who will cross their tracks at railroad crossings.

Minn. Stat. § 219.384, subd. 1.

The governing body of a municipality may require the removal of an obstruction to a railroad right-of-way in order to provide an adequate view of oncoming trains at a railroad crossing. Removal of such obstructions may be required of any of the following:

- The railroad company.
- The road authority.
- An abutting property owner.

Minn. Stat. § 219.384, subd. 1.

The municipality must give written notice that the obstruction interferes with the safety of the public traveling across the railroad crossing.

Minn. Stat. § 219.384, subd. 2.

If the obstruction is not removed within 30 days after the written notice, a fine may be imposed. The amount of the fine is \$50 for each day the situation remains uncorrected, and may be recovered in a civil court action.

2. Signals

49 U.S.C.A. § 20134 (b);
49 C.F.R. § 234.1-234.6.
See discussion in previous section.

The U.S. Department of Transportation has adopted regulations to ensure safe maintenance, inspection, and testing of signal systems and devices at railroad highway grade crossings. The state also regulates the installation of signs and signals at grade crossings.

3. Traffic obstruction

Minn. Stat. § 219.383, subd. 3.

A railroad is prohibited from allowing a standing train, car, engine or other railroad equipment to block a grade crossing for longer than 10 minutes. This prohibition does not apply in First Class cities that regulate street obstruction by ordinance.

Part IV. Noise

Residents who live near railroad right-of-ways sometimes complain about noise and vibration from railroads. Federal or state laws pre-empt local control of these issues. However, the train horn rule, discussed in the next section, now provides an opportunity for cities to mitigate the effects of train horn noise by establishing new “quiet zones.” The rule also details actions communities with pre-existing “whistle bans” can take to preserve the quiet they are accustomed to.

H. Train horns

See Part IV - *Federal Regulations*.

[Minn. Stat. § 219.166](#)
preempted by 49 C.F.R. § 222.7.

Train horns are warning devices used to signal railroad employees and others. They are used to warn the public that a train is approaching a crossing. They are also used to tell railroad employees what the engineer is about to do (stop, back up, pull forward, etc.). Engineers blow their locomotive horns at all public crossings unless a city has passed an ordinance to prohibit the practice. The train horn rule, a federal rule, published Dec. 18, 2003, and effective Dec. 18, 2004, pre-empts city ordinances that prohibit the sounding of locomotive horns unless the city has met the rule's extensive criteria to either maintain an existing quiet zone or establish a new quiet zone.

1. Federal regulation

49 C.F.R. § 222.

The train horn rule, a federal regulation published on Dec. 18, 2003, and effective on Dec. 18, 2004, requires that locomotive horns be sounded at virtually all public, highway/rail at-grade crossings in the United States. The rule contains additional provisions that set a maximum sound level for locomotive horns and limits sound directed to the side.

The rule does not apply to the use of locomotive horns on:

49 C.F.R. § 222.5.

- A railroad that exclusively operates freight trains on track that is not part of the general railroad system of transportation.

49 C.F.R. § 222.5.

- Passenger railroads that operate at a maximum speed of 15 miles per hour and only on track that is not part of the general railroad system of transportation.

49 C.F.R. § 222.5.

- Rapid transit operation within an urban area that is not connected to the general railroad system of transportation.

49 C.F.R. § 222, Appendix C
Guide to Establishing Quiet Zones.

Tammy Wagner, Region 4
Highway Crossing Manager
1-800-724-5040.

49 C.F.R. § 222.39.

The basic premise of the train horn rule is to permit quiet zones only if overall safety is equivalent to crossings where train horns are sounded. The two types of quiet zones allowed under the rule are new quiet zones or pre-rule quiet zones. Some information on each type of quiet zone is provided below. However, cities must work with the city attorney and the FRA to ensure that a particular quiet zone complies with the detailed requirements of the rule.

2. New quiet zone

49 C.F.R. § 222, Appendix C.

In order for a quiet zone to be qualified under this rule, the lack of the train horn must not present a significant risk with respect to loss of life or serious personal injury, or the significant risk must have been compensated for by other means. The rule provides four basic ways in which a quiet zone may be established.

- One or more supplemental safety measures as identified in the rule are installed at each public crossing in the quiet zone.

- The quiet zone risk index is equal to, or less than, the nationwide significant risk threshold without implementation of additional safety measures at any crossings in the quiet zone.
- Additional safety measures are implemented at selected crossings resulting in the quiet zone risk index being reduced to a level equal to, or less than, the nationwide significant risk threshold.
- Additional safety measures are taken at selected crossings resulting in the quiet zone risk index being reduced to at least the level of risk that would exist if train horns were sounded at every public crossing in the quiet zone.

49 C.F.R. § 222, Appendix A and B.

The supplementary and alternative safety measures, which a local government most likely will have to pay for, must comply with extensive requirements of Appendix A and B of the rule.

Quiet Zone Calculator
www.fra.dot.gov/Content3.asp?P=1337.

The FRA has created the “Quiet Zone Calculator,” a web-based tool that allows local jurisdictions to research the feasibility of creating a quiet zone in their community that complies with FRA’s train horn rule. City planners, traffic engineers, and other transportation professionals are the anticipated users of the calculator.

See “Pre-rule quiet zones” discussion in next section.

The Quiet Zone Calculator allows users to access the FRA-maintained national grade crossing inventory and FRA highway-rail grade crossing accident records, select a series of crossings, test proposed safety implementation plans that are in compliance with the horn rule, and generate summary reports. The user will be able to create multiple scenarios for new quiet zones as well as for zones that already have a whistle ban.

The calculator will determine the risk level for the proposed quiet zone corridor. The risk level will then be evaluated to determine whether quiet zone criteria have been met. If not, supplemental safety measures can be applied to reduce the risk until the criteria have been met.

1. Pre-rule quiet zones

49 C.F.R. § 222, Appendix C
Guide to Establishing Quiet Zones.

A pre-rule quiet zone is a quiet zone that contains one or more consecutive grade crossings subject to a whistle ban that has been actively enforced or observed as of Oct. 9, 1996, and Dec. 18, 2003.

The rule treats pre-rule quiet zones slightly differently than new quiet zones. This is a reflection of the fact that some communities have restricted train horns sounding in their jurisdiction for quite some time and wish to continue that restriction.

According to the FRA, there are a number of cities in Minnesota with existing whistle bans that may qualify as a pre-rule quiet zone. Cities with an existing whistle ban that wish to maintain the whistle ban as a pre-rule quiet zone, should work with the city attorney to meet the extensive requirements for a pre-rule quiet zone.

See Status of Existing Whistle Bans
www.fra.dot.gov/Content3.asp?P=1390.

The rule provides that an existing whistle ban may qualify for automatic FRA approval as a pre-rule quiet zone in one of three ways:

- By installing a supplemental safety measure (SSM) at each public crossing in the quiet zone.
- By having a quiet zone risk index that is equal to or less than the national significant risk threshold.
- By having a quiet zone risk index that is equal to or less than twice then the national significant risk threshold, and ensuring there have been no relevant collisions at any of the public crossings during the past five years

Quiet Zone Calculator
www.fra.dot.gov/Content3.asp?P=1337.

Ultimately, the FRA's Quiet Zone Calculator must be used to determine whether an existing whistle ban qualifies for automatic approval under the rule. The calculator will allow the user to identify the crossings that are in the whistle ban. The user will then be able to update the relevant data elements for each crossing so that the actual conditions are used in the risk calculations. This is the only way to actually determine an existing whistle ban's status under the rule.

Train horns will not sound in existing whistle ban areas if the city states an intention to the FRA and others to maintain a pre-rule quiet zone and do whatever is required within five years of publication. Again, cities must consult legal counsel to ensure all the legal requirements of the rule are met for either a new quiet zone or a pre-rule quiet zone.

49 C.F.R. § 222.41(b)(2).

Pre-rule quiet zones that do not meet the requirements for automatic approval, must meet the same requirements as new quiet zones as discussed above. In other words, risk must be reduced through the use of supplemental or alternative safety measures so that the quiet zone risk index for the quiet zone has been reduced to either the risk level that would exist if locomotive horns sounded at all crossings in the quiet zone or to a risk level equal to or less than the nationwide significant risk threshold. In general, pre-rule quiet zones must meet these requirements by Dec. 18, 2008.

49 C.F.R. § 222.23.

It is important to note that even in a quiet zone, a train horn may be sounded in an emergency situation, at the sole discretion of a locomotive engineer, to provide a warning to vehicle operators, pedestrians, trespassers or crews on other trains if such action is appropriate in order to prevent imminent injury, death or property damage.

49 C.F.R. § 210.3 (b)(3).

Several federal regulations set maximum noise levels for certain railroad equipment. Although many operations and equipment are regulated and have maximum noise levels, horns that are operated as warning devices are generally exempt from these limits.

49 C.F.R. § 229.129.

Audible warning devices on trains must meet minimum sound level requirements. Federal regulation requires each lead locomotive to be equipped with an audible warning device that produces a minimum sound level of 96 dBA at 100 feet forward of the locomotive in its direction of travel.

2. State regulation

Minn. Stat. § 219.567
probably pre-empted by 49
C.F.R. § 222.7.

State law, probably pre-empted by the federal train horn rule, says it is a misdemeanor for an engineer driving a train to fail to do the following:

- Ring or sound the bell at least 80 rods (440 yards or 1,320 feet) from the intersection.
- Continue to ring or sound the bell at intervals until the train has completely crossed the road or street.

I. Other train noise

Not only noise from train horns can disturb residents. The noise from railroad operations has also been an issue in some communities. This has included such things as engine noise and switching and car coupling operations.

1. Federal regulation

49 C.F.R. § 210.3.

Federal statutes and regulations set standards for railroad noise. The following type of operations and equipment have maximum noise levels that cannot be exceeded:

42 U.S.C.A. § 4916.

49 C.F.R. § 229.121.

40 C.F.R. § 201.11.

40 C.F.R. § 201.12.

40 C.F.R. § 201.15.

49 C.F.R. § Pt. 210, App.
A.

49 C.F.R. § 210.11.

- Noise emission.
- Locomotive cab noise.
- Stationary operations of locomotives.
- Moving operations of locomotives.
- Car coupling operations.
- General railroad noise standards.

The Federal Railroad Administration (FRA) may grant a waiver of compliance with any FRA noise regulation if it is in the public interest and consistent with railroad noise abatement and safety. The waiver may be subject to any condition the administrator deems necessary.

2. State regulation

State noise regulations are generally not enforced against railroads. However, the Minnesota Pollution Control Agency (MPCA) measures noise from railroads to determine compliance with federal standards.

3. Local regulation

42 U.S.C.A. § 4916 (c).

No state or political subdivision may adopt or enforce any noise emission standards for the operation of railroad equipment unless the standard is identical to the Environmental Protection Agency (EPA) regulation. A state or political subdivision may still establish and enforce regulations on noise and the operation or movement of any product if the EPA administrator and the U.S. Secretary of Transportation agree that both of the following situations exist:

- The local regulation is necessitated by special local conditions.
- The local regulation is not in conflict with any of the federal regulations.

J. Scheduling

The number of trains that travel per day and the times they are scheduled to travel is generally not regulated at the state or federal levels. Scheduling is established by individual railroads. Cities are unlikely to be able to regulate this area, as it would probably be seen as a restriction of interstate commerce.

Part V. Speed

Although both the state and federal government regulate train speed, the majority of this regulation occurs at the federal level. Only crossing speeds are regulated by the state.

Federal law provides maximum speed limits for trains based upon the contents of the train and the classification of the track. The commissioner of Mn/DOT sets safe speed limits for trains with regard to crossings. In most cases, local regulation of train speed is probably pre-empted by these federal and state agencies.

In February 1999, a city petitioned the commissioner of Mn/DOT to impose a speed limit of 10 miles-per-hour for trains operating on a railroad line that went along a city street. The city felt the segment of track is unique because it runs down the middle of the street. As a result, a large number of grade crossings and pedestrian and vehicle traffic make the area particularly unsafe.

The railroad filed opposition to the city's petition, and a contested case hearing was held before an administrative law judge (ALJ) in April 1999. The ALJ issued a written recommendation agreeing with the city's position. Consistent with this recommendation, the commissioner issued an order setting a 10 miles-per-hour speed limit along the track until the railroad and the city could improve the safety and warning mechanisms and reduce visual clutter in the area.

In the Matter of the Speed Limit for the Union Pacific Railroad through the City of Shakopee, 610 N.W.2d 677 (Minn. App. 2000).

The railroad appealed the ALJ's decision, arguing that the commissioner's authority to impose railroad speed limits is completely pre-empted by federal regulations. The Minnesota Court of Appeals disagreed, however. It held that the commissioner's authority is not pre-empted by federal law.

K. Grade crossing speeds

Minn. Stat. § 219.383, subd. 1, 2.

State statute allows a city council or a railroad to petition the commissioner of Mn/DOT to consider setting a reasonable speed limit for trains that cross public highways or streets in the city. The commissioner may hold a public hearing before setting a speed for the operation of an engine or train.

Despite the existence of this statute, some feel the federal regulation of track speed pre-empt's state authority to regulate in this area.

Fritz v. First Division of St. P. & P.R. Co., 22 Minn. 404 (1876).

An early Minnesota Supreme Court decision held that a city ordinance that set a speed limit for trains meant that a railroad company was negligent for an accident that occurred when the train was exceeding the speed limit. It is quite possible such an ordinance could be pre-empted at the state or federal levels today, given the date of this case (1876).

Many cities have sought voluntary compliance with railroads due to special circumstances, such as railroad tracks that are near schools, etc.

L. Track speeds

The construction and design of railroad tracks are also important with regard to the maximum speed a train can travel. Track speeds based upon the track construction and design are regulated at the federal level. Regulations require that tracks meet certain standards in order to be designated as a certain class of track. The class of a track determines at what maximum speed trains can travel along it.

The following table indicates the classes of tracks and the respective speeds that may be traveled on each class:

49 C.F.R. § 213.9 (b).

Track class (Note: If a track does not meet the requirements for its intended class, it is reclassified to the next lowest class of track.)	Speed for freight trains (mph)	Speed for passenger trains (mph)
Excepted track	10	10
Class 1 track	10	15
Class 2 track	25	30
Class 3 track	40	60
Class 4 track	60	80
Class 5 track	80	90
Class 6 track	110	110
Class 7 track	125	125
Class 8 track	160	160
Class 9 track	200	200

49 C.F.R. § 213.307 (a).

This memo does not discuss the detailed structural requirements of each class of track. For further information regarding track classifications, cities should contact the FRA.

M. Signal systems

49 C.F.R. § 236.0 (c), (d).

The types of signal systems a railroad has can also affect the speed that a train may travel. The FRA requires that certain block signal systems be in place before a train can travel at speeds greater than 59 mph (passenger trains) or 49 mph (freight trains) on the appropriate class of track. Special signal systems are required to exceed 79 mph.

Signal systems are tested by Mn/DOT to ensure the signal will allow enough warning time given the speed that trains will travel on it. If the signal does not allow adequate warning, Mn/DOT requires it be replaced with one that will.

N. Contents of train

Contact the [FRA](#) for further details on hazardous material shipments. Also see Part VIII - A - 2 - *Hazardous material shipments*.

As noted above in the discussion of track classes, there are different speeds for trains depending upon their content. Freight and passenger trains are allowed to travel at different maximum speeds on the same stretch of track. There are sometimes additional restrictions for trains carrying hazardous materials.

Part VI. Railroad equipment

Both state and federal statutes contain requirements for railroad equipment. As such, cities are unlikely to be able to regulate in this area. The following areas are regulated by state and federal law or regulation:

[49 U.S.C.A. § 20143.](#)

Burlington Northern R. Co. v. State of Minnesota, 882 F.2d 1349; *Southern Pacific Co. v. Arizona*, 325 U.S. 761 (1945).

[49 U.S.C.A. § 20148.](#)

[49 U.S.C.A. § 20142.](#)

- ***Locomotive engines and visibility.***
- ***Train length.*** Federal regulation pre-empts state law or regulations in this area. The U.S. Supreme Court found that states could not enforce statutes that limit the number of cars a train could have. It was found to be a restriction of interstate commerce and was held unconstitutional.
- ***Visibility of railroad cars.***
- ***Tracks.***

Part VII. Railroad property

This section deals with railroad real estate in the following areas:

- Acquisition and disposal of railroad property.
- Condemnation of railroad property by cities.
- Property taxes.
- Special assessments.
- Maintenance of railroad property.
- Zoning.

O. Acquisition and disposal of railroad property

Depending upon how a specific piece of land has been acquired by a railroad, there may be restrictions on the use of that land or the ability of the railroad to sell, lease or abandon the land. It may be important for a city to understand these restrictions if it is seeking to buy railroad property.

Hofman Oil Co., Inc. v. City of Princeton, (No. C9-01-819) 2002 WL 4598 (Minn. Ct. App. Jan. 2, 2002).

For example, a railroad must offer private leaseholders the “right of first refusal” or the first opportunity to purchase real property within a right-of-way that is either being abandoned or offered for sale.

Railroads acquire real property in a number of different ways. Some land may have been part of a federal land grant that was made to many railroads by Congress during the 1860s. Some railroad charters may mention specific portions of land and contain limits on its use or sale. Other land may have been acquired by purchase or eminent domain.

[Minn. Stat. § 222.27.](#)

Railroad corporations have the power to acquire land by purchase or eminent domain. This applies to any land that is needed for roadways, spur and side tracks, rights-of-way, depot grounds, yards, grounds for gravel pits, machine shops, warehouses, elevators, depots, station houses, and all other structures necessary for the use and operation of the road.

[Minn. Stat. § 222.26.](#)

A municipality and a railroad may agree upon the manner, terms, and conditions under which a municipal right-of-way may be used or occupied by the railroad. A railroad may use condemnation to acquire property over other public rights-of-way.

[Minn. Stat. § 117.38-41.](#)

Sometimes the United States government, the state of Minnesota, or another government authority authorizes the change of a public watercourse (such as a stream, river, harbor, etc.). In such a situation, a railroad may acquire property using eminent domain if it is interested in the change of the watercourse for the purpose of enlarging or improving their property.

[49 U.S.C.A. § 10903.](#)

Federal statute requires that a railroad must file an application with the Surface Transportation Board before it can abandon any part of a line.

P. Condemnation of railroad property by cities

[Minn. Stat. § 117.57.](#)

The only state statute that specifically addresses condemnation of railroad property is found in the economic development chapter and deals with the clean-up of contaminated railroad property. The railroad property must meet all of the following criteria under this statute in order to use this authority:

[Minn. Stat. § 117.57, subd. 1\(1\).](#)

- It must not be a line of track that is required to be abandoned under federal law unless the abandonment has been approved.

[Minn. Stat. § 117.57, subd. 1\(2\).](#)

- It must not be currently used for any of the following:
 - Switching.
 - Loading or unloading.
 - Classification activities.

(Note: Storage, maintenance, and repair activities are not included in the above activities.)

[Minn. Stat. § 117.57, subd. 1\(3\).](#)

- The land to be taken must contain pollution or the threatened release of pollution.

Minn. Stat. § 117.57, subd. 1(4).

- The authority must intend to develop the property, and have a plan for its cleanup and development within five years to maximize its market value.

There are some additional restrictions on the use of this type of eminent domain that should also be considered. Municipalities that want to use eminent domain to acquire railroad property should consult with their attorney before deciding to use this process.

Q. Property taxes

Minn. Stat. § 270.81, subd. 2; Minn. R. § 8106.0600.

Cities may levy property taxes against property that is owned by railroads. Property that is not used for railroad operating purposes is valued and taxed by local taxing jurisdictions in the same manner as other properties. This means the local assessor determines the classification and market value of railroad non-operating property for property taxation purposes.

Minn. Stat. §§ 270.80-88.

The taxing procedure for railroad operating property, however, is done differently. The market value of property used for railroad purposes is annually determined by the Department of Revenue using a complex formula. The values are then apportioned to local jurisdictions and certified to each respective county after an equalization formula has been applied. At this point, the local taxing jurisdictions proceed in the same manner as for other commercial and industrial properties that are being taxed.

Minn. Stat. § 270.81, subd. 3.

The Department of Revenue determines if particular property owned by a railroad is classified as operating property or non-operating property.

49 U.S.C.A. § 11501.

Federal statute prohibits discriminating against railroad operating property when determining the market value of the land for taxing purposes. This means railroad transportation property may not be assessed at a higher ratio to true market value than the ratio of other commercial and industrial property in the same jurisdiction.

Minn. Stat. § 270.82; Minn. R. § 8106.0300, subp. 1.

All railroad companies operating in Minnesota are required to file an annual report with the Department of Revenue. The information on this report is used for railroad property tax purposes. Basically, the Department of Revenue does the following:

Minn. Stat. § 270.84 and Minn. R. § 8106.0400.

- **Valuation.** This determines the fair market value (sales price) of the railroad's property.

Minn. R. § 8106.0500.

- **Allocation.** This determines how much of the market value is attributable to Minnesota.

Minn. Stat. § 270.86, subd. 1; Minn. R. § 8106.0700.

- **Apportionment.** This determines how much of the market value is apportioned to each local taxing jurisdiction that contains railroad property.

Minn. Stat. § 270.86, subd. 2; Minn. R. § 8106.0800.

- **Equalization.** This is an adjustment that is made to the final apportioned figures to ensure the railroad property values coincide with the values of other commercial and industrial properties within each county.

Cities really only become involved after the value of the railroad property has been determined by the state and certified to the county auditor. The taxing procedure is the same as for other properties the city taxes. For further information on railroad property taxes, contact the Department of Revenue, Property Tax Division.

R. Special assessments

See *Local Improvement Guide* (515a1a.3).

Cities are apparently able to levy special assessments against railroad property for the cost of improvements that benefit those properties. Notice must be given to the railroad in the same way that notice is given to owners of other property. As with any special assessments, the assessment amount cannot exceed the increase in market value of the property as a result of the improvement. (For more information, see the League research memo that discusses special assessment procedures in more detail.)

1. Supporting statutes, decisions, and opinions

Minn. Stat. § 429.061,
subd. 4.

Federal statutes do not address special assessments and railroad property. Since the federal statutes are silent, state and local regulation would appear not to be pre-empted. The state special assessment statutes address the ability of municipalities to recover unpaid special assessments from railroad rights-of-way. A lawsuit may be brought by the municipality to enforce the collection of the indebtedness, unless a different method of collection is provided for by any contract between the railroad right-of-way owner and the municipality.

See previous discussion on
property taxes.

It may be a challenge for cities to determine the market value of the land as well as the increase in market value of the land due to the improvement. Valuation of railroad land is discussed in another section of this memo.

A.G. Op. 408c (Oct. 8,
1962).

In a 1962 opinion, the attorney general concluded that a city could specially assess property owned by a railroad company for a street, curb, and gutter project.

A.G. Ops. 624-D-10 (Jun.
14, 1950) and (Aug. 24,
1950).

In two different earlier opinions, the attorney general's conclusion was similar, finding that the cost of a water main could be assessed to railroad property if the property was benefited by the improvement.

*In re Improvement of
Superior Street, Duluth*,
172 Minn. 554 (1927);
*Minnesota Transfer Ry. Co.
v. St. Paul*, 165 Minn. 8
(1925); and *State v. Great
Northern Ry. Co.*, 165
Minn. 22 (1925).

In several early court decisions, the Minnesota Supreme Court found that railroad property could be specially assessed for the cost of improvements that benefited the property. However, the assessment must not exceed the particular benefit to the specific property.

*City of Owatonna v.
Chicago, R. I. & P. R. Co.*,
450 F.2d 87 (8th Cir.)
(1971).

2. Example of a city assessment policy

See also Part VII - E - *Maintenance of railroad property*.

The practice in a larger Minnesota city is not to assess railroad operating property for the cost of improvements that benefit the property. Although the city has the power to levy special assessments for improvements on railroad right-of-way property, it chooses not to levy assessments against this type of property for the following reasons:

- The difficulty in establishing the value of the property.
- The difficulty in establishing the value of the improvement to the property.

See discussion of nuisance abatement in next section.

Even though the city does not specially assess railroad right-of-way property, it will assess property that is not being used as a right-of-way. This generally includes excess property or property that the railroad might lease for non-railroad use. However, the city will specially assess all railroad properties for nuisance abatement, regardless of whether it is used as a railroad right-of-way.

Under this city's policy, when the railroad objects to a special assessment amount for an improvement, the city reaches a compromise with the railroad regarding the amount. This compromise appears to be similar to the practice that many cities follow when handling objections to special assessment amounts from other landowners who object to their assessment amounts. The city has found this approach to be less expensive and time-consuming than going to court to recover an unpaid assessment.

S. Maintenance of railroad property

See *Model Nuisance Ordinance* (400a.3).

Occasionally, railroad property can fall into disrepair or become a dumping ground for appliances or garbage. These conditions can become serious threats to public health. Cities can address these situations in their nuisance ordinances, and provide for making unpaid service charges to abate nuisances a special assessment against the property.

[Minn. Stat. § 429.101, subd. 3.](#)

When a nuisance is found to exist on railroad property, a city should first make the owner of the property aware of the condition. Should the problem not be remedied, the city could proceed under its nuisance ordinance to clean up the problem and assess the cost under the special assessment statutes.

Both property owner and lessee can be held responsible for the cost of cleaning up property. In a case where the property is leased, the city should make both the owner and the person leasing the property aware of the condition. The city could try to bill directly or assess the cost to the property under the state's special assessment statutes.

See Part VII - D - *Special assessments*.

A larger Minnesota city's practice is to levy special assessments on railroad properties for nuisance abatement, regardless of whether the property is used as a railroad right-of-way. Unlike local improvements, it is easy to document a nuisance and the cost of abating the nuisance. The railroad generally has not questioned bills or special assessment amounts for nuisance abatement.

If the railroad has an easement over property, rather than owning title to the land under the property, the city can seek to recover the charges in a court action—although special assessments may still be used to collect the cost of the clean-up. The responsibility to keep the property in a nuisance-free condition is that of the landowner, who can collect the costs from the railroad company.

T. Zoning

It seems unlikely that cities have the ability to use zoning regulations to prohibit land from being used for railroad operating purposes. However, cities may be able to enforce some aspects of their zoning regulations on land owned by railroads. If land is owned by a railroad and used for non-railroad purposes, all zoning regulations are likely applicable.

No federal or state statutes specifically address the zoning of railroad property. Likewise, no Minnesota court decisions address this issue. However, several court decisions from other states have dealt with local zoning of railroad property. Although these decisions have limited application in Minnesota, they indicate a general trend that appears to be consistent. Thus, there is a good chance that a court decision could be similar in Minnesota, especially given the federal laws that have been considered in these other cases.

Gulf, C. & S.F. Ry. Co. v. White (1955, Tex Civ App) 281 SW2d 441.

In a 1955 Texas court decision, the court found that a city's zoning ordinance could not be used to prohibit the railroad from building an extension of a track on property already owned by the railroad. Although the landowners who protested the extension of the track believed the land would need to be zoned commercial rather than residential, the court found the following:

- The state had a sovereign interest in railroads.
- A state law allowed the railroad to acquire property through eminent domain to use it for the purpose that was sought.
- The municipality was prohibited from passing an ordinance that conflicts with something that the state law would allow.

Rapid Transit Advocates, Inc. v. Southern Cal. Rapid Transit Dist. (1986, 2nd Dist) 185 Cal App 3d 996.

The California Court of Appeals came to a similar conclusion in a more recent decision. It found that railways and railroads of a governmental entity were exempt from local zoning regulations.

Surface Transportation Board Decision (STB Finance Docket no. 33200, July 1, 1997).

The Surface Transportation Board (STB) was also asked to deal with a local zoning matter. The issue considered was whether state and local environmental, building, and land use permits could be required for an upgrade of a section of a railroad line.

Surface Transportation Board Decision (STB Finance Docket no. 33200, July 1, 1997).

In this 1997 agency decision, the STB held it had exclusive authority over the construction and operation of rail lines that are part of the interstate rail network. The STB also concluded that if such additional local regulation was allowed, it would be burdensome for the railroad and would serve to restrict interstate commerce. As a result, the power to authorize or deny the construction of railroad lines using a local permit process was not allowed.

A.G. Op. 59-a-32 (Jan. 24, 1952).

The Minnesota attorney general has addressed railroad and zoning issues in a few, rather dated opinions. In a 1952 opinion, a person was considering constructing a warehouse on a portion of the railroad right-of-way. The city asked if it had the right to zone the use of property on a railroad right-of-way. The attorney general concluded that nothing in the state zoning statutes or the state statutes on railroad right-of-ways would exempt railroad property from a city's zoning ordinance. It should be noted, however, that no mention of federal laws are made in this opinion.

A.G. Op. 817 (Oct. 2, 1944).

In a 1944 opinion, the attorney general considered whether a city's zoning ordinance could prevent the building of a railroad track. The facts in this situation were that a railroad might acquire playground property in a residential district using eminent domain. The city asked if the condemnation of the land could be stopped either because the land had been dedicated for park purposes or because it was zoned for residential use.

A.G. Op. 817 (Oct. 2, 1944).

The opinion declared that the railroad could not acquire a public playground for right-of-way use unless the use was consistent with its use as a playground. Whether or not the use was consistent was a fact determination that may need to be determined in court. The attorney general also found that the city's zoning ordinance could not prevent condemnation of right-of-way through a residential district.

Given the conclusions of the court decisions from other states and the STB decision, it would seem unlikely a city could use zoning regulations to prohibit construction or use of railroad operating property. However, such construction can likely be made to meet regulation standards such as the Americans with Disabilities Act accessibility guidelines, the state building and fire codes, and local setback and other design standards.

Property used for non-railroad purposes may be considered proprietary and thus be subjected to local zoning controls, including regulations that prohibit certain construction and use. City councils should consult with their city attorneys before attempting to enforce zoning regulations on any railroad properties.

Part VIII. Railroad emergencies

Railroad emergencies are usually very serious. Injuries are often severe, property damage great, and other dangers can erupt such as fires or chemical spills. During such emergencies, local public safety departments will likely be called upon to respond.

U. Response to emergencies

When a crash, derailment, fire or other incident occurs, there may be several situations that need to be addressed. There certainly will be some property damage, and very likely there will be people who have sustained injuries. But there may also be a release of chemicals. Fires must sometimes be handled differently if certain chemicals are involved. If a chemical is toxic, an evacuation may need to occur.

1. Responding entities

When a railroad accident or emergency occurs, there are several entities that will likely be involved. It is important that the many different organizations responding to the emergency are able to work together efficiently to deal with the situation. Canadian Pacific Railway publishes a document designed to help local public safety officials and other agencies coordinate efforts when responding to an emergency. The following are the common players who typically respond to railroad emergencies:

- **Local.** This includes local police, fire, and ambulance. Generally, these are the first departments to arrive at the scene of an accident, fire or spill. Since these departments are usually the first to respond, they must assess the situation to the best of their abilities and establish a first response to the situation. This includes helping the injured, controlling crowds, and the first possible response to environmental hazards that exist because of the incident, such as fires or chemical spills.
- **State and federal agencies.** These agencies will generally have involvement during the assessment and clean-up stage. They often have strict procedures that must be followed after an accident or chemical spill, such as drug testing of the engineer, clean-up procedures, and accident investigation.
- **Railroad.** The railroad will be involved throughout the incident. It knows its equipment and the contents of the train.

EPA 24-hour emergency number: 651-649-5451 or 800-422-0798.

TTY 24-hour emergency number: 651-297-5353 or 800-627-3529.

A copy of “*Working Together for a Safer Tomorrow*” is available from Phil Marbut of Canadian Pacific Railway, (612) 904-6133.

- **Manufacturers.** Companies that have shipped freight on the railroad will also be involved. They need to know what has happened to their shipments for business purposes. They are also in the best position to know the possible hazards that may surround the product they are shipping.

Local public safety departments can get a 24-hour emergency number from their railroad company. Public safety departments should keep the number in a safe and accessible place. The number is a special emergency number public safety officials can use to report train accidents and should not be used for any other reason.

2. Hazardous material shipments

The U.S. Department of Transportation is responsible for regulating hazardous materials, substances, and waste. The Environmental Protection Agency (EPA) also regulates hazardous substances and waste. For example, labeling of cars, placement of cars within a train, and train speed are regulated at the federal level.

Each train crew carries a sequential listing of all the cars and their contents, as well as emergency instructions for the handling of the materials if a release occurs.

The railroad industry offers training to local public safety officials. Cities should contact the railroad directly for information about coordinating training. Canadian Pacific Railway offers training and will help to coordinate training. This training includes classes on rail facilities; rail equipment; and the interaction of railroad employees, local response personnel, and other agencies that may respond to a train accident.

For further information on emergency response training for railroad accidents, contact Phil Marbut, Canadian Pacific Railway, (612) 904-6133.

V. Liability

It is not easy to determine who is responsible for an incident involving a railroad. Such conclusions are not usually made until considering all the factors that contributed to an accident. However, the following generalizations may be made based upon decisions of the courts over the years:

- **Railroads.** Railroads are often found liable for accidents if the crossing or tracks have not been properly maintained. They are also responsible for the actions of their engineers or employees for errors or speeding. The federal train horn rule is intended to remove liability from the railroads for failure to sound the horn at highway-rail crossings within a quiet zone.
- **Victims.** Victims of train accidents sometimes are responsible for the accident if they have trespassed or ignored signals or warnings.

Federal Register Vol. 68, No. 243 Thursday, December 18, 2003 p. 70607.

- **Cities.** Cities may be subject to claims for quiet zones and other types of regulation. Cities also have a general responsibility to maintain their streets and sidewalks, including those that approach railroad crossings. However, discretionary immunity may protect a city from liability exposure if reasons for the council’s decisions are well documented in the council meeting minutes.

Liability for an accident must be determined on a case-by-case basis. It is possible that defective equipment or hazardous weather conditions could also be factors that can contribute to an accident.

1. Grade crossing surfaces

Smrt v. Duluth, Winnipeg & Pac. Ry., 265 N.W.2d 815 (Minn. 1978).

Several Minnesota court decisions have indicated that railroads have a duty to maintain grade crossing surfaces. The Minnesota Supreme Court found that whether the railroad’s failure to maintain its grade crossing surface was more negligent for an accident than a motor vehicle driver’s inattention was a decision for the jury.

State ex rel. City of Fairmont v. Chicago, St. P., M & O Ry. Co., 148 Minn. 91 (1921).

In a 1921 decision, the same court found that a city could compel a railroad company to pave its crossing at the railroad’s own expense.

Chicago, M & St. P. Ry. Co. v. LeRoy, 124 Minn. 107 (1914).

Likewise, the cost of expanding a new city street across a railroad company’s tracks was properly imposed upon the railroad.

A.G. Op. 369-K (May 5, 1933).

The Minnesota attorney general has also concluded that a railroad must maintain the part of a town road that crosses a railroad right-of-way.

2. Obstructed views

Bryant v. Northern Pac. Ry. Co., 221 Minn. 577 (1946);
Bray v. Chicago, R.I. & P.R. Co., 232 N.W.2d 97 (Minn. 1975).

Railroads have been held responsible for accidents that occurred because of obstructions that kept motorists from seeing approaching trains. In one situation, trees and weeds had been allowed to grow on a railroad right-of-way and blocked a motorist’s view of a crossing. The Minnesota Supreme Court found the railroad had a duty to correct the dangerous condition of the crossing. A similar decision was reached in a 1975 decision where evidence showed that proper view was obstructed by a railroad’s signal house.

Munkel v. Chicago, M., St. P. & P.R. Co., 202 Minn. 264 (1938).

A railroad may be found negligent if conditions obstructing or interfering with the view of the train on the crossing are caused in whole or in part by the railroad’s acts or omissions.

3. Signs

[Minn. Stat. § 219.06 and Minn. R. § 8830.0800, .0600, and .0900.](#)

Both railroads and cities share responsibility to warn of a crossing. Railroads must maintain a sign at all railroad crossings. Public road authorities, including cities, are responsible for advanced warning signs that are off the railroad right-of-way. The road authority is also responsible for pavement markings.

4. Fires

[Minn. Stat. § 219.761.](#)

All railroads operating in Minnesota are liable for all reasonable expenses to put out fires caused as a result of their railroads. If a local fire department extinguishes a fire, it can receive reimbursement from the railroad by submitting a claim to the railroad within 60 days after the first full day after the fire was extinguished. The claim must include the following information:

[Minn. Stat. § 219.761, subd. 2.](#)

- The basis for the claim.
- The time, date, and place of the claim.
- The circumstances of the claim.
- The itemized cost incurred for the claim.

5. City discretionary immunity

Young v. Wlazik, 262 N.W.2d 300 (Minn. 1977) (overruled on other grounds by *Perkins v. Nat. RR. Passenger Corp.* 289 N.W.2d 462 (Minn. 1979).

Cities should remember they may have discretionary immunity from liability for many decisions or actions involving railroad crossings. In one situation, a city decided not to close a street that led to a hazardous railroad crossing. The Minnesota Supreme Court found that the city's decision involved a "legislative judgment balancing the risks and convenience the crossing presents," and concluded that the decision was protected by discretionary immunity.

McEwen v. Burlington Northern R. Co., 494 N.W.2d 313 (Minn. App. 1993).

In a 1993 decision, the Minnesota Court of Appeals held that the state was protected by discretionary immunity for its decision not to upgrade a railroad crossing. The state had considered financial constraints, limited funding, and safety considerations in making its decision not to upgrade the crossing.

Keeping good records will help protect the city from lawsuits regarding its legislative decisions. City councils should document the reasons for any decisions they make regarding railroad issues. . For example, a city might document why a street or sidewalk repair near a grade crossing may be undertaken at a later date rather than immediately.

Attachment B

FRA Track Standards and Inspection Fact Sheet

Class of Track

FRA's track safety standards establish nine specific classes of track (Class 1 to Class 9), plus a category known as Excepted Track. The difference between each Class of Track is based on progressively more exacting standards for track structure, geometry, and inspection frequency. Furthermore, each Class of Track has a corresponding maximum allowable operating speed for both freight and passenger trains. The higher the Class of Track, the greater the allowable track speed and the more stringent track safety standards apply.

Railroads determine the Class of Track to which each stretch of track belongs based upon business and operational considerations. Once the designation is made, FRA holds railroads accountable for maintaining the track to the corresponding standards for that particular class. If through regular maintenance and inspection efforts a railroad discovers that a section of its track fails to meet the specified federal standard, the railroad is required to make appropriate repairs to maintain that Class of Track designation, or downgrade the track segment to a lower Class of Track to which the federal standard can be met.

Track Inspection Requirements

Under FRA regulations, each railroad has primary responsibility to ensure its own track meets or exceeds the federal safety standards. This includes railroad inspectors performing track inspections at specified minimum frequencies based on the Class of Track, the type of track, the annual gross tonnage operated over the track, and whether it carries passenger trains. Railroads are required to maintain accurate records of regular and ad hoc track inspections subject to review and audit by FRA federal inspectors at any time.

Class of Track	Minimum Track Inspection Frequency
Excepted Track	Weekly
Class 1,2, and 3 Mainline or Sidings	Weekly, or twice weekly if the track carries passenger trains or more than 10 million gross tons of traffic during the preceding year.
Class 1, 2 and 3 Not Mainline or Sidings	Monthly
Class 4 and 5	Twice Weekly
Class 6, 7, and 8	Twice Weekly
Class 9	Three Times a Week

Establishing Track Speed

Track speed is determined by the Class of Track. Railroads can change the Class of Track (and thus increase or decrease the track speed) whenever it deems appropriate and without prior notification to, or approval by, the FRA. FRA's interest is in ensuring the railroad maintains the track to the appropriate federal safety standards for that Class of Track.

In addition, local or state governments cannot establish their own train speed limits over highway-rail grade crossings or through urban settings unless they can meet an extremely high legal standard. That is, federal preemption exists unless it can be demonstrated that a more stringent speed restriction is necessary to eliminate or reduce a local safety or security hazard;

that such local or state provision is not incompatible with a Federal law, regulation, or order; and that it does not unreasonably burden interstate commerce.

Furthermore, the safest train is one that maintains a steady speed, and locally established speed limits would result in hundreds of individual speed restrictions along a train's route. This would not only cause train delays, but it could actually increase the chance of a derailment as every time a train must slow down and then increase speed, buff and draft forces (those generated when individual freight cars are compressed together or stretched out along a train's length) are introduced. This increases the chance of derailment along with the potential risk of injury to train crews, the traveling public, and those living and working in surrounding communities.

Class of Track	Maximum Allowable Speed for Freight Trains	Maximum Allowable Speed for Passenger Trains
Excepted Track	10 mph	N/A
Class 1	10 mph	15 mph
Class 2	25 mph	30 mph
Class 3	40 mph	60 mph
Class 4	60 mph	80 mph
Class 5	80 mph	90 mph
Class 6	N/A	110 mph
Class 7	N/A	125 mph
Class 8	N/A	150 mph
Class 9	N/A	200 mph

Track Inspection Technology

Prior to the mid-1970s, track inspection was primarily performed visually. Since then, the development of measurement technologies fitted on moving equipment has greatly increased the accuracy and speed of inspections, and has been a major contributing factor in the decline of track-caused derailments.

Railroads initially developed Gage Restraint Measuring Systems (GRMS) to assess the ability of their track to maintain proper gage (the distance between two rails). To advance the science of automated track inspections even further, FRA developed its own Automated Track Inspection Program (ATIP) outfitted with custom-made vehicles equipped with state-of-the-art technology to help identify track flaws that could lead to train derailments. FRA now has five such cars in service that will inspect approximately 100,000 miles of track each year. In January 2008, the ATIP reached the milestone of surpassing its one millionth mile of track inspected.

The ATIP cars are primarily used on high-volume traffic density rail lines that carry the majority of hazardous materials transported by rail, as well as passenger trains. They are also used to quickly respond and evaluate routes where the integrity of track is suspected or known to be substandard. The ATIP cars use a variety of technologies to measure track geometry characteristics. The measurements are recorded in real-time and at operating speed. The precise location of problem areas are noted using global positioning system (GPS) technology and shared immediately with the railroad so appropriate corrective actions can be taken. FRA's

newest ATIP car also video records every 50 feet of track bed, which are analyzed by track inspectors and the railroad.

The nation's Class I, or largest railroads all operate similar cars while regional and short line railroads sometimes arrange to have such cars inspect their track under contract. In addition, some railroads have installed Vehicle Track Interaction devices in locomotives to measure high impacts, which instantly alert track maintenance personnel of abnormalities and potential problems areas. Similarly, Visible Joint Bar Detection Systems use a high-speed camera placed on a service truck to scan for broken joint bars. In addition, FRA operates a high rail car with a Joint Bar Inspection System to spot cracks in continuous welded rail.

Technological advances currently being tested include a more refined high-speed photo inspection system that will take a high-resolution picture of the joint bars, and use pattern-recognition software to automatically detect cracks which are difficult to see. A laser vision system is being tested that will scan the track and track bed for anomalies, and ground penetrating radar shows promise to inspect track bed and soil conditions. Driven by FRA research, the industry will soon initiate ultrasound and laser testing of rails to detect internal flaws, fatigue and minute cracks.

Track Speed and Highway-Rail Grade Crossings

The potential danger of a train /vehicle collision present at a highway-rail grade crossing is a separate issue from train speeds. The physical properties of a train moving at almost any reasonable operating speed generally, if not inevitably, prevent it from stopping in time to avoid hitting an object on the tracks. In more than 37 percent of collisions between trains and motor vehicles at public grade crossings, the train was operating at less than 20 mph. In addition, there is little evidence that wholesale reductions in train speeds will reduce the risk that such grade crossing collisions will occur. Decades of experience and research have shown that prevention of grade crossing incidents is more effectively achieved through the use of roadway warning signage, active warning devices such as flashing lights and gates, and strict observance by motorists of applicable traffic safety restrictions, precautions and laws.

For more information on Federal Track Safety Standards, see [49 CFR Part 213](#).
For more information on the FRA Automated Track Inspection Program, visit <http://atip.fra.dot.gov/>

FRA Office of Public Affairs
(202) 493-6024
www.fra.dot.gov
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Attachment C

The "Train Horn" Final Rule Summary

THE “TRAIN HORN” FINAL RULE

Summary

1. Overview:

- The Final Rule on Use of Locomotive Horns at Highway-Rail Grade Crossings, published on April 27, 2005, is intended to:
 - ⇒ Maintain a high level of public safety;
 - ⇒ Respond to the varied concerns of many communities that have sought relief from unwanted horn noise; and
 - ⇒ Take into consideration the interests of localities with *existing* whistle bans.
- Currently, state laws and railroad operating rules govern use of the horn at highway-rail grade crossings. When this rule takes effect, it will determine when the horn is sounded at public crossings (and private crossings within “quiet zones”).
- This Final Rule was mandated by law¹, and was issued by the Federal Railroad Administration (FRA) after consideration of almost 1,400 public comments on the Interim Final Rule (IFR) (68 FR 70586) published December 18, 2003.
- Consistent with the statutory mandate requiring its issuance, the rule requires that locomotive horns be sounded at public highway-rail grade crossings, but provides several exceptions to that requirement.²
- Local public authorities may designate or request approval of, quiet zones in which train horns may not be routinely sounded. The details for establishment of quiet zones differ depending on the type of quiet zone to be created (Pre-Rule or New) and the type of safety improvements implemented (if required).
- Horns may continue to be silenced at Pre-Rule Quiet Zones, provided certain actions are taken.
- Intermediate Quiet Zones (whistle bans that were implemented after October 9, 1996 but before December 18, 2003) may continue to have the horns silenced for one year (until June 24, 2006), provided certain actions are taken. After which time they must comply with the provisions for a New Quiet Zone if the horns are to remain silent.

¹49 U.S.C. 20153.

- The rule goes into effect on June 24, 2005.
- Pre-Rule Quiet Zones in the six county Chicago region are excepted from the provisions of this rule pending further evaluation of the data.

2. Requirement to sound the locomotive horn:

- Outside of quiet zones, railroads must sound the horn 15-20 seconds prior to a train's arrival at the highway-rail grade crossing, but not more than 1/4 mile in advance of the crossing.

Note: Most State laws and railroad rules currently require that the horn be sounded beginning at a point 1/4 mile in advance of the highway-rail grade crossing and continued until the crossing is occupied by the locomotive. Under the rule, for trains running at less than 45 mph, this will reduce the time and distance over which the horn is sounded. This will reduce noise impacts on local communities.

- The pattern for sounding the horn will remain, as it currently exists today (two long, one short, one long repeated or prolonged until the locomotive occupies the highway-rail grade crossing).
- Locomotive engineers may vary this pattern as necessary where highway-rail grade crossings are closely spaced; and they will also be empowered (but not required) to sound the horn in the case of an emergency, even in a quiet zone.
- The rule addresses use of the horn only with respect to highway-rail grade crossings. Railroads remain free to use the horn for other purposes as prescribed in railroad operating rules on file with FRA, and railroads must use the horn as specified in other FRA regulations (in support of roadway worker safety and in the case of malfunctions of highway-rail grade crossing active warning devices).
- The rule prescribes both a minimum and *maximum* volume level for the train horn. The minimum level is retained at 96 dB(A), and the new maximum will be 110 dB(A). This range will permit railroads to address safety needs in their operating territory (see discussion in the preamble).
- The protocol for testing the locomotive horn will be altered to place the sound-level meter at a height of 15 feet above top of rail, rather than the current 4 feet above the top of the rail. Cab-mounted and low-mounted horns will continue to have the sound-level meter placed 4 feet above the top of the rail.

Note: The effect of this change will be to permit center-mounted horns to be “turned down” in some cases. The previous test method was influenced by the “shadow

Disclaimer: This is a summary of the Final Rule for initial briefing purposes only. Entities subject to the rule should refer to the rule text as published in the Federal Register on April 27, 2005.

effect” created by the body of the locomotive to indicate a lower sound level than would otherwise be expected several hundred feet in front of the locomotive (where the crossing and approaching motorists are located).

- The effect of these changes will reduce noise impacts for 3.4 million of the 9.3 million people currently affected by train horn noise.

3. Creation of quiet zones:

- The rule provides significant flexibility to communities to create quiet zones, both where there are existing whistle bans and in other communities that heretofore have had no opportunity to do so.
- The Final Rule permits implementation of quiet zones in low-risk locales without requiring the addition of safety improvements.
 - ✓ This concept utilizes a risk index approach that estimates expected safety outcomes (that is, the likelihood of a fatal or non-fatal casualty resulting from a collision at a highway-rail crossing).
 - ✓ Risk may be averaged over crossings in a proposed quiet zone.
 - ✓ Average risk within the proposed quiet zone is then compared with the average nationwide risk at gated crossings where the horn is sounded (the “National Significant Risk Threshold” or “NSRT”). FRA will compute the NSRT annually.

The effect of this approach is that horns can remain silenced in over half of Pre-Rule Quiet Zones without significant expense; and many New Quiet Zones can be created without significant expense where flashing lights and gates are already in place at the highway-rail grade crossings.

- If the risk index for a proposed New Quiet Zone exceeds the NSRT, then supplementary or alternative safety measures must be used to reduce that risk (to fully compensate for the absence of the train horn or to reduce risk below the NSRT).
- The Final Rule—
 - ✓ Retains engineering solutions known as “supplementary safety measures” for use without FRA approval.
 - ✓ Retains explicit flexibility for the modification of “supplementary safety measures” to receive credit as “alternative safety measures.” For instance,

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shorter traffic channelization arrangements can be used with reasonable effectiveness estimates.

- ✓ Adds a provision that provides risk reduction credit for pre-existing SSMS and pre-existing modified SSMS that were implemented prior to December 18, 2003.
 - ✓ Continues education and enforcement options, including photo enforcement, subject to verification of effectiveness.³
- The public authority responsible for traffic control or law enforcement at the highway-rail grade crossing is the only entity that can designate or apply for quiet zone status.
 - FRA will provide a web-based tool for communities to use in performing “what if” calculations and preparing submissions necessary to create or retain quiet zones. The tool may be found at <http://www.fra.dot.gov>.
 - In order to ensure proper application of the risk index, the National Highway-Rail Crossing Inventory must be accurate and complete. In the absence of timely filings to the Inventory by the States or Railroads, local authorities may file updated inventory information, and railroads must cooperate in providing railroad-specific data.
 - FRA regional personnel will be available to participate in diagnostic teams evaluating options for quiet zones.
 - Once a quiet zone is established (including the continuation of Pre-Rule or Intermediate Quiet Zones pending any required improvements), the railroad is barred from routine sounding of the horn at the affected highway-rail grade crossings.
 - See below for discussion of **Pre-Rule Quiet Zones** and **New Quiet Zones**.

³The rule neither approves nor excludes the possibility of relying upon regional education and enforcement programs with alternative verification strategies. FRA is providing funding in support of an Illinois Commerce Commission-sponsored regional program. The law provides authority for use of new techniques when they have been demonstrated to be effective.

Horns may continue to be silenced at Pre-Rule Quiet Zones if–

- ⇒ The average risk at the crossings is less than the NSRT; or
- ⇒ The average risk is less than twice the NSRT and no relevant collisions have occurred within the past 5 years; or
- ⇒ The community undertakes actions to compensate for lack of the train horn as a warning device (or at least to reduce average risk to below the NSRT).

Train horns will not sound in existing whistle ban areas if authorities state their intention to maintain “Pre-Rule Quiet Zones” and do whatever is required (see above) within **5 years** of the effective date (June 24, 2005) (**8 years** if the State agency provides at least some assistance to communities in that State).

A “Pre-Rule Quiet Zone” is a quiet zone that contains one or more consecutive grade crossings subject to a whistle ban that has been actively enforced or observed as of October 9, 1996 and December 18, 2003.

To secure Pre-Rule Quiet Zone status, communities must provide proper notification to FRA and other affected parties by June 3, 2005 and file a plan with FRA by June 24, 2008 (if improvements are required).

New Quiet Zones may be created if–

All public highway-rail grade crossings are equipped with flashing lights and gates; and either–

- ✓ After adjusting for excess risk created by silencing the train horn, the average risk at the crossings is less than the NSRT; or
- ✓ Supplemental Safety Measures are present at each public crossing; or
- ✓ Safety improvements are made that compensate for loss of the train horn as a warning device (or at least to reduce average risk to below the NSRT).

Detailed instructions for establishing or requesting recognition of a quiet zone are provided in the regulation.

4. Length of quiet zones:

- Generally, a quiet zone must be at least ½ mile in length and may include one or more highway-rail grade crossings.
- Pre-Rule Quiet Zones may be retained at the length that existed as of October 9, 1996, even if less than ½ mile. A Pre-Rule Quiet Zone that is greater than ½ mile may be reduced in length to no less than ½ mile and retain its pre-rule status. However, if its length is increased from pre-rule length by the addition of highway-rail grade crossings that are not pre-rule quiet zone crossings, pre-rule status will not be retained.

5. Supplementary and alternative safety measures:

- Supplementary safety measures are engineering improvements that clearly compensate for the absence of the train horn. If employed at every highway-rail grade crossing in the quiet zone, they automatically qualify the quiet zone (subject to reporting requirements). They also may be used to reduce the average risk in the corridor in order to fully compensate for the lack of a train or to below the NSRT.
 - ✓ Temporary closure used with a partial zone;
 - ✓ Permanent closure of a highway-rail grade crossing;
 - ✓ Four-quadrant gates;

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- ✓ Gates with traffic channelization arrangements (i.e., non-mountable curb or mountable curb with delineators) at least 100 feet in length on each side the crossing (60 ft. where there is an intersecting roadway);
 - ✓ One-way Street with gate across the roadway.
- Alternative safety measures may be applied such that the combination of measures at one or more highway-rail grade crossings reduces the average risk by the required amount across the quiet zone (so-called “corridor approach”).
 - ✓ Any modified supplementary safety measure (e.g., barrier gate and median; shorter channelization); or
 - ✓ Education and/or enforcement programs (including photo enforcement) with verification of effectiveness; or
 - ✓ Engineering improvements, other than modified SSMs; or
 - ✓ Combination of the above.
- The rule provides that pre-existing SSMs and pre-existing modified SSMs will be counted towards risk reduction.

6. Recognition of the automated wayside horn:

- The rule authorizes use of the automated wayside horn at any highway-rail grade crossing with flashing lights and gates (inside or outside a quiet zone) as a one-to-one substitute for the train horn.
- Certain technical requirements apply, consistent with the successful demonstrations of this technology.
- The Federal Highway Administration (FHWA) has issued an interim approval for the use of wayside horns as traffic control devices. Communities interested in employing this option should contact FHWA to ensure that they comply with the provisions of the interim approval.

7. Special circumstances:

- A community or railroad that views the provisions of the rule inapplicable to local circumstances may request a waiver from the rule from FRA.
- A railroad or community seeking a waiver must first consult with the other party and seek agreement on the form of relief. If agreement cannot be achieved the party may still request the relief by a waiver, provided the FRA Associate Administrator determines that a joint waiver petition would not be likely to contribute significantly to public safety.

Disclaimer: This is a summary of the Final Rule for initial briefing purposes only. Entities subject to the rule should refer to the rule text as published in the Federal Register on April 27, 2005.

- FRA grants waivers if in the public interest and consistent with the safety of highway and railroad users of the highway-rail grade crossings.

8. Summary of major changes to the Interim Final Rule

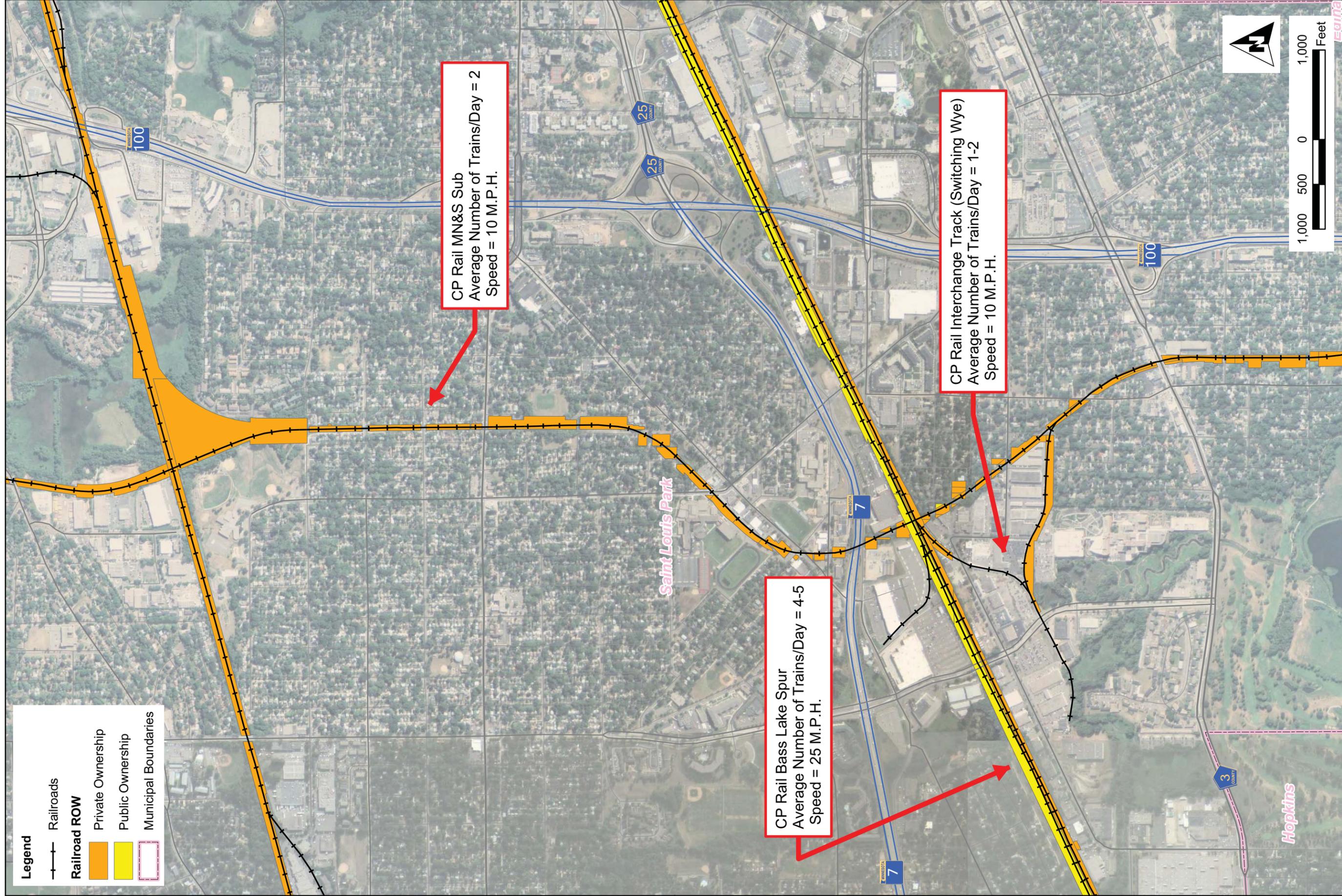
- The final rule provides a one-year grace period to comply with New Quiet Zone standards for communities with pre-existing whistle bans that were in effect on December 18, 2003, but were adopted after October 9, 1996. These communities are considered “Intermediate” Quiet Zones under the final rule.
- The final rule addresses quiet zones that prohibit sounding of horns during the evening and/or nighttime hours. These are referred to as Partial Quiet Zones.
- The final rule requires diagnostic team reviews of pedestrian crossings that are located within proposed New Quiet Zones and New Partial Quiet Zones.
- The final rule requires quiet zone communities to retain automatic bells at public highway-rail grade crossings that are subject to pedestrian traffic.
- The final rule extends “recognized State agency” status to State agencies that wish to participate in the quiet zone development process.
- The final rule contains a 60-day comment period on quiet zone applications.
- The final rule requires public authorities to provide notification of their intent to create a New Quiet Zone. During the 60-day period after the Notice of Intent is mailed, comments may be submitted to the public authority.
- The final rule provides quiet zone risk reduction credit for certain *pre-existing* SSMs.
- The final rule provides quiet zone risk reduction credit for *pre-existing* modified SSMs.
- The final rule contains a new category of ASMs that addresses engineering improvements other than modified SSMs.

Additional information, including the full text of the Final Rule, the Final Environmental Impact Statement, and background documents, are available at <http://www.fra.dot.gov>.

Disclaimer: This is a summary of the Final Rule for initial briefing purposes only. Entities subject to the rule should refer to the rule text as published in the Federal Register on April 27, 2005.

Attachment D

Existing Railroad Right-of-Way Ownership Map



CP Rail MN&S Sub
Average Number of Trains/Day = 2
Speed = 10 M.P.H.

CP Rail Bass Lake Spur
Average Number of Trains/Day = 4-5
Speed = 25 M.P.H.

CP Rail Interchange Track (Switching Wye)
Average Number of Trains/Day = 1-2
Speed = 10 M.P.H.

Legend

- Railroads
- Railroad ROW**
- Private Ownership
- Public Ownership
- Municipal Boundaries



RAILROAD ROW OWNERSHIP
RAILROAD FREIGHT RELOCATION STUDY
Saint Louis Park, Minnesota

Project: STLOU 114331
Print Date: 12/01/2010

Map by: SH
Projection: Hennepin County NAD83 ft
Source: DOT; PDNR; AC;
City of St. Louis Park, and SEH Inc.

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Attachment E

Twin Cities and Western Railroad Summary of Train Operations Memo (August 2010)

MN&S Freight Rail Study Website - Frequently Asked Questions Section (Existing and Forecast Train Operations)



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6 Beach Road, #250 Tiburon, CA 94920-0250
415.889.5106 415.889.5104 (Fax)
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August 5, 2010

Memorandum

To: Ms. Katie Walker, Transit Project Manager
Ms. Ia Xiong, Administrative Manager
Housing, Community Works, & Transit
Hennepin County Public Works
417 North Fifth Street, Suite 320
Minneapolis, MN 55401

From: Francis Loetterle, Ph. D., AICP, Director – Transportation Planning
Walt Schuchmann, Vice-President – Operations Planning

Subject: Twin Cities and Western Railroad
Summary of Train Operations

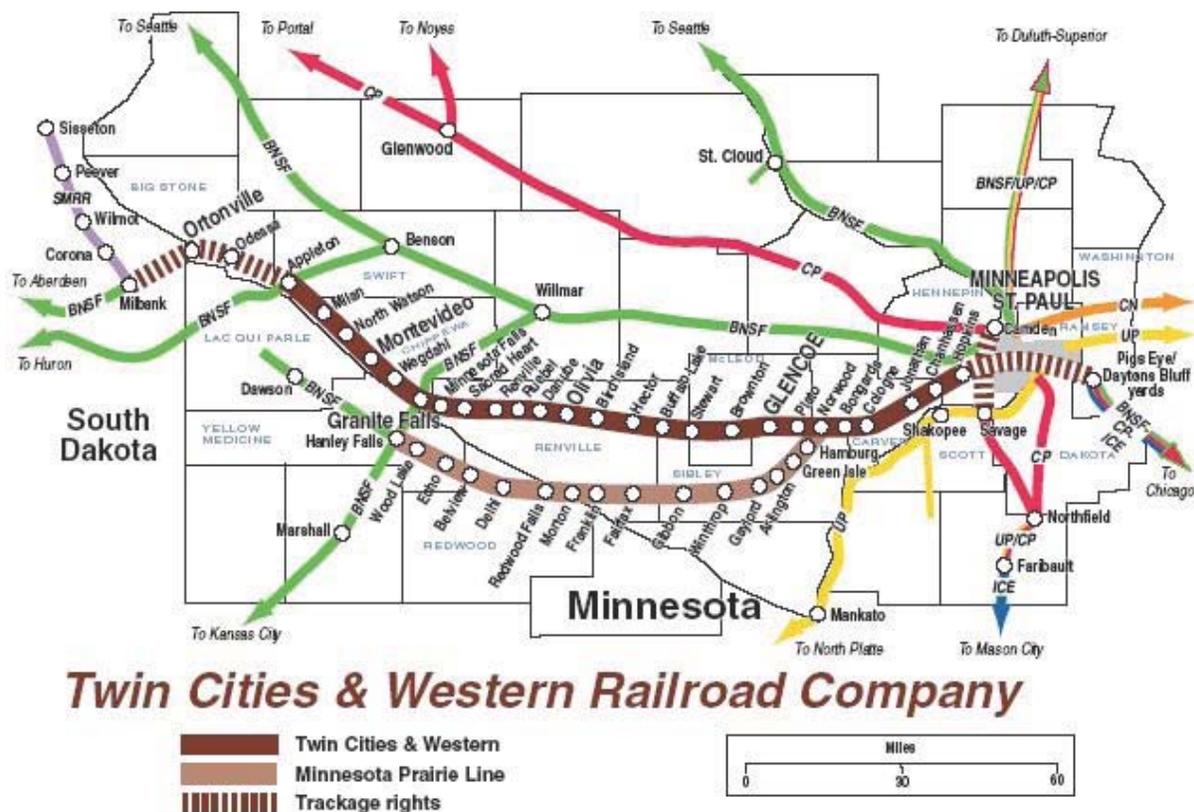
The Twin Cities and Western Railroad Company (TC&W) is a regional rail system operating 234 miles of railroad between the Twin Cities to the east and Appleton on the west (Figure 1)¹. TC&W's operating headquarters is at Glencoe. Operating crews are based at Glencoe, Montevideo, Winthrop and Hopkins.

Operations commenced July 27, 1991 over what was formerly known as the "Ortonville Line" operated by the Soo Line (now Canadian Pacific Railway) between Minneapolis/St. Paul, MN and Milbank, SD. Prior to TC&W and Soo Line operation of this line, it was part of the Milwaukee Road's Main line to the Pacific Northwest. This main line was originally built in the 1870's by the Hastings & Dakota Railway.²

¹ http://www.aar.org/~/media/AAR/InCongress_RailroadsStates/Minnesota.ashx

² <http://www.tcwr.net/general-public-2/company-overview/>

Figure 1



Source: <http://www.tcw.net/wp-content/uploads/2009/02/tcw-service-map.pdf>

TC&W interchanges directly with the following railroads operating in the Minneapolis/St. Paul area including:

- Canadian Pacific Railway
- Union Pacific Railroad
- Minnesota Commercial Railway and
- Progressive Rail Incorporated.

TC & W interchanges carload freight with the following railroads via the Minnesota Commercial Railway:

- BNSF Railway
- CN

Other connections include:

- BNSF Railway at Appleton MN;
- Sisseton Milbank Railroad (SMRR) at Milbank, SD;

- Minnesota Commercial Railway at St. Paul, and
- Progressive Rail (via CPRS) at Lakeville and Bloomington.

TC & W receives unit coal trains directly from BNSF in downtown Minneapolis.

The TC&W owns and operates the Minnesota Prairie Line, Inc. (MPL). MPL is the agent/operator of 94 miles of track between Norwood and Hanley Falls, MN, which is owned by the Minnesota Valley Regional Railroad Authority.³ TCW and MPL connect at Norwood, MN.

TC&W's traffic base consists largely of coal, grains (corn, wheat, barley), soybeans, sugar, beet pulp pellets, lumber and other forest products, canned vegetables, edible beans, molasses, distillers dried grain (DDGs), fertilizers, crushed rock and agricultural machinery.⁴ Principal shippers/receivers on the TC&W include:

- An ethanol plant in Granite Falls;
- A sugar beet plant at Reubel;
- Grain elevators at several locations and
- An ethanol plant in Winthrop (on the MPL).

Operations

TCW operates several crews daily on the western portions of its lines serving customers and consolidating railcars for movement to the Twin Cities.

Six days per week a westbound train departs Hopkins in the evening to take inbound cars from connecting railroads in the Twin Cities to Glencoe. At Glencoe, the inbound cars are exchanged for outbound cars assembled from customers on both TC&W lines and those cars are brought east to Hopkins. Early the next morning, two TC&W crews come on duty at Hopkins and split the previous night's train from Glencoe into two local delivery trains. One of these trains is bound for the Canadian Pacific's St. Paul Yard. The other train is bound for Minnesota Commercial's Main Rail Yard in the Midway and Union Pacific's Western Avenue Yard. The CP connection handles up to about 80 cars per day and the MNCR/UP train handles about 30 cars. Both of these crews proceed east from Hopkins to the Twin Cities, normally traversing the Kenilworth Corridor around 8:00 am. The crews exchange cars with connecting railroads during the day and make their way back to Hopkins, normally passing through the Kenilworth Corridor in the afternoon. The time that these crews return varies significantly but typically occurs between 4 pm and 8 pm. The variation in the return time is affected by how quickly the crews are able to exchange cars with the connecting carriers and upon how much conflicting rail traffic is encountered at the destination yards and on the trips to and from. This pattern may be augmented by extra movements on Sunday when the traffic volume warrants.

In addition to the regular pattern of operations described above, TC&W operates approximately one loaded and one empty ethanol unit train per week and about two loaded and two empty coal

³ <http://www.tcw.net/general-public-2/company-overview/>

⁴ Ibid.

trains per month. Ethanol unit trains are typically 80 cars in length. These trains do not run at a fixed time of day but rather are operated at the convenience of the major connecting railroads. These trains all use the Kenilworth Corridor except for the empty coal trains which are delivered to BNSF at Appleton.

Other types of trains may be operated as business becomes available. For example, in recent years TC&W operated a dedicated train of intermodal containers on flatcars between an intermodal grain loading facility at Montevideo and the CP Shoreham Yard. This train carried identity preserved grains and would typically operate through the Kenilworth Corridor at night. Also, TC&W at times delivers loaded cars originated on its lines to a barge terminal at Savage or to a barge terminal at Camden for transloading. This movement occurs or doesn't depending upon the relative prices of grain and grain transportation.

As a smaller regional railroad, it is necessary for TC&W to mesh its operations with those of its much larger connecting railroads, especially CP and UP. TC&W's current operating pattern is based upon the need to deliver outbound cars to connecting railroads in the morning so that they may be switched and incorporated into outbound trains scheduled later in the day. Similarly, inbound cars for TC&W tend to arrive at the connecting yards at night and are switched and available for TCW crews to pick up during first shift the next day. Hence the operation through the Kenilworth Corridor of both TCW's daily freight trains and the ethanol and coal trains is determined by the operating requirements of TC&W's major connections.

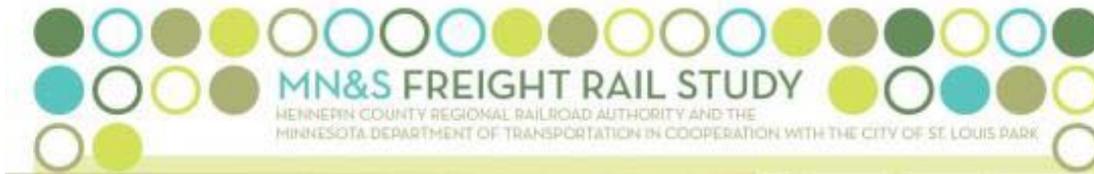
Between Interstate County Highway 62 and Lake Street, the TC&W operates on track owned by the CP. Between Lake Street and Cedar Lake Junction, the TC&W operates on track owned by the Hennepin County Regional Rail Authority.

East of Cedar Lake Junction, TC&W uses the tracks of other railroads to reach the interchange yards mentioned above or the Camden barge terminal. At Cedar Lake Junction, eastbound TC&W trains enter the BNSF Wayzata Subdivision. TC&W eastbound trains hold at Cedar Lake Junction or Cedar Lake Parkway (depending upon train length and where the train can hold without blocking any street crossings) until advised over the radio by the BNSF dispatcher that they have permission to enter BNSF trackage and proceed east. BNSF cooperates with TC&W to expedite TC&W's movement but if traffic is heavy on the single-track BNSF line, TC&W crews must wait for it to clear.

To transfer to the CP tracks running north-south through St. Louis Park the TC&W utilizes the steeply graded switchback sidings at 'Skunk Hollow' in the vicinity of Louisiana Avenue. Longer trains must be broken into shorter sections in order to make this transfer. TC&W uses this interchange point to reach the Savage barge terminal. Due to current market conditions, this movement is not currently occurring but could resume if market conditions favoring movement of grain by barge develop. The TC&W also uses this interchange point for locomotive maintenance movements and to interchange with Progressive Rail Incorporated.

Although TC&W does not handle any doublestack container traffic at this time⁵, it does have sufficient vertical clearances on its lines to do so.

⁵ The identity preserved grain movement used single-stacked containers on flatcars.



FREQUENTLY ASKED QUESTIONS

How many trains are currently operating in the Kenilworth Corridor; what length are these trains and what type of cargo do they carry?

From Twin Cities & Western (TCW) railroad:

Freight traffic can and does vary a lot depending on business and economic decisions made by the railroads as they accommodate customer needs. At this time, the following characterizes traffic in the Kenilworth Corridor, but see question #3 to learn more:

Currently the Twin Cities & Western (TC&W) operates two trains into the Twin Cities from Hopkins six to seven days per week. Both trains work in and out of the Hopkins/Minnetonka/St. Louis Park area. Between the two trains there is an average of 50 - 75 cars and seasonally can exceed 100 cars. They carry grain on the way to St. Paul and return via the same route.

TC&W also runs longer “unit” trains. The number of unit trains varies per week. Some weeks there might be none and some weeks there might be 3, with an average of 5 - 7 unit trains per month, at an average length per train of 80 to 100 cars. These unit trains are carrying ethanol or coal. The ethanol trains return via the same route. The coal trains return via another route, not along the Kenilworth line.

While typical train loads currently traveling on the Kenilworth line carry grain with fewer numbers of trains carrying ethanol and coal, other materials may also be transported based on customer needs.

What are TCW’s growth plans?

From Twin Cities & Western (TCW) railroad:

We have been growth oriented since we purchased the rail line in 1991, but our growth depends on the growth of the south central Minnesota economy. Since we are a short line, you do not see “through” train traffic on our line (compared to Seattle-Chicago train traffic that goes over the BNSF through Minnesota, etc.). It is highly unlikely, but not impossible that through traffic would use our line to get from points east of Minnesota to points west of Minnesota – never say never, but not on the horizon now.

We have seen a change in interest in shipping via rail once fuel prices rose a few years ago, so I would think we will see moderate growth going forward. 15 years ago we could

not have foreseen the growth in the ethanol industry, so today we cannot predict beyond 3 years what additional possibilities are out there. With respect to grain, we currently have the right to operate on the MN&S corridor, both north to get to the Camden river terminal in north Minneapolis as well as south to get to the Savage river terminals. The river market is largely dependent on the rates the ocean ships charge to get to Asia from the Pacific Northwest ports compared to the US Gulf ports. In the period 1998-2002, the rates favored shipping to Asia via the US Gulf through the Panama Canal to Asia (we shipped over 6000 cars via the MN&S track), but since 2002 the rates have favored the Pacific Northwest ports. With the expansion of the Panama Canal scheduled for completion in 2013, we may very well see a return of that traffic, but that traffic will traverse the MN&S regardless of whether the re-route occurs or not.

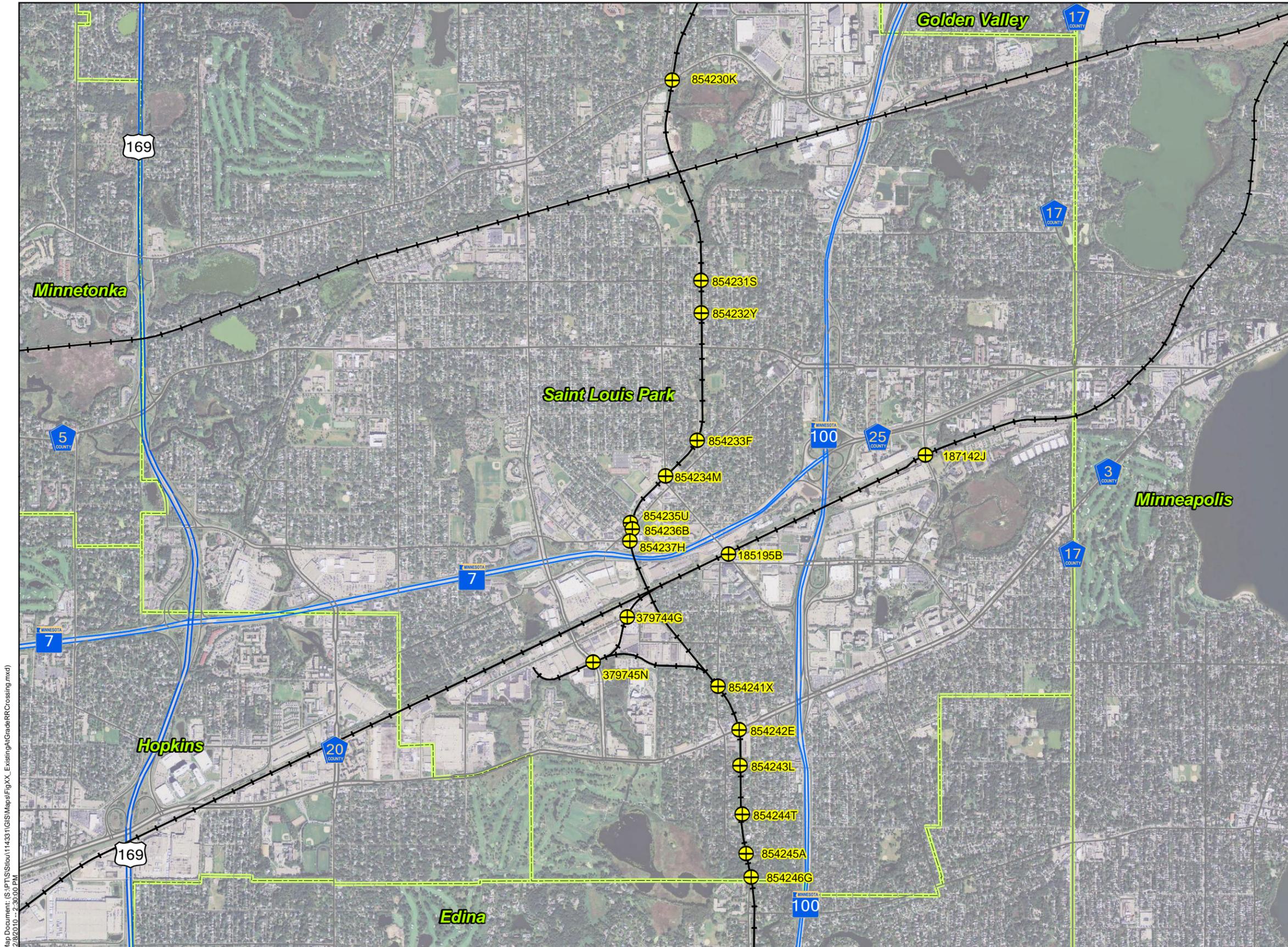
How many trains are currently operating on the MN&S Line; what length are these trains and what type of cargo do they carry?

From Canadian Pacific:

Canadian Pacific is the only company running trains on the MN&S line today. TCW has trackage rights, but is not currently running trains on the MN&S line. The Canadian Pacific (CP) operates one local assignment, round trip, 5 days per week on this property. The length of the train is variable, as a number of the commodities on the line are seasonal in nature. Typically, the size ranges between 10-30 cars per day. Generally, the commodities going through this area include salt (water softening and deicing), plastic pellets, scrap materials (mostly metal), lumber, brick and cement. Due to the downturn in the economy and construction, in particular, volumes over the last two years have been low. Volumes tend to be heaviest in April - October during the building season. Most of the salt moves in the fall, when companies decide to build up their inventories before winter; however, a snowy and icy winter can trigger additional loads if deicing demand gets high. In addition, the line serves a transload/warehouse facility in Bloomington which can take any type of commodity (including food grade), so the commodity mix can change easily depending upon the client using the warehouse.

Attachment F

Existing At-Grade Railroad Crossings Map



- Legend**
- Railroad Crossing
 - Railroads
 - Municipal Boundaries
 - Interstate Highway
 - US Trunk Highway
 - Minnesota Trunk Highway
 - County State Aid Highway
 - Municipal State Aid Street
 - County Road
 - Township Road
 - Municipal Street
 - Ramp

Map Document: (S:\P\T\S\Stlou\114331\GIS\Mapa\Fig\XX_ExistingAtGradeRRCrossing.mxd)
12/9/2010 2:30:00 PM

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Project: STLOU 114331
Print Date: 11/10/2010
Map by: SrH
Projection: Hennepin County NAD83 ft
Source: Mn/DOT, Mn/DNR, LMIC,
City of St. Louis Park, and SEH Inc.

RAILROAD FREIGHT RELOCATION STUDY

Saint Louis Park, Minnesota

**Existing At Grade
RR Crossing**



MEMORANDUM

TO: City Council Members

FROM: Dave McKenzie, P.E.
Samuel Turrentine, AICP

DATE: February 2, 2011

RE: Technical Memorandum #2 revised
SEH No. STLOU 114331

Based on our review of the completed Hennepin County freight rail studies and through coordination with City staff, a recommendation was presented to Council Members at the December 13, 2010 Study Session Meeting to narrow the range of alternative freight routes based upon impacts identified in the respective studies. It is our opinion that additional review is warranted for several alternatives (see shaded cells in Table 1) to determine if the documented impacts could either be avoided/minimized through modifications/adjustments in design or through possible mitigation efforts (e.g., a freight rate subsidy).

Table 1 – Overview of Screening Recommendation

Primary Studies	Alternatives	SEH Recommendation
<i>Freight Rail Study Evaluation of TCWR Routing Alternatives, Prepared for HCRRA, Prepared by Amfahr Consulting, Nov. 2010.</i>	WESTERN CONNECTION	Retain Alternative to Evaluate Magnitude of Freight Rate Subsidy
	CHASKA CUT-OFF	Dismiss From Further Consideration
	MIDTOWN CORRIDOR	Dismiss From Further Consideration
	HIGHWAY 169 CONNECTOR	Dismiss From Further Consideration
<i>Kenilworth Corridor: Analysis of Freight Rail / LRT Coexistence, Prepared for HCRRA, Prepared by R. L. Banks & Associates, Inc., Dec. 2010.</i>	KENILWORTH CORRIDOR	
	▪ Scenario 1: All Three Grade Alignments At-Grade	Retain Alternative to Determine if the Southwest LRT Alignment can be Adjusted to Avoid/Minimize Potential Impacts
	▪ Scenario 2: Trail Relocated	Retain Alternative to Determine if the Southwest LRT Alignment can be Adjusted to Avoid/Minimize Potential Impacts
	▪ Scenario 3: Bicycle Trail on Structure	Dismiss From Further Consideration
	▪ Scenario 4: LRT on Structure	Dismiss From Further Consideration
	▪ Scenario 5: LRT in Tunnel	Dismiss From Further Consideration
	▪ Scenario 6: Freight and LRT Share Use of Track	Dismiss From Further Consideration
	▪ Scenario 7: LRT Single Track	Dismiss From Further Consideration
<i>MN&S Freight Rail Study (Underway).</i>	MN&S SUB ALIGNMENT	Currently Under Study (findings anticipated in spring 2011)

The intent of this memorandum is to provide some additional insight regarding our screening recommendation by condensing the impacts identified in the respective studies into a series of “one-pagers.”

Attachments: One-Pagers (11)

sbt
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Attachment A

One-Pagers

Presented in the Following Order:

- Western Connection Alternative
- Chaska Cut-Off Alternative
- Midtown Corridor Alternative
- Highway 169 Connector Alternative
- Kenilworth Corridor Alternatives
 - Scenario 1: All Three Grade Alignments At-Grade
 - Scenario 2: Trail Relocated
 - Scenario 3: Bicycle Trail on Structure
 - Scenario 4: LRT on Structure
 - Scenario 5: LRT in Tunnel
 - Scenario 6: Freight and LRT Share Use of Track
 - Scenario 7: LRT Single Track

WESTERN CONNECTION ALTERNATIVE

Description	Reroutes all TC&W traffic west through Granite Falls and/or Appleton on the BNSF Railroad tracks.
Conclusion: Alternative needs further study to determine magnitude of subsidy	
Comments	<ul style="list-style-type: none"> • This alternative would reroute TC&W traffic west to Appleton and back east to the Twin Cities resulting in 122 additional route miles. This route would cause a major disruption to TC&W operations. • The TC&W has not shown any interest in pursuing this alternative. • The issues are complex and are not easily quantifiable but the some of issues are: <ul style="list-style-type: none"> • Track upgrade on the west end of both the TC&W and the MPL lines to support the increased traffic. • The BNSF track may need capacity increases. (additional sidings) • The additional route miles cross 3 different BNSF subdivisions and would add 2 to 3 days per car per trip. This would decrease the TC&W car utilization rate by 10 to 25 percent. This means that their car fleet size would be increased by 10 to 25 per cent. • The trackage right fee would need to negotiated with the BNSF which if even possible would be an increase over the existing rates. • If the BNSF would allow TC&W train crews to operate, the issue of the crews being located in the wrong positions and additional crews would be required to operate the additional trains. • This would be a continuing subsidy that may not a dependable funding source. • This alternative has many complex issues that need further study to determine a level of magnitude of any potential subsidy but it would be substantial. A limited reroute of the coal trains maybe a viable option.

WESTERN CONNECTION ALTERNATIVE

Evaluation Criteria	Description of Impacts
Description	Reroutes all TC&W traffic west through Granite Falls and/or Appleton on the BNSF Railroad tracks.
Freight Railroad	
Route Distance	• 122 additional miles
Trackage Rights	• This alternative requires that private freight rail companies enter into a trackage rights agreement over which public agencies have no control.
New Construction	• None
Freight Operations	• The Western Connection would not be a practical alternative for the majority of TC&W's traffic; most of the traffic either originates or terminates at points to the east or southeast of the Twin Cities.
Ownership & Maintenance Resp.	• No Changes
Sound Engineering	• Grades, curvature, clearances, and speeds are acceptable.
Customer(s)	• TC&W would need to continue using the connection at St. Louis Park and the MN&S route to reach Savage.
At-Grade Crossings	• No increase in the number of at-grade crossings.
Separations	• Not Applicable
Potential Impact to Existing or Planned Transitways	
Transitways	• No Impact
Potential Impact to Existing or Planned Trails	
Trails	• No Impact
Potential for Adverse Impacts Upon Critical Environmental Resources	
Acquisitions/ Relocations	• Not Applicable
Subgrade/ Earthworks	• Not Applicable
Historic Properties	• Not Applicable
Water and Natural Resources/ Groundwater	• Not Applicable
Parkland/Section 4(f)	• Not Applicable
Noise/Vibration	• Not Applicable
Estimate of Total Project Cost Including Contingencies	
Costs	• Undefined

CHASKA CUT-OFF ALTERNATIVE

Description	Reroutes traffic through Chaska on the Union Pacific (UP) Railroad.
Conclusion: Alternative is not viable	
Comments	<ul style="list-style-type: none">• Represents a challenging and expensive project to complete.• This alternative has the potential to provide TC&W with a route to/from the Twin Cities, there are a number of significant drawbacks associated with it:<ul style="list-style-type: none">• The long grade between Chaska and Cologne make this an unacceptable operating route.• The impact on reintroducing freight rail into downtown Chaska. The City of Chaska has provided comment to this alternative and believes that the costs and impacts are greatly understated.• The TC&W has provided comments that this would eliminate a large part of their existing infrastructure and the UP RR track has inadequate capacity to operate efficiently on.• The lack of capacity on the UP RR track from Shakopee to St Paul would be major operating obstacle and the location of the UP RR connections in St Paul would require the TC&W to climb back up the hill in St Paul to get to their interchange points.• The environmental permitting issues to cross the Minnesota River would be a major hurdle and the chance of obtaining a permit to cross the river and the wildlife area are remote.• In our opinion, this alternative is not viable.

CHASKA CUT-OFF ALTERNATIVE

Evaluation Criteria	Description of Impacts
Freight Railroad	
Route Distance	<ul style="list-style-type: none"> • 102.6 miles
Trackage Rights	<ul style="list-style-type: none"> • This alternative requires a new trackage rights agreement with UP. This would entail adding TC&W trains to an already congested corridor. An economical trackage rights agreement may not be possible.
New Construction	<ul style="list-style-type: none"> • 10.8 miles of new track
Freight Operations	<ul style="list-style-type: none"> • While this alternative gives the TC&W access into St. Paul, it does not provide an optimal location and complicates access into the A Yard. Additional storage capacity may be required that is not in any current cost estimates.
Ownership & Maintenance Resp.	<ul style="list-style-type: none"> • Ownership and maintenance of the new track sections would need to be negotiated.
Sound Engineering	<ul style="list-style-type: none"> • The new section of track from Chaska to Cologne would be a challenge to maintain a reasonable grade (there is a 200' difference in elevation between Chaska and Carver). There are also speed restrictions on several sections of the UP track.
Customer(s)	<ul style="list-style-type: none"> • This alternative provides the possibility for a direct connection to the Port of Savage for grain deliveries via UP trackage (subject to a trackage rights agreement). Otherwise, TC&W would continue to reach Savage via the existing St. Louis Park connection. • By restoring service to the route through Chaska, TC&W could serve a new customer (United Sugars) that has traditionally received sugar by rail. However, this alternative results in the loss of one customer along the Cologne to Eden Prairie segment.
At-Grade Crossings	<ul style="list-style-type: none"> • Total No. of Crossings = 45 • No. of New Crossings = 5 • No. of St. Louis Park Crossings = 0
Separations	<ul style="list-style-type: none"> • Requires new crossing over Trunk Highway 212 approximately one mile east of Cologne. • Requires construction of a new bridge over a deep creek valley between Carver and Chaska. • Requires new crossing over County Road (CR) 40 immediately west of Chaska. • Requires construction of two principal structures to cross the Minnesota River valley between Chaska and Shakopee.
Potential Impact to Existing or Planned Transitways	
Transitways	<ul style="list-style-type: none"> • No impact to existing or planned transitways.
Potential Impact to Existing or Planned Trails	
Trails	<ul style="list-style-type: none"> • This alternative is not anticipated to have an impact on any existing or planned trails.
Potential for Adverse Impacts Upon Critical Environmental Resources	
Acquisitions/ Relocations	<ul style="list-style-type: none"> • No. of Structures Displaced = 19 • No. of Housing Units Displaced = 25 • Value of Properties = \$9.4 million
Subgrade/ Earthworks	<ul style="list-style-type: none"> • Minor earthwork would be required to restore the 7.65 miles of abandoned right-of-way (from Cologne to Chaska) to a usable condition. Significant earthwork would be required to construct approaches to the TH 212 overpass (east of Cologne), span CR 40 (southwest of Chaska) and to cross the Minnesota River Valley.
Historic Properties	<ul style="list-style-type: none"> • Impact on historic properties would need to be assessed.
Water and Natural Resources	<ul style="list-style-type: none"> • Existence of wetlands and other protected areas (Minnesota River Valley).
Parkland/Section 4(f)	<ul style="list-style-type: none"> • Impact of Minnesota River Valley crossing would need to be assessed.
Noise/Vibration	<ul style="list-style-type: none"> • Impact of noise/vibration would need to be assessed.
Estimate of Total Project Cost Including Contingencies	
Costs	<ul style="list-style-type: none"> • Construction \$122.0 Million • Right of Way Acquisition \$18.0 Million • Total \$129.8 Million

MIDTOWN CORRIDOR ALTERNATIVE

Description	Reestablishes freight traffic in the 29th Street (Midtown) corridor.
Conclusion: Alternative is not viable	
Comments	<ul style="list-style-type: none">• Represents a challenging and expensive project to complete.• While it may be possible to reinstall the abandoned freight rail tracks along the Midtown Corridor between West Lake Street and TH 55/Hiawatha Avenue, there are significant barriers to implementation.<ul style="list-style-type: none">• The complex and complicated juncture of roads, freight rail, trail and LRT in the vicinity of the Highway 55 Corridor, makes this alternative very difficult to build.• The need to lower the grade to allow for modern clearance standards in a confined area creates many unknown issues and the cost estimate maybe be low.• The corridor has been identified as a transit corridor for a street car system.• Many of the overhead bridges have been designated as historic or potential historic that may cause issues with permitting.• The CP bridge over the Mississippi River is operational for the limited rail traffic that it currently receives but would need work to allow the TC%W train to operate daily on this line.• It is our opinion that this is not a viable option.

S4

MIDTOWN CORRIDOR ALTERNATIVE

Evaluation Criteria	Description of Impacts
Description	Reestablishes freight traffic in the 29th Street (Midtown) corridor.
Freight Railroad	
Route Distance	<ul style="list-style-type: none"> 78.0 miles (Cologne to St Paul)
Trackage Rights	<ul style="list-style-type: none"> This alternative would require revising the existing Canadian Pacific (CP)/TC&W trackage rights agreement.
New Construction	<ul style="list-style-type: none"> 4.4 miles of new track
Freight Operations	<ul style="list-style-type: none"> This alternative was used by TC&W prior to 1998 and is considered acceptable with the exception that vertical clearances would need to increase by six feet to comply with current state standards.
Ownership & Maintenance Resp.	<ul style="list-style-type: none"> It is assumed that TC&W would be responsible for ownership and maintenance of the newly constructed 4.4 miles of tracks from West Lake Street to TH 55/Hiawatha Avenue.
Sound Engineering	<ul style="list-style-type: none"> If it is assumed that sufficient clearance under the Midtown Corridor bridges and a grade-separated connection across TH 55/Hiawatha Avenue can be made, the Midtown Corridor can meet accepted engineering conditions for freight rail operations.
Customer(s)	<ul style="list-style-type: none"> TC&W would need to continue using the connection at St. Louis Park and the MN&S route to reach Savage.
At-Grade Crossings	<ul style="list-style-type: none"> Total No. of Crossings = 29; No. of New Crossings = 4 (James, Irving, South 21st and Minnehaha Avenues); No. of St. Louis Park Crossings = 2; No. of Crossing Closures = 2 (South 5th and Humboldt Avenues)
Separations	<ul style="list-style-type: none"> Requires a grade separated crossing of the TH 55/Hiawatha Avenue & 28th Street Intersection (this represents a significant physical constraint for this alternative). Requires the reconstruction of the Dean Parkway and E. Calhoun Parkway bridges in the Chain of Lakes to accommodate both freight rail and the Midtown Greenway. Requires the modification of four recently constructed bridges along the Midtown Corridor to provide adequate overhead clearance. The condition of the bridge over the Mississippi River is questionable.
Potential Impact to Existing or Planned Transitways	
Transitways	<ul style="list-style-type: none"> This alternative requires the reconstruction of the Hiawatha LRT from just south of E. 28th Street to a point north of E. 26th Street. This alternative is also in direct conflict with the proposed Midtown Streetcar, which is identified in the region's TPP as a potential future transitway.
Potential Impact to Existing or Planned Trails	
Trails	<ul style="list-style-type: none"> While the majority of the existing Midtown Greenway commuter bicycle trail would remain in place some trail relocation would be necessary. The main impact to the Midtown Greenway commuter bicycle trail is the need to remove and reconstruct the recently opened Sabo Bridge.
Potential for Adverse Impacts Upon Critical Environmental Resources	
Acquisitions/ Relocations	<ul style="list-style-type: none"> No. of Structures Displaced = 1 No. of Housing Units Displaced = 0 Value of Properties = \$2.8 million
Subgrade/ Earthworks	<ul style="list-style-type: none"> Excavation of 6 feet of soil along an abandoned freight rail line is highly likely to encounter issues associated with contamination. If such conditions are encountered, disposal would add to project cost. The segment requiring significant construction is from West Lake Street to TH 55/Hiawatha Avenue where the rail bed needs to be lowered through excavation by approximately six feet.
Historic Properties	<ul style="list-style-type: none"> Midtown Corridor is on the National Register of Historic Places. It is understood that any changes and/or modifications to the existing corridor must be approved by the State Historic Preservation Office (SHPO).
Water Resources	<ul style="list-style-type: none"> No Identified Impacts
Parkland/Section 4(f)	<ul style="list-style-type: none"> The land underneath the bridges over Dean Parkway and E. Calhoun Parkway are owned by the Minneapolis Parks and Recreation Board (MPRB) and is classified as parkland subject to federal 4(f) requirements. Any impact to parklands needs to be evaluated closely and coordinated must occur with the MPRB prior to any use of their land for a transportation project.
Noise/Vibration	<ul style="list-style-type: none"> Impact of noise/vibration would need to be assessed.
Estimate of Total Project Cost Including Contingencies	
Costs	<ul style="list-style-type: none"> Construction: \$189.6 Million Right of Way: \$ 6.0 Million Total: \$195.6 million

HIGHWAY 169 CONNECTOR ALTERNATIVE

Description	Reestablishes freight traffic on the BNSF abandoned track from Hopkins to St. Louis Park.
Conclusion: Alternative is not viable	
Comments	<ul style="list-style-type: none">• Represents a challenging and expensive project to complete.• While it may be possible to reinstall the abandoned freight rail tracks along the TH 169 corridor between Excelsior Boulevard and the BNSF Wayzata Subdivision, there are significant barriers to implementation:<ul style="list-style-type: none">• Right-of-way purchases would be significant including purchasing of 65 parcels of land and 34 structures.• The Highway 169 interchange with Excelsior Boulevard would need to be reconfigured.• The North Cedar Lake Trail would need to be relocated.• The track ownership and maintenance would need to be determined.• It is our opinion that this is not a viable alternative.

HIGHWAY 169 CONNECTOR ALTERNATIVE

Evaluation Criteria	Description of Impacts
Description	Reestablishes freight traffic on the BNSF abandoned track from Hopkins to St. Louis Park.
Freight Railroad	
Route Distance	<ul style="list-style-type: none"> • 81.2 miles (from Cologne to St. Paul)
Trackage Rights	<ul style="list-style-type: none"> • This alternative would require a revision to the existing BNSF/TC&W trackage rights agreement.
New Construction	<ul style="list-style-type: none"> • 2.7 miles of new track
Freight Operations	<ul style="list-style-type: none"> • TC&W's connections to points throughout the Twin Cities terminal area would be very much as they are today. • Upwards of 135+ cars of storage will be lost with this option.
Ownership & Maintenance Resp.	<ul style="list-style-type: none"> • To implement this alternative TC&W must agree to own and maintain the 2.7 miles of new trackage installed to provide the connection between the CP Bass Lake Spur and the BNSF Wayzata Subdivision.
Sound Engineering	<ul style="list-style-type: none"> • In general, this alternative can be built to freight industry standards for grades, curves, and clearance.
Customer(s)	<ul style="list-style-type: none"> • This alternative does not provide for a direct connection to the Port of Savage for grain deliveries. TC&W would reach Savage via the existing St. Louis Park connection or via a new BNSF connection to the MN&S route.
At-Grade Crossings	<ul style="list-style-type: none"> • Total No. of Crossings = 27 • No. of New Crossings = 6 (2 in Hopkins & 4 in St. Louis Park) • No. of St. Louis Park Crossings = 4
Separations	<ul style="list-style-type: none"> • Requires reconfiguration of the TH 169/Excelsior Boulevard Interchange. • Requires replacement of the Minnetonka Boulevard Bridge to accommodate rail traffic. • Requires the construction of a new railroad bridge over Minnehaha Creek at a location just north of W. 36th Street in St. Louis Park.
Potential Impact to Existing or Planned Transitways	
Transitways	<ul style="list-style-type: none"> • This alternative would require a grade separated crossing of freight railroad and Southwest LRT in Hopkins.
Potential Impact to Existing or Planned Trails	
Trails	<ul style="list-style-type: none"> • This alternative assumes that the North Cedar Lake Trail owned and operated by Three Rivers Park District would be relocated to an undetermined location.
Potential for Adverse Impacts Upon Critical Environmental Resources	
Acquisitions/ Relocations	<ul style="list-style-type: none"> • No. of Structures Displaced = 34 • No. of Housing Units Displaced = 131 • Value of Properties = \$38.0 million • There is also a cell phone tower located on the right-of-way immediately north of the Hwy 7 overpass in St. Louis Park. This cell phone tower would need to be relocated as part of the project.
Subgrade/ Earthworks	<ul style="list-style-type: none"> • To implement this alternative requires earthwork for the 2.7 miles of abandoned BN line parallel to TH 169. Construction of the line would require that the roadbed be lowered at certain locations to permit rail equipment to pass safely beneath overhead bridges.
Historic Properties	<ul style="list-style-type: none"> • No Identified Impacts
Water and Natural Resources/ Groundwater	<ul style="list-style-type: none"> • Impact of bridge over Minnehaha Creek would need to be assessed.
Parkland/Section 4(f)	<ul style="list-style-type: none"> • No Identified Impacts.
Noise/Vibration	<ul style="list-style-type: none"> • Impact of noise/vibration would need to be assessed.
Estimate of Total Project Cost Including Contingencies	
Costs	<ul style="list-style-type: none"> • Construction: \$ 49.0 Million • Right of Way : \$72.6 Million • Total: \$121.6 Million

SCENARIO #1: ALL THREE ALIGNMENTS AT-GRADE (FREIGHT RAIL, LRT AND BICYCLE TRAIL)

Description	Assumes that all three facilities are at-grade and adjacent to each other through the Kenilworth Corridor.
Conclusion: This scenario is not viable but with adjustments to the LRT alignment the impacts maybe minimized.	
Comments	<ul style="list-style-type: none">• Scenario 1 would be workable only with acquisition of additional right-of-way. The scenario outlined above assumed the LRT alignment was fixed and the impacts were computed. The assumption is that the townhouse development on the northwest side of the Kenilworth Corridor and Lake Street would be purchased.• There maybe park land impacts that will need to be further studied.• There will need to be design changes in the station to allow for the freight rail track to parallel the LRT tracks.• There may be less impact with adjustments to the freight, LRT, and trail alignments. The objective would be to minimize the additional rght of way purchases that would be necessary.• This should be the subject of additional studies.

SCENARIO #1: ALL THREE ALIGNMENTS AT-GRADE (FREIGHT RAIL, LRT AND BICYCLE TRAIL)

Evaluation Criteria	Description of Impacts
Description	Assumes that all three facilities are at-grade and adjacent to each other through the Kenilworth Corridor.
Freight Railroad (Constructed At-Grade)	
Route Distance	<ul style="list-style-type: none"> • Same As Present Route
Trackage Rights	<ul style="list-style-type: none"> • Existing Agreement
New Construction	<ul style="list-style-type: none"> • Approximately 2.5 miles of new track.
Freight Operations	<ul style="list-style-type: none"> • Maintains current freight operations.
Ownership & Maintenance Resp.	<ul style="list-style-type: none"> • No Change
Sound Engineering	<ul style="list-style-type: none"> • Grades, curvature, clearances, and speeds are acceptable.
Customer(s)	<ul style="list-style-type: none"> • TC&W would need to continue using the connection at St. Louis Park and the MN&S route to reach Savage.
At-Grade Crossings	<ul style="list-style-type: none"> • There are four (4) at-grade crossings located between Louisiana Avenue and where TC&W joins the BNSF main track at Cedar Lake Junction. • Current plans call for an at-grade commuter bicycle trail crossing at Wooddale Avenue Station to bring the commuter bicycle trail from the south side of the LRT alignment to the north side.
Separations	<ul style="list-style-type: none"> • Requires construction of an additional bridge to host the freight rail track at Cedar Isles Channel.
Southwest LRT (Constructed through corridor along the LPA alignment)	
Existing/Planned Transitways	<ul style="list-style-type: none"> • The LRT alignment can be constructed according to accepted engineering practice. • Requires construction of an additional LRT bridge west of Wooddale Avenue. • Considerable redesign of five (5) Southwest LRT stations will be necessary to ensure that transit patrons experience safe and secure access to the station platforms from both sides of the LRT tracks even when a freight train is passing.
Kenilworth Commuter Bicycle Trail (Remains along existing alignment with adjustments noted in the LPA plans)	
Existing Trails	<ul style="list-style-type: none"> • Reintroduction of freight service would mean adding an at-grade crossing of the freight tracks and the associated inconvenience to bicyclists of needing to wait for freight trains in addition to LRT trains.
Potential for Adverse Impacts Upon Critical Environmental Resources	
Acquisitions/ Relocations	<ul style="list-style-type: none"> • Adding the freight track back to the Kenilworth Corridor following the construction of LRT would require the acquisition of a 33-57 housing units and the disruption of an entire townhouse community.
Subgrade/ Earthworks	<ul style="list-style-type: none"> • No Identified Issues.
Historic Properties	<ul style="list-style-type: none"> • Implementation of this scenario may generate an adverse impact on Cedar Lake Parkway with LRT elevated and freight rail at-grade. Due to the placement of the freight rail tracks west of the LRT there may be additional impacts to historic properties.
Water and Natural Resources/ Groundwater	<ul style="list-style-type: none"> • Reconstruction of the freight track would require the construction of an additional bridge over Cedar-Isles Channel but this would not be expected to negatively affect water quality or stream flow. • Implementation of this scenario would not generate additional negative impact on groundwater flow when compared against the current proposal to construct LRT through the Kenilworth Corridor.
Parkland/Section 4(f)	<ul style="list-style-type: none"> • Placement of the freight rail track 25 feet from the centerline of the LRT track places the freight rail track into Cedar Lake Park which may constitute a constructive use of that 4f property. If it is determined that this is a constructive use, then an evaluation of all reasonable and prudent alternatives must be completed before the project could proceed.
Noise/Vibration	<ul style="list-style-type: none"> • Impact of noise/vibration would need to be assessed.
Estimate of Total Project Cost Including Contingencies	
Costs	<ul style="list-style-type: none"> • Construction: \$30-\$38 Million • Right of way: \$21 Million • Total \$51-59 million <p>(Preliminary Estimate as Presented at the Special Joint Study Session of the City Council and School Board on November 29, 2010)</p>

SCENARIO #2: FREIGHT AND LRT AT-GRADE; TRAIL RELOCATED

Description	Envisions that the existing commuter bicycle trail is removed from the corridor and that the freight railroad is constructed in the space vacated by the trail.
Conclusion: This scenario is not viable but with adjustments to the LRT alignment the impacts maybe minimized.	
Comments	<ul style="list-style-type: none"> • Scenario 2 would be workable only with acquisition of additional right-of-way. This scenario assumed that the LRT alignment was fixed, so the freight rail is on the east side of the LRT and requires the acquisition of the condo development on the east side of the Corridor. • There maybe parkland impacts that will need to be further studied. • There will need to be design changes in the station to allow for the freight rail track to parallel the LRT tracks. • There may be less impact with adjustments to the freight, LRT, and trail alignments. The objective would be to minimize the additional rght of way purchases that would be necessary. • • There needs to be additional work to find an acceptable alignment for the trail. The two alternatives in the Banks' study were located on existing streets, which decreases the functionality of the commuter trail. Additional alignments should be studied. <p>This should be the subject of additional studies.</p>

SCENARIO #2: FREIGHT AND LRT AT-GRADE; TRAIL RELOCATED

Evaluation Criteria	Description of Impacts
Description	Envisions that the existing commuter bicycle trail is removed from the corridor and that the freight railroad is constructed in the space vacated by the trail.
Freight Railroad (Constructed At-Grade)	
Route Distance	<ul style="list-style-type: none"> • Same As Present Route
Trackage Rights	<ul style="list-style-type: none"> • Existing Agreement
New Construction	<ul style="list-style-type: none"> • Approximately 2.5 miles of new track.
Freight Operations	<ul style="list-style-type: none"> • Maintains current freight operations.
Ownership & Maintenance Resp.	<ul style="list-style-type: none"> • No Change
Sound Engineering	<ul style="list-style-type: none"> • Grades, curvature, clearances, and speeds are acceptable.
Customer(s)	<ul style="list-style-type: none"> • TC&W would need to continue using the connection at St. Louis Park and the MN&S route to reach Savage.
At-Grade Crossings	<ul style="list-style-type: none"> • There are four (4) at-grade crossings located between Louisiana Avenue and where TC&W joins the BNSF main track at Cedar Lake Junction.
Separations	<ul style="list-style-type: none"> • Requires construction of an additional bridge for the freight rail track at Cedar Isles Channel.
Southwest LRT (Constructed through corridor along the LPA alignment)	
Existing/Planned Transitways	<ul style="list-style-type: none"> • The LRT alignment can be constructed according to accepted engineering practice. • Requires construction of an additional LRT bridge west of I-394. • Considerable redesign of five (5) Southwest LRT stations will be necessary to ensure that transit patrons experience safe and secure access to the station platforms from both sides of the LRT tracks even when a freight train is passing.
Kenilworth Commuter Bicycle Trail (Relocated)	
Existing Trails	<ul style="list-style-type: none"> • Rerouted outside of the corridor, at least between the West Lake St. and 21st St. Stations. Two potential re routes exist, one on each side of the corridor. Neither of these alternatives is desirable from the standpoint of continuing to provide the high quality mobility and riding experience provided by the existing trail. The alternate routes may provide connectivity but are a poor replacement for the high-speed, high quality link provided by the Kenilworth Trail. This link in the commuter bicycle network essentially would disappear.
Potential for Adverse Impacts Upon Critical Environmental Resources	
Acquisitions/ Relocations	<ul style="list-style-type: none"> • Up to 117 housing units would need to be acquired from a condominium development and other properties on the east side of the corridor.
Subgrade/ Earthworks	<ul style="list-style-type: none"> • No Identified Issues.
Historic Properties	<ul style="list-style-type: none"> • Implementation of this scenario may generate an adverse impact on Cedar Lake Parkway with LRT elevated and freight rail at-grade. Due to the placement of the freight rail tracks west of the LRT there may be additional impacts to historic properties.
Water and Natural Resources/ Groundwater	<ul style="list-style-type: none"> • Reconstruction of the freight track would require the construction of an additional bridge over Cedar-Isles Channel but this would not be expected to affect water quality or stream flow negatively. • The freight alignment would not encroach on the prairie grass restoration project on the north end of the corridor. • Implementation of this scenario would not produce additional negative impact on groundwater flow when compared against the current proposal to construct LRT through the Kenilworth Corridor.
Parkland/Section 4(f)	<ul style="list-style-type: none"> • Implementation of this scenario would not produce additional negative impact on historic properties when compared against the current proposal to construct LRT through the Kenilworth Corridor.
Noise/Vibration	<ul style="list-style-type: none"> • Impact of noise/vibration would need to be assessed.
Estimate of Total Project Cost Including Contingencies	
Costs	<ul style="list-style-type: none"> • Construction: \$44 -55 Million • Right of Way: \$65 Million • Total\$109-120 million <p>(Preliminary Estimate as Presented at the Special Joint Study Session of the City Council and School Board on November 29, 2010)</p>

SCENARIO #3: FREIGHT AND LRT AT-GRADE; BICYCLE TRAIL ON STRUCTURE

Description	Envisions that the existing commuter bicycle trail is removed and placed on an aerial structure through the corridor and that the freight railroad is constructed in the space vacated by the trail.
Conclusion: This is not a viable option	
Comments	<ul style="list-style-type: none">• An elevated trail structure is design which would result in operational and safety issues.<ul style="list-style-type: none">• The elevated trail would loose its full functionality because of the few access points that would be available.• The confined space of the trail could cause safety concerns.• The location of the structure over the LRT tracks cause s safety issues with the close proximity of the overhead cantanary lines to the trail.• The maintenance cost of the structure would be substantial. • In our opinion, this is not a viable alternative.

SCENARIO #3: FREIGHT AND LRT AT-GRADE; BICYCLE TRAIL ON STRUCTURE

Evaluation Criteria	Description of Impacts
Description	Envisions that the existing commuter bicycle trail is removed and placed on an aerial structure through the corridor and that the freight railroad is constructed in the space vacated by the trail.
Freight Railroad (Constructed At-Grade)	
Route Distance	<ul style="list-style-type: none"> • Same As Present Route
Trackage Rights	<ul style="list-style-type: none"> • Existing Agreement
New Construction	<ul style="list-style-type: none"> • Approximately 2.5 miles of new track.
Freight Operations	<ul style="list-style-type: none"> • Maintains current freight operations.
Ownership & Maintenance Resp.	<ul style="list-style-type: none"> • No Change
Sound Engineering	<ul style="list-style-type: none"> • Grades, curvature, clearances, and speeds are acceptable.
Customer(s)	<ul style="list-style-type: none"> • TC&W would need to continue using the connection at St. Louis Park and the MN&S route to reach Savage.
At-Grade Crossings	<ul style="list-style-type: none"> • There are four (4) at-grade crossings located between Louisiana Avenue and where TC&W joins the BNSF main track at Cedar Lake Junction.
Separations	<ul style="list-style-type: none"> • It may be necessary to lengthen the West Lake Street Bridge or to remove the slope paving at the eastern abutment to provide sufficient separation between the NB LRT track, which currently also is assumed to be routed through the easternmost bay, and the freight track.
Southwest LRT (Constructed through corridor along the LPA alignment)	
Existing/Planned Transitways	<ul style="list-style-type: none"> • Situating the freight track on the east side of the LRT tracks through the Kenilworth Corridor, an additional LRT bridge would need to be constructed to allow the freight rail track to cross underneath the LRT tracks and connect with the BNSF Railway track near Penn Avenue. • Considerable redesign of five (5) Southwest LRT stations will be necessary to ensure that transit patrons experience safe and secure access to the station platforms from both sides of the LRT tracks even when a freight train is passing.
Kenilworth Commuter Bicycle Trail (Placed on aerial structure through the corridor, at least between the West Lake St. and 21st St. Stations)	
Existing Trails	<ul style="list-style-type: none"> • Constructing an aerial structure to host the commuter bicycle trail through the Kenilworth Corridor would not be considered accepted engineering practice because of cost, potential environmental impacts and safety/security issues associated with such a structure. Although the connectivity of the commuter bicycle network would be preserved, the full functionality of the existing trail would not be preserved because residents of the adjacent neighborhoods would no longer enjoy convenient access to the trail and the trail experience would be altered irrevocably.
Potential for Adverse Impacts Upon Critical Environmental Resources	
Acquisitions/ Relocations	<ul style="list-style-type: none"> • Up to 117 housing units would need to be acquired.
Subgrade/ Earthworks	<ul style="list-style-type: none"> • No Identified Issues.
Historic Properties	<ul style="list-style-type: none"> • Implementation of this scenario may generate an adverse impact on Cedar Lake Parkway with LRT elevated and freight rail at-grade. Due to the placement of the freight rail tracks west of the LRT there may be additional impacts to historic properties.
Water and Natural Resources/ Groundwater	<ul style="list-style-type: none"> • Reconstruction of the freight track would require the construction of an additional bridge over Cedar-Isles Channel but this would not be expected to affect water quality or stream flow negatively. • The freight alignment would not encroach on the prairie grass restoration project on the north end of the corridor. • Implementation of this scenario would not have additional negative impact on groundwater flow when compared against the current proposal to construct LRT through the Kenilworth Corridor.
Parkland/Section 4(f)	<ul style="list-style-type: none"> • Implementation of this scenario would not produce additional negative impact on historic properties when compared against the current proposal to construct LRT through the Kenilworth Corridor.
Noise/Vibration	<ul style="list-style-type: none"> • Impact of noise/vibration would need to be assessed.
Estimate of Total Project Cost Including Contingencies	
Costs	<ul style="list-style-type: none"> • Construction : \$71-\$88 Million • Right of Way : \$0 • Total\$71-88 million <p>(Preliminary Estimate as Presented at the Special Joint Study Session of the City Council and School Board on November 29, 2010)</p>

SCENARIO #4: FREIGHT AND BICYCLE TRAIL AT-GRADE; LRT ON STRUCTURE

Description	Envisions that the LRT alignment is constructed on an aerial structure through the corridor and that the existing freight rail track and commuter bicycle trail remain in their current location.
Conclusion: Alternative is not viable	
Comments	<ul style="list-style-type: none">• The Alternative of an elevated LRT track is undesirable based on:<ul style="list-style-type: none">• Increase construction and maintenance cost.• The visual impact of a LRT grade separation over Lake Street.• The impact to the LRT station design because fo the elevated structure. • In our opinion this alternative not viable..

SCENARIO #4: FREIGHT AND BICYCLE TRAIL AT-GRADE; LRT ON STRUCTURE

Evaluation Criteria	Description of Impacts
Description	Envisions that the LRT alignment is constructed on an aerial structure through the corridor and that the existing freight rail track and commuter bicycle trail remain in their current location.
Freight Railroad (Constructed At-Grade)	
Route Distance	<ul style="list-style-type: none"> • Same As Present Route
Trackage Rights	<ul style="list-style-type: none"> • Existing Agreement
New Construction	<ul style="list-style-type: none"> • Approximately 2.5 miles of new track.
Freight Operations	<ul style="list-style-type: none"> • Maintains current freight operations.
Ownership & Maintenance Resp.	<ul style="list-style-type: none"> • No Change
Sound Engineering	<ul style="list-style-type: none"> • Grades, curvature, clearances, and speeds are acceptable.
Customer(s)	<ul style="list-style-type: none"> • TC&W would need to continue using the connection at St. Louis Park and the MN&S route to reach Savage.
At-Grade Crossings	<ul style="list-style-type: none"> • There are four (4) at-grade crossings located between Louisiana Avenue and where TC&W joins the BNSF main track at Cedar Lake Junction.
Separations	<ul style="list-style-type: none"> • None
Southwest LRT (Constructed through corridor along the LPA horizontal alignment but placed on aerial structure through the corridor above freight rail.)	
Existing/Planned Transitways	<ul style="list-style-type: none"> • The construction of an aerial structure through the Kenilworth Corridor presents a significant engineering challenge. An aerial LRT structure would cross the West Lake Street Bridge at an high elevation, be more expensive than other available alternatives, create noise and aesthetic impacts that could not be mitigated, produce other unpredictable environmental impacts and invite continuing maintenance, safety and security problems. • Even with an aerial structure hosting LRT, placing the freight track on the north side of the LRT track still would require an additional LRT bridge west of Wooddale Avenue. • Considerable redesign of five (5) Southwest LRT stations will be necessary to ensure that transit patrons experience safe and secure access to the station platforms from both sides of the LRT tracks even when a freight train is passing.
Kenilworth Commuter Bicycle Trail (Remains along existing alignment with adjustments noted in the LPA plans)	
Existing Trails	<ul style="list-style-type: none"> • Preserves the commuter bicycle trail through the corridor.
Potential for Adverse Impacts Upon Critical Environmental Resources	
Acquisitions/ Relocations	<ul style="list-style-type: none"> • Requires no additional right-of-way. To accomplish this, an LRT aerial structure would need to be at full height through those sections of the corridor that were too narrow.
Subgrade/ Earthworks	<ul style="list-style-type: none"> • No Identified Issues.
Historic Properties	<ul style="list-style-type: none"> • Implementation of this scenario may generate an adverse impact on Cedar Lake Parkway with LRT elevated and freight rail at-grade. Due to the placement of the freight rail tracks west of the LRT there may be additional impacts to historic properties.
Water and Natural Resources/ Groundwater	<ul style="list-style-type: none"> • Reconstruction of the freight track would require the construction of an additional bridge over Cedar-Isles Channel if the aerial structure has some back to ground level by this point but this would not be expected to affect water quality or stream flow negatively. • The freight alignment would not encroach on the prairie grass restoration project on the north end of the corridor. • Implementation of this scenario would not produce additional negative impact on groundwater flow when compared against the current proposal to construct LRT through the Kenilworth Corridor.
Parkland/Section 4(f)	<ul style="list-style-type: none"> • Implementation of this scenario would not produce additional negative impact on historic properties when compared against the current proposal to construct LRT through the Kenilworth Corridor.
Noise/Vibration	<ul style="list-style-type: none"> • Impact of noise/vibration would need to be assessed.
Estimate of Total Project Cost Including Contingencies	
Costs	<ul style="list-style-type: none"> • Construction: \$112-\$139 Million • Right of Way: \$0 • Total: \$112-139 million <p>(Preliminary Estimate as Presented at the Special Joint Study Session of the City Council and School Board on November 29, 2010)</p>

SCENARIO #5: FREIGHT AND BICYCLE TRAIL AT-GRADE; LRT IN TUNNEL

Description	Envisions that the LRT alignment is constructed in a tunnel through the corridor and that the existing freight rail track and commuter bicycle trail remain in their current location.
Conclusion: Alternative is not viable	
Comments	<ul style="list-style-type: none">• Results in characteristics, costs or impacts that would be inconsistent with the application of sound engineering judgment.<ul style="list-style-type: none">• Placing LRT in a tunnel adds both complexity and costs to the construction of the Southwest LRT system.• The maintenance costs will increase for the LRT system• The ground water flow could be interrupted affecting the water levels at Cedar Lake and Lake of the Isles.• The construction coordination with the tunnel and maintain a freight railroad will be a major cost component to the budget. • In our opinion this is not a viable alternative

SCENARIO #5: FREIGHT AND BICYCLE TRAIL AT-GRADE; LRT IN TUNNEL

Evaluation Criteria	Description of Impacts
Description	Envisions that the LRT alignment is constructed in a tunnel through the corridor and that the existing freight rail track and commuter bicycle trail remain in their current location.
Freight Railroad (Constructed At-Grade over LRT Alignment)	
Route Distance	<ul style="list-style-type: none"> • Same As Present Route
Trackage Rights	<ul style="list-style-type: none"> • Existing Agreement
New Construction	<ul style="list-style-type: none"> • Approximately 2.5 miles of new track.
Freight Operations	<ul style="list-style-type: none"> • Maintains current freight operations.
Ownership & Maintenance Resp.	<ul style="list-style-type: none"> • No Change
Sound Engineering	<ul style="list-style-type: none"> • Grades, curvature, clearances, and speeds are acceptable.
Customer(s)	<ul style="list-style-type: none"> • TC&W would need to continue using the connection at St. Louis Park and the MN&S route to reach Savage.
At-Grade Crossings	<ul style="list-style-type: none"> • There are four (4) at-grade crossings located between Louisiana Avenue and where TC&W joins the BNSF main track at Cedar Lake Junction.
Separations	<ul style="list-style-type: none"> • None
Southwest LRT (Constructed through corridor along the LPA horizontal alignment but placed in tunnel through/under the corridor.)	
Existing/Planned Transitways	<ul style="list-style-type: none"> • The Kenilworth Corridor is not a location that represents a typical application of a tunnel with respect to conventional LRT design purposes. From the standpoint of engineering, constructing a tunnel at this location would not be considered accepted engineering practice because of cost and potential environmental impacts, given the availability of other reasonable alternatives. Another engineering issue with a cut and cover tunnel in this area is that the elevation of the track within the tunnel would be the same as or below the stream bed of the Cedar-Isles Channel, which is clearly undesirable. • Considerable redesign of five (5) Southwest LRT stations will be necessary to ensure that transit patrons experience safe and secure access to the station platforms from both sides of the LRT tracks even when a freight train is passing.
Kenilworth Commuter Bicycle Trail (Remains along existing alignment with adjustments noted in the LPA plans)	
Existing Trails	<ul style="list-style-type: none"> • Preserves the commuter bicycle trail through the corridor.
Potential for Adverse Impacts Upon Critical Environmental Resources	
Acquisitions/ Relocations	<ul style="list-style-type: none"> • Requires no additional right-of-way. To accomplish this, an LRT tunnel would need to be at full depth through those sections of the corridor where right-of-way width is restricted. At a minimum, the tunnel would need to extend under Cedar Lake Parkway. But there is the potential that the tunnel may be required the full length of the corridor to prevent right-of-way takings north of Cedar Lake Parkway, particularly in the vicinity of the 21st Street Station.
Subgrade/ Earthworks	<ul style="list-style-type: none"> • No Identified Issues.
Historic Properties	<ul style="list-style-type: none"> • Implementation of this scenario would not produce additional negative impacts on historic properties when compared against the current proposal to construct LRT through the Kenilworth Corridor.
Water and Natural Resources/ Groundwater	<ul style="list-style-type: none"> • A significant impediment to the construction of a cut and cover tunnel through the Kenilworth Corridor is the presence of the Cedar Isles Channel. The floor of a cut and cover tunnel would be at or just below the creek bed. It is difficult to conceive how this channel could be rerouted or closed without significant impact on the Chain of Lakes. • The most compelling concern with respect to tunneling through the Kenilworth Corridor is the potential disruption to the underground hydrologic system that connects Cedar Lake to the Lake of the Isles and is part of the larger Chain of Lakes system. Absent extensive investigation, it is impossible to predict the exact impact of placing a tunnel across the pathway between the two lakes. It is almost certain that the tunnel would be below ground water level, would require extensive pumping to keep dry and potentially could interrupt groundwater flow with unpredictable results to the water levels and water quality of the lake system.
Parkland/Section 4(f)	<ul style="list-style-type: none"> • Implementation of this scenario would not produce additional negative impact on historic properties when compared against the current proposal to construct LRT through the Kenilworth Corridor.
Noise/Vibration	<ul style="list-style-type: none"> • Impact of noise/vibration would need to be assessed.
Estimate of Total Project Cost Including Contingencies	
Costs	<ul style="list-style-type: none"> • Construction: \$220 Million • Right of Way: \$ 0 • Total : \$220 Million (Preliminary Estimate as Presented at the Special Joint Study Session of the City Council and School Board on November 29, 2010)

SCENARIO #6: FREIGHT AND LRT SHARE USE OF TRACK; BICYCLE TRAIL AT-GRADE

Description	Envisions that the LRT track and commuter bicycle trail are constructed as shown in the Conceptual Engineering Drawings and that the freight rail operation shares track with the LRT alignment.
Conclusion: Alternative is not viable	
Comments	<ul style="list-style-type: none"> • The impact to LRT and freight operations would make this scenario unworkable. Freight operations would be restricted to 4 hours in the middle of the night when LRT was not operating. TC&W could not operate with such a tight restricted window. (This is an FTA/FRA rule because LRT cars and freight cars are not crash compatible.) • The station design would need account for the different clearance standards between LRT and freight rail. • The freight rail operations increase the maintenance for the LRT tracks. • It is our opinion that this is not a viable alternative.

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SCENARIO #6: FREIGHT AND LRT SHARE USE OF TRACK; BICYCLE TRAIL AT-GRADE

Evaluation Criteria	Description of Impacts
Description	Envisions that the LRT track and commuter bicycle trail are constructed as shown in the Conceptual Engineering Drawings and that the freight rail operation shares track with the LRT alignment.
Freight Railroad (Shares Track with the LRT Alignment through the Corridor)	
Route Distance	<ul style="list-style-type: none"> • Same As Present Route
Trackage Rights	<ul style="list-style-type: none"> • Existing Agreement
New Construction	<ul style="list-style-type: none"> • Approximately 2.5 miles of new track.
Freight Operations	<ul style="list-style-type: none"> • Sharing track between the TC&W and the LRT line is an unworkable solution because the freight service would be restricted to a time period insufficient to provide rail freight service and continue as a viable economic enterprise.
Ownership & Maintenance Resp.	<ul style="list-style-type: none"> • No Change
Sound Engineering	<ul style="list-style-type: none"> • Grades, curvature, clearances, and speeds are acceptable.
Customer(s)	<ul style="list-style-type: none"> • TC&W would need to continue using the connection at St. Louis Park and the MN&S route to reach Savage.
At-Grade Crossings	<ul style="list-style-type: none"> • There are four (4) at-grade crossings located between Louisiana Avenue and where TC&W joins the BNSF main track at Cedar Lake Junction.
Separations	<ul style="list-style-type: none"> • None
Southwest LRT (Constructed through corridor along the LPA alignment)	
Existing/Planned Transitways	<ul style="list-style-type: none"> • Transit vehicles, such as the LRT vehicles used in Hiawatha service and the planned Southwest LRT service, could share track with freight operations only by means of an FRA waiver based on strict temporal separation (i.e., most often freight operations are restricted to hours of no passenger service). • The design of the LRT system would need to be modified to accommodate a shared use section. • Even with a shared use section, placing the freight track on the north side of the LRT track would still require an additional LRT bridge west of Wooddale Avenue. • Considerable redesign of five (5) Southwest LRT stations will be necessary to ensure that transit patrons experience safe and secure access to the station platforms from both sides of the LRT tracks even when a freight train is passing.
Kenilworth Commuter Bicycle Trail (Remains along existing alignment with adjustments noted in the LPA plans)	
Existing Trails	<ul style="list-style-type: none"> • Preserves the commuter bicycle trail through the corridor.
Potential for Adverse Impacts Upon Critical Environmental Resources	
Acquisitions/Relocations	<ul style="list-style-type: none"> • Requires no additional right-of-way.
Subgrade/Earthworks	<ul style="list-style-type: none"> • No Identified Issues.
Historic Properties	<ul style="list-style-type: none"> • Implementation of this scenario may generate an adverse impact on Cedar Lake Parkway with LRT elevated and freight rail at-grade. Due to the placement of the freight rail tracks west of the LRT there may be additional impacts to historic properties.
Water and Natural Resources/ Groundwater	<ul style="list-style-type: none"> • Reconstruction of the freight track may require the construction of an additional bridge over Cedar-Isles Channel depending upon the exact extent of the shared use section but this would not be expected to affect water quality or stream flow negatively. • Implementation of this scenario would not have additional negative impact on groundwater flow when compared against the current proposal to construct LRT through the Kenilworth Corridor.
Parkland/Section 4(f)	<ul style="list-style-type: none"> • Implementation of this scenario would not produce additional negative impact on historic properties when compared against the current proposal to construct LRT through the Kenilworth Corridor.
Noise/Vibration	<ul style="list-style-type: none"> • Impact of noise/vibration would need to be assessed.
Estimate of Total Project Cost Including Contingencies	
Costs	<ul style="list-style-type: none"> • Construction: \$35-43 million • Right of Way : \$0 • Total: \$35-45 Million <p>(Preliminary Estimate as Presented at the Special Joint Study Session of the City Council and School Board on November 29, 2010)</p>

SCENARIO #7: FREIGHT, LRT AND BICYCLE TRAIL AT-GRADE; LRT SINGLE TRACK

Description	Envisions that LRT track and the commuter bicycle trail are constructed as shown in the Conceptual Engineering Drawings with the exception that a portion of the LRT alignment would be constructed as single track through the corridor and that the freight rail track is constructed using the alignment presently anticipated to host a second LRT track where the existing right-of-way is too narrow to accommodate a double track LRT line and single track freight line.
Conclusion: Alternative is not viable	
Comments	<ul style="list-style-type: none">• This scenario would provide the only single track LRT corridor in the system making operations complex and it would probably not be acceptable to the system or the Federal Transit Administration (FTA).• The LRT stations would require additional design consideration to accommodate freight rail operations close by.• It is our opinion that this is not a viable alternative.

SCENARIO #7: FREIGHT, LRT AND BICYCLE TRAIL AT-GRADE; LRT SINGLE TRACK

Evaluation Criteria	Description of Impacts
Description	Envisions that LRT track and the commuter bicycle trail are constructed as shown in the Conceptual Engineering Drawings with the exception that a portion of the LRT alignment would be constructed as single track through the corridor and that the freight rail track is constructed using the alignment presently anticipated to host a second LRT track where the existing right-of-way is too narrow to accommodate a double track LRT line and single track freight line.
Freight Railroad (Constructed At-Grade)	
Route Distance	<ul style="list-style-type: none"> • Same As Present Route
Trackage Rights	<ul style="list-style-type: none"> • Existing Agreement
New Construction	<ul style="list-style-type: none"> • Approximately 2.5 miles of new track.
Freight Operations	<ul style="list-style-type: none"> • Maintains current freight operations.
Ownership & Maintenance Resp.	<ul style="list-style-type: none"> • No Change
Sound Engineering	<ul style="list-style-type: none"> • Grades, curvature, clearances, and speeds are acceptable.
Customer(s)	<ul style="list-style-type: none"> • TC&W would need to continue using the connection at St. Louis Park and the MN&S route to reach Savage.
At-Grade Crossings	<ul style="list-style-type: none"> • There are four (4) at-grade crossings located between Louisiana Avenue and where TC&W joins the BNSF main track at Cedar Lake Junction.
Separations	<ul style="list-style-type: none"> • None
Southwest LRT (Constructed through corridor along the LPA alignment but with only one track through the corridor)	
Existing/Planned Transitways	<ul style="list-style-type: none"> • Inserting a single track segment into the otherwise double-track Southwest Corridor LRT system would create a pinch point that would imperil efficient operations at anticipated headways and forestall operating on closer headways in the future. • Considerable redesign of five (5) Southwest LRT stations will be necessary to ensure that transit patrons experience safe and secure access to the station platforms from both sides of the LRT tracks even when a freight train is passing.
Kenilworth Commuter Bicycle Trail (Remains along existing alignment with adjustments noted in the LPA plans)	
Existing Trails	<ul style="list-style-type: none"> • Preserves the commuter bicycle trail through the corridor.
Potential for Adverse Impacts Upon Critical Environmental Resources	
Acquisitions/ Relocations	<ul style="list-style-type: none"> • Requires additional right-of-way. The greater distance required by freight rail means that the minimum right-of-way requirement for the freight rail track, the single LRT line, and the trail would be 82 feet. The ROW width between West Lake Street and Cedar Lake Parkway is 62 feet at its most narrow.
Subgrade/ Earthworks	<ul style="list-style-type: none"> • No Identified Issues.
Historic Properties	<ul style="list-style-type: none"> • Implementation of this scenario may generate an adverse impact on Cedar Lake Parkway with LRT elevated and freight rail at-grade. Due to the placement of the freight rail tracks west of the LRT there may be additional impacts to historic properties.
Water and Natural Resources/ Groundwater	<ul style="list-style-type: none"> • Reconstruction of the freight track may require the construction of an additional bridge over Cedar-Isles Channel, depending upon the exact location of the single track segment but this would not be expected to affect water quality or stream flow negatively. • Implementation of this scenario would not have additional negative impact on groundwater flow when compared against the current proposal to construct LRT through the Kenilworth Corridor.
Parkland/Section 4(f)	<ul style="list-style-type: none"> • Implementation of this scenario would not have additional negative impact on historic properties when compared against the current proposal to construct LRT through the Kenilworth Corridor.
Noise/Vibration	<ul style="list-style-type: none"> • Impact of noise/vibration would need to be assessed.
Estimate of Total Project Cost Including Contingencies	
Costs	<ul style="list-style-type: none"> • Construction: \$31-38 million • Right of Way : \$0 • Total: \$31-38 Million <p>(Preliminary Estimate as Presented at the Special Joint Study Session of the City Council and School Board on November 29, 2010)</p>



MEMORANDUM

TO: City Council Members

FROM: Dave McKenzie, P.E.

DATE: February 9, 2011 revised

RE: Technical Memorandum #3
SEH No. STLOU 114331

Based on our review of the completed Hennepin County freight rail studies and through coordination with City staff, a recommendation was presented to Council Members at the December 13, 2010 Study Session Meeting to narrow the range of alternative freight routes based upon impacts identified in the respective studies. This memo contains updated information on the four alternatives that were identified for additional review.

A summary of the four alternatives are in Table 1. Additional details are discussed later in the memo.

Table 1

Alternative	Description	Comment
MN&S Sub Alignment Study	Reroute of freight rail out of Kenilworth Corridor and onto the MN&S in St Louis Park.	Currently Under Study (findings anticipated in spring 2011)
Western Connection	Reroute of all TC&W traffic westerly through Appleton MN and onto the BNSF RR into the Twin Cities	Does not appear feasible
Kenilworth Corridor Scenario 1: All Three Grade Alignments At-Grade	Allow the freight, LRT and the bike trail to coexist at grade in the corridor	Additional right of way is needed and will require cooperation with many agencies outside of St Louis Park to achieve.
Kenilworth Corridor Scenario 2: Trail Relocated	Allow the freight and LRT to coexist in the corridor and relocate the bike trail	Additional right of way is needed and will require cooperation with many agencies outside of St Louis Park to achieve. This is less intrusive than Scenario 1.

MN&S Sub Alignment Study

Hennepin County is currently conducting a Environmental Assessment Worksheet for the MN&S alternative. Results from that analysis will be known in the Spring of 2011. It is expected that impacts and potential mitigation measures will be discussed at the Project Management Team (PMT) meeting on February 24, 2011.

Western Connection

The western connection alternative identified in the Amfahr Study originally suggested only rerouting coal trains out of St Louis Park. In Amfahr's proposal other TC&W trains would continue to travel through St. Louis Park. Transporting coal is only one of four primary components of TC&W trains passing through St. Louis Park. The other three elements are the local mixed-freight trains that operate daily between Glencoe and St. Paul; ethanol trains; and, grain trains.

The SEH suggestion was to explore more fully the possibility that all of TC&W traffic be diverted through this route, not just the coal trains. That is a much more difficult question to answer since much of the TC&W's freight originates or is delivered to eastern markets. To reroute this traffic on the BNSF would add about 120 miles and 2 or 3 days to each train trip. The additional travel time would require TC&W to increase the size of their fleet of train cars, increase their car hire costs, increase their labor costs, and increase power costs. The BNSF would also charge a trackage right fee for use of their track.

Coal Trains

The coal trains that pass through St. Louis Park originate in Wyoming and Montana and bring coal to a sugar plant in Renville, west of the Twin Cities. Currently trains come from Wyoming and Montana travel all the way into Minneapolis using the BNSF tracks before back tracking through the Kenilworth corridor and St. Louis Park west to the sugar plant. The empty coal trains return to Wyoming and Montana without passing through St. Louis Park or Minneapolis. They go directly west from the sugar plant to Appleton MN and interchange back to the BNSF line.

The loaded coals trains do not use the Appleton interchange because of track conditions on the west end of the TC&W. A track rehabilitation project to replace cross ties on the western part of the TC&W could allow for the reroute of the loaded coal trains and eliminate the need for the coal trains to pass through Minneapolis and St. Louis Park. TC&W has estimated that this project would cost about two million dollars.

Non Coal Trains

A reroute of all of TC&W's current trains to the west would mean all TC&W trains would use the BNSF's Wayzata subdivision, the existing east-west tracks which pass through St Louis Park roughly parallel to and south of Cedar Lake Road. The BNSF does not currently have a connection to the MN&S tracks however. Therefore TC&W would not have access to the grain terminals in Savage unless the existing wye in St Louis Park remained in place; or a new interconnection between the BNSF and the MN&S tracks was built. TC&W has not accessed the Savage terminals in recent years but would if market conditions change in the future. They would need to maintain their ability to access the Savage grain terminals.

The other unit train operating in St Louis Park is the unit ethanol train that is destined for markets in the eastern United States. Going west to connect with the BNSF before heading east on the BNSF tracks to reach their destination does not make sense with this train. This route has the negative operational, time and cost consequences noted above for other TC&W trains serving markets to the east.

Conclusion

The TC&W has stated that the Western Connection alternative would devastate their business and would not be workable.

There are many unknown cost variables that cannot be determined precisely at this time but could easily increase TC&W costs by millions of dollars every year. An annual freight rate subsidy would be costly to implement and an on-going expense without any identified source of ongoing funding.

We do not believe that this is a viable alternative except for the possibility of rerouting the coal trains. The City, County and MnDOT should explore with TC&W ways to fund a track rehabilitation project, if the community would like to pursue rerouting of all coal trains away from St Louis Park.

Kenilworth Corridor

Two of the four options for how to accommodate TC&W freight traffic identified for further study involve the Kenilworth corridor. This is the current temporary home for TC&W freight rail traffic. Both of the Kenilworth alternatives explore making it the permanent home for TC&W traffic. One option includes just freight rail and LRT; the other option also accommodates the regional trail. The concept plans and analysis of the Kenilworth alternatives undertaken by SEH builds on the base information from the HDR SWLRT concept plans and the RL Banks study. The analysis of the Kenilworth corridor alternatives is described below.

Corridor Description

The Kenilworth Corridor is currently being used by the CP/TC&W railroads and the Kenilworth bike trail in a shared corridor. The HCRRA owns the right of way. It varies in width from 44 feet to over 150 feet. The narrow portions of the HCRRA right of way have been identified in the past as “pinch points” with regards to accommodating freight rail and light rail in the Kenilworth Corridor. There is a 750’ long area just south of the Cedar Lake Channel that is 44’ wide, but has an adjacent publicly owned parcel that is 50’ wide that is owned by the City of Minneapolis. There is also another narrow parcel from Lake Street to Cedar Lake Parkway (about 2,300’) that is 62’ wide with development on both sides. These are the two pinch points in the corridor that are of greatest concern. While there may be other spots along the Kenilworth corridor where small encroachments onto publicly owned parcels owned by entities other than HCRRA maybe needed for the freight rail alternatives to work, the two “pinch points” identified above are the most critical areas. There is very little excess right of way adjacent to the east side of the existing corridor. The west side has several parcels that are owned by either Minneapolis Public Works or the Minneapolis Park Board.

RL Banks Study

Hennepin County hired RL Banks to conduct a study in the Fall of 2010 that addressed seven different scenarios. Five have been previously discounted as not feasible. The two remaining scenarios are:

1. LRT, freight rail and the trail all at grade in the corridor;
2. LRT and freight rail at grade in the corridor and the trail relocated to outside of the corridor.

Scenario 1 allowed the freight, LRT and bike trail to coexist on an at grade alignment. This assumption kept the trail in the same location and shifted the freight railroad to the north and west of the LRT. This alignment required the acquisition of most, if not all of the Cedar Lakeshore townhomes development.

The RL Banks' cost estimate for this alternative was about \$55 million dollars, including about \$21 million for acquisition of right of way.

Scenario 2 allowed for the freight tracks to be relocated onto the existing trail location and the trail relocated onto the street system south of 21st Street. Because of wider setbacks needed for the freight rail, under this scenario, the condominium development on the east side of the Kenilworth corridor, just north of the Mid-town Greenway would need to be acquired. The RL Banks cost estimate of this scenario was approximately \$110 million, about double the cost estimate of scenario 1. The higher cost estimate reflects the acquisition of the condominiums on the east side of the corridor.

Design Assumptions

Analyzing the potential to accommodate LRT, freight rail and potentially the regional trail in the Kenilworth corridor requires establishing basic design standards for each of the corridor uses. Minimum spacing and right of way requirements are particularly key factors. This is especially true because the adequacy of the width of the corridor has been a key concern regarding accommodating both freight rail and LRT in the Kenilworth corridor. The question has been, is the Kenilworth corridor wide enough to safely accommodate freight rail, LRT and the regional trail; and if not, how much additional right of way would be needed. The analysis of the fit of these elements within the corridor is complicated by a varying corridor width, curving right of way, location of bridge structures, grades and location of LRT stations among many factors. Based on discussions with Hennepin County, Met Council, their consultants and industry standards basic design assumption were developed. The following minimum spacings standards were used for all alignments:

- (1) 25' from edge of right of way to center of freight rail track
- (2) 25' from center of freight rail track to center of nearest LRT track
- (3) 14' between the centers of the LRT tracks
- (4) 12' from center of second LRT track to edge of paved trail
- (5) 16' of paved trail
- (6) 2' between paved trail and edge of right-of-way.

Essentially these spacing assumptions mean you need a minimum corridor width, without accommodating for any special circumstances, of 84 feet to accommodate LRT, freight rail and the regional trail at grade.

If only LRT and freight rail are accommodated in the corridor, a minimum width of 76 feet is needed.

SEH Analysis

In our analysis we explored 3 potential refinements to the RL Banks' Kenilworth scenarios. They are:

- 1) The designing the LRT around the existing freight alignment. Essentially leaving the freight track in its existing position.
- 2) Revise the LRT, freight tracks and the trail alignments to best fit all in the Corridor
- 3) Revise the LRT and freight track alignments and relocate the trail off of the Corridor.

We also assumed that the revised LRT track alignment would need to match the LRT alignments at the Lake Street bridge and at the I-394 bridge. We also tried to minimize the impact to the proposed station locations.

The SEH refinements are detailed below:

Retaining the Current Rail Alignment. The first concept explored was to leave the freight rail track on the existing alignment, and adjust the LRT and trail alignments around it. The RL Banks analysis had done the reverse. It assumed the proposed LRT alignment as a given and located the freight rail in accommodation of LRT. Our approach, was intended to explore if there was any benefit from designing a corridor alignment starting with the current freight rail alignment as fixed. The current freight rail location is very close to the west right of way line and the Cedar Lake Townhomes in the 62 foot "pinch point" immediately north of the Midtown Greenway connection to Kenilworth. The thought was that starting with the existing freight rail alignment as a given may result in a very efficient use of the limited space at this point in the corridor. This did not turn out to be the case. This approach resulted in the LRT tracks being shifted into the high rise condominium located on the east side of the track, at the Midtown Greenway. This is one of the most intensely developed parcels along the corridor. This was determined to be an unreasonable alignment.

Scenario 1A - The second concept explored assumed the alignments of all three elements in the corridor, the LRT, freight rail and the regional trail were flexible. The alignment of each element could be adjusted to minimize the additional right of way required. The results of the analysis (Scenario 1A) were similar to the results for scenario 1 of the RL Banks study. To accommodate all three corridor components at grade requires extensive right of way acquisition. Roughly half the Cedar Shores Townhome structures would be affected. The design also indicates that the apartment building at 2601 Sunset Boulevard will be impacted. Burnham Road north of Cedar Lake Parkway will also need to be realigned and there is a high potential that partial acquisition from some parcels on the west side of Burnham Road would be needed. Our preliminary estimates is \$60 to \$65 million dollars. If all of the Cedar Lakeshore townhome development is acquired, the cost estimate would increase by another \$13 million dollars.

Scenario 2A - This alignment concept, similar to RL Banks Scenario 2, assumed only the LRT and freight rail are in the corridor. The trail would be relocated outside the corridor. Our analysis (See Appendix A) assumed that the freight railroad stays on the north and west sides of the corridor. The deletion of the trail allows enough space for the freight and LRT tracks to fit in the corridor and meet the minimum design standards if some property is acquired from the Cedar Lakeshore townhomes development. This concept uses the green space between the Cedar Lake Shores town houses and their property line shared with the HCRRA property as part of the setback requirement for the freight rail tracks. The minimum design standards could be met without the acquisition of any Cedar Lake Shore structures.

While technically, the 25' spacing from the edge of right of way to the center line of track can be met by acquiring property from the Cedar Lake Townhomes, the result is a loss of setback area and greenspace for the townhomes. The resulting setback would be as little as 2 feet and would vary from 2 to 24 feet. Most setbacks would be less than 10 feet. The train tracks themselves would move closer for 2/3's of the 13 townhomes adjacent to the property line, most by 12 feet or more.

Currently the freight rail tracks are as close as 25 feet from the Cedar Lake Shores structures already. Today the townhomes are from 25 ft to 57 ft from the center line of the railroad tracks. However the rail location was never intended to be permanent. Under Scenario 2A, alignment the tracks would be mostly closer than they are now; and vary from 27 to 49 feet from the townhomes. SEH believes the Scenario 2A freight track alignment would be uncomfortably close to the townhome structures. (See Appendix B).

Regarding the regional trail, it could remain in the corridor in place from the Penn Street LRT station to just south of the Burnham Road overpass. At that point the HCRRA right of way narrows and the trail would need to leave the Kenilworth corridor unless additional right of way was acquired. The trail could be routed onto the local streets at Burnham road. Additional study would be needed to determine the preferred location of the trail.

Our estimated cost for this scenario would be about \$30 million plus right of way which depending upon the Cedar Lakeshore townhome development and the purchase of parcels from the City of Minneapolis and the Minneapolis Park Board, would add between \$5 million and \$35 million.

Unresolved Issues

There are several issues unrelated to literally the alignment or fit of freight, LRT and the trail in the Kenilworth corridor that would need to be evaluated and resolved before a final determination can be made if freight, LRT and trails can coexist in the Kenilworth Corridor. They include:

1. The environmental impact to parkland property including the Cedar Lake Channel, Cedar Lake Parkway crossing, of adding freight rail into the corridor as a permanent element.
2. Where the LRT tracks will cross the freight rail within the SW corridor.
3. How does the freight rail and LRT impact the Highway 100 bridge design?
4. What is the best location for the relocated trail? Right now the SWLRT plans show the regional trail is on the north side of the LRT west of Wooddale and the south side east of Wooddale.
5. The impact to the draft SW LRT EIS and would it need to be amended.
6. How much of the Cedar Lakeshore townhome development will be acquired.
7. How does the freight rail adjacent to the LRT affect the operation, design and success of the LRT stations
8. How would the freight rail in Kenilworth affect the opportunity to for trolley service on the Midtown Greenway?

Conclusions/Next Steps

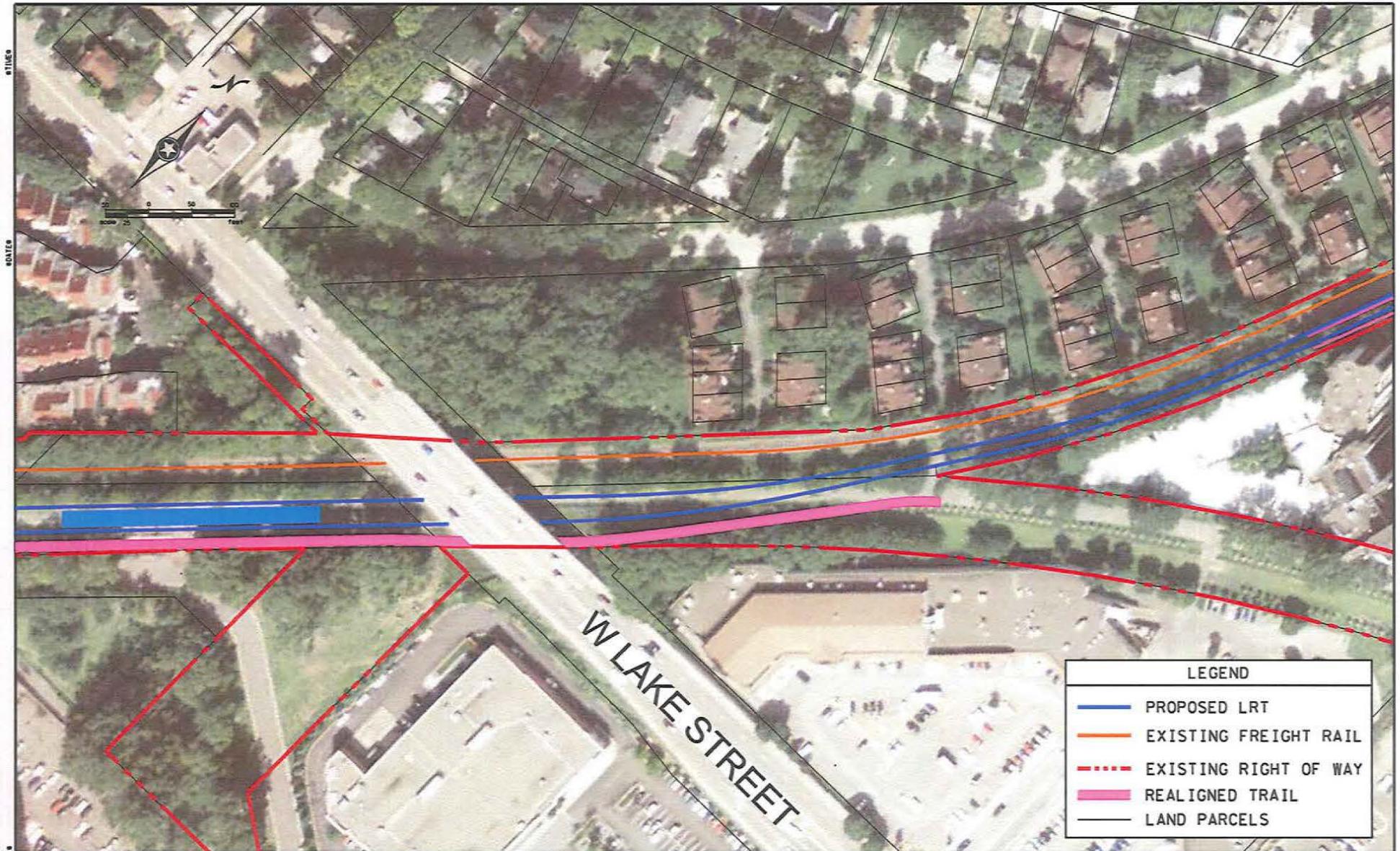
A final evaluation of the Kenilworth Corridor issues would need to be done relative to the MN&S sub alignment study. Understanding the impacts and costs, mitigation and actual concept plan proposed for MN&S will be needed to evaluate the relative merits for community of each of the alternative resolutions to the TC&W freight rail question.

The intent of this memorandum is to provide some additional information as SEH has examined the remaining four alternatives. SEH will provide future updates as more information is developed and refined.

Appendix A

Alignment 2A

Freight Rail and LRT with no trail

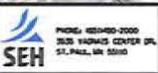


LEGEND	
	PROPOSED LRT
	EXISTING FREIGHT RAIL
	EXISTING RIGHT OF WAY
	REALIGNED TRAIL
	LAND PARCELS

DESIGN TEAM			
DRAWN BY			
DESIGNED BY			
CHECKED BY			
NO.	BY	DATE	REVISIONS

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

Certified By: _____ Lic. No. _____
 Printed Name: _____ Date: _____



**CITY OF
ST. LOUIS PARK**

**KENILWORTH CORRIDOR, SCENARIO 2A
FREIGHT RAIL & LRT (NO TRAIL)**

FILE NO. MCD	1 7
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LEGEND	
	PROPOSED LRT
	EXISTING FREIGHT RAIL
	EXISTING RIGHT OF WAY
	LAND PARCELS

DESIGN TEAM			
DRAWN BY:			
DESIGNER:			
CHECKED BY:			
NO.	BY	DATE	REVISIONS

I hereby certify that this work was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Missouri.

Certified By: _____ License No. _____
 Printed Name: _____ Date: _____



**CITY OF
ST. LOUIS PARK**

**KENILWORTH CORRIDOR, SCENARIO 2A
FREIGHT RAIL & LRT (NO TRAIL)**

FILE NO. M33	2
	7



LEGEND	
	PROPOSED LRT
	EXISTING FREIGHT RAIL
	EXISTING RIGHT OF WAY
	LAND PARCELS

DESIGN TEAM				
DRAWN BY:				
DESIGNED BY:				
CHECKED BY:				
	NO.	BY	DATE	REVISIONS

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Missouri.

Certified By: _____ Lic. No. _____
 Printed Name: _____ Date: 02/14/2013



CITY OF ST. LOUIS PARK

**KENILWORTH CORRIDOR, SCENARIO 2A
 FREIGHT RAIL & LRT (NO TRAIL)**

FILE NO. M33	3
	7

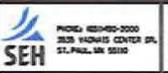


LEGEND	
	PROPOSED LRT
	EXISTING FREIGHT RAIL
	EXISTING RIGHT OF WAY
	REALIGNED TRAIL
	LAND PARCELS

DESIGN TEAM				
DRAWN BY				
DESIGNER				
CHECKED BY				
	NO.	BY	DATE	REVISIONS

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

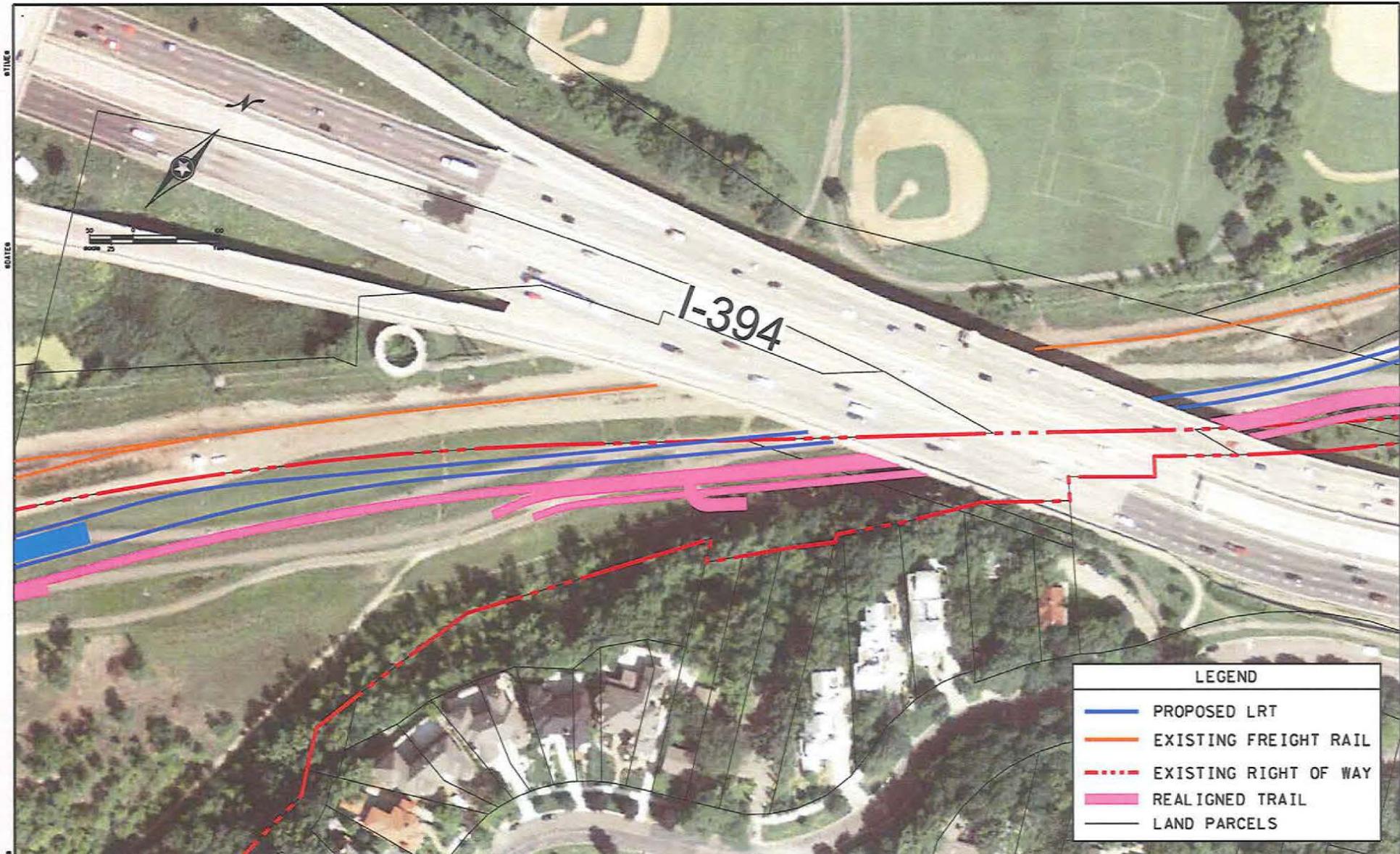
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CITY OF
ST. LOUIS PARK

KENILWORTH CORRIDOR, SCENARIO 2A
FREIGHT RAIL & LRT (NO TRAIL)

FILE NO. M33D	6
	7



LEGEND	
	PROPOSED LRT
	EXISTING FREIGHT RAIL
	EXISTING RIGHT OF WAY
	REALIGNED TRAIL
	LAND PARCELS

DESIGN TEAM				
DRAWN BY:				
DESIGNER:				
CHECKED BY:				
	NO.	BY	DATE	REVISIONS

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

Certified By: _____ License No. _____
 Printed Name: _____ Date: _____



CITY OF ST. LOUIS PARK	KENILWORTH CORRIDOR, SCENARIO 2A FREIGHT RAIL & LRT (NO TRAIL)	FILE NO.	7
		INSD	7

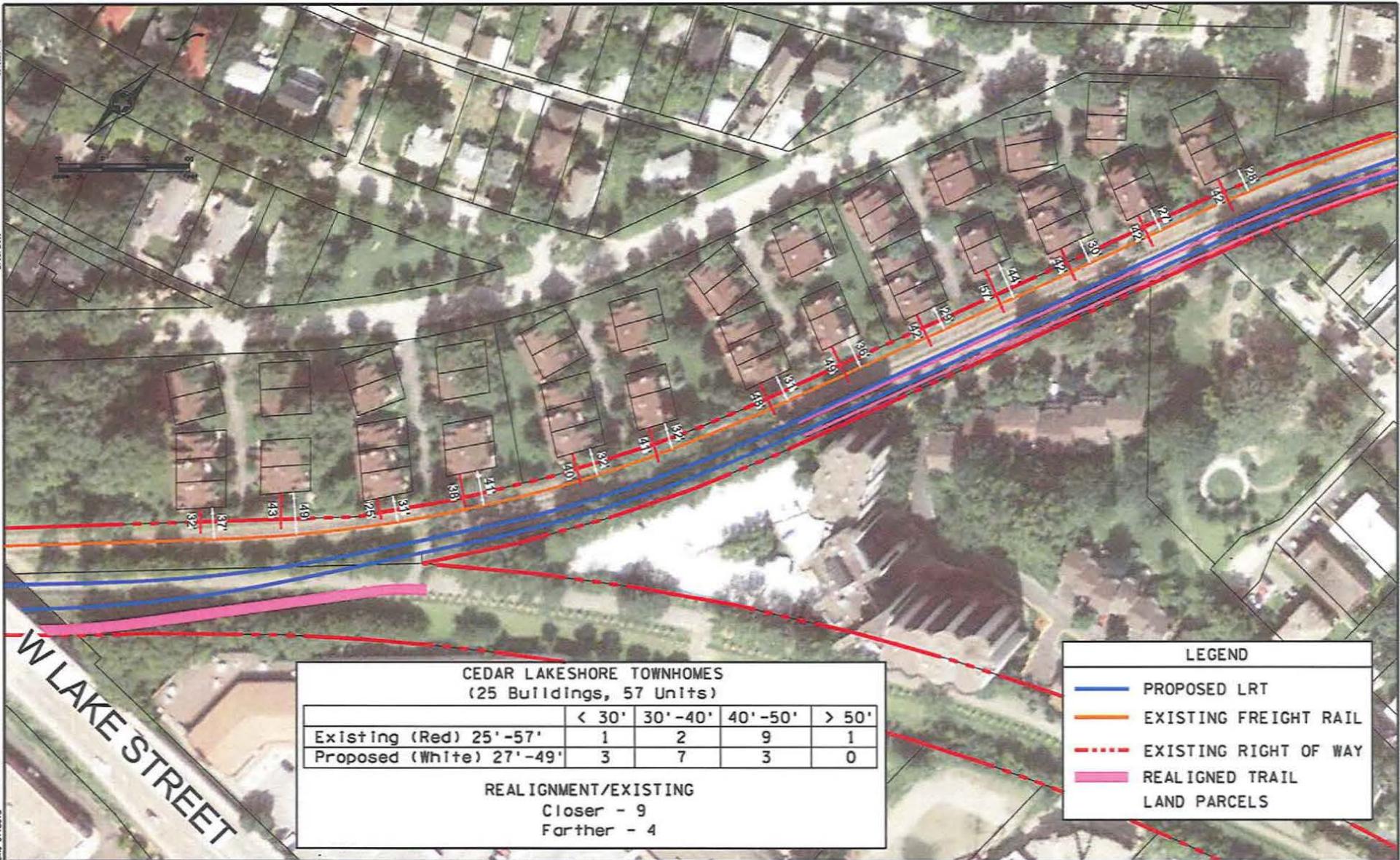
Appendix B

Cedar Lakeshore Townhome Set backs

6/4/2011

2/10/2011

SAUTIN\SAS1\04143115-dgn\1.dwg



CEDAR LAKESHORE TOWNHOMES
(25 Buildings, 57 Units)

	< 30'	30'-40'	40'-50'	> 50'
Existing (Red) 25'-57'	1	2	9	1
Proposed (White) 27'-49'	3	7	3	0

REALIGNMENT/EXISTING
Closer - 9
Farther - 4

LEGEND	
	PROPOSED LRT
	EXISTING FREIGHT RAIL
	EXISTING RIGHT OF WAY
	REALIGNED TRAIL LAND PARCELS

DESIGN TEAM			
DRAWN BY:			
DESIGNER:			
CHECKED BY:			
NO.	BY	DATE	

REVISIONS	

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Missouri.

Carried By: _____ License Professional Engineer L.L.E. No. _____
Printed Name: _____ Date: 2/10/2011



CITY OF ST. LOUIS PARK

KENILWORTH CORRIDOR TOWNHOME OFFSETS

FILE NO.	1
MSD	1

June 15, 2011

Frank Pafko
Director, Office of Environmental Services
Minnesota Department of Transportation
395 John Ireland Boulevard, MS 620
St. Paul, MN 55155-1899

Subject: MN&S Freight Rail Study EAW

Dear Mr. Pafko:

On behalf of the City of St. Louis Park enclosed are materials submitted as comments on the MN&S Freight Rail Study Environmental Assessment Worksheet, proposed by Hennepin County Regional Railroad Authority.

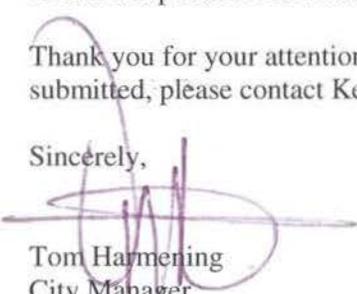
The St. Louis Park City Council approved and authorized submittal of the attached materials by council action at its June 6, 2011 City Council meeting. Enclosed are three documents.

1. Specific comments on the EAW;
2. A list of mitigation measures the City believes are necessary at a minimum to address the potential adverse impacts of the proposed project; and,
3. Tech Memo #4, a comparison of alternative routes for TC&W and a source of technical information for the City's EAW comments and mitigation measures; and,
4. Alternative Route Cost Comparison Table

The comments were prepared after extensive community input, careful technical review and thorough discussion of the EAW and the potential impacts of the proposed project on the City of St. Louis Park. We ask that you carefully consider our comments in your review of the MN&S Freight Rail Study EAW in your role as Responsible Governmental Unit.

Thank you for your attention to this important issue. If you have any questions regarding the materials submitted, please contact Kevin Locke, Community Development Director (952-924-2580).

Sincerely,



Tom Harmering
City Manager

Enclosures:
MN&S EAW Comments
Mitigation Measures
Tech Memo #4
Alternative Route Cost Comparison Table

cc: City Council, School Board, Superintendent Debra Bowers

Comments on MN&S EAW from City of St Louis Park

General Comments:

- 1) The original goal for the City was to minimize the time, noise and disruption that freight trains have in the City of St Louis Park. The stated purpose of the proposed action is inconsistent with the City's goals as stated in Resolution 10-070 (see attached); and, the purpose of the proposed action ignores the fact that a key purpose for the reroute of freight rail trains off of the Kenilworth alignment is to accommodate SW LRT. : However, SLP has determined that SWLRT and freight rail can both be accommodated within the Kenilworth corridor, with certain modifications, at considerably less expense.
 - a) As stated on Page 2, the purpose of the Proposed Action is tied to the State Rail Plan:

“The purpose of the Proposed Action is to study how to provide the TC&W railway with a relocated connection for operational and available freight movement to St. Paul, while minimizing adverse impacts to the surrounding community, and providing a system that is consistent with the State Rail Plan.”

And yet, there is very little reference in the EAW as to how the MN&S Freight Rail Study fits into the broader system described in the State Rail Plan; nor is there any explanation as to how the proposed reroute of TC&W trains furthers the implementation of the State Rail Plan.
 - b) If the MN&S EAW is to be consistent with the State Rail Plan, then the analyses and calculations of impacts in the EAW should be based on projected train activity levels consistent with the State Rail Plan's 2030 planning horizon. The MN&S EAW calculations and projections are based only on existing train traffic levels and make no provision for any increased train activity, even though the State Rail plans projects a 25% overall increase. The MN&S EAW also does not take into account in its calculations, any increased train traffic resulting from the impact of the MN&S track improvements on the overall State Rail system. The improved connectivity and the upgrading of tracks identified in the State Rail plan as part of a potential CP bypass of the bottlenecks like University Junction could result in increased train traffic. The fact that these factors have not been considered could mean that the EAW's calculations under estimate the potential impacts of improvements to the MN&S tracks.
 - c) Page 15 details that the proposed action does not include elimination of the wye (Skunk Hollow) track even though it is a major goal of the City.
 - d) Another goal of the city was the idea of rerouting coal trains west of the metro area and this is also not a part of the proposed action,

- 2) There is reference to meeting with the three affected railroads but there is no documentation on those meetings or the official position of the railroad on the design assumptions.
- 3) There are no track profiles shown in the EAW. There are three major concerns about the lack of information about the profiles:
 - a) The City is concerned that the track profiles match the existing road crossings to minimize roadway work or the project would be required to pay for the extensive street work. The Lake/Library area drainage is very sensitive to any grade changes.
 - b) The analysis assumes 25 mph for the trains. The profile is a critical component of speed and noise. The grades will not allow a consistent 25 mph speed, how the varying train speeds affect noise and vibrations is not explained.
 - c) The grades exceed mainline standards, and the EAW states that the grades over 1 percent are relatively short and match the current track profile. The longer trains may have difficulty with these grades. The City had requested earlier in the study for a speed profile analysis on how the longer trains will be affected by these grades. No speed profile analysis has been provided.
- 4) The EAW states that the track design will meet current CP standards, but the typical cross sections do not reflect the wider sub grade standard.
- 5) There is no discussion on how this EAW meshes with the DEIS being conducted for the SW LRT. The primary purpose of any MN&S reroute project is to gain space in the Kenilworth Corridor for the SW LRT tracks. There are inconsistencies in the design factors in these environmental studies such as whether freight rail tracks east of Wooddale remain in place. These two environmental documents should match each other.
- 6) There is no discussion about ownership and maintenance of the track and other improvements. The CP and TC&W railroads have indicated to the City that they do not want to own the new structures. In addition to the tracks themselves, who and how landscaping and the right of way will be landscaped and maintained should be addressed.
- 7) The traffic analysis uses inadequate assumptions:
 - a) Railroad crossing signals are activated before the train arrives at the crossing and remain down after the train exits the crossing. The time is normally about 30 seconds before the train enters plus 5 seconds after the train exits the crossings. There is no reference in the blockage computations that this time has been accounted for, and it appears this has not been included. This will change the traffic analysis.
 - b) The length of the rail car varies by the type and commodity. The EAW used 85 foot length for all cars. Coal cars are 55 to 60 feet long. Ethanol cars are about 60 feet. Grain cars are 65 to 70 feet long. Generally the length of trains is overstated.

- c) The peak hour traffic near the high school is not the normal peak hour. Bus schedules are sensitive to time and a train at the school's peak hour would be a major disruption to the bus system.
- 8) There is no discussion about potential derailments and how emergency personnel would develop an evacuation plan.
- 9) There is only a 20'6" clearance between the bottom of the new bridge over the Bass Lake Spur track and the Bass Lake Spur tracks; this does not meet the minimum State requirements.
- 10) Pages 19-21: Remediation of the Golden Auto National Lead site involved extensive processing of a large volume of lead contaminated soils and concrete, much of which has been safely contained on the site. A 10-18 inch impervious cap covers the bulk of the site. Excavation on this site has the potential to encounter areas of contaminated soils and areas of crushed concrete. The construction proposes to pierce the cap. Great care will need to be taken to ensure the integrity of the impervious cap is maintained and any contaminated soils that must be removed are handled properly. Geo-technical challenges may also be encountered due to the significant deposits of crushed concrete on the site. The distribution of contained contaminated soils and crushed concrete is not evenly distributed nor is it of a uniform thickness throughout the site. Further analysis is needed to establish the extent of capped contaminated soils and crushed concrete that will be encountered for construction of footings and foundations, or other earthwork on the Golden Auto National Lead site. The EAW minimizes and does not fully address these potential construction issues.
- 11) Page 77: In the Louisiana SW LRT station area it is noted the SW DEIS plans a facility for 250 cars – this is not the amount in the DEIS. It also states that this project will provide “optimal developable land” for development in the station area, however there will be property taken property off the tax rolls, and impacted greatly by the proposed rail bridge, leaving land remnants that are not “optimal.” There would also be impact on the local road system.

Specific Comments:

- 12) Page 2: The proposed action statement makes no reference to the SW LRT project.
- 13) Page 8: Closure of 29th Street is a City decision. The closure is proposed because the proposed track profile would be about 4 feet higher than the existing crossing making it difficult to construct a roadway approach that works. There are no details on how much of 29th Street is proposed to be removed or how the dead end streets resulting from closure of 29th Street's rail crossing will be handled. No cul de sacs or other means for vehicles, including street maintenance vehicles and emergency vehicles, to turn around is provided.
- 14) Page 12- track grade erroneously stated as .80%; should be .86% - which exceeds TCW's stated acceptable maximum incline. If MNDOT, County or other entity has

- agreed or intends to provide compensation to railroad due to operational difficulties, such compensation must be publicly and promptly disclosed.
- 15) Page 16: No timeline explaining how and when this project will proceed is provided. This uncertainty adversely impacts residents, businesses and property owners within the MN&S area.
 - 16) Page 16: The list of permits is incomplete. There needs to be a series of agreements with the three railroads and Hennepin County as well as between the railroads; these may not easily be achieved. Approvals are also needed from Three Rivers Park District for the trail revisions.
 - 17) Page 20 – There is no discussion of the potential impacts or mitigation regarding the impacts of construction or increased train traffic on vapor intrusion in the MN&S Section.
 - 18) Page 24-25 – Net loss of wetlands, no replacement identified.
 - 19) Page 28- More detail is needed regarding the changes to the floodplain and whether nearby property owners will be affected. What is impact to Sungate West townhomes on Alabama Ave, which I believe are in floodplain?
 - 20) Page 30- 70,400 cubic yards of material will be moved in the MN&S Section of the project area and 14,050 cubic yards will be moved in the BNSF Section. The EAW does not specify how they plan to move such massive amounts of soil, particularly given the lack of road access into the Iron Triangle. What will be the erosion impact?
 - 21) Page 32-33 Existing soil and groundwater contamination may limit how stormwater ponds are constructed and where they are located.
 - 22) Page 30 – It should be noted that today the short trains on the MN&S occasionally stop to get food at McDonalds; if this practice were to occur with the longer rerouted TC&W trains, severe traffic congestion and safety issues could occur.
 - 23) Page 39 – Only the St. Louis Park High School and Park Spanish Immersion schools are noted as within close proximity to the MN&S tracks. Metropolitan Open School, Holy Family School and Dakota School are equally as close to the tracks as the Park Spanish Immersion school and should be referenced as well. Also, only the school bus movements at the schools are noted and analyzed. Parents dropping off and picking up children will also be affected by increased train activity on the MN&S tracks.
 - 24) Page 40: 28th and 29th Streets are classified as local streets. The 2011 traffic count for 29th is 190 ADT. The impact on Minnetonka Blvd from closing 29th street is not discussed. This is especially important because it is anticipated that the 27th street access on to Hwy 100 is expected to be closed in the future meaning neighborhood traffic seeking to go south of Hwy 100 will need to access Minnetonka Blvd to access Hwy 100 in addition to traffic diverted to Minnetonka Blvd because 29th Street is closed.
 - 25) Page 40-41; Page 47 – Blockage of intersections by trains will cause diversion of traffic into the Bronx Park, Birchwood, Lenox and Sorenson neighborhoods. These impacts are not considered, nor are the air quality impacts of this delayed and diverted traffic.

- 26) Page 42 – At-grade crossing times table, shows the length of time single and multiple intersections would be blocked by trains. It shows the time 5 intersections could be blocked by the longest trains (80 and 100 car trains), however it does not show how long 3 intersections could be blocked by these longer trains. This under represents the potential disruption, traffic diversion and delay impacts of rerouting trains to the MN&S; these impacts should be identified and analyzed.
- 27) Page 54 – References Table 4, it appears it should really reference Table 14.
- 28) Page 56 - Under represents the potential severity of noise impacts do to coal night trains (long trains) passing through residential neighborhoods. It is assumed that coal trains will be traveling at 25 mph. In reality trains may much more likely be traveling at 10 to 15 mph. The nighttime trains should be considered to be a severe noise event for St. Louis Park's residential areas.
- 29) Page 57 – Table 15 shows Dakota Park as 510 feet, Roxbury Park as 155 feet and Keystone Park 130 feet from the MN&S tracks. All three of these City Parks are immediately adjacent to the MN&S rail right of way and much closer to the rail tracks than represented in Table 15. This table should be revised and potential impacts on these parks re-evaluated.
- 30) Page 58 – Implementation of Whistle Quiet Zones at Library Lane and Dakota Avenue will need to accommodate important access ways to the St. Louis Park High School. This will be a design challenge. Costs for these improvements need to be included in the project costs for the MN&S reroute and should not be the responsibility of the City of St. Louis Park or the St. Louis Park School District.
- 31) Page 48-64 – The noise section does not address noise created by the addition of locomotives needed to pull trains up the interconnect incline, it does not account for noise due to squealing wheels on tight curves, braking as westbound trains go down the interconnect and bells on crossing arms installed per WQZ.
- 32) Page 64: There were two field locations for the vibration. The nearest site was 60 feet, yet the analysis assumes that there is no impact past 40 feet from the track. The City has heard from the School District and the businesses that they have vibration disruptions now, without the reroute. The vibration analysis does not accurately reflect the existing and proposed rail operations. The field work is based on the existing slow, short trains. No mitigation is proposed despite the potential for significant disruptions at the Lake Street businesses and the High School. The potential for vibration issues on the BNSF area due to trains idling on a new BNSF siding is not addressed.
- 33) Page 71: The proposed Cedar Lake Trail Bridge over the new Iron triangle track will also be 30 feet above the surrounding ground surface and will have a significant visual impact.
- 34) Page 72 – It is noted that St. Louis Park residents were represented on the MN&S Study Project Management Team. It should also be noted that many of the neighborhood representatives on the PMT were dissatisfied with the process and felt their mitigation recommendations were disregarded.

- 35) Page 77: It is stated that the SWLRT DEIS is “currently being prepared” whereas it is under review by the Federal Transit Administration (FTA) at this time.
- 36) Page 81-83 – Sufficient property should be acquired to create a minimum separation between residential properties and the center line of the MN&S tracks of 50 ft. This could be achieved by acquiring approximately 40 properties on the east side of the MN&S tracks from Minnetonka Blvd North to 27th Street; and, shifting the tracks to the east from its proposed alignment.
- 37) Page 81: Section 30b deals with right of way and relocations. The EAW comments that only one parcel is required and 13 partial takings. Table 19 understates the impacts.
- a) There are two residential units that have been proposed to be taken that are not listed in Table 19.
 - b) There is extensive construction work in the iron triangle area but there is not access into the construction site. The area is surrounded by wetlands, flood plains, parks, railroads and private developed property. The EAW should provide a construction access plan to this area and provide an evaluation of the environmental impacts of this access.
 - c) Parcels 108,109 and 110 will have a bridge within 25 feet of their building edges and for parcels 108 and 109 their parking lots and driveways will be impacted.
 - d) Parcels 97, 98, 100 and 101 are underdeveloped lots used primarily for outdoor storage of construction materials. Table 19 has inaccurate areas of impact.
- 38) Page 86 – The EAW acknowledges that the MN&S tracks separate the otherwise adjacent Roxbury and Keystone Parks. With increased train traffic on the MN&S, the tracks will become an increasingly severe barrier and pedestrian safety hazard. A pedestrian tunnel or bridge inter-connecting these parks should be provided.
- 39) Page 87 – Insufficient analysis is provided of the potential extent and impact of a derailment of a train carrying hazardous substances.
- 40) Page 87 – Crossing gates are needed at all crossings and fencing between the railroad tracks and adjacent properties should occur along the full MN&S route.
- 41) Page 89 – Property value analysis includes only a portion of the properties along the MN&S tracks. The value of the properties north of Minnetonka should be included in the EAW analysis.
- 42) Page 90 – Impacts of potential disruption of businesses during construction needs to be more fully addressed, including the possibility of one or more businesses needing to be relocated.
- 43) Page 90 - Page 93: The proposed improvements will be constructed between City maintained monitoring wells near the Golden Auto site that may be impacted by construction or vibration. There is no reference on how the project will affect these wells and how they will be protected.
- 44) Page 93: Table 20 estimates that 2 acres of wetlands will be impacted. The City would prefer that the wetland replacement be located within St Louis Park and the EAW should address possible mitigation sites.

- 45) Page 94: There is a reference to constructing 3 storm water runoff ponds. The City has had difficulty locating drainage facilities in this area because of development and contamination. The EAW does not describe in any detail where these ponds would be located and what properties will be affected.
- 46) Page 97: Commitment to include welded rail in the project should be an Area, since the CP and BNSF standards for mainline tracks is welded rail.
- 47) EAW fails to include any analysis of aesthetic impacts of new interconnect and other constructions.
- 48) EAW fails to include a plan to replace trees and other vegetation after construction is completed, and to maintain same thereafter.

MN&S Mitigation Measures
<p>Track improvements</p> <ul style="list-style-type: none"> • Replace and upgrade the MN&S track with 136# seamless tracks reducing noise and vibrations • Install rail lubricators • Tie and road bed construction to minimize train vibrations
<p>Mandatory environmental requirements such as wetland, floodplain, hazardous materials handling, wildlife habitat, etc.</p>
<p>Whistle Quiet Zones to upgrade rail crossings safety measures to eliminate the need to blow whistles or horns as trains approach intersections.</p>
<p>Provide fencing and signing along the length of the railroad r-o-w to discourage people intruding unsafely on the MN&S tracks.</p>
<p>Create grade separated frontage road on north side of Hwy 7 by lengthening the MN&S bridge over Hwy 7 to provide space to create a frontage road on the north side.</p>
<p>Build a pedestrian overpass near High School and Dakota Avenue to connect the High School to the Lake Street area and football field.</p>
<p>Create pedestrian and non-vehicle access under MN&S tracks at Dakota Park by building an under pass at 27th St. to connect to the N. Cedar Lake regional trail from the east.</p>
<p>Expansion of MN&S r-o-w in residential area by acquiring homes immediately east of MN&S tracks north of approximately the intersection of MN&S tracks with Brunswick Avenue to 27th Street on the north.</p>
<p>Reroute coal trains west of metro area.</p>
<p>Elimination of sidings as well as through tracks east of Wooddale on Bass Lake spur to eliminate the possibility of cars being stored in this area or trains blocking Wooddale or Beltline.</p>
<p>Completely remove the Oxford industrial area switching wye tracks, abandon the rail r-o-w, and build a southern connection to MN&S.</p>
<p>Funding and construction of Louisiana & Hwy 7 Interchange.</p>
<p>Structure Improvement Program – Create a grant program to provide technical assistance and financial help for property owners to make noise and/or vibration mitigation improvements.</p>
<p>Sound and vibration mitigation improvements for all schools, businesses and homes adjacent to the MN&S line.</p>
<p>Pedestrian bridge over Hwy 7 close to the MN&S bridge to provide access for pedestrians.</p>
<p>Eliminate blind curves in the Lake Street/High School area.</p>
<p>The freight rail should only be rerouted if firm commitments are in place for implementation of SWLRT.</p>

<p>Property owners should be compensated for loss of property value due to rerouting of TCW trains to the MN&S tracks.</p>
<p>Any disruption of businesses due to construction of the MNS improvements must be appropriately mitigated.</p>
<p>Special care must be taken to protect and ensure no damage occurs to monitoring water wells as a result of the MN&S project.</p>
<p>Housing Buyout Program – Create a program to purchase homes on the west side of the MN&S tracks from willing sellers and remove, remodel or resell them.</p>
<p>Provide a pedestrian tunnel or bridge inter-connecting Roxbury and Keystone parks.</p>
<p>Mitigation for noise and vibration impacts on the neighborhoods surrounding the proposed BNSF siding.</p>
<p>Mitigation of blocking and switching activities if these activities are not being relocated to a Glencoe switchyard.</p>
<p>Mitigation of the MN&S tracks and crossings south of Bass Lake Spur including mitigation of the at grade crossings most notably Excelsior blvd.</p>



MEMORANDUM

TO: St Louis Park City Council

FROM: Dave McKenzie, P.E.

DATE: April 18, 2011
Rev 5/31/2011

RE: Tech Memo # 4
Comparison of the MN&S Route and the Kenilworth Route
SEH No. 114331

Introduction

This draft memorandum summarizes background information to assist the City of St. Louis Park with updating its freight rail policy. The memorandum consists of four sections.

- 1) Background information on Railroad Operations.
- 2) Comparison of the Kenilworth Corridor and the MN&S Corridor
- 3) Impacts to the City of St Louis Park
- 4) Potential Mitigation Measures, if the MN&S corridor is chosen

The analysis and information provided in this report focuses on two potential permanent routes for TC&W trains that pass through St. Louis Park and the Cedar Lake area of Minneapolis as they move between Southwestern Minnesota and rail destinations in Minneapolis and St. Paul. The two potential TC&W routes are highlighted on Map 1, which shows the general study area for this memorandum.

Railroad Operations

There are three railroads operating within the area of study on railroad rights of way and track that are owned by either BNSF or CP railroads. TC&W has rights to operate on at least portions of both rail systems. Today they operate primarily on the CP. Table 1 outlines the existing train operations within St Louis Park by segment of track.

Future Rail Operations

Over the past decade train operations within St Louis Park have been relatively stable. Changes have occurred however the total level of train traffic has changed very little. For the near future total train activity in St. Louis Park is not anticipated to change. Even if TC&W trains are routed onto the MN&S tracks overall train activity is not expected to change. Train traffic on MN&S would be increased and train traffic on the CP's Bass Lake Spur east of Wooddale Avenue would be eliminated.

Projecting future train operation is difficult because many variables are involved. Some of them are:

- World and national economy
- Capacity of the railroad network
- New plants or products being shipped (ethanol, distilled grains, containers)

- New destinations
- Oil prices
- World food supplies
- Capacity of other transportation systems(highways, truck, barges, ships, ports)
- Government policies
- Future of passenger rail system
- Railroad ownership changes
- Railroad Regulations

Making different assumptions for these various factors will produce widely different projections. Even the future rail activity of a regional railroad, like TC&W, is subject to so many factors that it is impractical to attempt to predict future train car volumes. Recent activity is as good a predictor of future activity as any at this time. As a result this memorandum focuses on the impacts associated with the level TC&W train activity occurring today.

It is important to note that even if TC&W's basic freight business were to increase, it would be accommodated by adding cars to the existing trains rather than adding more trains. The existing daily trains have the capacity to pull more cars if the demand for freight transport were to increase. Even today, the precise number of cars in each of the daily trains varies based on market demand.

Unit trains such as ethanol or coal trains are not daily occurrences and due to their size have less capacity to accommodate increased demand by simply adding cars to existing trains. If market conditions increase the need to transport unit train commodities, the increased demand would be handled by adding trains. TC&W currently handles about 10 unit trains per month.

The State Rail Plan projected that total train activity in Minnesota would increase by approximately 25 percent over the next 20 years. However that projection does not mean every rail operation will see a 25% increase. Some will increase, some will stay the same and some will decrease and predicting which railroad in which location will experience an increase is a different and exceedingly difficult question.

As was stated above, if the TC&W were to experience a 25% increase in general freight demand, it would probably mean its two existing trains would increase the number of cars pulled. Unit train demand could increase the number of unit trains by one or two trains per week.

CP RR and BNSF RR projections would be influenced more by world and national activities than TC&W. However the CP daily train on the MN&S is serving only a few customers at this time and is pulling very few cars. If demand increased the CP daily train has capacity to easily triple the number of cars pulled without adding another train. The MN&S track capacity is a constraint for increases in future train activity both because of the limited places for trains to meet and the slow speed.

Table 1 – Existing Train Operations

Rail Segments of Interest	Description
<p align="center">CP Rail MN&S Sub</p>	<p>CP Railway</p> <ul style="list-style-type: none"> Operates one local train, round trip, 5 days per week (approximately 10-30 cars).
	<p>TC&W (Trackage Rights)</p> <ul style="list-style-type: none"> TC&W is currently not running trains on the MN&S line. TC&W currently has the right to operate on the MN&S corridor, both north to get to the Camden river terminal in north Minneapolis as well as south to get to the Savage river terminals. TC&W also has the option of running north on the MN&S Sub to CP’s Humboldt yard to get into Minneapolis and St. Paul.
<p align="center">CP Rail Bass Lake Spur</p>	<p>CP Railway</p> <ul style="list-style-type: none"> N/A
	<p>TC&W (Trackage Rights)</p> <ul style="list-style-type: none"> <u>Regular Operations (5 days/week and 6 days/week)</u> <ul style="list-style-type: none"> 1 eastbound train (< 80 cars) bound for CP’s St. Paul Yard during the AM. 1 eastbound train (~ 30 cars) bound for Minnesota Commercial’s Main Rail Yard in the Midway and Union Pacific’s Western Avenue Yard during the AM. 2 westbound trains bound for Hopkins during the PM. <u>Longer “Unit” Trains (full trainloads of one commodity)</u> <ul style="list-style-type: none"> Ethanol = approximately 1 loaded and 1 empty ethanol unit train per week (typically 80 cars in length). Coal = approximately 2 loaded coal trains per month (typically 123 cars in length).
<p align="center">CP Rail Interchange Track (Interconnect or Switching Wye)</p>	<p>CP Railway</p> <ul style="list-style-type: none"> Serves one industrial customer.
	<p>TC&W (Trackage Rights)</p> <ul style="list-style-type: none"> TC&W uses this interchange point to reach the Camden river terminal in north Minneapolis (to the north) as well as the Savage river terminals (to the south). Due to current market conditions, this movement is not currently occurring but could resume if market conditions favoring movement of grain by barge develop. TC&W also has the option of running north on the MN&S Sub to CP’s Humboldt yard to get into Minneapolis and St. Paul. TC&W uses this interchange point for locomotive maintenance movements and to interchange with Progressive Rail Incorporated.
<p align="center">BNSF Wayzata Subdivision</p>	<p>BNSF Railroad</p> <ul style="list-style-type: none"> BNSF operates approximately 15 trains per day at speeds up to 60 mph The TC&W and CP have trackage rights beginning at Cedar Lake Junction near I-394 extending into St Paul.

Kenilworth / MN&S Comparison

The analysis of the Kenilworth and MN&S corridors provided below includes:

1. A base line comparison of the characteristics as they exist today; and,
2. A comparison of the two potential permanent routes for TC&W trains.

This comparison of the Kenilworth and MN&S corridors is a compilation of the existing land use and traffic data. It is intended to be a base line statistical comparison of the corridors as they exist today. It is intended to help evaluate the two corridors. Map 1 shows the general study area. There is no attempt to rate or weight the various categories. The comparison should not be considered to be at the level of detail of an EAW. The data used for this memorandum was taken from various sources including the MN&S Study, the SWLRT environmental documentation and City sources.

The MN&S Rail Study and EAW prepared by Hennepin County on the MN&S corridor is out for public comment. Information used from that study is based on the studies and background materials generated during the Project Management Team (PMT) process and meetings held during its study; and the MN&S EAW.

The Alternative TC&W Routes

For comparison purposes the west end of the two alternative TC&W route alignments begin on the CP tracks just east of Minnehaha Creek about 2,800 feet west of Louisiana Avenue. This where the new track needed to connect the CP tracks to MN&S would begin. Cedar Lake Junction, just west of the I-394 bridge over the BNSF tracks approaching downtown Minneapolis serves as the eastern end of both alternative TC&W routes for this analysis. These points provide a Point A to Point B comparison for the two alignments. The two corridors are both about 5 miles long with the MN&S corridor slightly longer.

Kenilworth Route

The Kenilworth alignment would generally follow the existing CP freight track but to accommodate the SWLRT, the track would shift to the north side of the HCRRA right of way just west of Wooddale Avenue and continue shifted to the northwest edge of the right of way until near 21st Street, where it would return to the existing freight track alignment. This is the alignment identified as Alternative 2a in SEH Tech Memo #3. This alternative accommodates both freight rail and LRT in the Kenilworth corridor and requires a partial relocation of the existing regional trail.

MN&S Route

The MN&S alignment creates a new freight track to the south of the existing CP track beginning near Minnehaha Creek. The new track ascends over the existing Bass Lake spur track and LRT track east of Louisiana, curves to the north connecting to the existing MN&S at Hwy 7 and continues north more or less following the existing MN&S alignment. The track shifts slightly to the east near Minnetonka Boulevard. The alignment connects to the BNSF tracks by reconstructing the wye track in the “iron triangle” area east of Dakota Park. The MN&S route also includes constructing a new 12,500’ siding on the BNSF right of way. Creating the new CP to MN&S to BNSF interconnections means trains would no longer travel the existing Bass Lake spur track through the Kenilworth Corridor. It was assumed that the Bass Lake Spur to Wooddale from the west and the “Skunk Hollow” wye tracks would remain in place. The existing Bass Lake spur east of Wooddale through the Kenilworth corridor would be removed.

Comparison of the Corridors for Rail Operational Suitability

Trains generally like flat, straight alignments. Neither one of these corridors fit that description. Both routes feature long relatively steep grades and multiple curves.

Grades and Elevations

The net elevation change from Cedar Lake Junction (east terminus of both routes) to Minnehaha Creek (west end of both routes) is about 60 feet. However both routes have hills between these common points that add to the difficulty of operating trains. The proposed MN&S route requires construction of a railroad bridge up and over the existing CP railroad’s Bass Lake Spur. This creates the high point on the MN&S route at roughly 93 feet above the Cedar Lake Junction on the east end of the route. The high point on the Kenilworth route is about 71 feet above Cedar Lake Junction. Table 2 and Table 3 illustrate

the elevations of the MN&S and Kenilworth routes respectively. They also show the relative steepness of the grades. The maximum grade on the MN&S is 1.5% and the Kenilworth is .77%. The Kenilworth .77% grade is an existing condition and is the grade between Lake Street and Wooddale Avenue, the high point on the Kenilworth route.

Curves

There are multiple curves on both routes. Generally the curves on the MN&S route are tighter. The new connection between the Bass Lake Spur and the MN&S would be the tightest curve, an 8 degree curve.

Railroad Right of Way

Railroad right-of-way is defined as property owned or controlled by a railroad. The needed right-of-way width is determined by the number of tracks, drainage requirements, embankment width, and available land. Typical railroad right-of-way is 100 feet, but could vary between 20 and 300 feet. Table 4 identifies the existing railroad right-of-way characteristics for the rail segments of interest within the City. Map 2 shows the current railroad ownership.

The MN&S right of way is very irregular and reflects the fact that it was acquired after land had been split into lots. The right of way varies from 34 ft to 145 ft with much of it 66 ft or 100 ft wide.

The Kenilworth with the existing freight rail tracks is 44 ft to 200 ft wide. However adjacent to the HCRRA right of way is right of way owned by other public entities in some cases. The City of Minneapolis and the Minneapolis Park Board own property in the corridor.

At Grade Crossings

Both routes have significant stretches of track uninterrupted by at grade crossings. West of Wooddale Avenue there are no at grade crossings on the east-west CP line in the Study Area. On the MN&S route, from the connection to the BNSF tracks and on the BNSF itself, there are no at grade crossings. The MN&S route has more at grade crossings than the Kenilworth route. Most notably they are concentrated in the Walker to Dakota Avenue stretch of track from Hwy 7 to the High School. The Kenilworth at grade crossings are on higher traffic streets. Dakota and Lake Street are the highest volume streets on the MN&S route with 4500 and 3850 Average Daily Trips (ADT) respectively. The Kenilworth route has two streets with ADT over 10,000; Beltline Blvd with 14,100 ADT and Wooddale Avenue with 11,300 ADT. Tables 6 and 7 provide more details on the road crossings.

Freight Rail Route Alternatives Comparison Tables

A list of specific data comparing the alternative routes is provided in Table 5 and Table 9. Both tables show existing conditions (TC&W trains traveling through Kenilworth); and the future conditions for each corridor. The data is different depending on which alternative is chosen as the permanent route for TC&W trains.

Table 5 shows the existing and future conditions for both full five mile routes. Data in Table 5 covers both the St. Louis Park and the Minneapolis portions of the two alternative corridors. Table 9 data is for only the St. Louis Park portion of each corridor.

Table 3: Kenilworth Alignment Profile



Table 4 – Existing Railroad Right-of-Way for the Rail Segments of Interest

Rail Segments of Interest		Right-of-Way Description
CP Rail MN&S Sub	Between CP Rail Bass Lake Spur and BNSF Wayzata Subdivision Mainline	<ul style="list-style-type: none"> • North of 27th Street width varies from 280 feet to include triangle shaped parcel formerly used for interconnect to BNSF mainline. • Right-of-way is 66 feet between 27th Street and Minnetonka Blvd, south of Minnetonka Blvd. • Right-of-way consists of several parcels varying in width from 34 feet to 145 feet with a typical width of approximately 100 feet.
	South of CP Rail Bass Lake Spur	<ul style="list-style-type: none"> • North of 39th Street right-of-way is composed of several parcels varying in width from 80 to 153 feet. • Between 39th Street and Excelsior Blvd, right-of-way width is 66 feet constant. • South of Excelsior, right-of-way varies from 66 to approximately 164 feet.
CP Rail Bass Lake Spur	East of CP Rail MN&S Sub	<ul style="list-style-type: none"> • The right-of-way over this segment is divided into two parallel parcels. • CP owns the south half (about 70 feet), and HCRRA owns the north half of this right-of-way (about 100 feet). • The total right-of-way width varies from 75 feet to 235 feet.
	West of CP Rail MN&S Sub	<ul style="list-style-type: none"> • The right-of-way over this segment is divided into two parallel parcels. • CP owns the south half (about 70 feet), and HCRRA owns the north half of this right-of-way (about 100 feet). • The total right-of-way width is constant, measuring between 164 and 170 feet over this entire segment.
CP Rail Interchange Track (Interconnect or Switching Wye)		<ul style="list-style-type: none"> • There are only a few right-of-way parcels owned by the CP over the length of the switching wye. • Much of the segment is located within easements on private property. • The right-of-way that remains varies in width from 31 to 90 feet.
Kenilworth Corridor		<ul style="list-style-type: none"> • The Kenilworth corridor is owned by HCRRA and varies in width from 44 feet and 200 feet. There are various publicly owned parcels adjoining the HCRRA. • The Kenilworth corridor was purchased by HCRRA from the CNW Railroad for the purposes of transit. The existing corridor has a freight track and trail and has been identified as the preferred SW LRT alignment.
BNSF Railroad		<ul style="list-style-type: none"> • BNSF right of way varies between 100' and 150' wide but does have the Cedar Lake trail on an easement within their property.

Source: *St. Louis Park Railroad Report*, 1999. SEH, Inc.

**Table 5
Freight Rail Route Options – Comparison Table
Entire Route**

	Existing Conditions		Conditions if Kenilworth is chosen		Conditions if MN&S is chosen	
	Kenilworth Corridor	MN&S Corridor	Kenilworth Corridor	MN&S Corridor	Kenilworth Corridor	MN&S Corridor
Train Operations						
# of trains/day - now	4-5	2	4-5	2	0	6-7
# of trains/day - future (2030)	5-6	2-4	5-6	2-4	0	7-10
Train Speed (mph)	10-25	10	10-25	10	10-25	10-25
Track						
Route Length (FT)	24,600	N/A	24,600	N/A	N/A	26,400
Minnehaha Creek to Cedar Lake Jct						
Track new & upgraded (FT)	0	0	18,800	0	0	27,610
Track Removed (FT)	N/A	N/A	0	0	18,800	0
RR Bridge constructed (FT)	N/A	N/A	240	0	0	3490
RR Bridge rebuilt (FT)	N/A	N/A	280	0	0	245
Track Grade Maximum	0.77%	1.90%	0.77%	1.90%	N/A	1.50%
Track Curvature Maximum (degree)	4	6	4	6	N/A	8
Turnouts (No)	1	5	1	0	0	5
Road Crossings						
# of At-grade Crossings	4	6	4	6	0	5
# of Crossing with ADT < 2,500	1	3	1	3	0	2
# of Crossings with ADT 2,500-9,000	1	3	1	3	0	3
# of Crossing with ADT > 9,000	2	0	2	0	0	0
# of Crossings closed	N/A	N/A	0	0	0	1
# of Crossings with rr signals	3	4	2	4	0	5
# of Crossings s Quiet Zone	2	0	4	0	0	5
Residential Impacts						
Single Family						
# of homes	Home	0	0	0	0	0
< 25'	Parcel	0	16	0	16	16
# of homes	Home	0	2	0	2	0
26'-50'	Parcel	0	69	1	69	69
# of homes	Home	13	53	11	53	0
51-100'	Parcel	20	30	11	30	7
# of homes	Home	35	127	35	127	35
101-200'	Parcel	57	148	57	148	57
Multi Family						
# of units < 25'	Units	3	0	3	0	0
# of units 26'-50'	Units	30	0	52	0	0
# of units 51'-100'	Units	154	4	135	4	0
# of units 101'-200'	Units	294	96	175	96	60
Total Housing Units Affected						
# of units < 25'	Units	3	0	3	0	0
# of units 26'-50'	Units	30	2	52	2	2
# of units 51'-100'	Units	167	57	63	57	53
# of units 101'-200'	Units	329	223	210	223	287
Institutional Impacts						
Schools within 1/8 mile (#)		0	5	0	5	0
Parks within 1/8 mile (#)		2	7	2	7	2
Business Impacts						
# of Industrial Building within 500'		58	66	58	66	58
# of Commercial Building within 500'		10	15	10	15	10
Right of Way						
# of Residential Property acquired		N/A	N/A	34	0	0
# of Business Property Acquired		N/A	N/A	0	0	0
# of partial parcel takes		N/A	N/A	0	0	0
# of Institutional Property Acquired		N/A	N/A	0	0	0
SW LRT Issues						
# of Stations next to frt rail		0	0	6	0	0
# of grade separation over frt rail		0	0	1	1	1
Costs						
Construction costs			\$30,000,000			\$71,172,000
Property acquisition			\$5 - \$40,000,000			\$5,500,000
Total			\$35 - \$70,000,000			\$76,672,000

Table 6 – At-Grade Crossing Summary for the Rail Segments of Interest

Rail Segments of Interest		Crossing #	Location	24-Hour Traffic Count	Existing Control	Recent or Planned Improvements	
CP Rail MN&S Sub	North of BNSF Wayzata Subdivision Mainline	#854230K	Cedar Lake Road	12,207 (2009)	Overhead Flashers	None	
	Between CP Rail Bass Lake Spur and BNSF Wayzata Subdivision Mainline	#854231S	W. 28 th Street	1,200 (2009)	Stop Signs with Crossbucks	New signals with gates	
		#854232Y	W. 29 th Street	190 (2011)	Stop Signs with Crossbucks	Close	
		#854233F	Brunswick Avenue (North)	N/A (Pedestrians Only)	None	Roadway Crossing Closed 2005. Pedestrian Crossing Constructed 2006.	
		#854234M	Dakota Avenue	4,500 (2009)	Flashers and Gates	Gates and New Concrete Surface Constructed 2005.	
		#854235U	Library Lane	1958 (2011)	Flashers	Programmed for Gate Installation in 2011/2012.	
		#854236B	Lake Street	3,850 (2009)	Overhead Flashers		
		#854237H	Walker Street	2,905 (2009)	Flashers	New signals with gates	
	South of CP Rail Bass Lake Spur	#379742T	Brunswick Avenue (South)	N/A (Pedestrians Only)	None	Roadway Crossing Closed 2003. Pedestrian Crossing Constructed 2004.	
		#854241X	Alabama Avenue	3,025 (2009)	Flashers	Programmed for Gate Installation in 2011/2012.	
		#854242E	Excelsior Boulevard	25,500 (2007)	Overhead Flashers and Gates	None	
		#854243L	W. 41 st Street	976 (unknown)	Stop Signs with Crossbucks	None	
		#854244T	W. 42 nd Street	258 (unknown)	Stop Signs with Crossbucks	None	
		#854245A	Brookside Avenue North	1,160 (unknown)	Flashing Lights	None	
		#854246G	Brookside Avenue South	1,160 (unknown)	Flashing Lights	None	
	CP Rail Bass Lake Spur	East of CP Rail MN&S Sub	#397741L & #185195B	Wooddale Avenue	11,300 (2009)	Overhead Flashers and Gates	None
			#187142J	Beltline/ Ottawa Ave	14,100 (2009)	Overhead Flashers and Gates	None
		West of CP Rail MN&S Sub	None	N/A	N/A	N/A	N/A
	CP Rail Interchange Track (Interconnect or Switching Wye)		#379744G	Oxford Street	3,300 (unknown)	Crossbucks	None
			#379745N	Louisiana Avenue	10,500 (2007)	Overhead Flashers	None

Land Use

The land use between the two alignments varies. The MN&S Section passes through a variety of land uses, including primarily industrial and commercial on the south end; residential, parkland, and community uses along the stretch between Highway 7 and 27th Street; and residential/green space on the northern end. The Kenilworth Section passes through primarily industrial and commercial on the west end, transitioning into a mix of multifamily and industrial in the middle and a mix of high density residential, single family and parkland on the northeast end. The MN&S has more single family and school related uses, while the Kenilworth has more parkland and multifamily.

Residential Properties

There are a significant number of residents living along both routes. However residents along the MN&S tend to be closer to the tracks than the residents along the Kenilworth route and the MN&S route is mostly single family homes. Within 50 ft of the center line of the MN&S tracks there are 85 single family lots and 2 single family homes, all of them in St. Louis Park. Along the Kenilworth route there are none that close today. There are 33 multi-family parcels and 13 townhomes within 50 ft of the centerline of railroad tracks in Kenilworth in Minneapolis if the freight rail tracks are re-aligned to accommodate both freight rail and LRT. No multi-family structures are within 50 feet of the center line of the proposed MN&S route, however three garages in the Sungate Townhome complex at the “iron triangle would be.

Institutional Uses

There are no institutional uses identified along the Kenilworth route within 1/8th mile of the freight rail tracks and five along the MN&S. Most notably St. Louis Park High School is located adjacent to the MN&S tracks between Dakota Avenue and Library Lane.

Business Uses

Business uses range from industrial plants, warehouses, big box stores and local retail and restaurants along both corridors. The MN&S corridor businesses are located on the southern end with a concentration around the Lake/Walker area. The MN&S businesses on Oxford Road will be affected by the proposed bridge to connect from the Bass Lake Spur to the MN&S tracks, northbound. Partial easements would be required from all but one parcel in this area.. It appears that one business/property (9600 Oxford Road) will be taken in full since the building would be under the proposed bridge.

Several of the businesses along Lake Street have expressed concerns about existing noise and vibration issues and are concerned that the proposed project will make conditions worse.

The Kenilworth Corridor businesses are located further away from the track and are more industrial in nature. The corridor north of Lake Street is residential and parkland.

Right of Way

The MN&S right of way is very irregular and reflects the fact that it was acquired after land had been split into lots. The right of way varies from 34 ft to 145 ft with much of it 66 ft or 100 ft wide.

The Kenilworth with the existing freight rail tracks is 44 ft to 200 ft wide. However adjacent to the HCRRRA right of way is right of way owned by other public entities including the City of Minneapolis and the Minneapolis Park Board.

Impacts to the City of St Louis Park

The SW LRT project is a driving force for the need to address the issue of finding a permanent home TC&W train traffic in the short term. A permanent location for TC&W traffic is needed before the

SWLRT line can be constructed. While separate questions and projects, the freight rail issue and SWLRT project are intertwined and influence one another. The decision between choosing the Kenilworth Corridor and MN&S Corridor has significant impacts to the City, some positive and some negative. Some of the key impacts on St. Louis Park are highlighted below.

SWLRT Project and Station Planning

The existing concept plan for the SWLRT line assumes that freight traffic no longer exists in the Kenilworth corridor. It assumes that the TC&W trains now operating in Kenilworth will be rerouted to the MN&S and that the improvements necessary for that rerouting will have been completed by the time the SWLRT is constructed.

If TC&W trains continue to operate in Kenilworth route design modifications to the SWLRT line would be needed. Key factors include the following:

1. *A new LRT bridge over CP Bass Lake Spur tracks near Wooddale Avenue.* If freight rail and LRT both operate in the Kenilworth corridor, the position of the freight rail and LRT tracks relative to one another needs to be switched to put the freight rail tracks north of the LRT tracks. This would be most easily accomplished by constructing an LRT bridge over the freight tracks near Wooddale Avenue.
2. *Regional Trail.* Freight rail and LRT both in the Kenilworth corridor requires at least partial relocation of the regional trail that exists now in the Kenilworth corridor.
3. *Additional right of way will need to be acquired in the Kenilworth Corridor.* Primarily this means acquisition of property and likely relocation of residents at the Cedar Shores Townhomes. It also means working with the City of Minneapolis and Minneapolis Park Boards regarding the use of property they own in the Kenilworth corridor that has been planned to be used for the SWLRT line and now would also be necessary for freight rail use.
4. *Additional "4f" parkland review issues.* The SWLRT concept plan currently raises environmental review issues due to the traversing of park/parkway properties by the proposed SWLRT tracks and trains. To the extent that these crossings are consider minimal or de minimis intrusions they can be allowed, the addition of freight rail tracks could complicate reaching that finding.

All of the above factors complicate and add costs to the implementation of the SWLRT project. The consequences of that added complexity on the timing, funding, cost and odds of successful implementation of the SWLRT project in the near future are difficult if not impossible to ascertain with any certainty. Potential impacts on the SWLRT project potentially affect St. Louis Park as well since the City supports the implementation of the SWLRT project and believes it is important and beneficial for the community. Clearly any increase in the complexity of the SWLRT project is a hindrance to moving forward successfully. How much of a hindrance and its exact impact is hard to say.

For St. Louis Park itself, the most significant potential impact of TC&W traffic continuing in the Kenilworth corridor is the potential impacts on the Wooddale and Beltline station areas. Kenilworth freight rail would also affect the three stations in Minneapolis.

Freight rail in Kenilworth corridor will affect the operation of the LRT stations as well as development in the area surrounding the stations. It is difficult to quantify the precise impacts freight rail will have on the stations and development. To help understand this issue as it relates to station area planning, we have asked assistance from SRF Consulting Group, who has already been working on LRT station area planning at the Beltline area. Their role is to help identify issues and principles that could help the City evaluate the potential impacts from freight rail on the station areas and to assist in arriving upon planning principles. They have compiled a list of issues assuming freight railroad and LRT share the same corridor. It is worthwhile to note that even if the MN&S route is chosen for TC&W trains, the Blake

Road station in Hopkins and the Louisiana Avenue station in St. Louis Park will need to address issues generated by the presence of freight trains at the LRT stations. The Louisiana Avenue station would have the advantage of grade separation which would simplify the access problems created by the presence of freight trains at LRT stations.

Key issues identified so far stem largely from the barrier to access that at grade freight rail tracks present to pedestrians, people on bikes and vehicles; and, the impact on the character of the area. The impact of the barriers to access is heightened since the level of traffic of all kinds is expected to increase due to the LRT stations. The inclusion of freight rail within the SW LRT corridor would:

1. Creates a barrier for pedestrian, bicycle, and transit access from the north side of the transit corridor
2. Creates increased vehicle queues along Wooddale Avenue and Beltline Boulevard
3. Creates additional design challenges for the possibility of Beltline Boulevard grade separation
4. Will tend to create a more industrial or utilitarian setting than that of an exclusive transit way corridor; thereby making the corridor somewhat less attractive for development
5. Presents increased safety concerns with increased traffic congestion and queues

A total of six future LRT stations are planned along the Kenilworth route, three in St. Louis Park and three more in Minneapolis. The Kenilworth stations are

1. Louisiana Avenue – St. Louis Park
2. Wooddale Avenue – St. Louis Park
3. Beltline Blvd – St. Louis Park
4. West Lake Street – Minneapolis
5. W 21st Street – Minneapolis
6. Penn Avenue – Minneapolis

One station, the Louisiana Avenue Station is along the MN&S route in addition to being along the Kenilworth.

Each of the St. Louis Park stations is located on a major north-south collector or connector street with adjoining trail or sidewalk in order to provide access to the LRT stations from a ½ mile walking radius, potential feeder bus services, “kiss and ride” patrons; and, in the case of the Louisiana and Beltline Stations, “park & ride” patrons. The stations were also chosen and planned to support future development that would in turn support the transit system. The projected ridership for the stations is provided in Table 8.

Table 8
SWLRT Projected Boardings (Alternative 3A)

Station	Daily Boardings	Park & Ride
Blake Road	1,600	Yes
Louisiana Avenue	1,200	Yes
Wooddale Avenue	1,200	Yes
Beltline Road	1,400	Yes
West Lake	2,850	No
21 st Street	1,050	Yes
Penn Avenue	600	No

Roadway System

The MN&S EAW addressed impacts to the City roadways, and shows some impact to the intersections of Walker, Library, Lake, and Dakota especially at certain critical times of the day; specifically rush hour and school dismissal. Trains on the MN&S tracks at these times of day will block traffic at these street crossings, creating congestion and delays. The impacts should be relatively short but even a few minutes disruption when school buses are operating their system will be affected.

The two highest volume roads (Beltline and Wooddale) in the study area are cross the Bass Lake spur and are the location of SW LRT stations. With the opening of the LRT stations traffic will increase on these roads and will become difficult to manage. The traffic analysis in the DEIS for SWLRT anticipates that Beltline will not function well without improvements once LRT operating, much less if freight trains are also operating. The SW LRT approved plan does not show a grade separation at Belt Line but it may need to be added to address the traffic issues anticipated at this location. Beltline already has traffic congestion issues under current conditions. The addition of LRT station traffic and retention of freight rail tracks will add to the challenges. The freight rail track across Belt Line makes it a real challenge to construct a grade separation. The SW LRT station planning effort is studying those options.

Pedestrian System

Pedestrians near freight rail tracks are a conflict that sometimes is difficult to measure or control. The closeness of the schools to the MN&S tracks has highlighted the pedestrian issues associated with the MN&S route. The two major regional trails in St Louis Park that are close to freight rail tracks are also areas for concern. In particular the access points to the SWLRT trail at Beltline and Wooddale

are heavily used by pedestrians and bicyclists. Selection of the Kenilworth route would continue train traffic at these busy pad/bike access points. Selection of the MN&S route would remove trains not only from the Beltline and Wooddale trail access points, but from three miles of regional trail right of way.

Primary hubs of pedestrian and bicycle activities in the vicinity of the alternative rail routes include St. Louis Park High School, Central Community Center/Park Spanish Immersion School, Hobart School, the commercial areas along Lake Street and W.36th Street; three future LRT stations and, a series of parks and two regional trails. There is little or no actual pedestrian or bicycle traffic volume information available for any locations near either of the freight rail routes. Clearly four areas with significant pedestrian and biking activity along the routes in St. Louis Park stand out. They are

1. The High School, its football field, adjacent commercial area on Lake Street, and the connection with the Spanish Immersion/Community Center via Dakota Avenue;
2. The regional trail access point and future LRT station location at Beltline Blvd;
3. The regional trail access point and future LRT station location at Wooddale Avenue;
4. The Dakota Park/dog park and Hobart School
5. Both the MN&S and the Kenilworth routes parallel regional trails for extended distances.

In addition much of the MN&S route between Walker Street and Dakota Park passes through a pedestrian scaled retail/service area and residential neighborhoods that are served by a grid system of streets and sidewalks that create a very walkable community.

Despite the heavy use of the regional trails in the study area including the Kenilworth Trail, the record provides some history of safety. Cedar Lake Parkway in Kenilworth corridor is a significant at grade crossing with TC&W trains, a mixture of pedestrians, vehicles and bicyclists use this skewed crossing which is also within a quiet zone. A recent search of the FRA database shows no record of any incidents involving trains and pedestrians or vehicles.

Noise and Vibration

The EAW has concluded that noise will be a major conflict primarily the train horns. Their mitigation plan is to institute a quiet zone. This will reduce the high level but noise will still be apparent.

The vibration tests that were run for the EAW indicated that train vibration with about 40 feet of the tracks needs to be mitigated, even though many residents and business people have indicated that it is bothersome further away. The high school has indicated that some of their equipment has problems with adjustment because of the vibration. There are two homes within that 40-50' impact range. The strips of businesses along Lake Street also are in this range.

Switching Wye

The system of tracks in the Oxford Street industrial area (Skunk Hollow) is the switching/interchange wye which provides access to potential rail customers in the Oxford industrial area and a means for connecting the CP Bass Lake Spur to the MN&S tracks. The wye makes it possible even today for trains on the Bass Lake Spur to connect to the MN&S tracks and proceed south or north. The wye is also being used by CP to access one customer who is located on Oxford Street west of Louisiana Avenue. The wye tracks are not included as part of either alternative TC&W route. The MN&S route would eliminate the need to use the wye to connect from the Bass Lake Spur to the northbound MN&S tracks. It could also be used as an alternative means for connecting from the Bass Lake Spur to the MN&S

southbound tracks. Neither alternative route would eliminate the need to service the lone rail customer in the Oxford Street area.

Train activity on the wye to move trains to the south is minimal because of lack of activity at the Savage ports. This could change depending upon the market conditions. A direct connection to the south would benefit the railroad operations and minimize the switching activity in the Oxford industrial area. In Appendix A, there is a conceptual drawing of a direct south connection.

**Table 9
St. Louis Park Only**

	Existing Conditions		Conditions if Kenilworth is chosen		Conditions if MN&S is chosen	
	Kenilworth Corridor	MN&S Corridor	Kenilworth Corridor	MN&S Corridor	Kenilworth Corridor	MN&S Corridor
Train Operations						
# of trains/day - now	4-5	2	4-5	2	0	6-7
# of trains/day - future (2030)	5-6	2-4	5-6	2-4	0	7-10
Train Speed (mph)	10-25	10	10-25	10	10-25	10-25
Track						
Route Length (FT)	24,600	N/A	24,600	N/A	N/A	26,400
Minnehaha Creek to Cedar Lake Jct						
Track new & upgraded (FT)	0	0	18,800	0	0	27,610
Track Removed (FT)	N/A	N/A				
RR Bridge constructed (FT)	180	2450				
RR Bridge rebuilt (FT)	340	395				
Track Grade Maximum	0.77%	1.90%	0.77%	1.90%	N/A	1.50%
Track Curvature Maximum (degree)	4	6	4	6	N/A	8
Turnouts (No)	1	5	1	0	0	5
Road Crossings						
# of At-grade Crossings	2	6	2	6	0	5
# of Crossing with ADT < 2,500	0	3	0	3	0	2
# of Crossings with ADT 2,500-9,000	0	3	0	3	0	3
# of Crossing with ADT > 9,000	2	0	2	0	0	0
# of Crossings closed	N/A	N/A	0	0	0	1
# of Crossings with rr signals	2	4	2	4	0	5
# of Crossings in Quiet Zone	0	0	2	0	0	5
Residential Impacts						
Single Family						
# of homes	Home	0	0	0	0	0
< 25'	Parcel	0	16	0	16	16
# of homes	Home	0	2	0	2	2
26'-50'	Parcel	0	69	0	69	69
# of homes	Home	0	53	0	53	53
51-100'	Parcel	0	30	0	30	30
# of homes	Home	11	127	11	127	127
101-200'	Parcel	11	148	11	148	148
Multi Family						
# of units < 25'	Units	0	0	0	0	0
# of units 26'-50'	Units	0	0	0	0	0
# of units 51'-100'	Units	0	4	0	4	0
# of units 101'-200'	Units	60	96	216	96	160
Total Housing Units Affected						
# of units < 25'	Units	0	0	0	0	0
# of units 26'-50'	Units	0	2	0	2	2
# of units 51'-100'	Units	0	57	0	57	53
# of units 101'-200'	Units	71	223	227	223	287
Institutional Impacts						
Schools within 1/8 mile (#)		0	5	0	5	0
Parks within 1/8 mile (#)		2	7	2	7	2
Business Impacts						
# of Industrial Building within 500'		50	66	50	66	50
# of Commercial Building within 500'		10	15	10	15	10
Right of Way						
# of Residential Property acquired		0	0	0	0	2
# of Business Property Acquired		0	0	0	0	1
# of partial parcel takes		0	0	0	0	12
# of Institutional Property Acquired		0	0	0	0	0
SW LRT Issues						
# of Stations next to frt rail		0	0	3	1	1
# of grade separation over frt rail		0	0	1	1	1
Costs						
Construction costs			\$30,000,000			\$71,172,000
Property acquisition			\$40,000,000			\$5,500,000
Total			\$70,000,000			\$76,672,000

Mitigation of the MN&S

Railroad traffic brings with it a variety of impacts many of which have been highlighted earlier in this memorandum. At least some of the negative impacts can be ameliorated through mitigation measures. Table 10 below outlines potential mitigation measures that could be considered to address negative rail traffic impacts within the MN&S corridor. It may be appropriate to implement many of the items listed. In some cases a range of potential solutions to a particular impact are listed. In that case implementation of a more comprehensive mitigation item may eliminate the need for one or more of the other items on the list. It is assumed the cost to implement the measures noted below would not be borne by the City of St. Louis Park

A similar table of potential mitigation measures could also be created to address negative impacts associated with permanently routing TC&W freight traffic on the Kenilworth route. However the mitigation focus in this memorandum is on the MN&S route since this is the route evaluated in the MN&S Freight Rail Study and for which an EAW was prepared and the most detailed information is available.

**Table 10
MN&S Mitigation Measures**

<p>Track improvements</p> <ul style="list-style-type: none"> • Replace and upgrade the MN&S track with 136# seamless tracks reducing noise and vibrations • Install rail lubricators • Tie and road bed construction to minimize train vibrations
<p>Mandatory environmental requirements such as wetland, floodplain, hazardous materials handling, wildlife habitat, etc.</p>
<p>Whistle Quiet Zones to upgrade rail crossings safety measures to eliminate the need to blow whistles or horns as trains approach intersections.</p>
<p>Provide fencing and signing along the length of the railroad r-o-w to discourage people intruding unsafely on the MN&S tracks.</p>
<p>Create grade separated frontage road on north side of Hwy 7 by lengthening the MN&S bridge over Hwy 7 to provide space to create a frontage road on the north side.</p>
<p>Build a pedestrian overpass near High School and Dakota Avenue to connect the High School to the Lake Street area and football field.</p>
<p>Create pedestrian and non-vehicle access under MN&S tracks at Dakota Park by building an under pass at 27th St. to connect to the N. Cedar Lake regional trail from the east.</p>
<p>Expansion of MN&S r-o-w in residential area by acquiring homes immediately east of MN&S tracks north of approximately the intersection of MN&S tracks with Brunswick Avenue to 27th Street on the north.</p>
<p>Reroute coal trains west of metro area.</p>
<p>Elimination of sidings as well as through tracks east of Wooddale on Bass Lake spur to eliminate the possibility of cars being stored in this area or trains blocking Wooddale or Beltline.</p>
<p>Completely remove the Oxford industrial area switching wye tracks, abandon the rail r-o-w, and build a southern connection to MN&S.</p>
<p>Funding and construction of Louisiana & Hwy 7 Interchange.</p>
<p>Structure Improvement Program – Create a grant program to provide technical assistance and financial help for property owners to make noise and/or vibration mitigation improvements.</p>

Sound and vibration mitigation improvements for all schools, businesses and homes adjacent to the MN&S line.
Pedestrian bridge over Hwy 7 close to the MN&S bridge to provide access for pedestrians.
Eliminate blind curves in the Lake Street/High School area.
The freight rail should only be rerouted if firm commitments are in place for implementation of SWLRT.
Property owners should be compensated for loss of property value due to rerouting of TCW trains to the MN&S tracks.
Any disruption of businesses due to construction of the MNS improvements must be appropriately mitigated.
Special care must be taken to protect and ensure no damage occurs to monitoring water wells as a result of the MN&S project.
Housing Buyout Program – Create a program to purchase homes on the west side of the MN&S tracks from willing sellers and remove, remodel or resell them.
Provide a pedestrian tunnel or bridge inter-connecting Roxbury and Keystone parks.
Mitigation for noise and vibration impacts on the neighborhoods surrounding the proposed BNSF siding
Mitigation of blocking and switching activities if these activities are not being relocated to a Glencoe switchyard.
Mitigation of the MN&S tracks and crossings south of Bass Lake Spur including mitigation at grade crossings most notably Excelsior Blvd.

Appendix

Tech Memo # 4

St Louis Park Freight Railroad Analysis

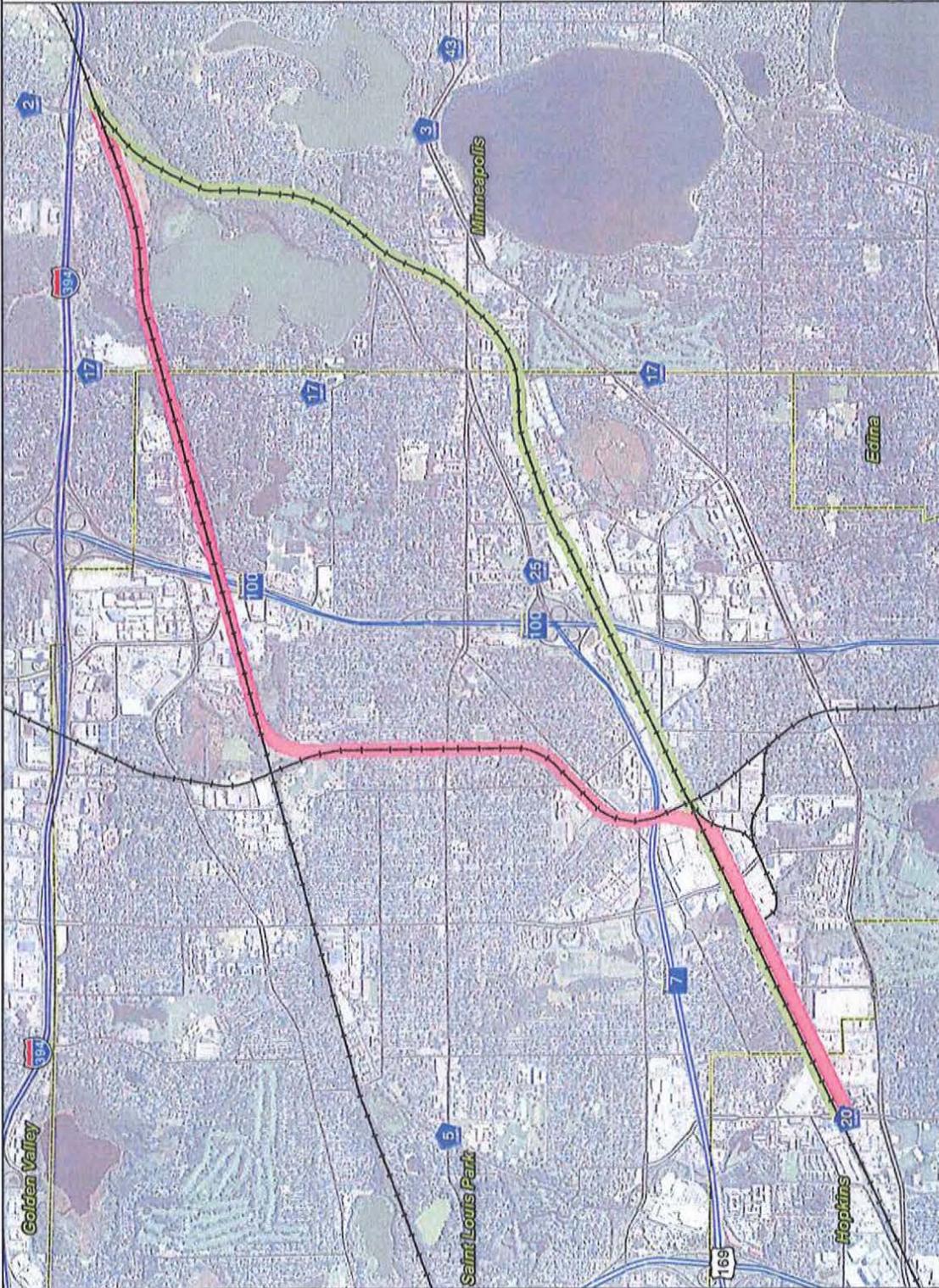
Map 1 Kenilworth and MN&S Analysis Map

Map 2 Railroad Ownership Map

Parcel Data Maps for St Louis Park and Minneapolis

South Wye Connection Concept Layout

Expanded Right of Way Concept Layout



- Legend**
- Railroads
 - Municipal Boundaries
 - Kenilworth Route
 - MN&S Route



This map is for informational purposes only and does not constitute a contract. The map is not to be used for any other purpose without the express written consent of the City of Saint Louis Park. The City of Saint Louis Park is not responsible for any errors or omissions on this map. The City of Saint Louis Park is not responsible for any damages or losses resulting from the use of this map.

RAILROAD FREIGHT RELOCATION STUDY

Saint Louis Park, Minnesota

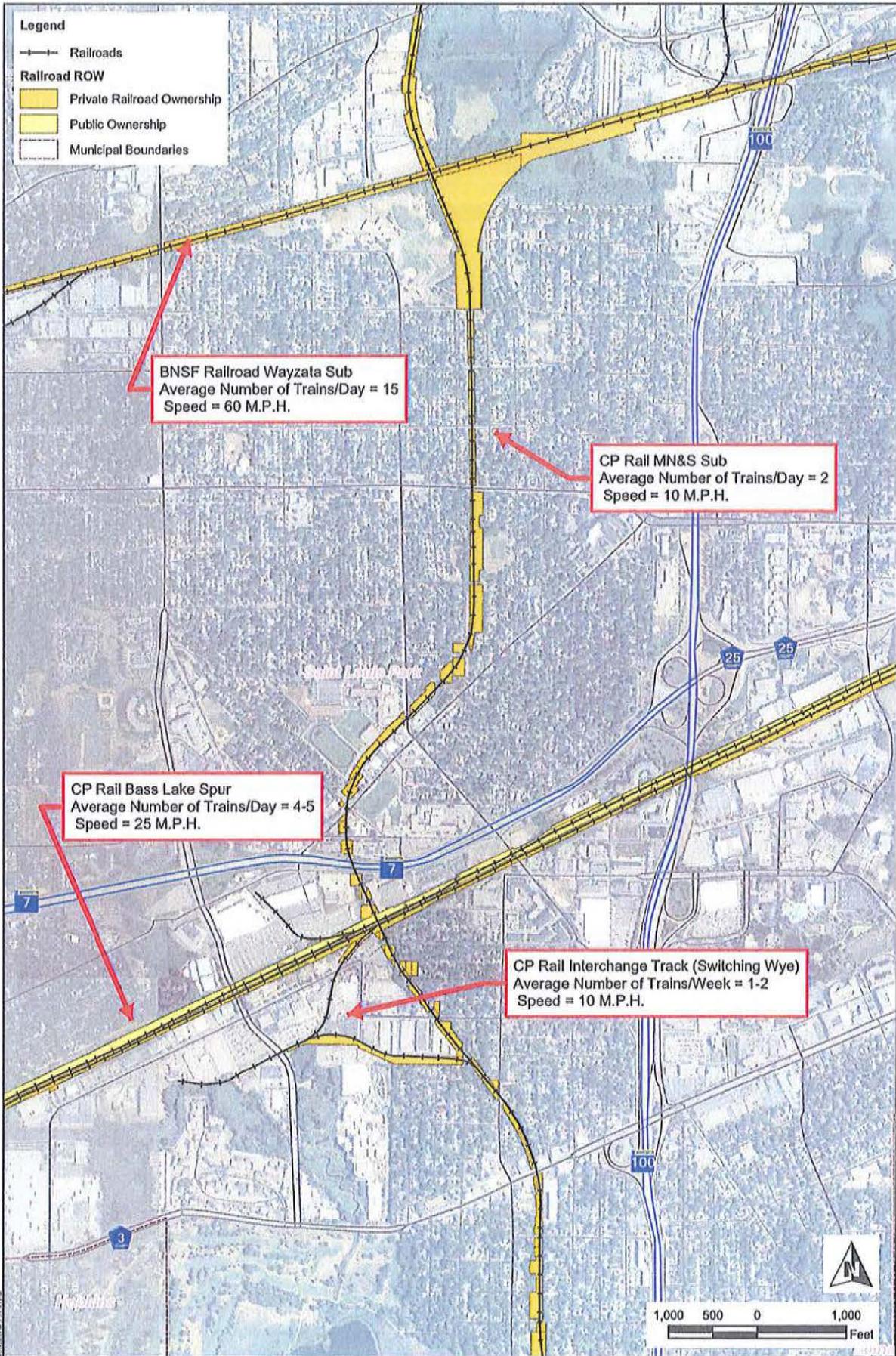
Kenilworth and MN&S Analysis

Map 1

Project: STL01114331
 Print Date: 04/15/2011
 Scale: 1" = 200'
 Prepared: Hennepin County, MN 55412
 City of St. Louis Park, MN 55118

3000 WASHINGTON CENTER DR.
 SUITE 200
 PHOENIX, AZ 85016-1000
 TEL: 602-998-7000
 FAX: 602-998-7000
 WWW.SEH.COM





Legend

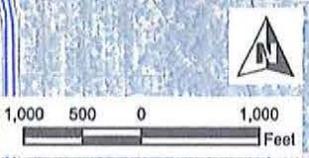
- +— Railroads
- Railroad ROW**
- Private Railroad Ownership
- Public Ownership
- Municipal Boundaries

BNSF Railroad Wayzata Sub
Average Number of Trains/Day = 15
Speed = 60 M.P.H.

CP Rail MN&S Sub
Average Number of Trains/Day = 2
Speed = 10 M.P.H.

CP Rail Bass Lake Spur
Average Number of Trains/Day = 4-5
Speed = 25 M.P.H.

CP Rail Interchange Track (Switching Wye)
Average Number of Trains/Week = 1-2
Speed = 10 M.P.H.



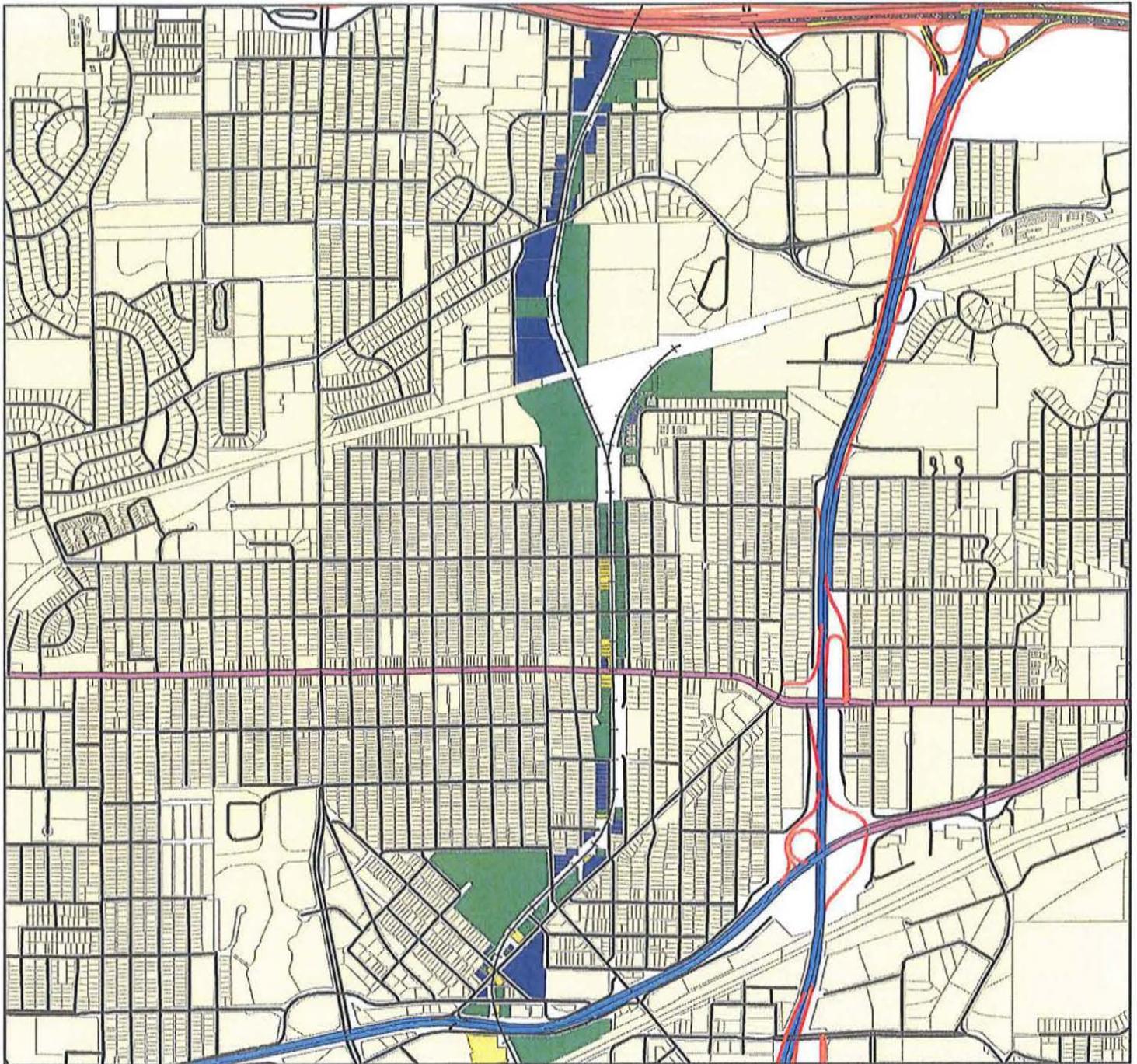

3535 WADSWORTH CENTER DR.
ST. PAUL, MN 55110
PHONE: (651) 490-2000
FAX: (651) 490-2150
WWW: 651-325-2055
www.sehco.com

Project: STLOU 114331
Print Date: 04/20/2011

Map by: B.H.
Prepared: Hennepin County IOD318
Source: MNDOT, MNDOT, LINC,
City of St. Louis Park, and SEHCO

RAILROAD ROW OWNERSHIP
RAILROAD FREIGHT RELOCATION STUDY
Saint Louis Park, Minnesota

Map
2



Approximate Location - Parcels Adjacent to MN & S RR Highway 7 to I-394

3,200 Feet 1 in = 1,667 ft

Date: January 5, 2011

Created by: St. Louis Park Community Development Department



Legend

—+— Approximate RR centerline

Approx. Distance from RR centerline

Greater than 100 feet

Zero to 25 feet

25 to 50 feet

50 to 100 feet



T C & W - Adjacent Parelis - St. Louis Park & Minneapolis

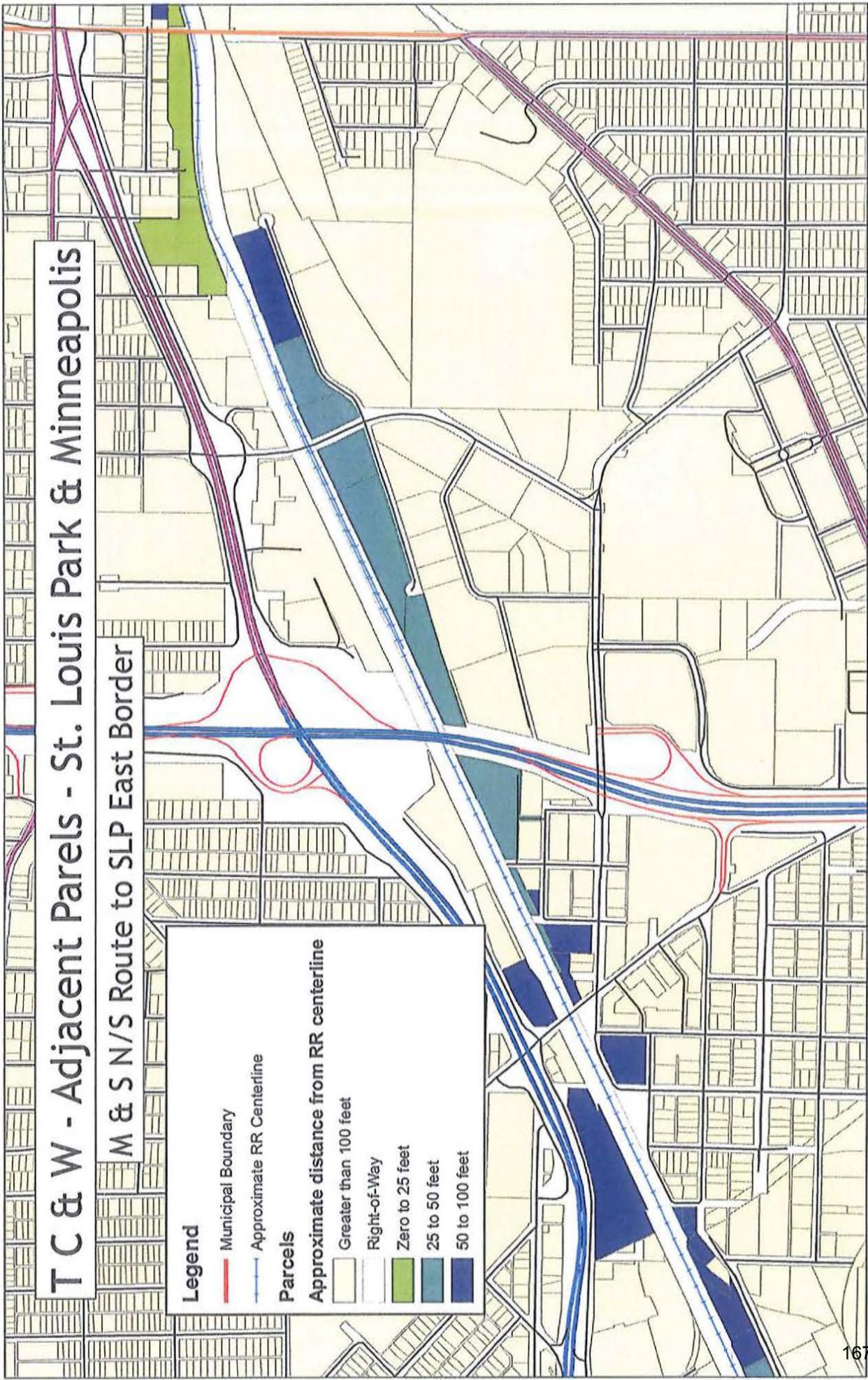
M & S N/S Route to SLP East Border

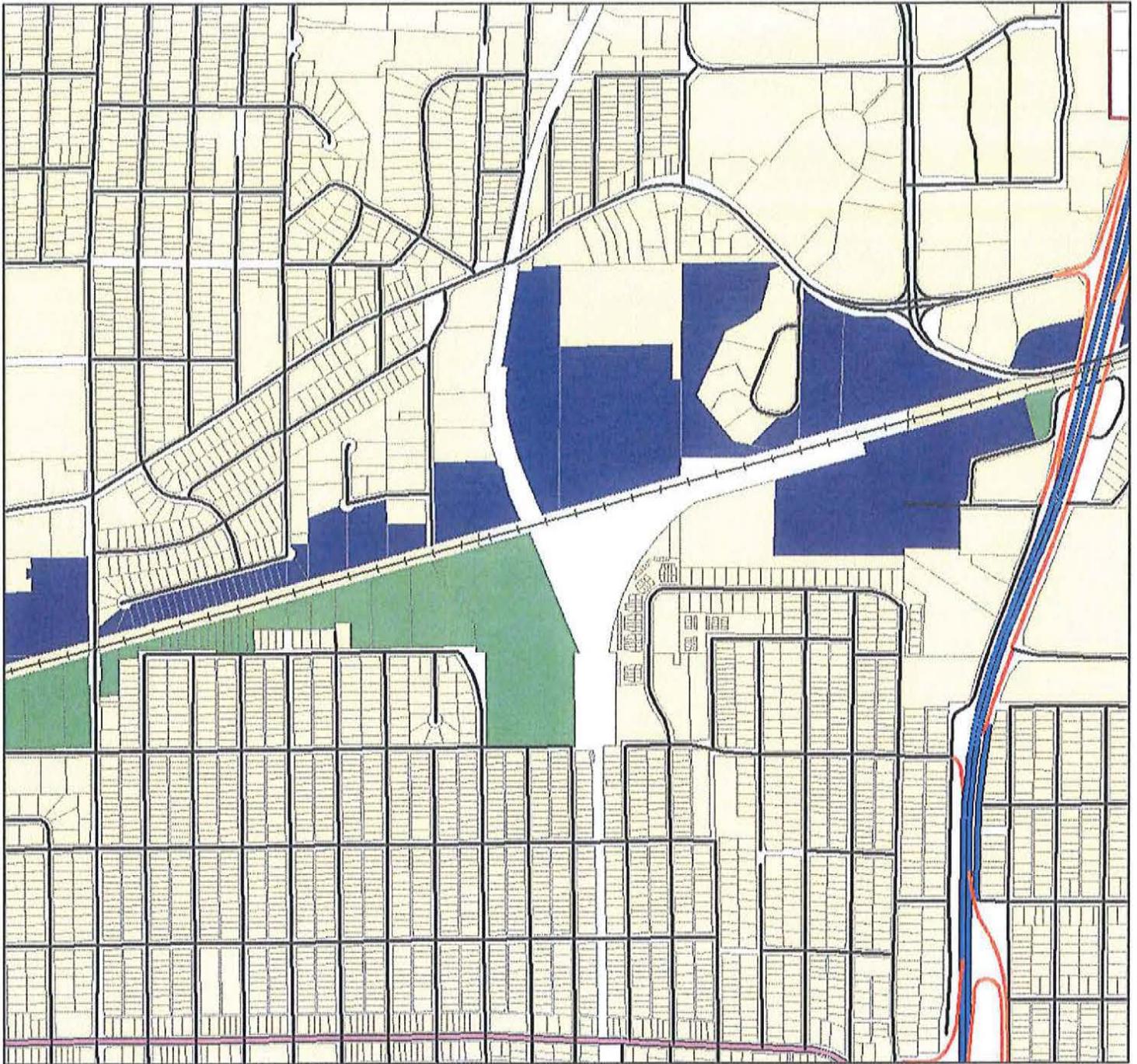
Legend

- Municipal Boundary
- Approximate RR Centerline
- Parcels

Approximate distance from RR centerline

- Greater than 100 feet
- Right-of-Way
- Zero to 25 feet
- 25 to 50 feet
- 50 to 100 feet





Approximate Location - Parcels Adjacent to BNSF RR

Louisiana Ave. to Hwy 100



Date: December 17, 2010

Created by: St. Louis Park Community Development Department



Legend

—+—+— Approximate BNSF RR Centerline

Parcels

Approx. Distance from RR centerline

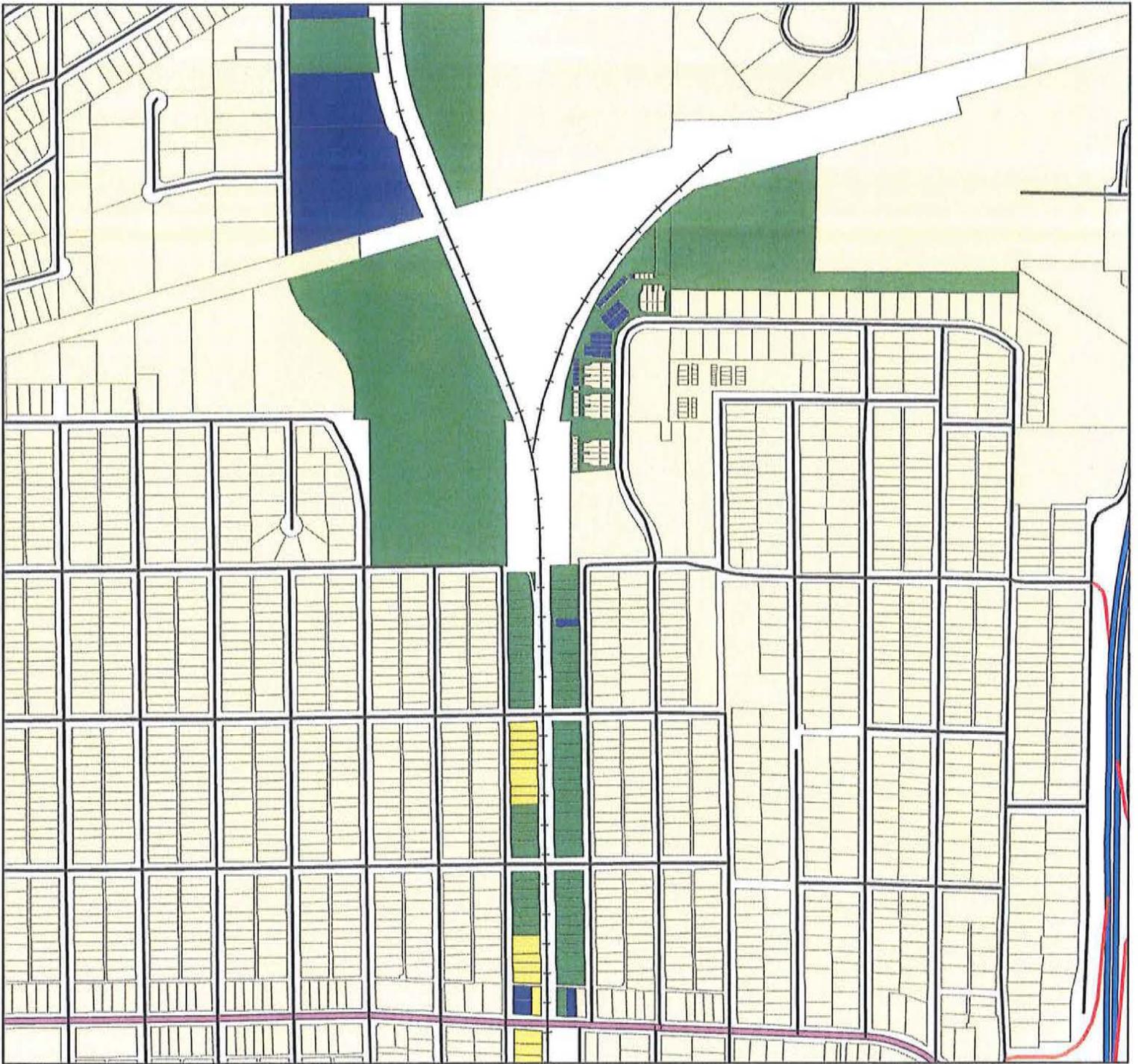
White box: Greater than 100 feet

Yellow box: Zero to 25 feet

Green box: 25 to 50 feet

Blue box: 50 to 100 feet





Approximate Location - Parcels Adjacent to MN & S RR Minnetonka Blvd. to W. 26th St.

1,200 Feet 1 in = 620 ft

Date: January 5, 2011

Created by: St. Louis Park Community Development Department

 **St. Louis Park**
MINNESOTA

Legend

—+— Approximate RR centerline

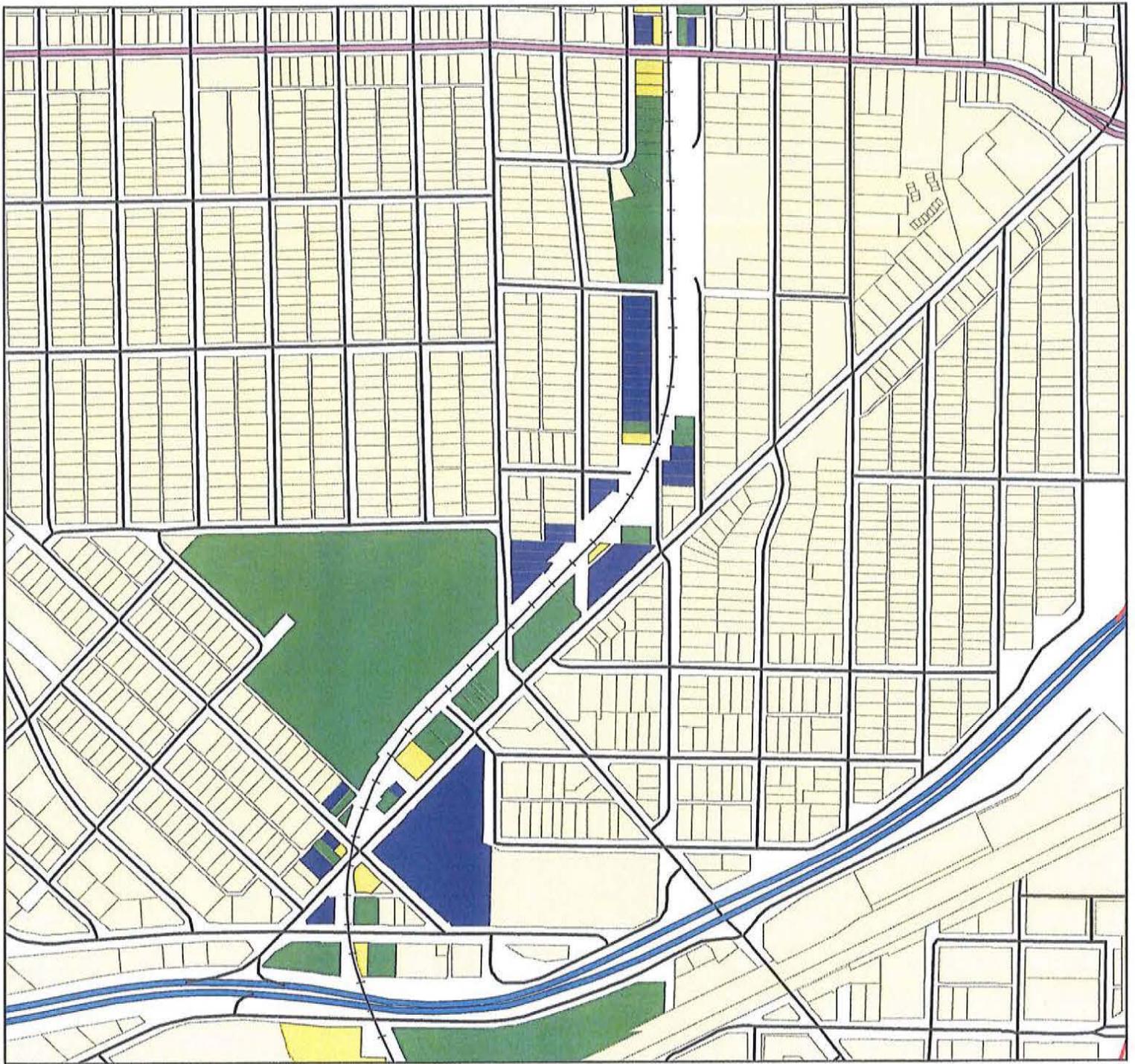
Approx. Distance from RR centerline

 Greater than 100 feet

 Zero to 25 feet

 25 to 50 feet

 50 to 100 feet



Approximate Location - Parcels Adjacent to MN & S RR Highway 7 to Minnetonka Blvd.

1,200 Feet 1 in = 620 ft

Date: January 5, 2011

Created by: St. Louis Park Community Development Department



Legend

—+— Approximate RR centerline

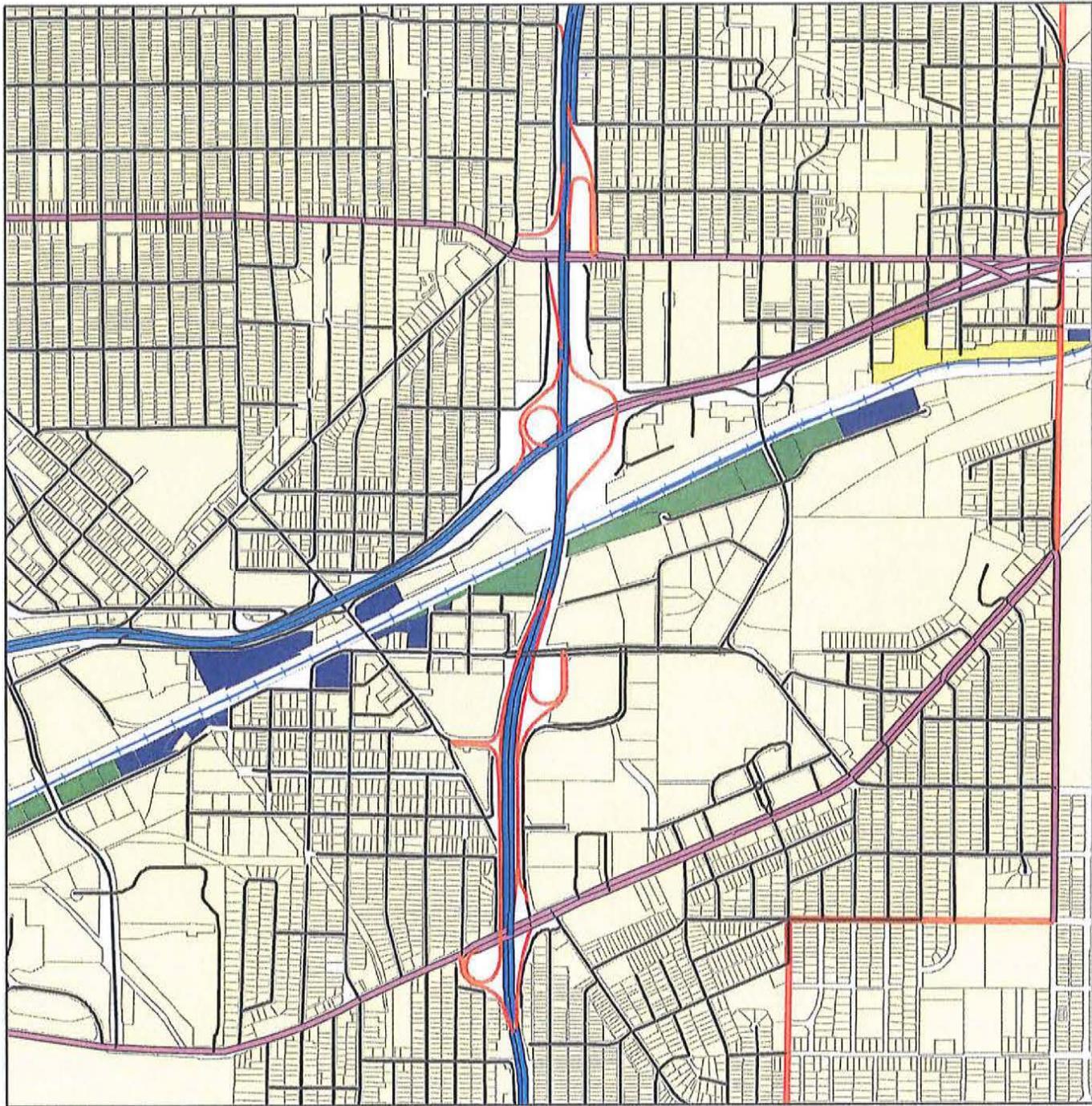
Approx. Distance from RR centerline

Greater than 100 feet

Zero to 25 feet

25 to 50 feet

50 to 100 feet



Approximate Location - Parcels Adjacent to TC & W RR TC&W RR from Louisiana Ave. to Mpls border

Date: December 17, 2010
 Created by: St. Louis Park Community Development Department

Legend

- Municipal Boundary
- Approximate RR Centerline

Parcels

Approximate distance from RR centerline

- Greater than 100 feet
- Right-of-Way
- Zero to 25 feet
- 25 to 50 feet
- 50 to 100 feet





Approximate Location - Parcels Adjacent to TC & W RR TC&W RR from Mpls border to Cedar Lk. Rd.

Date: December 17, 2010

Created by: St. Louis Park Community Development Department



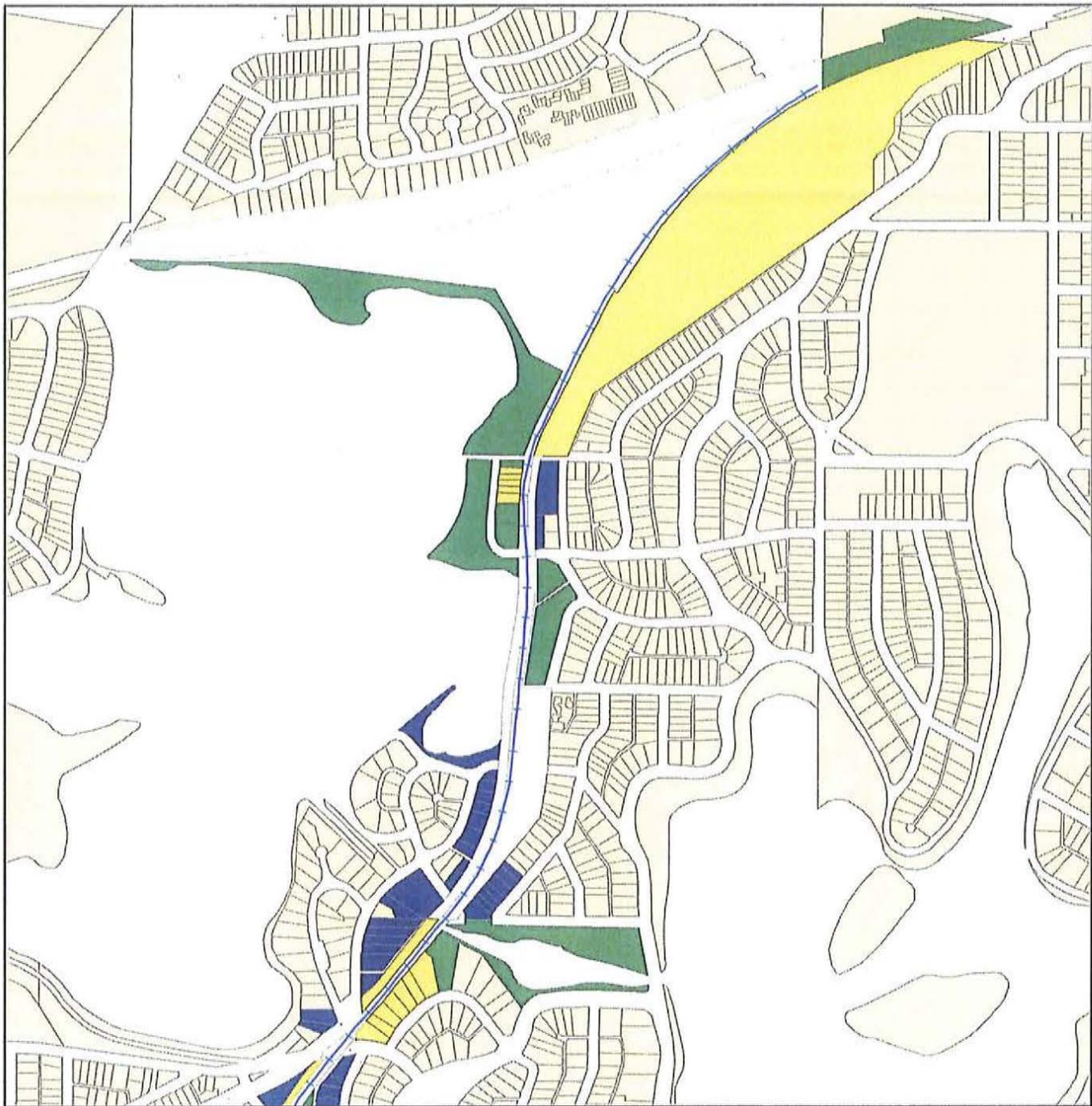
Legend

- Municipal Boundary
- + Approximate RR Centerline

Parcels

Approximate distance from RR centerline

- Greater than 100 feet
- Right-of-Way
- Zero to 25 feet
- 25 to 50 feet
- 50 to 100 feet



Approximate Location - Parcels Adjacent to TC & W RR TC&W RR from Cedar Lk. Rd. to BNSF RR

Date: December 17, 2010

Created by: St. Louis Park Community Development Department



Legend

- Municipal Boundary
- Approximate RR Centerline

Parcels

Approximate distance from RR centerline

- Greater than 100 feet
- Right-of-Way
- Zero to 25 feet
- 25 to 50 feet
- 50 to 100 feet

Approximate Building Location Map

All structures shown - including garages
Highway 7 to Minnetonka Blvd.

Legend

— Approximate RR centerline

All Structures - Distance from Centerline

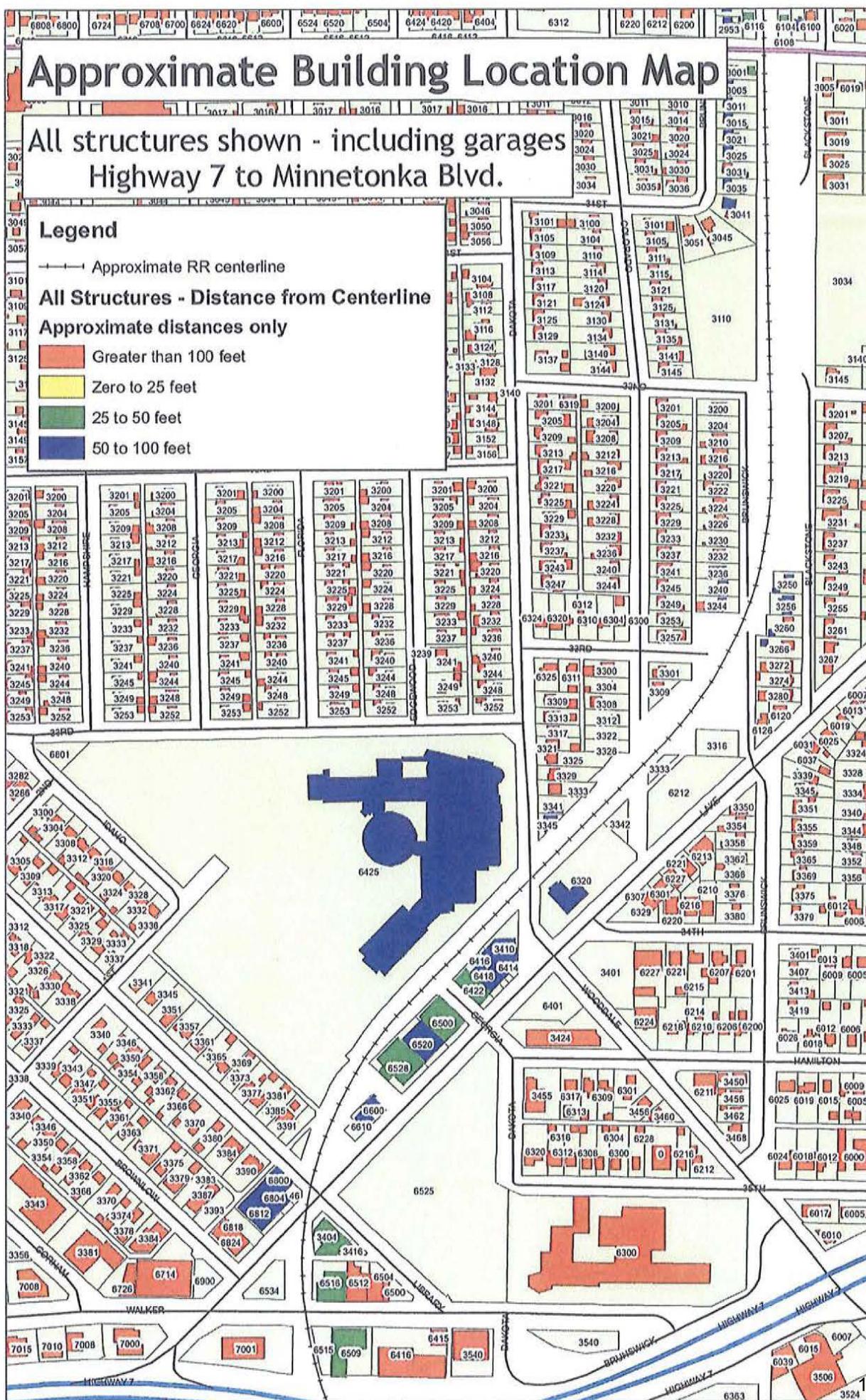
Approximate distances only

Greater than 100 feet

Zero to 25 feet

25 to 50 feet

50 to 100 feet



Approximate Building Location Map

All structures shown - including garages
Minnetonka Blvd. to 26th Ave. W.

Legend

- Approximate RR centerline
- All Structures - Distance from Centerline**
- Approximate distances only
- Greater than 100 feet
- Zero to 25 feet
- 25 to 50 feet
- 50 to 100 feet





3535 VAONAS CENTER DR.
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FAX: (651) 490-2150
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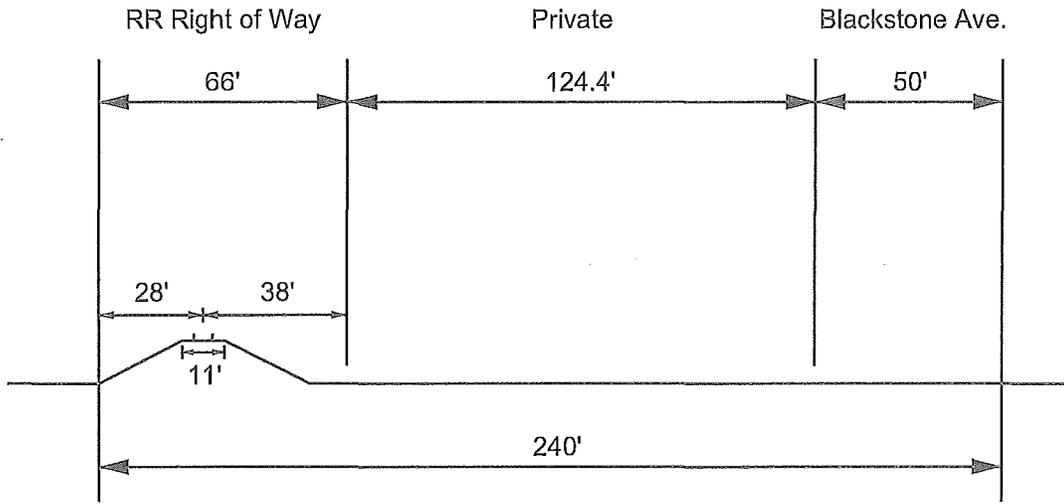
Project: STLOU 114331
Print Date: 05/13/2011

Map by: SEH
Projection: Hennepin County NAD83 ft
Source: Mn/DOT, Mn/DNR, LM/C,
City of St. Louis Park, and SEH Inc.

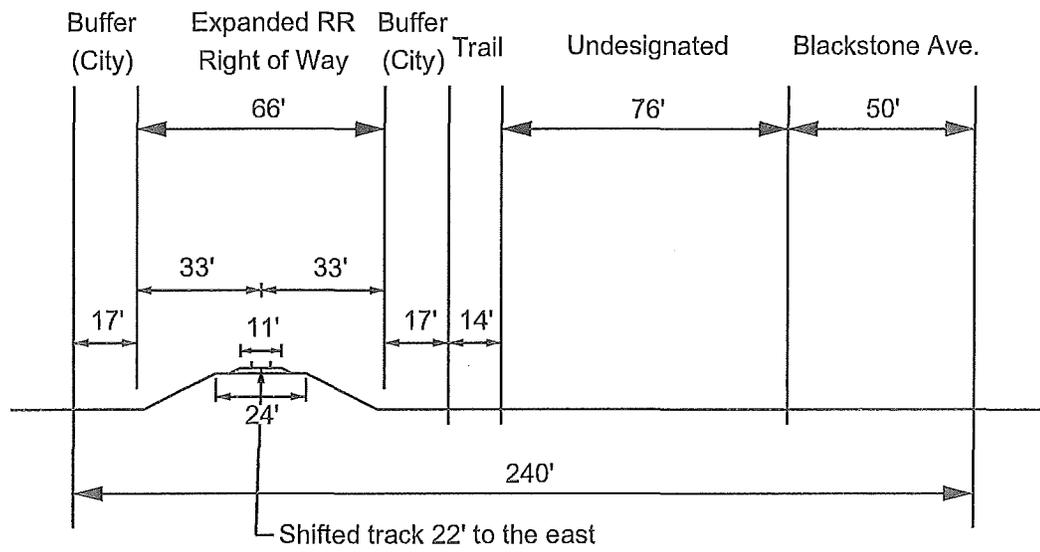
Expanded RR ROW Concept
Railroad Freight Relocation Study
Saint Louis Park, Minnesota

Figure
X
1687

EXISTING

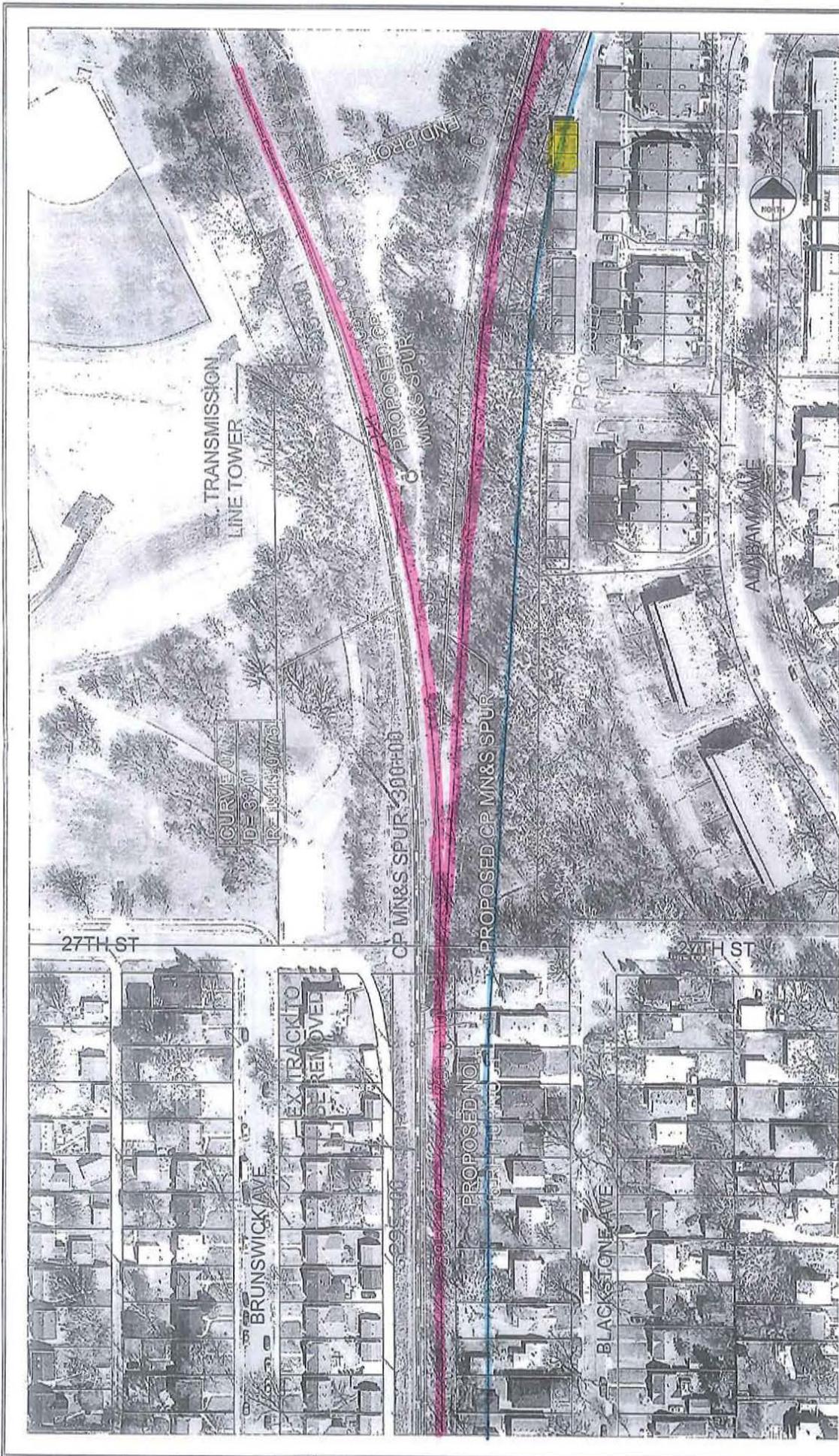


PROPOSED

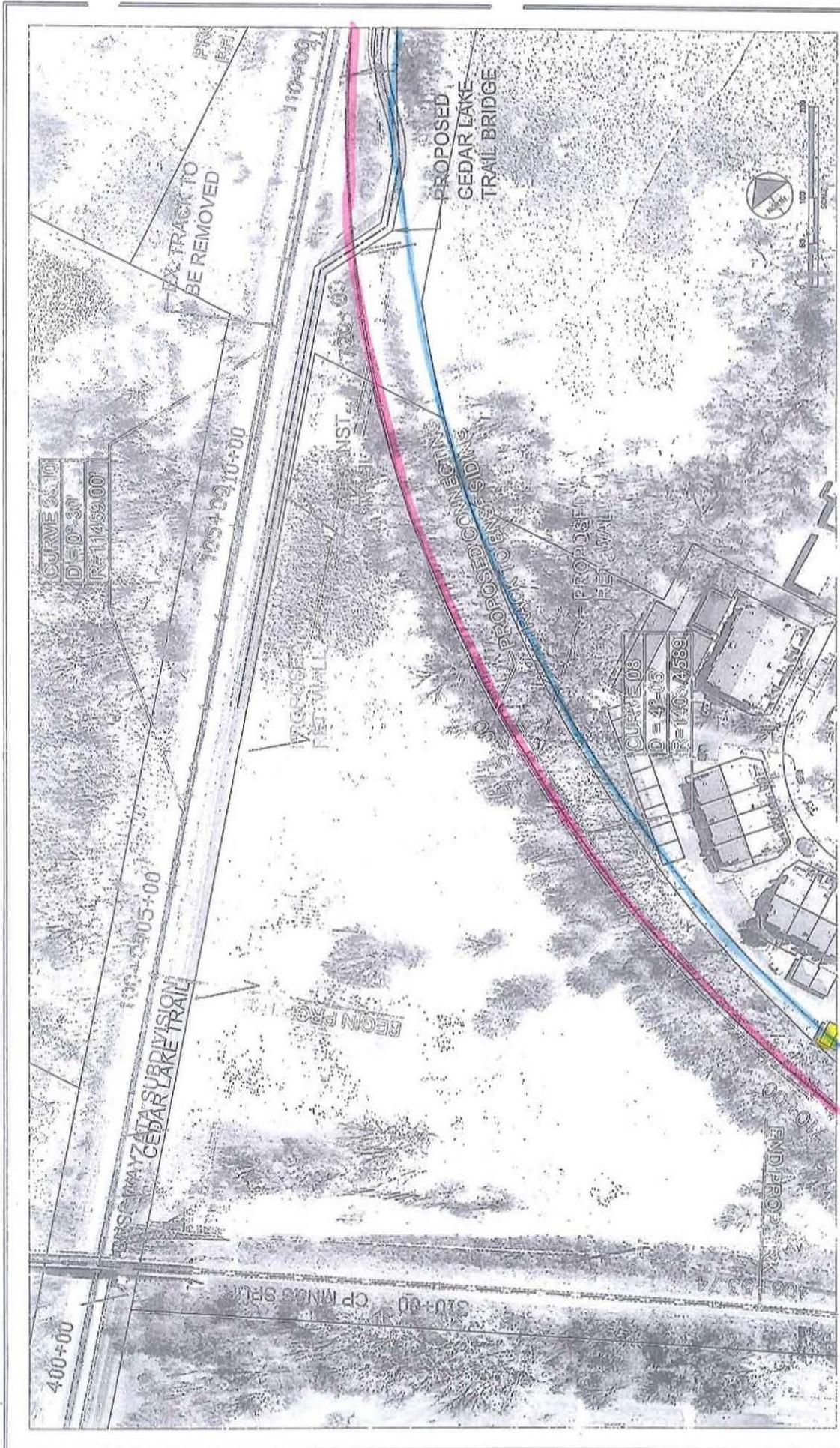


NOT DRAWN TO SCALE





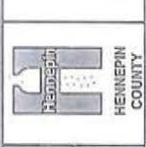
PRELIMINARY DRAFT NOT FOR CONSTRUCTION	 AECOM	 HENNEPIN COUNTY	 MINNESOTA DEPT. OF TRANSPORTATION	MN&S FREIGHT RAIL STUDY	TRACK PLAN	SHEET 13 OF 31
				<i>Track sl. to east lot 2</i>		



SHEET 14 OF 31

TRACK PLAN
Track shifted 22' to East 2 of 2

MN&S FREIGHT RAIL STUDY



Kimley-Horn and Associates, Inc.
AECOM

PRELIMINARY DRAFT NOT FOR CONSTRUCTION

Freight Rail Alternatives Cost Comparison Table

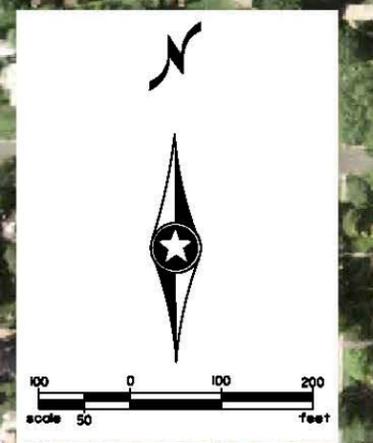
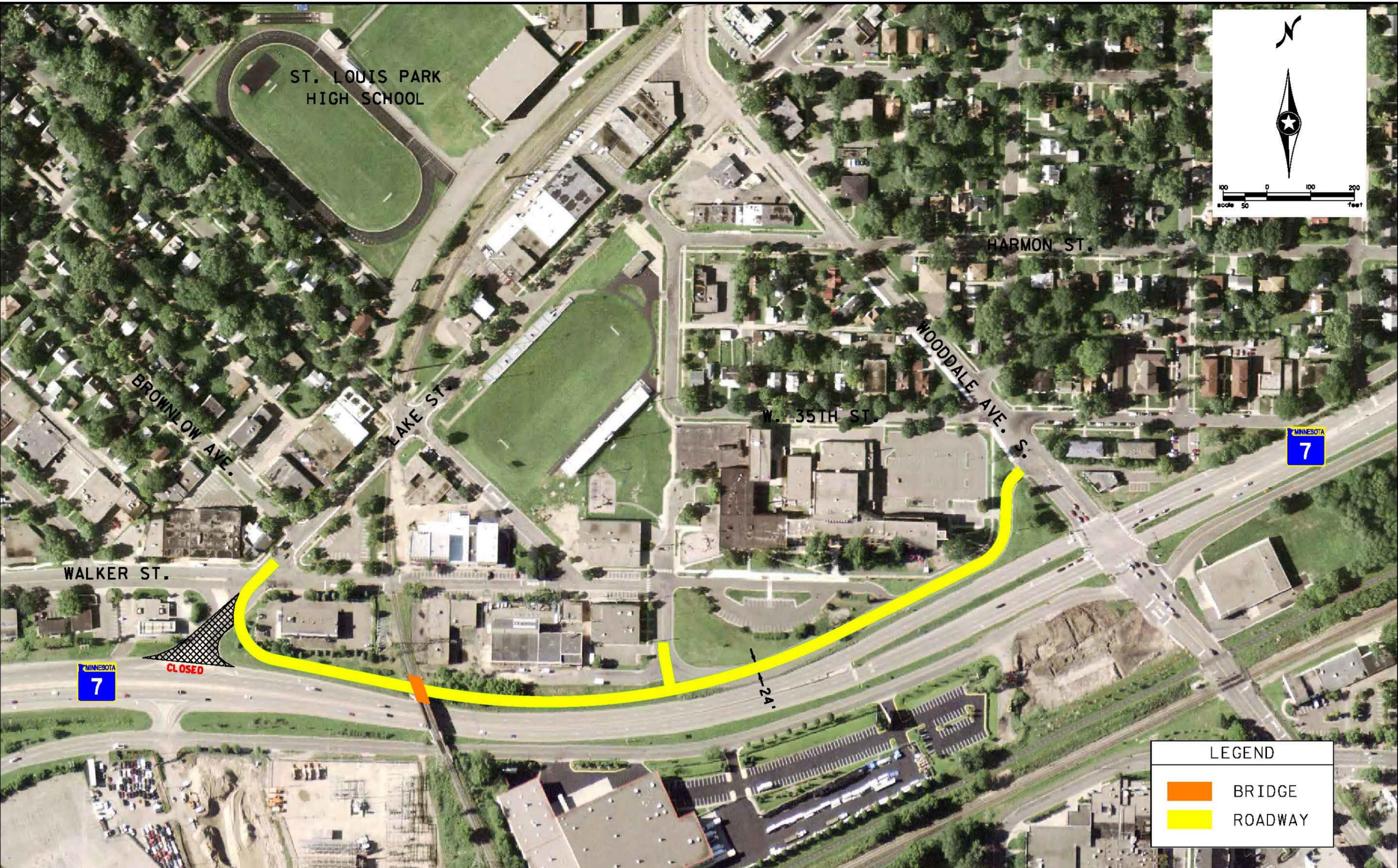
		<u>MNS Base plan</u>	<u>Kenilworth Base plan</u>	<u>MNS - Robust Mitigation</u>	<u>Kenilworth Robust Mitigation</u>
Base		\$ 76,672,000	\$ 55,000,000	\$ 76,672,000	\$ 55,000,000
	Construction	\$ 71,172,000	\$ 30,000,000	\$ 71,172,000	\$ 30,000,000
	property acquisition (1)	\$ 5,500,000	\$ 25,000,000	\$ 5,500,000	\$ 25,000,000
mitigation	Level 1	included in base	included in base	included in base	included in base
	a - track improvements/upgrades	included in base	included in base	included in base	included in base
	b - mandatory environmental req'ts	included in base	included in base	included in base	included in base
	c - WQZ	included in base	included in base	included in base	included in base
	d - Fencing & signage	included in base	included in base	included in base	included in base
	e - Elimination of CP tracks east of Wooddale	included in SWLRT	included in SWLRT	included in SWLRT	included in SWLRT
mitigation	Level 2	not included	not included	\$ 49,125,000	\$ 25,060,000
	f - Improvements to reroute coal trains (2)	not included	not included	\$ 2,500,000	\$ 2,500,000
	g - Removal of switching wye (3)	not included	not included	\$ 2,500,000	\$ 2,500,000
	h - Connection to MN&S south (4)	not included	not included	\$ 7,000,000	\$ 7,000,000
	i - rail lubricators	not included	NA	\$ 45,000	NA
	j - concrete ties (vibration reduction)	not included	NA	\$ 30,000	NA
	k - grade separated Hwy 7 frontage rd	not included	NA	\$ 800,000	NA
	l - Create 100 ft min. width corridor in SF area (5)	not included	NA	\$ 18,000,000	NA
	m - Pedestrian overpass at Dakota avenue (6)	not included	NA	\$ 2,500,000	NA
	n - Pedestrian underpass to Dakota Park (27th)	not included	NA	\$ 100,000	NA
	o - Louisiana/Hwy 7 Interchange	not included	NA	\$ 10,500,000	NA
	p - mitigation for sound and vibration at SLP HS	not included	NA	\$ 50,000	NA
	q - Pedestrian bridge over Hwy 7 at MN&S (7)	not included	NA	\$ 5,000,000	NA
	r - Roxbury Park underpass			\$ 100,000	
	s - grade separated Beltline Blvd (8)				\$ 10,560,000
	t - pedestrian overpass at Wooddale avenue (9)				\$ 2,500,000
SWLRT Cost Adjustments		NA	to be determined	NA	to be determined
	- Relocation of regional trail	NA	to be determined	NA	to be determined
	- Modifications to LRT stations to accommodate freight rail	NA	to be determined	NA	to be determined
	- Crash walls where LRT and freight rail are tightly spaced	NA	to be determined	NA	to be determined
	Grade separation of LRT at Wooddale	NA	to be determined	NA	to be determined
Total cost		\$ 76,672,000	\$ 55,000,000	\$ 125,797,000	\$ 80,060,000

- Notes:
- 1) Acquisition costs for the Kenilworth alternative estimated to be between \$5,000,000 and \$40,000,000. Partial acquisition of \$20,000,000 is used for purposes of this table.
 - 2) Range of costs for coal train rerouting is \$1,500,000 - 2,500,000
 - 3) range of costs for way removal is \$1,500,000 to 2,500,000
 - 4) cost estimates for the connection south assume wye removed completely
 - 5) range of costs for widening corridor estimated to be \$15-18,000,000
 - 6) Range of costs for ped bridge estimated to be \$1,500,000 - 2,500,000
 - 7) Range of costs for ped bridge over Hwy 7 estimated to be \$2,500,000 - 5,000,000
 - 8) Range of costs for grade separated crossing at Beltline is \$8,640,000 to 10,560,000
 - 9) Range of costs for a ped bridge over the freight rail tracks at Wooddale Avenue estimated to be \$1,500,000 -\$2,500,000.

7:55:30 AM

12/20/2012

S:\PT\SS\10414331\5-dsgn\51-cadd\Civil\North Frontage Road Option.dgn
Default



LEGEND	
	BRIDGE
	ROADWAY

DESIGN TEAM			
DRAWN BY:			
DESIGNER:			
CHECKED BY:			
NO.	BY	DATE	REVISIONS

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

Certified By: _____ Lic. No. _____
 Printed Name: _____ Date: 12/20/2012



PHONE: (651) 490-2000
 3636 MADIAIS CENTER DR.
 ST. PAUL, MN 55110

CITY OF
 ST. LOUIS PARK

NORTH FRONTAGE ROAD OPTION

FILE NO. 122893
1692



Minnesota Department of Transportation

395 John Ireland Boulevard
Saint Paul, MN 55155

December 20, 2011

To Whom It May Concern:

RESOLUTION

WHEREAS, a project consisting of track improvements to the existing Canadian Pacific (CP) Bass Lake Spur, CP Minneapolis, Northfield & Southern (MN&S) Spur, and the Burlington Northern Santa Fe (BNSF) Wayzata Subdivision in the City of St. Louis Park was proposed to accommodate the relocation of the Twin Cities and Western (TC&W) freight rail traffic currently operating in the Kenilworth Corridor in Minneapolis (Proposed Freight Project); and

WHEREAS, the Hennepin County Regional Railroad Authority (HCRRA) was the Proposer of the Proposed Freight Project, as the term "Proposer" is defined by Minn. R. 4410.0200, subp. 68 (2011); and

WHEREAS, the Minnesota Department of Transportation (MnDOT) was the Responsible Governmental Unit (RGU) for the Proposed Freight Project pursuant to Minn. R. 4410.0500, subp. 2 (2011), and as the term "RGU" is defined by Minn. R. 4410.0200, subp. 76 (2011) ; and

WHEREAS, MnDOT prepared an Environmental Assessment Worksheet (EAW) for the Proposed Freight Project pursuant to Minn. R. 4410.1400 (2011), and as the term "Environmental Assessment Worksheet" is defined by Minn. Stat. § 116D.04, subd. 1a(c) (2011) and Minn. R. 4410.0200, subp. 17 (2011); and

WHEREAS, MnDOT published notice of the completion of the EAW for the Proposed Freight Project and provided copies of the EAW to the Minnesota Environmental Quality Board and its member agencies, and received and responded to comments on the need for an Environmental Impact Statement (EIS) following publication pursuant to the requirements of Minn. Stat. § 116D.04, subd. 2a(b) (2011), Minn. R. 4410.1500 (2011); Minn. R. 4410.1600 (2011); and

WHEREAS, MnDOT determined that the Proposed Freight Project does not have the potential for significant environmental impact pursuant to Minn. R. 4410.1700 (2011); and

An Equal Opportunity Employer



WHEREAS, MnDOT determined that an Environmental Impact Statement (EIS) was not required pursuant to the Minnesota Environmental Protection Act, Minn. Stat. § 116D.01, et seq. (MEPA), and accordingly issued and distributed a Negative Declaration on June 30, 2011, pursuant to Minn. R. 4410.1700 (2011); and

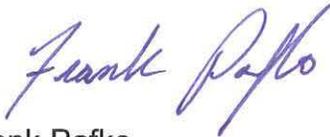
WHEREAS, on December 19, 2011, the HCRRA Board passed a resolution determining that the Proposed Freight Project no longer warrants separate environmental analysis under state law as a standalone project and is no longer being pursued as a standalone project;

NOW THEREFORE, MnDOT hereby vacates the EAW for the Proposed Freight Project; and

NOW THEREFORE, MnDOT hereby vacates its Negative Declaration for the Proposed Freight Project; and

NOW THEREFORE, because the Proposed Freight Project is no longer being pursued as a standalone project by the Proposer, environmental review as a standalone project is no longer required; and

NOW THEREFORE, if any other project is proposed in the future, the need for a new environmental review will be evaluated in accordance with the provisions of the Minnesota Environmental Policy Act.



Frank Pafko
Chief Environmental Officer
Minnesota Department of Transportation





October 14, 2008

Ms. Katie Walker, AICP
Transit Project Manager
Hennepin County Housing, Community Works & Transit
417 North 5th Street, Suite 320
Minneapolis, MN 55401

RE: Scoping for the Draft Environmental Impact Statement (DEIS) for the Southwest Transitway Project

Dear Ms. Walker,

The City of St. Louis Park supports the work of the HCRRA and the development of LRT within the Southwest corridor at the earliest possible date. Improved transit service in the region and Hennepin County and, especially LRT in the Southwest corridor, is vital to future health and prosperity of our area. We applaud the County's leadership and steadfast commitment to bringing LRT service to Southwest Hennepin County.

A project of this magnitude and importance deserves careful planning and evaluation at each step of the process. We look forward to eagerly participating in the Draft Environmental Impact Statement (DEIS) process for the Southwest Transitway. We expect that a careful analysis of the potential impacts will be prepared; and, that potential mitigating measures (and necessary funding) to address any negative impacts will be identified for the corridor.

For St. Louis Park the potential impacts of the Southwest Transitway Project extend beyond the immediate Southwest Corridor itself. They include impacts associated with the potential relocation of freight rail from the trail corridor south of TH7 to the Canadian Pacific (CP) and Burlington Northern Santa Fe (BNSF) rail alignments which pass through the heart of St. Louis Park's residential areas. While we have issues that we have listed below that concern the proposed transitway itself, we especially ask that you make sure issues associated with the potentially rerouted freight rail are completely and comprehensively addressed.

Rerouted freight rail traffic is a big change with the potential to negatively affect many residents and businesses. It is an important issue that the community has anticipated for many years. In 1997 the City of St. Louis Park initiated the Railroad Task Force to study the impact of freight rail traffic on our community and the impact on our neighborhoods if freight rail would be rerouted from its

October 14, 2008

present tracks along Highway 7/25 to the north-south tracks in St. Louis Park. Such diversion would add significant train traffic to our neighborhoods, which include many homes within 50 ft. of the tracks, sometimes even closer. It would also result in a substantial increase of freight rail traffic immediately adjacent to St. Louis Park High School, and would significantly interfere with vehicle traffic on many already-congested streets, including Excelsior Blvd.

The Task Force expressed a strong preference that freight rail traffic not be rerouted through St. Louis Park, but acknowledged that such rerouting maybe necessary. It reached consensus on principles that should guide the relocation. St. Louis Park requests that the DEIS also use these principles to guide its evaluation of the impacts of the freight rail rerouting and the design of mitigating measures. The principles are:

- Rail traffic should run smoothly, entering and leaving St. Louis Park as efficiently and safely as possible;
- No de-coupling or switching of rail cars should take place in St. Louis Park;
- Noise, vibration, and other adverse impacts on adjacent neighborhoods must be minimized to the extent feasible;
- Safety of at-grade rail/street intersections must be improved for pedestrians, motorists and bicyclists;
- Freight rail traffic coming from the west or east must be split, with half diverted north and half south along the CP tracks

Funding must be made available to accomplish these principles, as part of the development of the SWLRT.

The City of St. Louis Park (SLP) submits the following comments and requests several items be included into the Draft Environmental Impact Statement (DEIS) for the Southwest Transitway Project.

Elimination of Current "Bottleneck"

Two of the potential SWLRT routes (# 1A and 3A) would include a short segment (less than ¼ mile) near W. Lake St. where freight trains currently travel, that is currently too narrow to accommodate the SWLRT parallel to the existing freight rail tracks and bike trail. If either of these routes is selected and the narrow "bottleneck" is not widened or other steps are not taken to accommodate all three modes of transportation, the freight rail would have to be diverted elsewhere. Due to the scarcity of north-south tracks within Hennepin County, that diversion could likely be through St. Louis Park, on the Canadian Pacific and Burlington Northern Santa Fe rail alignments.

St. Louis Park recognizes that the costs and regulatory requirements necessary to implement the mitigation measures associated with freight rail diversion (please see below) will be significant. We therefore urge that the DEIS fully explore the feasibility and costs of alternatives that would eliminate the diversion of freight rail traffic through St. Louis Park.

We request consideration of the following alternatives:

- Purchase sufficient right-of-way adjacent to the “bottleneck” near W Lake St. to accommodate SWLRT, freight rail, and the bike trail.
- Reroute or elevate the bike trail to permit SWLRT and freight rail within the “bottleneck” at West Lake Street.

The costs of one or more of these alternatives, if adopted, likely could be significantly cheaper than the costs of mitigation for freight rail relocation, and would eliminate the extensive disruption to St. Louis Park neighborhoods that would be caused by freight rail diversion.

DEIS study requirements – Freight Rail Rerouting

Freight rail relocation would result in a major increase in freight traffic in residential neighborhoods within St. Louis Park, and many impacts need to be evaluated with the DEIS prior to any decision to affect this potential change. St. Louis Park requests that Hennepin County Regional Rail Authority (HCRRA) address and mitigate impacts on neighbors and neighborhoods adjacent to the CP and BNSF railways in the event that the freight rail is rerouted. The following items need to be evaluated as part of the DEIS process:

- Determine the amount of increased rail traffic that would occur from rerouting trains to the north and east.
- Analyze the need for upgraded tracks and railroad bridges to permit trains to safely and efficiently travel through St. Louis Park.
- Assess the noise, vibration, visual and aesthetic impacts on residences and businesses and determine how to mitigate, in consultation with adjacent neighbors and businesses them.
- Evaluate the specific impacts on St. Louis Park High School with regard to traffic, pedestrian crossings, noise impacts, and the disruption to the learning process from additional rail traffic.
- Evaluate all at-grade rail/street intersections to be improved for the safety of pedestrians, motorists and bicyclists, including the need for signalized crossings. Evaluate using the proper railroad protective devices and the increased noise from additional train traffic.
- Evaluate noise walls, landscaped berms, soundproofing insulation and/or other measures to mitigate negative impacts of rail traffic on the many hundreds of homes and the St. Louis Park Senior High School that are located immediately adjacent to the freight rail tracks.

- Determine if there is a need to purchase more property to accommodate and mitigate the impacts of more rail traffic. Consider purchase of adjacent homes within the usual and customary distance to the rail lines, to create a green buffer for other nearby homes and to provide adequate space to construct noise barriers.
- Evaluate the impacts of building two new bridge connections at the Golden Auto site and an additional rail interconnection at the "iron triangle" site (which must be done prior to the rerouting of any rail traffic).
- Consider that Three Rivers Park District is conducting a feasibility study for a north-south bike/walking trail. Any freight rail diversion should be examined for issues concerning mitigation with trail location, construction, and usage, including the safety impacts of these two adjacent uses.
- Consider the extent which freight rail cars contain hazardous substances as they travel through St. Louis Park, and the impact on our community of any potential derailment.
- Assess elimination of the rail "wye" in the Elmwood/Oxford neighborhood, on which trains are backed up, de-coupled and reconfigured. This is a lengthy and noisy process that adversely affects the neighborhood all hours of the day and night.
- Evaluate the possibility of moving the current rail switching and blocking operations (which occur in SLP, Hopkins, and Minnetonka) to Glencoe.

The potential diversion of freight rail traffic through St. Louis Park would not be necessary but for the potential construction of the SWLRT along Route Nos. 1A or 3A and the potential decision by HCRRA to decline to fix the "bottleneck". Absent such decisions, freight rail traffic could continue indefinitely on its present alignment through the Kenilworth corridor. We believe it is critical that funding be made available to evaluate these impacts on St. Louis Park, as part of the development of the SWLRT. Additionally, the costs of these required measures must be considered, and be transparent to the public, as an integral element of the overall costs of Route Nos. 1A and 3A, when the final route is selected.

DEIS Study Requirements – Additional Transit Impacts

There are a number of issues that need additional attention beyond the typical required DEIS items, due to associated transportation issues. To address these issues, St. Louis Park requests that HCRRA address the following items to be evaluated as part of the DEIS process:

- Address the need to grade separate the light rail line and trail at both Beltline Boulevard and Wooddale Avenue.
- Evaluate the impacts of access, circulation and traffic issues in the station areas.
- Determine the need for parking in the station areas, and determine the demand versus supply and the spillover impacts to neighborhoods.

Ms. Katie Walker, AICP

Page 5

October 14, 2008

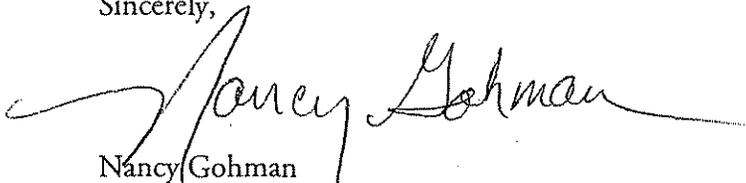
- Determine the need for a circulating feeder bus system to serve the transit stations; and resolve how that will be provided.

Conclusion

The full costs of rerouting freight rail traffic through St. Louis Park must be evaluated as part of route selection for SWLRT. The above suggests the types of improvements which will be necessary, and which require analysis as part of the DEIS process. We expect that these issues would be reviewed as part of this process and it is our request that the DEIS process incorporate all of our concerns as listed above. We additionally request that the DEIS process include at least one meeting within St. Louis Park to discuss these unique issues.

Thank you for your attention to these concerns.

Sincerely,



Nancy Gohman
Deputy City Manager

CC: Mayor Jeff Jacobs
Councilmember John Basill
Councilmember C. Paul Carver
Councilmember Phil Finkelstein
Councilmember Paul Omodt
Councilmember Loran Paprocki
Councilmember Sue Sanger
City Manager Tom Harmening
Jim Brimeyer, PAC Member
Lisa Miller, CAC Member
Bob Tift, CAC Member
Bill James, CAC Member
Shawn Klein, CAC Member

St. Louis Park SWLRT Station Area Planning Principles

SRF is currently assisting the City with the development of high-level SWLRT station area planning principles. In addition, the station areas at Wooddale Avenue and Beltline Boulevard are being studied to understand the implications of the regional trail, Southwest Light Rail Transit (LRT) and freight rail crossings.

The traffic implications for regional trail, LRT and freight rail crossings are illustrated in the attached “Sketch-Up” 3 dimensional figures. Assumptions for each of the scenarios are summarized below.

Beltline Station

1A Existing Conditions with Freight Rail and Trail at grade

- Vehicle queues due to freight rail are calculated based on recent on site traffic counts during the morning (a.m.) peak hour
- This assumes traffic on Beltline Boulevard was blocked for 10 minutes for the freight rail to cross

1B LRT and Trail at grade, no Freight Rail

- Vehicle queues due to LRT are calculated based on recent on site traffic counts during the morning (a.m.) peak hour
- This assumes that traffic on Beltline Boulevard was blocked for 45 seconds for LRT to cross

1C LRT, Freight Rail and Trail at grade

- Vehicles queues are shown for a freight rail crossing, based on recent on site traffic counts during the morning (a.m.) peak hour
- This assumes traffic on Beltline Boulevard was blocked for 10 minutes for the freight rail to cross

1D Grade Separated Trail, LRT and Freight Rail at grade

- Vehicle queues due to LRT are calculated based on recent on site traffic counts during the morning (a.m.) peak hour
- This assumes traffic on Beltline Boulevard was blocked for 10 minutes for the freight rail to cross

1E Grade Separated LRT and Trail, no Freight Rail

- No vehicle queues expected along Beltline Boulevard

1F Grade Separated LRT, Freight Rail and Trail

- No vehicle queues expected along Beltline Boulevard

Wooddale Station

1A Existing Conditions with Freight Rail and Trail at grade

- Vehicle queues due to freight rail are based on actual observations on April 28, 2011 during the morning (a.m.) peak hour
- Traffic on Wooddale Avenue was blocked for 10 minutes for the freight rail to cross

1B LRT and Trail at grade, no Freight Rail

- Vehicle queues due to LRT are calculated based on recent traffic counts during the morning (a.m.) peak hour
- This assumes that traffic on Wooddale Avenue was blocked for 45 seconds for LRT to cross

1C LRT, Freight Rail and Trail at grade

- Vehicles queues are shown for a freight rail crossing, based on actual observations on April 28, 2011 during the morning (a.m.) peak hour
- Traffic on Wooddale Avenue was blocked for 10 minutes for the freight rail to cross

Additional Notes

- For freight rail implications at the Beltline station, calculated queues may be longer than actual queues, since vehicles were seen rerouting away from the freight rail crossing during the April observation on Wooddale Avenue.
- All traffic implications related to freight rail assume travel speeds of 10 mph. If freight rail travel speeds increase to 25 mph, delays and queues may decrease.
- All traffic implications related to LRT, freight rail and trail were identified for the morning (a.m.) peak hour. Evening (p.m.) peak hour traffic volumes for Beltline Boulevard and Wooddale Avenue are higher than the morning peak hour. Therefore, delays and queues may be greater during the evening peak hour.



1A Beltline Station Existing Conditions



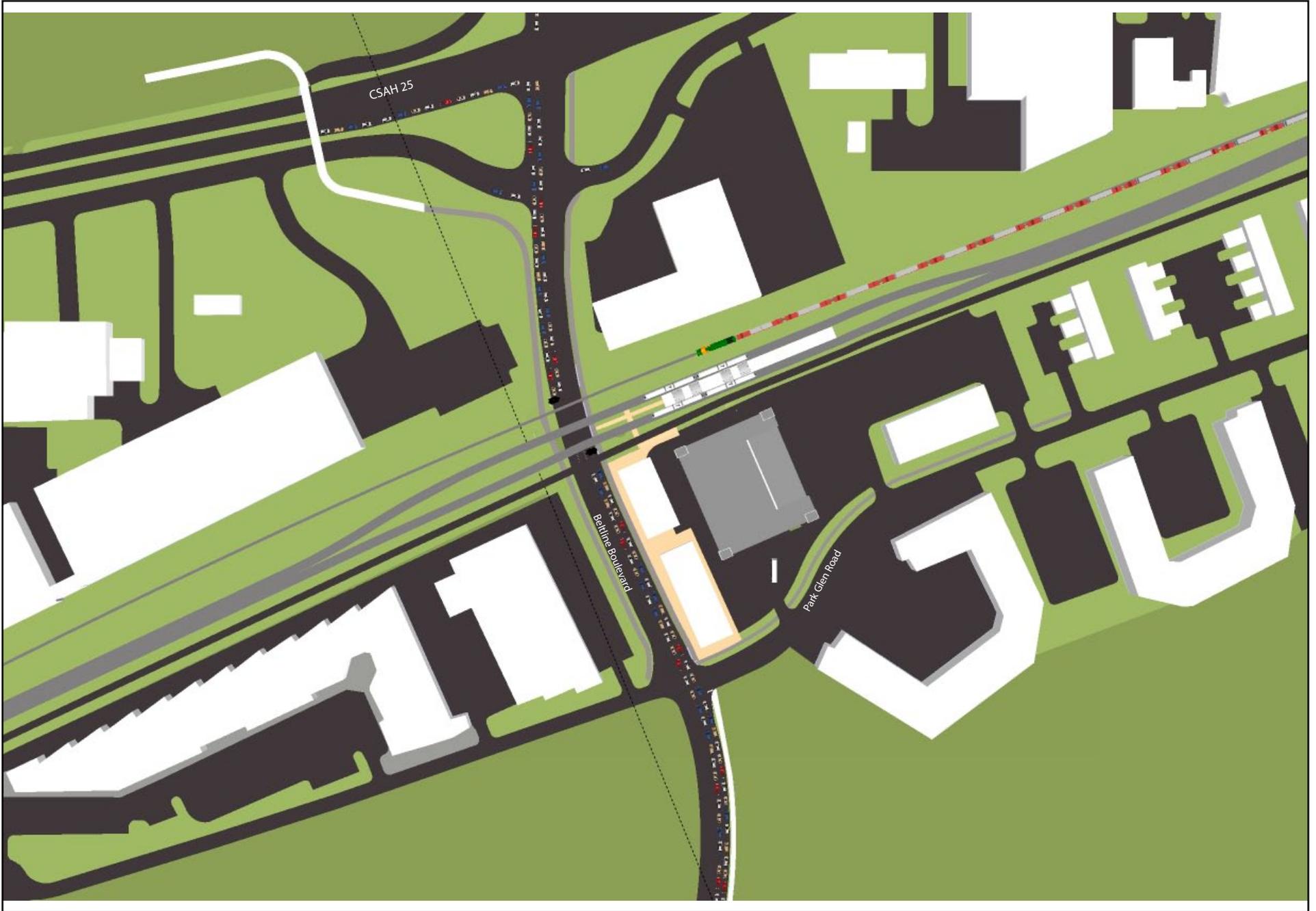
1A Beltline Station Existing Conditions



1B Beltline Station- LRT and Trail at grade, no Freight Rail



1B Beltline Station- LRT and Trail at grade, no Freight Rail



1C Beltline Station- LRT, Freight Rail and Trail at grade



1C Beltline Station- LRT, Freight Rail and Trail at grade



1D Beltline Station- Grade Separated Trail, LRT and Freight Rail at grade



1D Beltline Station- Grade Separated Trail, LRT and Freight Rail at grade



1E Beltline Station- Grade Separated LRT and Trail, no Freight Rail



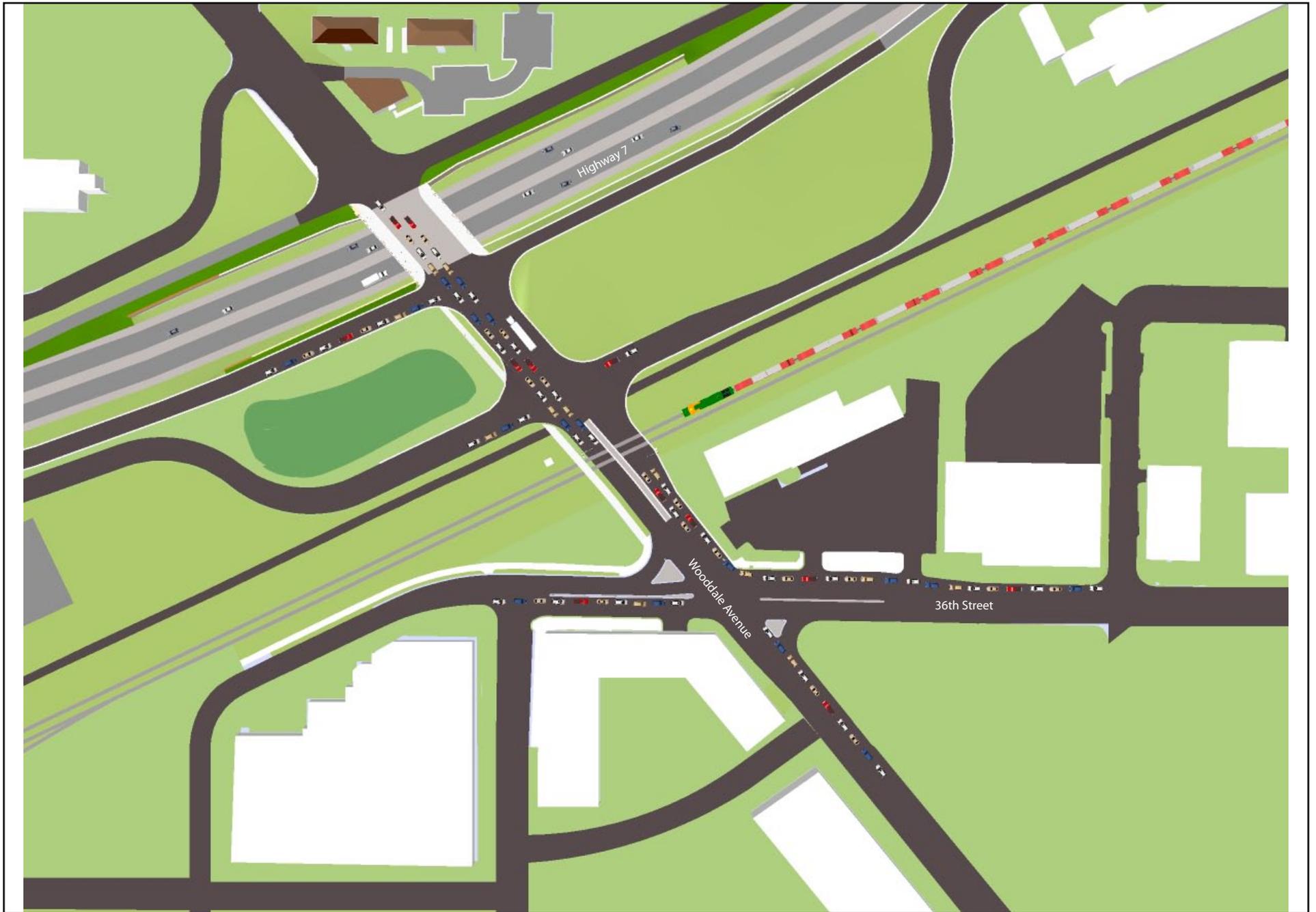
1E Beltline Station- Grade Separated LRT and Trail, no Freight Rail



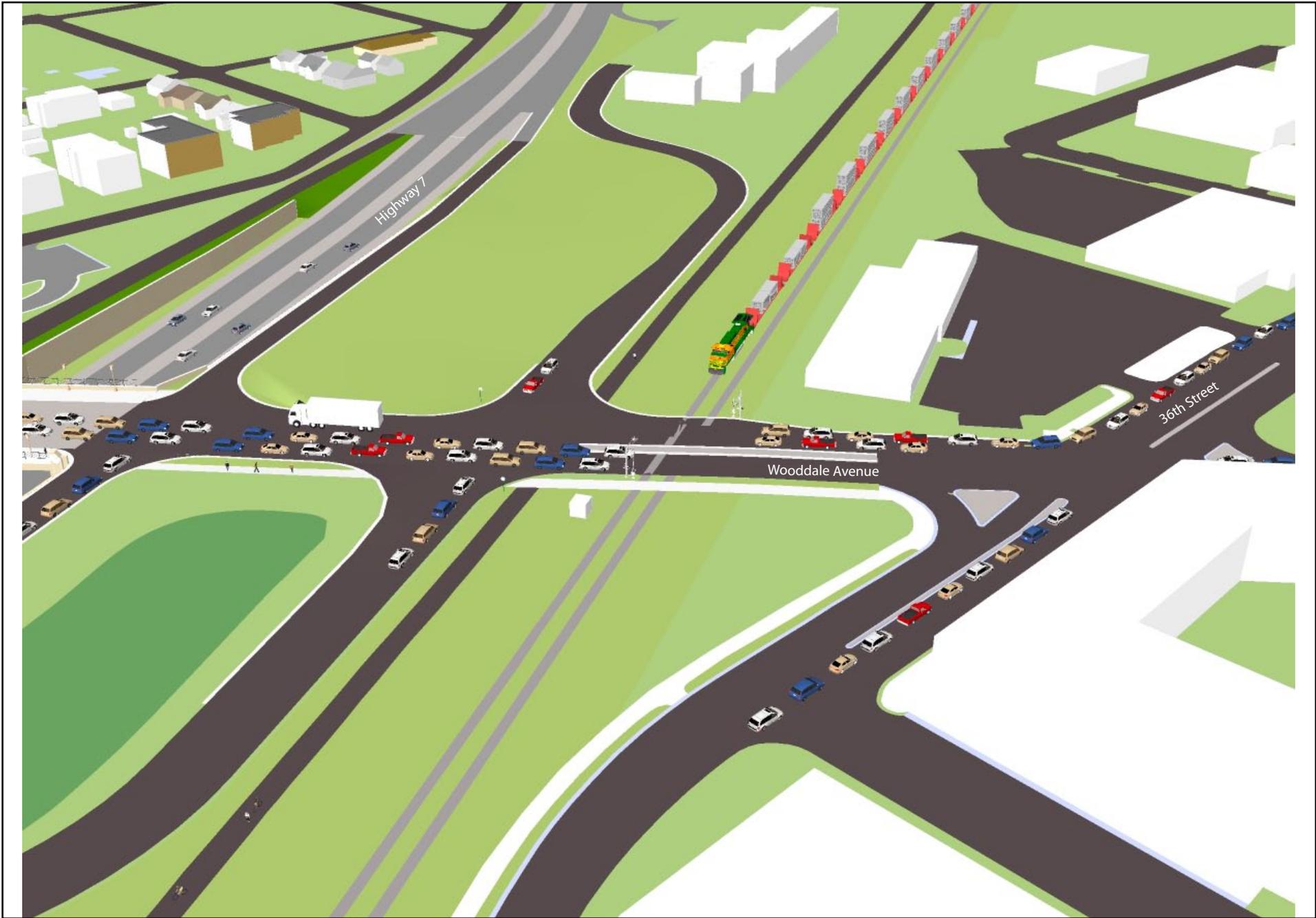
1F Beltline Station- Grade Separated LRT, Freight Rail and Trail



1F Beltline Station- Grade Separated LRT, Freight Rail and Trail



2A Wooddale Station- Existing Conditions



2A Wooddale Station- Existing Conditions



2B Wooddale Station- LRT and Trail at grade, no Freight Rail



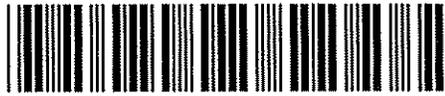
2B Wooddale Station- LRT and Trail at grade, no Freight Rail



2C Wooddale Station- LRT, Freight Rail and Trail at grade



2C Wooddale Station- LRT, Freight Rail and Trail at grade



Doc No 4543033 11/06/2008 12:00 PM
Certified filed and or recorded on above date:
Office of the Registrar of Titles
Hennepin County, Minnesota
Michael H. Cunniff, Registrar of Titles

TransID 453672
New cert Cert
 1195585

Deputy 45
Fees
\$1.50 AF
\$10.50 STATEFEE
\$34.00 TDOC FEE
\$0.00 TSUR
\$46.00 Total

1195585

RAILROAD EASEMENT AGREEMENT

CONTRACT NO.

141-06

CITY OF ST. LOUIS PARK

THIS AGREEMENT is made this 20th day of November 2006 by HIGHWAY 7 BUSINESS CENTER LLC, a Minnesota limited liability company ("Grantor"), in favor of CITY OF ST. LOUIS PARK, MINNESOTA, a Minnesota municipal corporation ("Grantee").

Recitals

A. The Grantor, Grantee and the St. Louis Park Economic Development Authority ("Authority") entered into that certain Contract for Private Redevelopment dated as of May 15, 2006 (the "Contract"), providing for the redevelopment of certain property in the City described as follows (hereafter the "Redevelopment Property"):

Lots 1 and 2, Block 1, RER Addition

B. Grantor and Grantee acknowledge that a portion of the Redevelopment Property was acquired with proceeds of an Environmental Response Fund grant from Hennepin County (the "ERF Grant"), pursuant to Minnesota Statutes, Section 383B.81 (the "ERF Act").

C. Pursuant to the Contract and Subdivision 6 of the ERF Act, the Grantor agreed to grant to Grantee an easement on a portion of the Redevelopment Property for railroad right of way purposes, all as further described herein.

Terms of Easement

1. Grant of Easement. For good and valuable consideration, receipt of which is acknowledged by Grantor, Grantor grants and conveys to the Grantee the following easement:

A perpetual easement for railroad right of way purposes over, under and across a part of the Redevelopment Property, such area being described on Exhibit A hereto (the "Easement Area").

2. Conditions of Easement. (a) Prior to the Use Commencement Date described in paragraph (b) of this Section, Grantor may occupy, improve and use the Easement Area for surface parking in accordance with the terms of the Contract. Grantor may not construct any other improvements during such period without prior written approval of Grantee. Grantor shall maintain the Easement Area during such period at its cost.

(b) Grantee or its assigns must provide 180 days' written notice to Grantor that Grantee or its assigns intends to exercise its rights in the Easement Area. Expiration of such 180-day period is hereinafter referred to as the Use Commencement Date. From and after

the Use Commencement Date, Grantee or its assigns may occupy and use the Easement Area for any railroad or rail transit purposes, specifically including (but not limited to) any rail or transit uses set forth in Subdivision 6 of the ERF Act. At all times after the Use Commencement Date, Grantor's occupation and use of the Easement Area is subject to Grantee's use of the Easement Area for the purposes described in this Agreement. Upon request by Grantee, Grantor at its cost shall remove any improvements constructed prior to the Use Commencement Date that, in Grantee's judgment, interferes with or impairs Grantee's use of the Easement Area for the purposes described in this Agreement. From and after the Use Commencement Date, Grantor shall have no obligation to maintain or pay the costs to maintain the Easement Area, except as Grantor and Grantee may otherwise mutually agree in writing.

3. Assignment. Grantee may at any time assign its rights and obligations under this Agreement to any entity, public or private, with the powers under Minnesota law to own, operate, regulate, or provide financing for railway or transit facilities of any kind, including without limitation Hennepin County and the Hennepin County Regional Railroad Authority.

4. Warranty of Title. The Grantor warrants that it is the owner of the Redevelopment Property and has the right, title and capacity to convey to the Grantee the easement herein.

5. Binding Effect. The terms and conditions of this instrument shall run with the land and be binding on the Grantor, its heirs, successors and assigns.

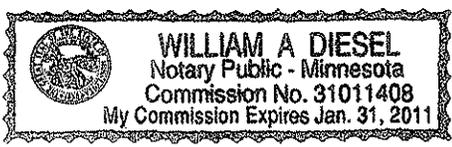
IN WITNESS WHEREOF, the Grantor has caused this Agreement to be duly executed in its name and behalf and its seal to be hereunto duly affixed and the Grantee has caused this Agreement to be duly executed in its name and behalf as of the date first above written.

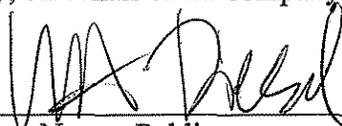
^{7th}
HIGHWAY 7 BUSINESS CENTER LLC

By 
Paul Hyde, Chief Executive Officer

STATE OF MINNESOTA)
) SS.
COUNTY OF HENNEPIN)

The foregoing instrument was acknowledged before me this 20th day of Nov., 2006, by Paul Hyde, the Chief Executive Officer of Highway 7 Business Center LLC, a Minnesota limited liability company, on behalf of the company.




Notary Public

CITY OF ST. LOUIS PARK

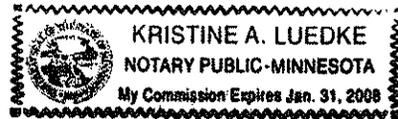
By [Signature]
Its Mayor
By [Signature]
City Manager

STATE OF MINNESOTA)
) SS.
COUNTY OF HENNEPIN)

The foregoing instrument was acknowledged before me this 27 day of November, 2006 by Jeff Jacobs and Tom Harming, the Mayor and City Manager, respectively, of the of the City of St. Louis Park, on behalf of the City.

[Signature]
Notary Public

STATE DEED TAX DUE HEREON: NONE



THIS INSTRUMENT DRAFTED BY:
Kennedy & Graven, Chartered
470 U.S. Bank Plaza
200 South Sixth Street
Minneapolis, MN 55402

**EXHIBIT A
TO RAILROAD EASEMENT AGREEMENT**

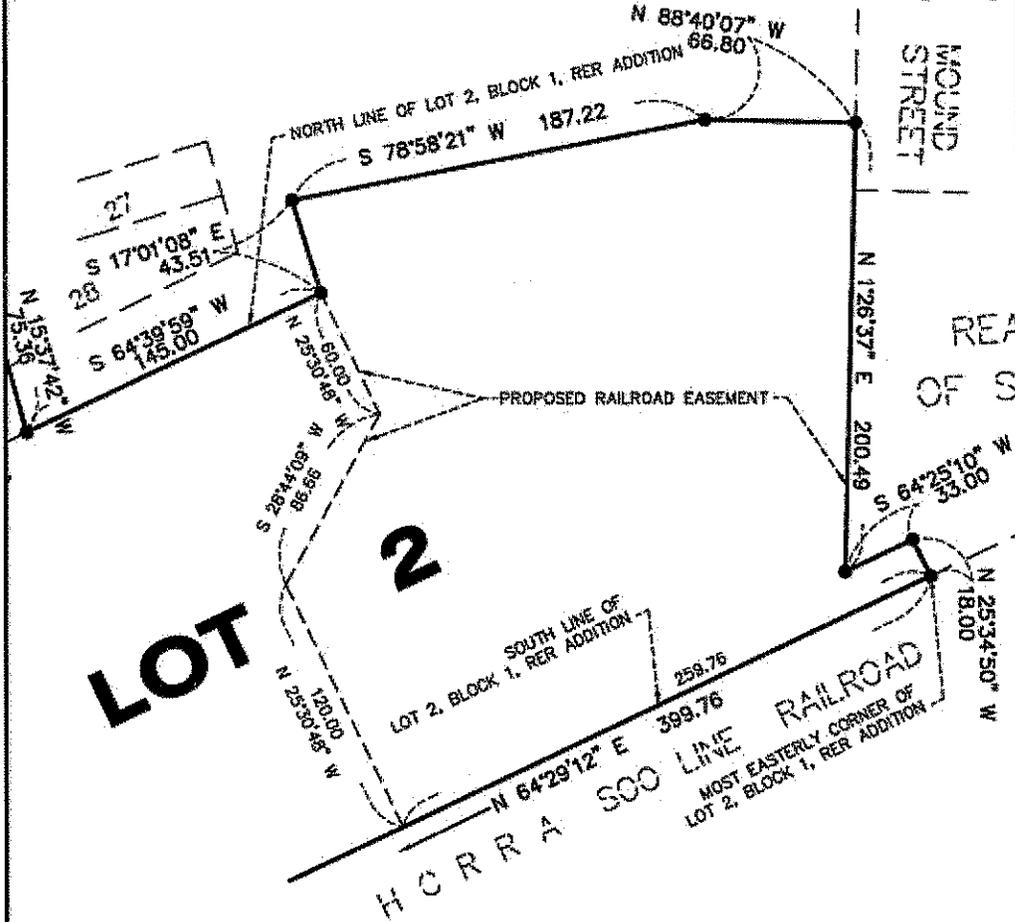
Description of Easement Area

That part of Lot 2, Block 1, RER ADDITION, Hennepin County, Minnesota lying easterly of the following described line:

Commencing at the most easterly corner of said Lot 2; thence South 64 degrees 29 minutes 12 seconds West an assumed bearing along the south line of said Lot 2 a distance of 259.76 feet to the point of beginning; thence North 25 degrees 30 minutes 48 seconds West 120.00 feet; thence North 28 degrees 44 minutes 09 seconds East 86.66 feet; thence North 25 degrees 30 minutes 48 seconds West 60.00 feet more or less to the north line of said Lot 2 and there terminating.

HARRY S. JOHNSON
LAND SURVEYORS
 5063 Lyndale Ave. So. Bloomington, MN. 55420
 phone: 952-884-5341 fax: 952-884-5344

Railroad Easement of Survey
 for
Real Estate Recycling



PROPOSED RAILROAD EASEMENT DESCRIBED AS:

That part of Lot 2, Block 1, RER ADDITION, Hennepin County, Minnesota lying easterly of the following described line:

Commencing at the most easterly corner of said Lot 2; thence South 64 degrees 29 minutes 12 seconds West on assumed bearing along the south line of said Lot 2 a distance of 259.76 feet to the point of beginning; thence North 25 degrees 30 minutes 48 seconds West 120.00 feet; thence North 28 degrees 44 minutes 09 seconds East 86.66 feet; thence North 25 degrees 30 minutes 48 seconds West 60.00 feet more or less to the north line of said Lot 2 and there terminating.

CERTIFICATION

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.



SCALE: 1" = 60'

Date: October 6, 2006

Thomas E. Hoderff, L.S. MN Reg. No. 23677

JOB NO: 200515403.DWG

MEMORANDUM

TO: Meg McMonigal, AICP, Planning and Zoning Supervisor
City of St. Louis Park

FROM: Marie Cote, PE, Principal

DATE: November 7, 2012

SUBJECT: SOUTHWEST TRANSITWAY DEIS – TRAFFIC ANALYSIS REVIEW

As requested, we have completed a review of the SW LRT DEIS Chapter 6: Transportation Effects (October 2012). This includes the review of additional information related to a new alternative named 3A-1 (co-location), which includes freight trains running parallel to LRT in the Kenilworth corridor. Based on our review, we offer the following comments for your consideration:

Transit Effects

- The transit ridership was prepared using standard, accepted methods available at the time the draft was prepared. Station boardings are provided for each station in Appendix H, but no conclusions can be drawn specific to the reasonableness of those estimates. It is our understanding that the transit ridership will be updated as part of the design phase using newly available information for the FEIS, such as the 2010 Transit On Board Survey.

Effects on Roadways

- The initial comment regarding a single growth factor was not addressed in the revised DEIS. The year 2030 traffic forecasts were developed by applying a growth factor to the existing (year 2010) traffic volumes. The regional model was used to determine growth, but a single 1.12 factor continues to be applied along the entire corridor. Generally, it can be expected that this approach would understate developing area growth and overstate fully developed area growth, but specific roadways may be differently affected. A “risk assessment” approach could be used at intersections with failing or near-failing levels of service to determine the extent to which a higher growth assumption would affect the conclusions of the analysis.

- An existing and future intersection operations analysis was completed using the Synchro/SimTraffic software. It is stated that Synchro/SimTraffic does not have the direct capacity to model LRT. The Southwest Transitway DEIS – Traffic Analysis Update in Appendix H also states that each station and the impacts on operations and circulation will be addressed in a detailed analysis as part of the FEIS. It is our understanding that VISSIM will be used to better assess LRT operations in the design phase of the SW LRT.
- The operations analysis completed for year 2017 and 2030 build conditions identified intersections that are expected to operate at an unacceptable level of service. Further analysis of the potential mitigation measures will be addressed in the FEIS.
- The Southwest Transitway DEIS – Traffic Analysis Update in Appendix H includes assumptions related to future LRT and freight trains operating in the Kenilworth corridor. The operations analysis assumes a freight train with 30 cars at 60 feet each, traveling at 10 mph. This results in 150 seconds for a freight train to cross an intersection. According to field observations conducted for the City in 2011, a freight train traveling across Wooddale Avenue and Beltline Boulevard required 10 minutes of vehicular delay during the morning peak hour. The significant difference between the observed delay and assumed delay for a freight train crossing could have a measurable impact on the operations analysis results for 2018 and 2030. In addition, the Southwest Transitway DEIS – Traffic Analysis Update results state that “these queues are not anticipated to impact the signal operations at the high volume intersection of CSAH 25 and Beltline Boulevard”. Further analysis of this issue should be addressed as part of the FEIS.
- The At-Grade Queue Analysis in Appendix H includes the details of the queuing impacts related to various freight train lengths. This technical memorandum dated May 31, 2012 was completed after the Southwest Transitway DEIS – Traffic Analysis Update (March 21, 2012). This analysis further evaluated the 30-car train at 10 mph, in addition to a 120-car train at 10 mph. The results of the 2010 and 2030 analysis identified significant queues impacting adjacent intersections along the Wooddale Avenue and Beltline Boulevard corridors for the 30-car and 120-car scenarios. The general note summarizing the analysis states that “a scenario in which a train arrives during this relatively short timeframe is possible, but would likely be a relatively rare occurrence”. As previously stated, further analysis of this issue should be addressed as part of the FEIS.
- The Operational Impacts at Intersections section describes the analysis conducted to identify LRT impacts on intersection operations to determine “how well intersections function to move traffic and pedestrians”. However, this section is limited to vehicular and freight rail traffic. The Southwest Transitway DEIS – Traffic Analysis Update in Appendix H states that pedestrians were not modeled due to low pedestrian counts. The impacts on pedestrians and bicyclists traveling through the intersections and roadways near the LRT stations should be considered in the FEIS. This should also include impacts on the regional trail at-grade crossing in close proximity to the future LRT alignment.

**November,
2009**

TCWR Freight Rail Realignment Study



Hennepin County Regional Railroad Authority

11/18/09

With assistance from TKDA

BACKGROUND

Prior to the Hiawatha/TH55 upgrades in South Minneapolis, Canadian Pacific Railway's (CPR) Bass Lake Subdivision (east-west trackage through St. Louis Park and Minneapolis) crossed Hiawatha Avenue at grade (see Exhibit 1). During the design process for the Hiawatha/TH55 project, Mn/DOT and FHWA determined that neither an at-grade freight rail crossing nor a grade separation was viable and the decision was made to sever the freight rail line and relocate freight rail service to St. Paul. An at-grade crossing posed problems due to the high traffic levels on Hiawatha/TH55 and a grade separation was problematic due to limited grades and geometry. An analysis was conducted to determine the preferred route for the relocated freight rail service. The conclusion was that the MNS Sub was the preferred route. Shortly after this was concluded it was discovered that the Golden Auto site over which the freight rail connection would be constructed was a superfund site. Until the Golden Auto site was cleaned up and delisted, a temporary route needed to be found or the federal funding for Hiawatha/TH55 project would be lost.

The main carrier on the Bass Lake Sub from St. Louis Park, through the Midtown Trench along 29th Street, and on to St. Paul is the Twin Cities and Western Railroad (TCWR). TCWR has trackage rights on CPR's Bass Lake Sub and also BNSF Railway (BNSF) track once they got to St. Paul to continue on to the Pigs Eye Yard in St. Paul and to Minnesota Commercial Railway's (MNNR) A Yard. To sever the Midtown Trench tracks at Hiawatha Avenue, an alternate route was needed to get TCWR on to St. Paul where they have connections with BNSF, CPR, MNNR, and Union Pacific Railroad (UP).

Hennepin County Regional Railroad Authority (HCRRA) owns the old CNW line known as the Kenilworth Corridor through the Kenwood area in Minneapolis. To facilitate the connection of TCWR to the east, HCRRA rehabbed the Kenilworth Corridor as a temporary route and facilitated an agreement between BNSF, CPR, and TCWR to provide trackage rights into and through St. Paul. In order to allow trains back on this old CNW line, the neighborhoods were told that this alignment was going to be temporary to preserve it for future transit use. The temporary route was rehabbed and was to be used for 1-6 years until a permanent relocation could be developed. This 1-6 year fix has now become more than a 10 year fix and is currently in the need of another rehab to safely and consistently carry rail traffic into the future.

ST. LOUIS PARK RAILROAD REPORT, 1999

Shortly after the decision was made to reroute freight rail traffic on a temporary basis through the Kenilworth Corridor in Minneapolis, a study was conducted to examine the short-term and long-term freight rail options to determine solutions that allow freight to move efficiently and effectively through St. Louis Park while reducing impacts to the greatest extent possible for St. Louis Park. A Neighborhood Task Force was assembled to provide guidance and input during the study.

STUDY PURPOSE

The purpose of the analysis contained in this report is to evaluate all potential options for a permanent location for freight rail operations. To determine a permanent home for freight service consideration must be given to both the short-term and the long-term. Any solution must work for both the short-term as well as the long-term.

For this report, care has been taken to avoid repeating the information in the St. Louis Park Railroad Study prepared by RLK Associates, Ltd. in March 1999. Most of the information contained in this study is based on the technical data from the St. Louis Park Railroad Study. That data was used as a starting point for background information on potential alignments. However, the railroads, Mn/DOT, the City of St. Louis Park, and Hennepin County have all been interviewed again to get updated information that would affect finding a permanent track alignment for TCWR. Using past and present information, Hennepin County is pursuing feasible alignment scenarios for a permanent home for TCWR freight traffic.

To provide project direction, a discussion group was formed and is composed of staff from Hennepin County, Mn/DOT, Twin Cities and Western (TCW) Rail Company, Minneapolis, and St. Louis Park. The discussion group met periodically during the course of the study to provide input and to review technical materials produced by TKDA.

CHANGES SINCE ST. LOUIS PARK RAILROAD STUDY, 1999

While most information in the St. Louis Park Railroad Study is still pertinent, changes have taken place in the metro area that need to be accounted for while finding a permanent home for TCWR. The current Twins Ballpark (Target Field) is nearly complete as is the Northstar Commuter Rail and Hiawatha Light Rail Transit extension. Additional passenger rail and light rail corridors are also being explored that will terminate at the Minneapolis Transportation Interchange, near the new Target Field site. In addition to all the developments surrounding the Twins Ballpark area, railroad priorities and shipping movements have changed since 2000 when the St. Louis Park Freight Rail Task Force Report was completed.

TWINS BALLPARK SITE (Target Field)

The design of the Twins Ballpark (Target Field) required reconfiguring railroad tracks in the area. With the addition of the Twins Ballpark to the west side of downtown Minneapolis, additional rail complications have been introduced. BNSF's Wayzata Sub runs adjacent to the Twins Ballpark site. This is already a busy section of track for BNSF with up to 15 trains per day traveling through the area. This includes intermodal trains with double-stacked shipping containers that are now able to pass under the Main Street bridge in northeast Minneapolis which was just replaced this year. The inclusion of the Twins Ballpark near BNSF's track required extensive realignment to permit the trackage and ballpark to coexist in the same area. The realignment for the Twins Ballpark works as required, but it hinders future track alignment modifications and limits capacity expansion through the area. On its current right of way, BNSF is relegated to one track through this entire corridor to the northwest of the new Twins Ballpark (Target Field). Adding additional tracks through this area to expand freight rail operations would require significant property acquisitions and reconstruction of bridges. The area to the northwest of the Twins Ballpark (Target Field) is a historic district covering some of the properties that would be required to construct additional tracks through the area.

S4

MINNEAPOLIS TRANSPORTATION INTERCHANGE

As part of the Twins Ballpark (Target Field) site, a two-level intermodal passenger rail hub is being completed at the north corner of the Twin Ballpark. This includes Northstar Commuter Rail at the same level as BNSF's freight tracks and Light Rail Transit (LRT) at the street level above.

The Northstar Commuter Rail station has been built with two tracks for train storage and passenger loading and unloading. This trackage is built at the same level as BNSF's track as the Northstar passenger train will be utilizing BNSF tracks. Located between the Twins Ballpark to the southwest and BNSF's mainline and buildings to the northwest, most usable space through this area has already been utilized.

The LRT station and trackage is out of the way of freight rail through the area. However, this is another factor that impedes expansion of freight or passenger rail through the area. The LRT extension to the Twins Ballpark is built at the same level as 5th Street on a bridge over the Wayzata Sub and Northstar Commuter Rail tracks. If additional freight rail tracks are constructed in the area, the 5th Street LRT bridge would need to be lengthened and LRT service would be suspended during construction.

Combined, the Twins Ballpark (Target Field) and the intermodal station connecting Northstar Commuter Rail and Hiawatha/Central LRT restrict if not preclude the ability to expand BNSF's track through the area. For expansion to be possible, bridges over BNSF's track will need to be lengthened, buildings to the west located within a historic district will need to be taken, or possibly both.

S4

PASSENGER AND LIGHT RAIL PROJECTS

Passenger and light rail projects are currently being considered throughout the Twin Cities Metro area. At full build out the Minneapolis Transportation Interchange (intermodal station) could be served by up to five (5) commuter rail lines, up to four (4) LRT lines, intercity passenger rail service, and high speed rail from Chicago. The implementation of the future vision for an integrated system of rail lines and bus routes converging in downtown Minneapolis at the Minneapolis Transportation Interchange has a significant impact on the ability of freight rail to expand operations through this area.

While the passenger and LRT corridors have varying degrees of potential implementation in the near future, the list does highlight the number of passenger rail projects being looked at in the area. That means there is a strong possibility that the area around the Twins Ballpark, and BNSF's Wayzata Sub specifically, will see additional rail traffic increases that need to be accounted for while looking for a permanent route for TCWR's trains. If all of the projects are built as envisioned by Hennepin County, up to 80 commuter and passenger rail trains per day and 500 LRT trains per day will converge at the Minneapolis Transportation Interchange in addition to any freight rail traffic.

RAIL TRAFFIC

Rail traffic varies from day to day and year to year. Although it's impossible to precisely forecast future rail traffic, we can use current rail traffic as a starting point for analysis. The one bit of traffic that has changed significantly is TCWR's southbound traffic to the port of Savage. Due to market changes in grain, this move by TCWR has not run in the past two years. However, that traffic could turn around during any given harvest season. TCWR purchased the bridge over the Mississippi River in Savage to protect that shipping option and is counting on that market for growth in their future traffic projections.

BNSF and CPR rail traffic has gone up and down through the area, but none of the changes suggest a major change in traffic to the point where current routes aren't needed. If anything, the changes (specifically the addition of passenger rail and double-stack intermodal trains on the Wayzata Sub) will necessitate increases in capacity and infrastructure.

Moving commodities along freight rail lines rather than by semi trucks on the roadway system has a significant effect upon the region's mobility. TCWR reports that an average train load equates to 40 semi 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.

ALTERNATE ROUTE ANALYSIS

After reviewing the history of freight rail operations and discussing the future of freight rail operations with the private freight rail companies, TKDA developed an inventory of all possible routes for long-term permanent freight rail operations. The options for alternative routes were presented in small group meetings with the private freight rail companies. Through this process the following alternatives were identified:

- Kenilworth Corridor
- Midtown Corridor
- MNS Sub
- Chaska Cut-Off
- Former Railroad Alignment – Hwy 169
- Western MN Connection with BNSF

The routing alternatives were then evaluated to determine which one would provide the best long-term permanent home for freight rail. Considerations included impact to freight rail operations (short-term and long-term), impacts to the transportation system, potential property acquisitions/relocations, and construction costs.

KENILWORTH CORRIDOR – EXISTING TEMPORARY ALIGNMENT

The temporary route for TCW routes them along their own track to the west which turns into CPR owned track before turning into HCRRA track between the Midtown Corridor turnoff and the Cedar Lake Junction at BNSF's Wayzata Sub (see Exhibit 2). TCWR runs on the Bass Lake Spur before veering northeast where the old Midtown Corridor started heading straight east along 29th Street. From here TCWR runs on the Kenilworth Corridor up to Cedar Lake Junction where it turns east onto BNSF's Wayzata Sub and heads into downtown through the Twins Ballpark site and on to St. Paul. As stated previously, this route was meant to be a temporary route for TCWR. The line was rebuilt to temporarily allow trains to connect to St. Paul while the National Lead/Golden Auto site was to be cleaned up to accommodate a connection between Bass Lake Sub to MNS Sub for TCWR to run through St. Louis Park. The HCRRA acquired the Kenilworth Corridor to preserve it for future transit use. HCRRA allowed temporary use of the Kenilworth Corridor for TCWR operations to allow the Hiawatha/TH55 Project to move forward with the understanding that freight rail was only a temporary use and would vacate the corridor.

According to State Statute 383B.81, an Environmental Response Fund was created to sufficiently clean up the National Lead/Golden Auto site in St. Louis Park. This property was to be used to build the

EXHIBIT 2



connection between Bass Lake Sub to MNS Sub for TCWR to run through St. Louis Park before making its way east to St. Paul. The funds were to be made available to St. Louis Park if they entered into an agreement with Hennepin County to acquire the contaminated site and to provide a rail right-of-way to replace the 29th Street Corridor. Kenilworth was never to be a permanent alignment and was rehabilitated accordingly. The lifespan of this rehabilitated track is coming to an end and a long-term permanent location for freight rail must be provided.

Mn/DOT is also interested in the relocation of the freight rail through this area. They are interested in knowing whether TCWR will continue to run on this corridor before performing their Hwy 100 widening project under Hwy 7 and the Bass Lake Sub. Mn/DOT acknowledges that if SWLRT is constructed, a new LRT bridge will need to go over Hwy 100. However the necessity to build a freight rail bridge over Hwy 100 is determined by whether or not freight rail continues through the Kenilworth Corridor or if it's relocated elsewhere. Building a freight bridge will add significant costs to the Hwy 100 widening project. They would have to build a longer bridge than currently exists to accommodate a wider Hwy 100.

Building a longer bridge also means a taller depth of structure which inevitably will lead to having to lower Hwy 100 further to get the necessary clearances for vehicular traffic below the freight railroad bridge. And pushing the roadway down creates drainage issues that also need to be accounted for. All of these issues and expenditures would be eliminated if TCWR freight traffic is relocated to the MNS Sub.

During the course of this study, St. Louis Park staff requested an evaluation of freight rail and LRT coexistence in the Kenilworth Corridor. The purpose was to inform elected officials and the public of the implications. Coexistence of the freight rail lines would require acquisitions in excess of \$100 million and a potential additional crossing of freight rail and LRT. Based upon this analysis, it was concluded that it is not viable for freight rail and LRT to coexist in the Kenilworth Corridor.

Summary

The Kenilworth Corridor has significant constraints for the long-term permanent location for freight rail due to:

- future rail capacity constraints near the Twins Ballpark (Target Field)
- negative impacts to the Hwy 100 project
- traffic management issues related to at-grade crossings of Wooddale Avenue and Beltline Boulevard in St. Louis Park
- funding needed for rehabilitation

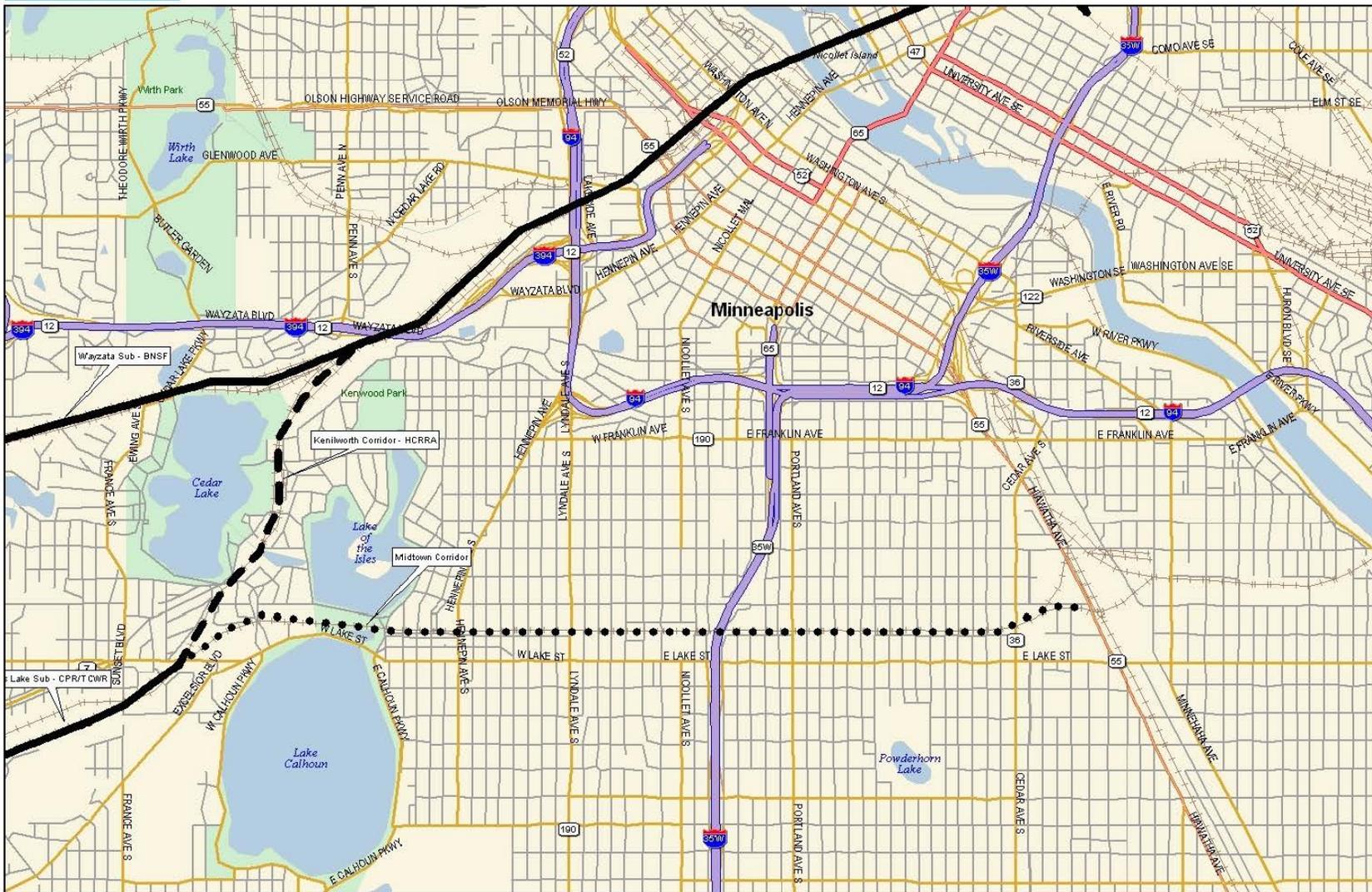
MIDTOWN CORRIDOR

Although TCWR was relocated from the Midtown Corridor due to the Hwy 55/Hiawatha Avenue project, it was reevaluated as a potential alignment. The TCWR would follow its current alignment on the Bass Lake Sub through St. Louis Park and onto what is the Midtown Corridor through the trench (see Exhibit 3). It would then approach Hwy 55/Hiawatha Avenue and would be grade-separated as an overpass of the roadway. It would connect to the CPR tracks on the east side of Hwy 55/Hiawatha Avenue that are currently leased and run on by MNNR. This alignment would reinstate freight rail as it existed prior to the Hwy 55/Hiawatha Avenue project and track severing.

EXHIBIT 3



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Extensive work would be necessary to make the railroad connection from the west side to the east side of Hwy 55/Hiawatha Avenue. The Hiawatha LRT bridge would need to be reconstructed to provide ample clearance for a freight train on a structure underneath it. A new freight rail bridge would need to be built to span Hwy 55/Hiawatha Avenue. Hwy 55/Hiawatha Avenue would need to be lowered to provide clearance underneath the freight rail bridge. The profile change on Hwy 55/Hiawatha Avenue would most certainly affect the Lake Street overpass and approaches to that bridge. The intersection at 26th and 28th Streets would need to be reconfigured and the new Sabo pedestrian bridge north of 28th Street would need to be reconstructed. Roadway and LRT traffic through the area would largely be delayed or stopped for this alternative to be constructed. In addition, this construction would require various permits from federal and state agencies as well as agreements with the private freight rail companies.

The Midtown Corridor was acquired by the HCRRA to preserve it for future transit use. The corridor has been considered for LRT, streetcar, and bus rapid transit (BRT) implementation. The Midtown Corridor is included in the Metropolitan Council's TPP as a future project. Reinstatement of freight rail service would preclude transit use of the corridor.

Summary

The Midtown Corridor has significant constraints for the long-term permanent location for freight rail operations due to:

- the estimated capital costs to reconstruct Hwy 55, the Hiawatha LRT line, and the Sabo pedestrian bridge would exceed \$136 million (2008)
- the complexity of engineering to retain vehicle flows on Hwy 55 as well as Lake Street, LRT operations, bicycle and pedestrian movements

MNS SUB ALIGNMENT THROUGH ST. LOUIS PARK

The MNS Subdivision alignment (see Exhibit 4) was the preferred alignment when Hwy 55/Hiawatha Avenue was upgraded and freight rail service in the Midtown Corridor was severed. In 2001, the St. Louis Park Railroad Advisory Task Force developed a position statement that included language agreeing to accept freight rail relocation along the MNS line at such time as the freight rail was displaced from the Kenilworth Corridor by mass transit.

Coming from the west, TCWR would operate on their own tracks before passing onto the CPR owned tracks of the Bass Lake Sub, then heading north on to CPR's MNS Sub through St. Louis Park and then onto BNSF's Wayzata Sub heading east into downtown Minneapolis toward the Twins Ballpark site. For this alignment, a connection between the Bass Lake Sub and the MNS Sub is needed on the south side of St. Louis Park (see Exhibit 5) and a connection between the MNS Sub and Wayzata Sub is needed on the north side (formerly existed and was known as the Iron Triangle; see Exhibit 6). For TCWR's southbound move onto the MNS Sub to the Port of Savage, a new south connection would be made from the Bass Lake Sub to the MNS Sub.

TCWR would be able to operate on this alignment in a very similar fashion to how they currently run through the Kenilworth Corridor. They would have the same connections with other railroads except for the more efficient southbound move onto CPR's MNS Sub. The major change would be the elimination

EXHIBIT 4

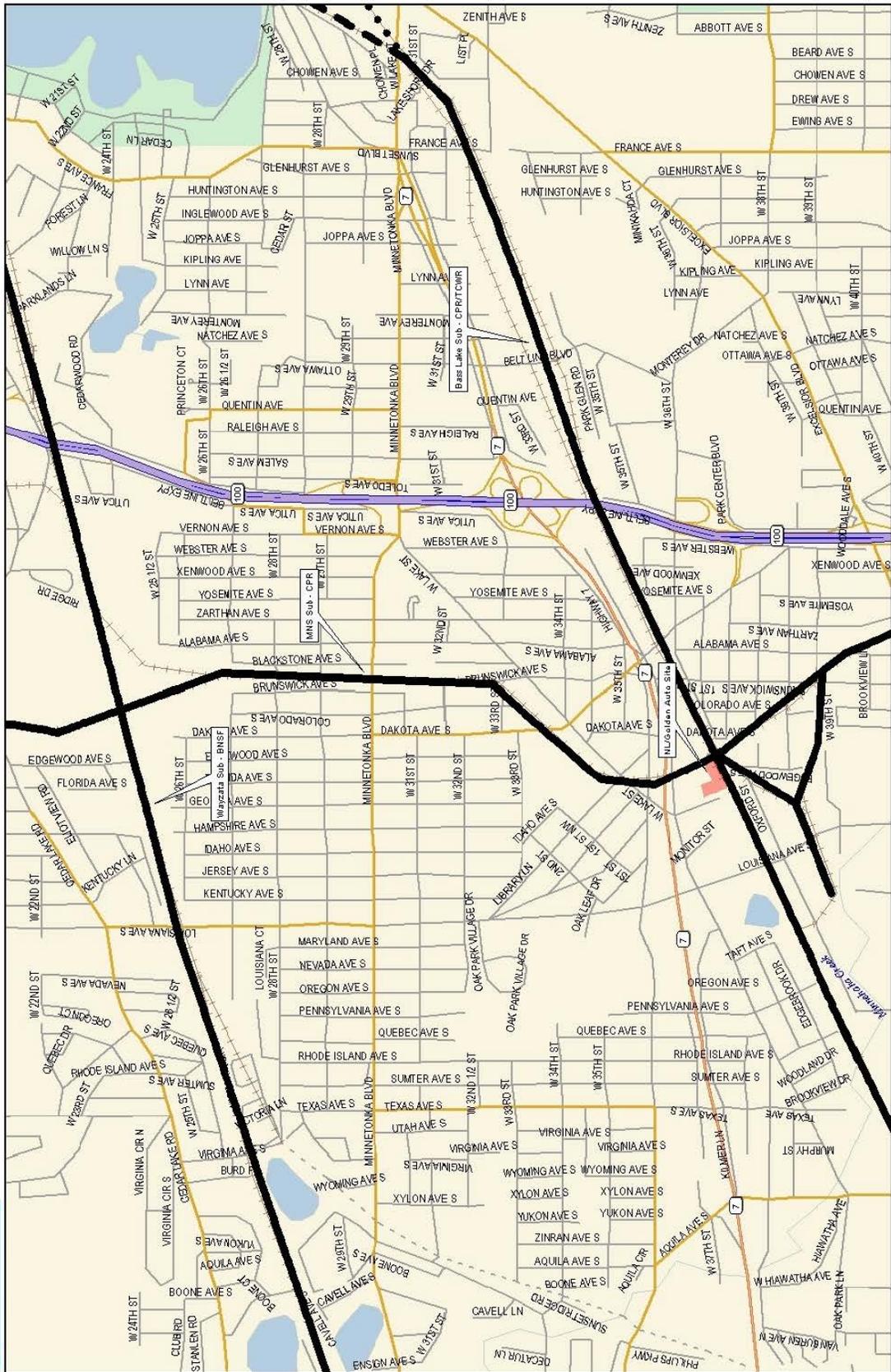


EXHIBIT 5



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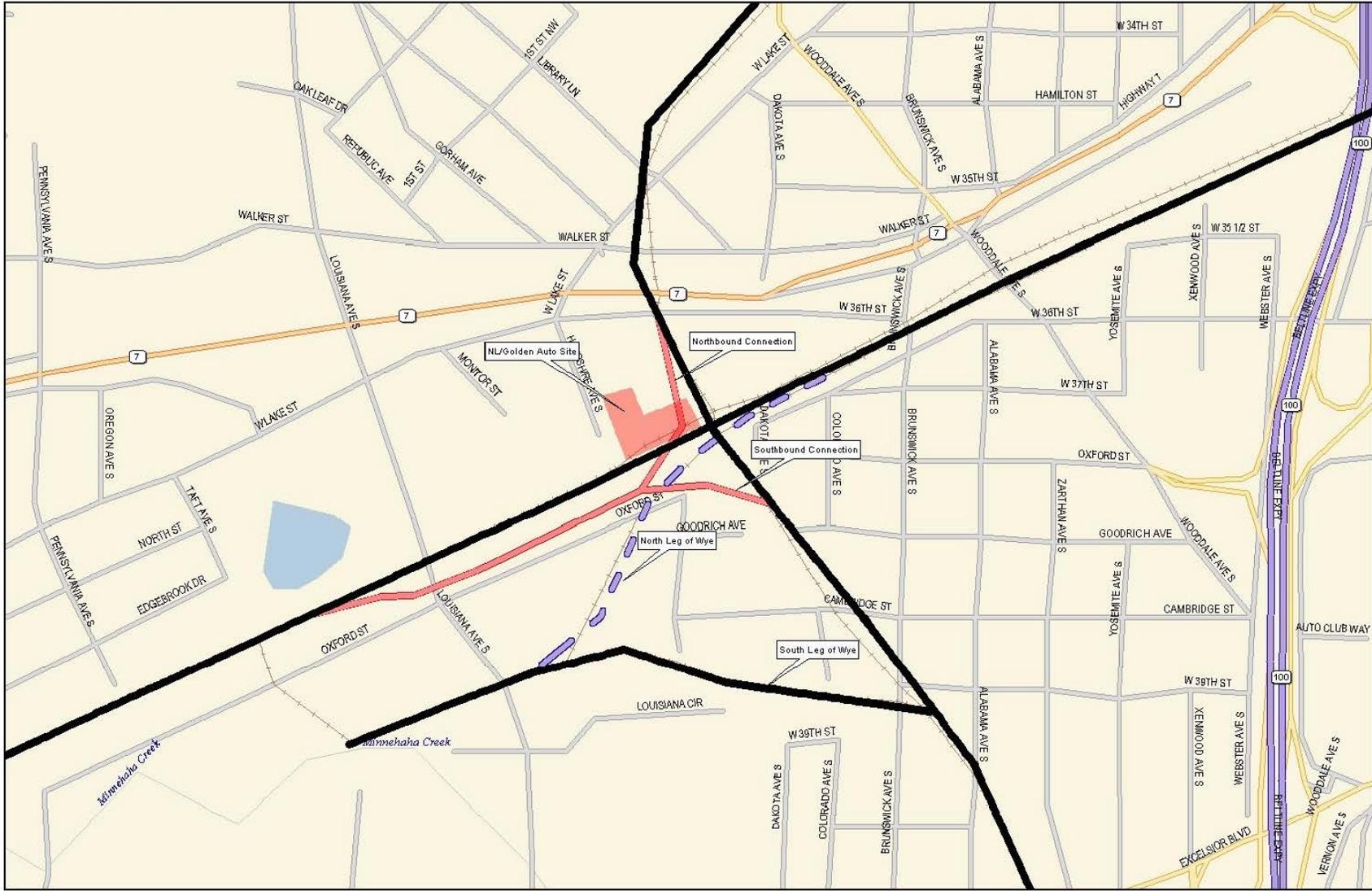
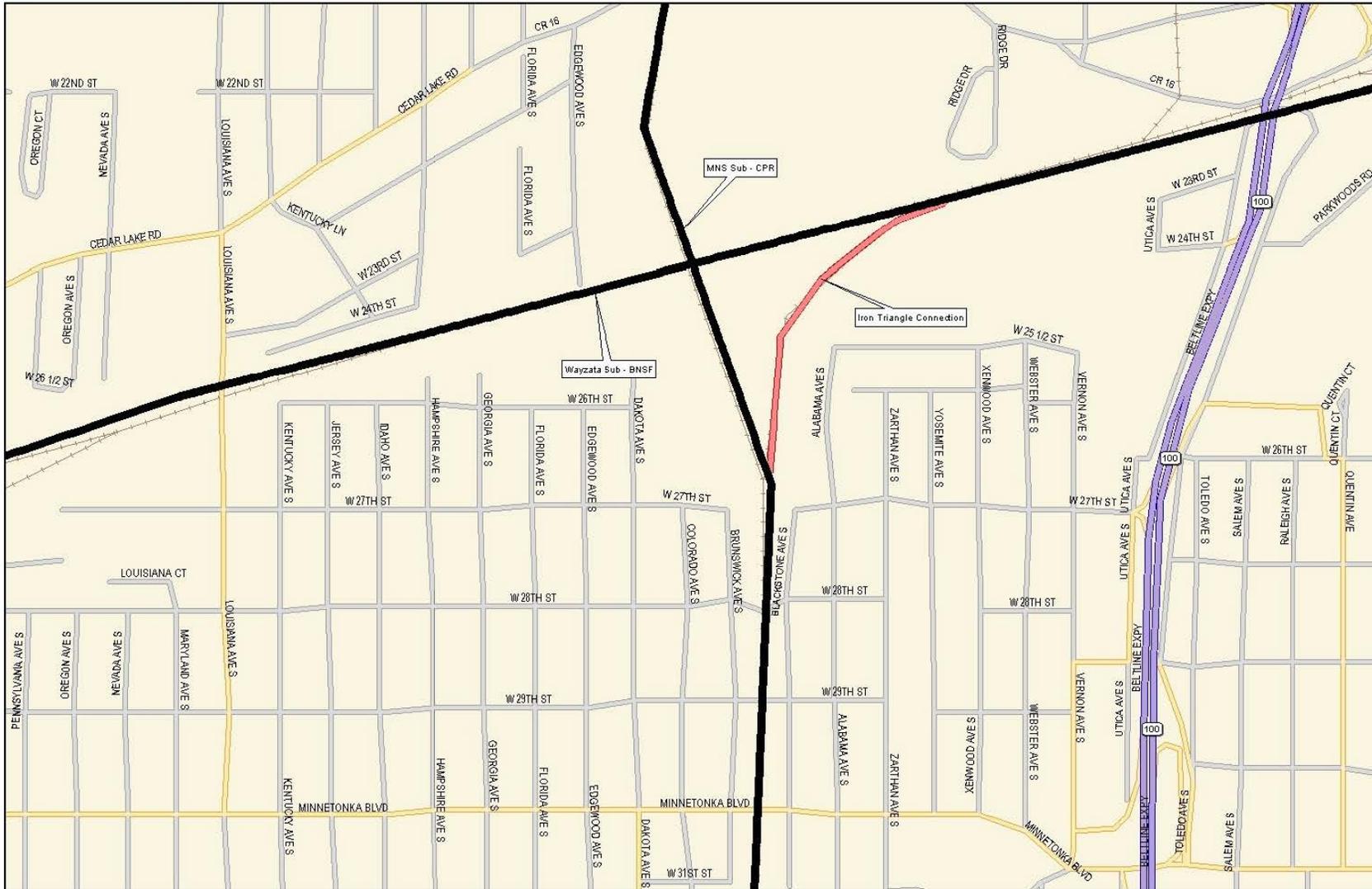


EXHIBIT 6



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of the north connection to the switching wye in the Skunk Hollow area while leaving the south end of the wye in place to serve one customer at the end of the track west of Louisiana Blvd. This would eliminate all blocking operations for the southbound move with the only necessary stoppage of trains being needed for the switch into the one customer west of Louisiana Blvd. This through movement southbound would eliminate the banging cars, screeching wheels, and whistle blowing from the switching operations needed for their current move southbound (which has been slow for a couple of years but could pick up at any time).

CPR currently runs through St. Louis Park on the MNS Sub with two trains per day on jointed track. With this alignment, additional TCWR trains would be running on the MNS Sub. However, due to the condition of the track on the MNS Sub, it would need to be upgraded to welded rail to accommodate TCWR's heavier trains. The welded rail would eliminate the wheel clatter when wheels pass over the rail joints. It would provide a smooth ride and thus eliminate much of the wheel noise associated with the current jointed rail.

Through discussions with TCW staff it was determined that to minimize construction costs, maintenance requirements, and operational requirements for this alignment, a maximum grade of 0.8%, a maximum curvature for the northbound Bass Lake Sub to MNS Sub connection of 8.0 degrees, and a maximum curvature of 9.5 degrees for the southbound connection were chosen. These grades and curves will allow TCWR to run its existing trains using its existing power to accomplish its movements. This alignment is approximately 0.4 miles longer than the route through the Kenilworth Corridor. These grades, curves, and added length will present additional maintenance requirements and great operating costs compared to straight track, but it can be operated on similar to the way it is today.

The MNS Sub will connect with the Wayzata Sub at a point approximately 2.5 miles west of Cedar Lake Junction. Cedar Lake Junction is where the Bass Lake Sub (and the Kenilworth Corridor) connects with BNSF's Wayzata Sub. In the short term TCWR will run as it currently does and continue on east past the Twins Ballpark site and on to St. Paul. However, as mentioned earlier, if additional passenger rail projects continue to compete for track capacity in the area of the Twins Ballpark, TCWR has the option of running north on the MNS Sub to CPR's Humboldt Yard to get into Minneapolis and St. Paul. This route presents flexibility that can be taken advantage of in the future.

In addition to the work involved with the construction of the new alignment, due to the removal of the storage track in the Skunk Hollow area, a new siding would need to be built for TCWR west of the Twin Cities area. TCWR has some locations in mind and would choose a location if this alignment was chosen. The cost of this storage track is included in the cost estimate.

Summary

The MNS Sub has fewer constraints than the other alternatives and is therefore a feasible alignment for the long-term permanent location for freight rail operations:

- provision for short-term operations and flexibility for freight rail expansion in the long-term if rerouting freight trains through Humboldt Yard is necessary
- opportunity to mitigate an existing freight rail corridor to minimize noise and vibration impacts to adjacent uses
- previous findings that the MNS line provides the preferred alternative for freight rail
- greater operating costs and increased maintenance for TCWR due to grade and curve
- funding needed for relocation and mitigation

CHASKA CUT-OFF

The Chaska Cut-Off was a route that existed in the past when the line was under ownership of the Milwaukee Road. The alternate route that was looked at started just east of Cologne and followed Hwy 212 for 4 miles before veering southeast and then turning northeast back into town and paralleling where the current Hwy 212 exists in town. It then turned back southeast, crossed the existing Hwy 212 and cut through the neighborhood southeast of downtown Chaska. After passing the Carver County Courthouse and Mini Park it continues southeast before crossing the Minnesota River and paralleling the bluff to the east until it met UP's tracks in Shakopee.

The new Chaska Cut-Off alternative would cross over Hwy 212 and parallel the highway until it was northeast of downtown. Once out of town, it would swing back to the southeast where it would cross the river and then tie into UP's tracks on the east side of the Minnesota River (see Exhibit 7)

There are a number of issues that need to be accounted for in this alternative. Firstly, there is a need for a railroad bridge over the Minnesota River and therefore a new one would need to be constructed. Secondly, between Hwy 212 and the Minnesota River, a number of small bridges and or embankment would need to be constructed through a wetland area. Mn/DOT is trying to eliminate at-grade crossings from its Trunk Highway system, therefore the crossing of Hwy 212 would need to be a grade separation which would impact the downtown Chaska area.

Summary

The Chaska Cut-Off has significant constraints for the long-term permanent location for freight rail due to:

- major operational deficiencies for TCWR
- lack of ability to interchange with BNSF, MNNR, CPR, UP, and have access to the Port of Savage and the Port of Camden in Minneapolis.
- complicated alignment and connections to existing railroads

FORMER RAILROAD ALIGNMENT ALONG HWY 169 IN ST. LOUIS PARK AND HOPKINS

There exists an old railroad bed that is faintly visible on aerial photographs of St. Louis Park and Hopkins along TH 169 (see Exhibit 8). This was an old BNSF track that has been developed into housing and a pedestrian trail. This alignment would require the removal of 11 residences and one apartment building on the former right of way and would require reconfiguring the grade separation at TH 169 and Excelsior Blvd. Additionally it would create additional traffic issues on Excelsior Blvd due to a new at-grade crossing. The TH 5/Minnetonka Blvd bridge over the old right of way has been replaced and no longer has the clearance underneath to accommodate a train. The existing pedestrian trail would need to be relocated if new track is installed.

Summary

The Former Railroad Alignment Along Hwy 169 has significant constraints for the long-term permanent location for freight rail due to:

- the number and type of property acquisitions/displacements required
- potential impacts to the transportation system for both roads and trails construction costs of \$120 million (2008)

EXHIBIT 7



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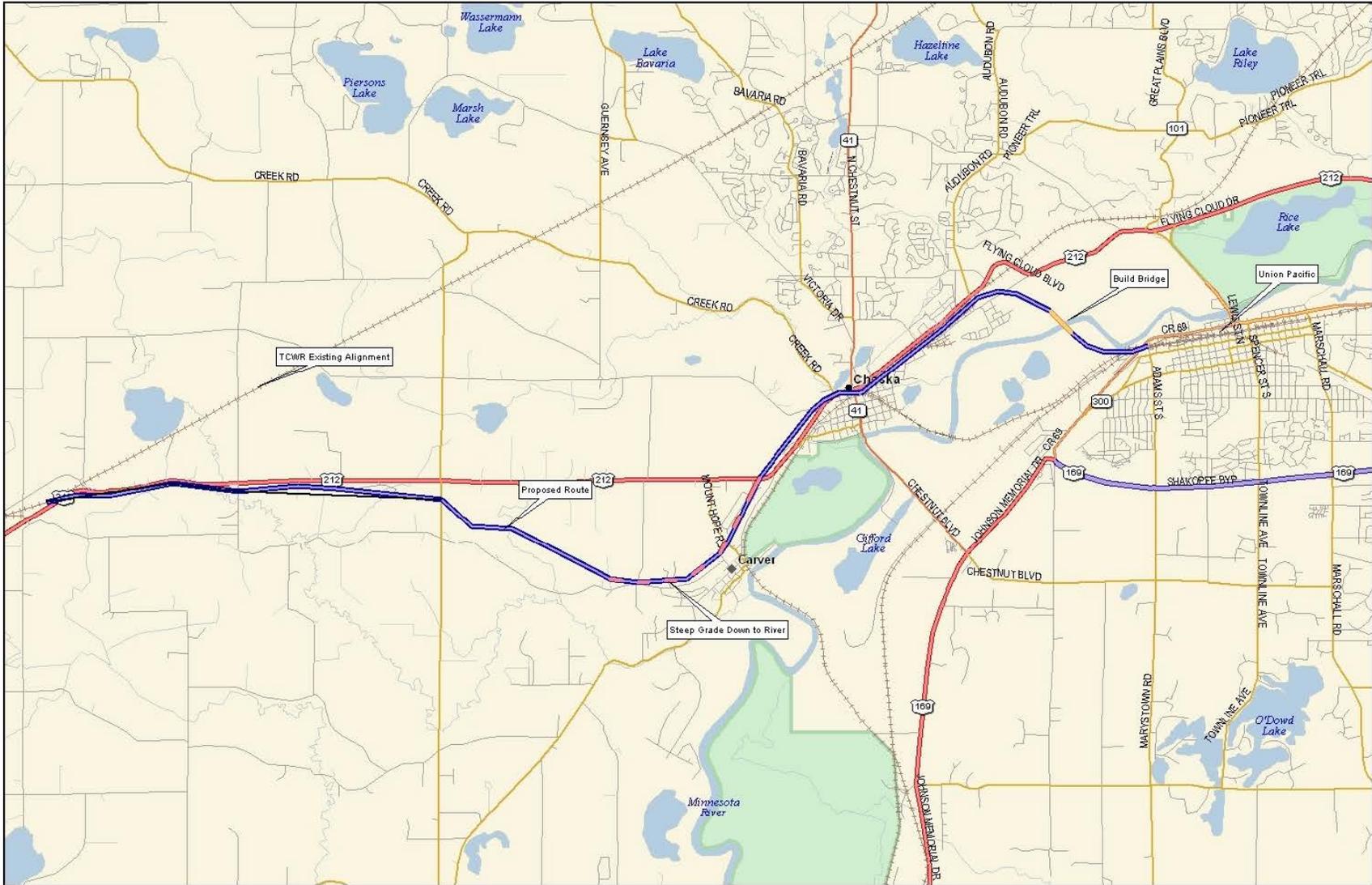
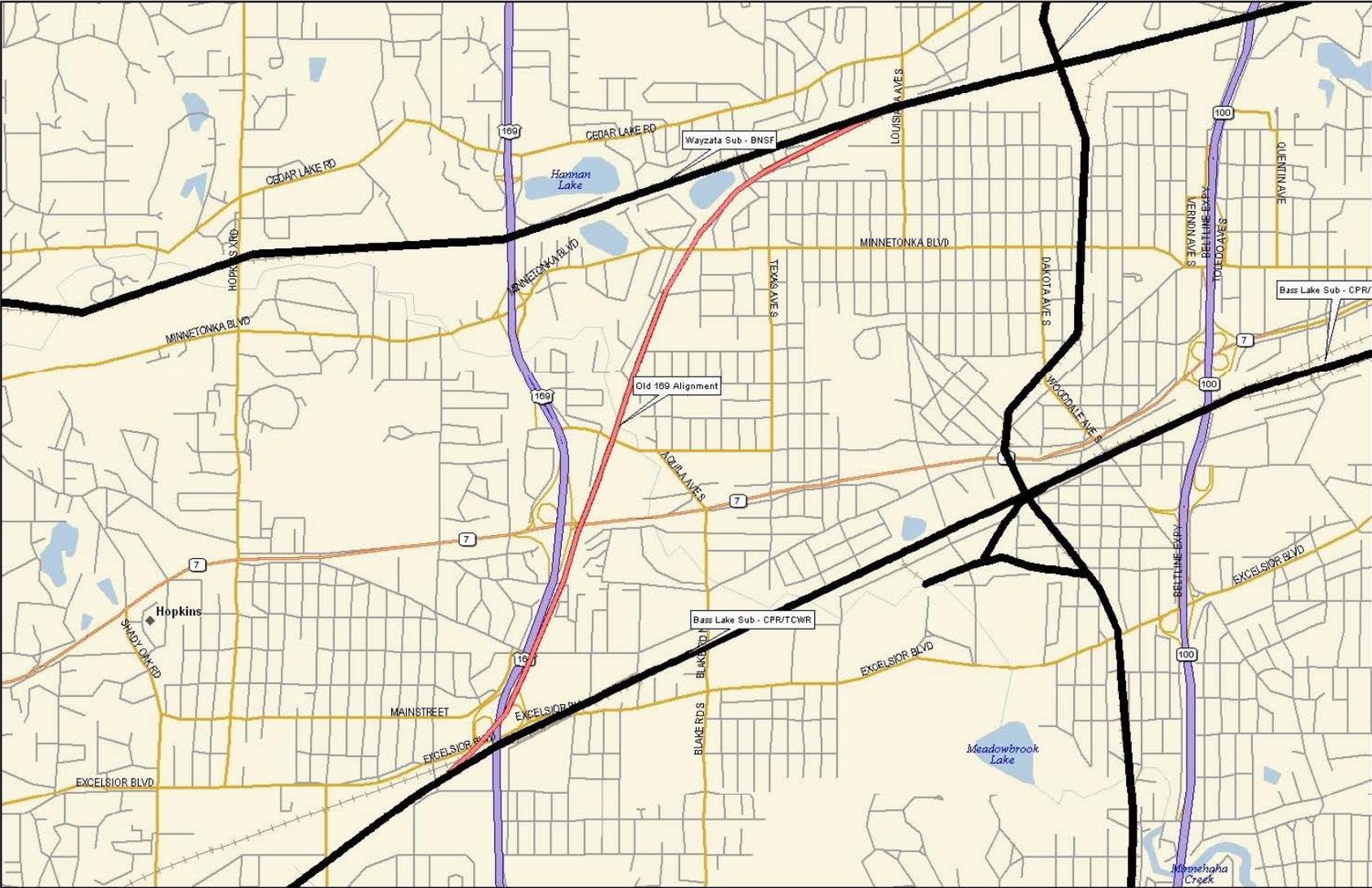


EXHIBIT 8



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WESTERN MN CONNECTION WITH BNSF

TCWR connects with BNSF in Appleton, MN on the west end of its system (see Exhibit 9). It is feasible that TCWR could run all of its rail traffic out the west end of its system and back to the cities via BNSF. However, that severely limits TCWR's competitive advantage of being able to connect with BNSF and CPR essentially holding them to BNSF rates. TCWR was purchased from CPR with the intention of being able to serve the river terminals at Camden and Savage and interchange with CPR, MNNR and UP.

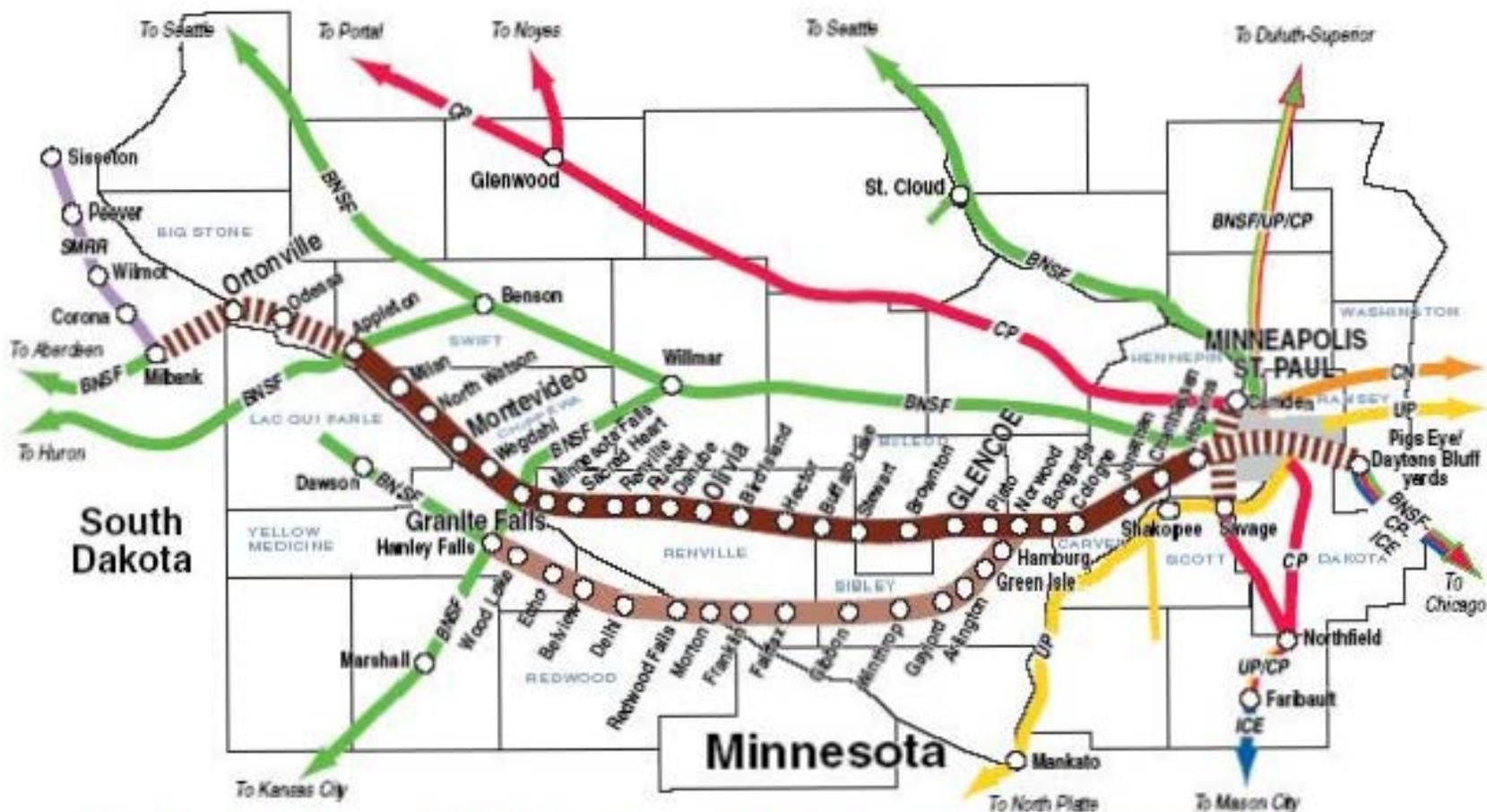
Running all of their traffic to the west also complicates traffic that they currently run on the Minnesota Prairie Line (MPLI) just south of TCWR's mainline in central Minnesota. They would need to run all of their traffic east to Norwood before running the locomotive power around them and pulling them out to the west before heading back east again. This essentially doubles the miles they are hauled on their system and adds additional time getting to the Twin Cities markets. Their short turnaround times of rail cars to the Twin Cities market is a big competitive advantage that would no longer exist for them.

At the moment, the track west of Granite Falls isn't in good enough condition to be able to handle the heavy coal train and ethanol traffic that would need to come in and go out to the west. That stretch of track would have to be upgraded to accommodate the heavier loads it would be hauling.

Summary

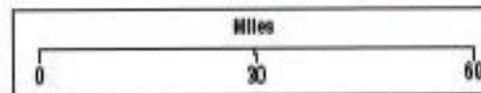
The Western MN Connection with BNSF creates operating inefficiencies for TCWR.

EXHIBIT 9



Twin Cities & Western Railroad Company

-  Twin Cities & Western
-  Minnesota Prairie Line
-  Trackage rights



SUMMARY OF POTENTIAL ALIGNMENTS

KENILWORTH CORRIDOR

Benefits

- Current alignment used by freight rail today

Considerations

- Alignment was intended to be temporary, past its planned lifespan
- Potential future transit use of the corridor
- Requires construction of a freight rail bridge over Hwy 100 in St. Louis Park, increasing costs and creating environmental issues for that project
- Compounds future congestion issues in the Target Field area
- Limits freight rail expansion through the Minneapolis Transportation Interchange area

MIDTOWN CORRIDOR

Benefits

- Former freight rail alignment used prior to Hwy 55/Hiawatha Avenue reconstruction

Considerations

- Significant construction impacts including reconstruction of the new Hiawatha LRT bridge, construction of a new freight rail bridge, lowering of Hwy 55/Hiawatha Avenue and reconstruction of the new Sabo pedestrian bridge north of 28th Street
- Construction is highly complex and would require numerous permits from federal and state agencies as well as agreements from the private freight rail companies

MNS SUB ALIGNMENT through St. Louis Park

Benefits

- Was the planned permanent alignment for freight rail when the Midtown Corridor connection was severed
- Would allow TCWR the same connections they have today
- Track upgrades would eliminate wheel noise
- Would eliminate the need for blocking operations for the southbound move
- Allows for future flexibility to make northern connections and bypass the Minneapolis Transportation Interchange should that area become too congested
- St. Louis Park received Environmental Response funds to clean up the National Lead/Golden Auto site in order to reserve property for the freight connection
- Removes at-grade freight rail crossing at Wooddale Avenue, Beltline Boulevard, and Cedar Lake Parkway

Considerations

- Commercial/Industrial property in St. Louis Park would be needed to build connection
- Requires the closure of 29th Street railroad crossing
- Would require a new siding to be built for TCWR west of the Twin Cities
- Retains future congestion issues in the Target Field area while on BNSF's Wayzata Sub
- Limits freight rail expansion through the Minneapolis Transportation Interchange area

CHASKA CUT-OFF

Benefits

- Takes rail traffic out of Minneapolis Transportation Interchange area

Considerations

- Requires construction of a railroad bridge over the Minnesota River and a number of small bridges or embankment through a wetland area.
- Does not allow access to the Port of Camden or the ability to interchange with lines other than UP
- TCWR is unwilling to accept the major operating deficiencies that this route would create.
- Requires property acquisitions/displacements in Chaska.
- Requires a new rail bridge over the river

FORMER RAILROAD ALIGNMENT along Hwy 169

Benefits

- Relatively flat grade through area

Considerations

- Requires the removal of new housing developments and a pedestrian trail that have replaced the track.
- Requires reconfiguring the grade separation at Hwy 169 and Excelsior Blvd., creating a new at-grade crossing at Excelsior Blvd.
- Requires replacing the Hwy 5/Minnetonka Blvd. bridge to allow clearance underneath to accommodate trains.

WESTERN MN CONNECTION with BNSF

Benefits

- Takes rail traffic out of Minneapolis Transportation Interchange area

Considerations

- Limits TCWR's competitive advantage of being able to connect with BNSF and CPR
- Complicates traffic that TCWR currently runs on the Minnesota Prairie Line, doubling the miles that are hauled on the system and adding additional time to get to Twin Cities Markets
- Requires upgraded track west of Granite Falls

COST ESTIMATES

The costs estimates associated with the alternatives can be seen in Exhibit 10. These costs are planning level estimates only. The Kenilworth Corridor and MNS Sub routes used in the St. Louis Park Railroad Study served as the basis for the cost estimates. Cost estimates for the Midtown Corridor, Chaska Cut-Off, Old Railroad Alignment along Hwy 169 and the Western Connection were developed by TKDA as part of this study.

The rehab costs associated with Kenilworth Corridor include upgrading it to a condition in which it can be considered a permanent home for TCWR and CPR, including new track and structures from Louisiana Avenue in St. Louis Park to Cedar Lake Junction. The TH 100 freight railroad bridge is also included in the costs of the Kenilworth Corridor option. The estimated cost was provided by Mn/DOT and is said to include the bridge and the additional costs for the TH 100 project that are associated with constructing the freight railroad bridge. These are Mn/DOT’s costs, but are included due to being an additional alignment cost. If the MNS Sub alignment is chosen, Mn/DOT has committed to use funds intended for the freight rail bridge for rail relocation and mitigation in St. Louis Park.

The MNS Corridor’s estimate was meant to provide an estimate of what was needed to perform only the construction as it was discussed with TCWR. Costs associated with noise or other mitigation were not included in the estimates, aside from the 30% contingency.

EXHIBIT 10

Alignment		Cost*
1	Kenilworth Corridor - Existing Alignment	\$20,000,000 - \$120,000,000^
2	Midtown Corridor	\$136,000,000
3	MNS Sub Alignment through St. Louis Park	\$48,000,000
4	Chaska Cut-Off	\$105,000,000
5	Old Railroad Alignment along Hwy 169	\$120,000,000
6	Western MN Connection with BNSF	\$60,000,000

*costs include 30% contingency to account for unknown factors and mitigation of issues
 ^\$120,000,000 includes property takings associated with a shared Kenilworth Corridor according to analysis performed by HDR and SWLRT Group.

NEXT STEPS

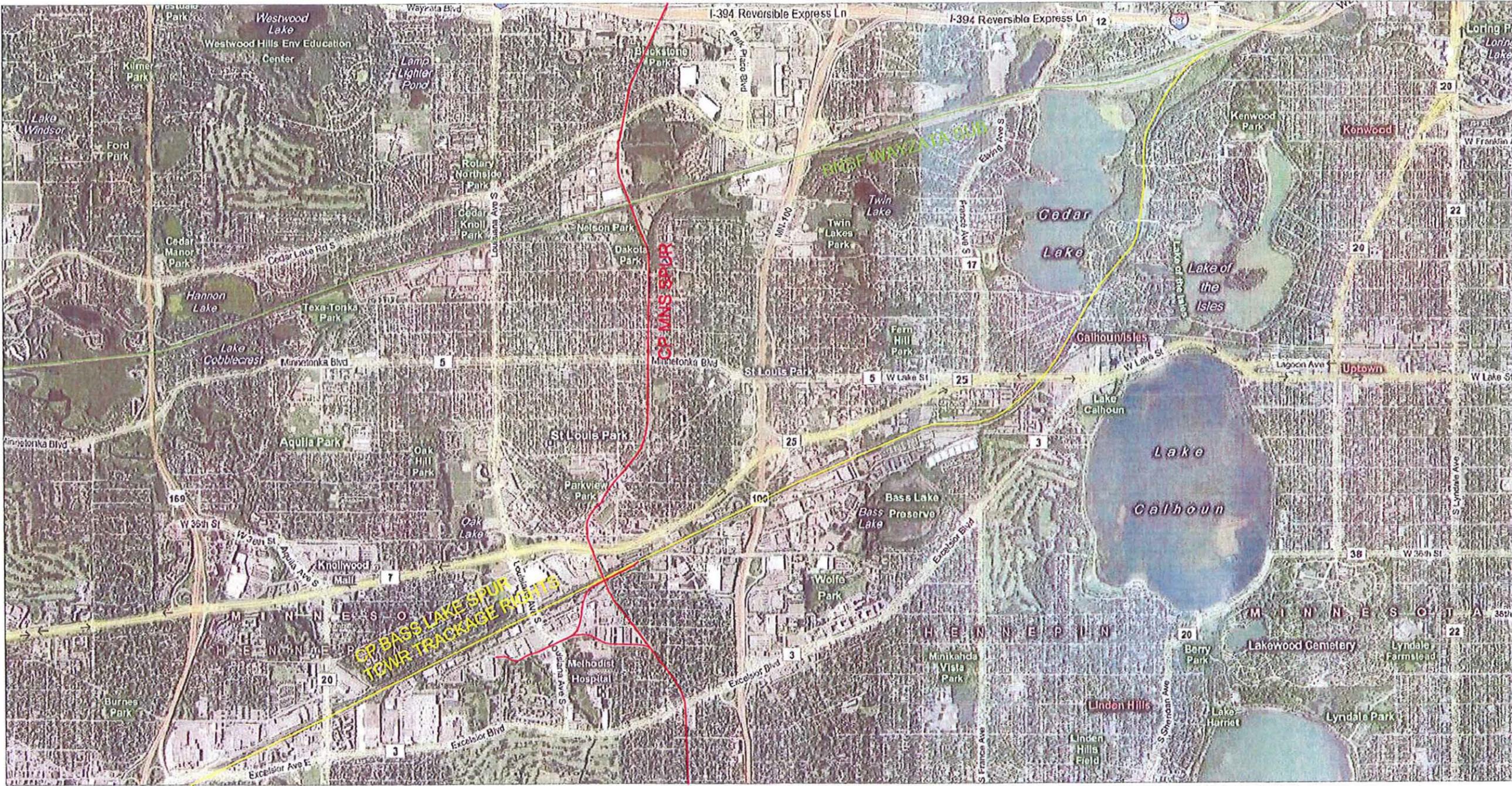
The discussion group will forward this report to Mn/DOT, with a recommendation for a preferred freight rail alignment, for inclusion in the Statewide Freight Rail Study Plan. Additional engineering work and public outreach will need to be done on the preferred alignment to determine impacts in need of mitigation and to identify mitigation options. Hennepin County will work with the discussion group to identify funding options for further study of the preferred alignment and for future construction and mitigation costs.

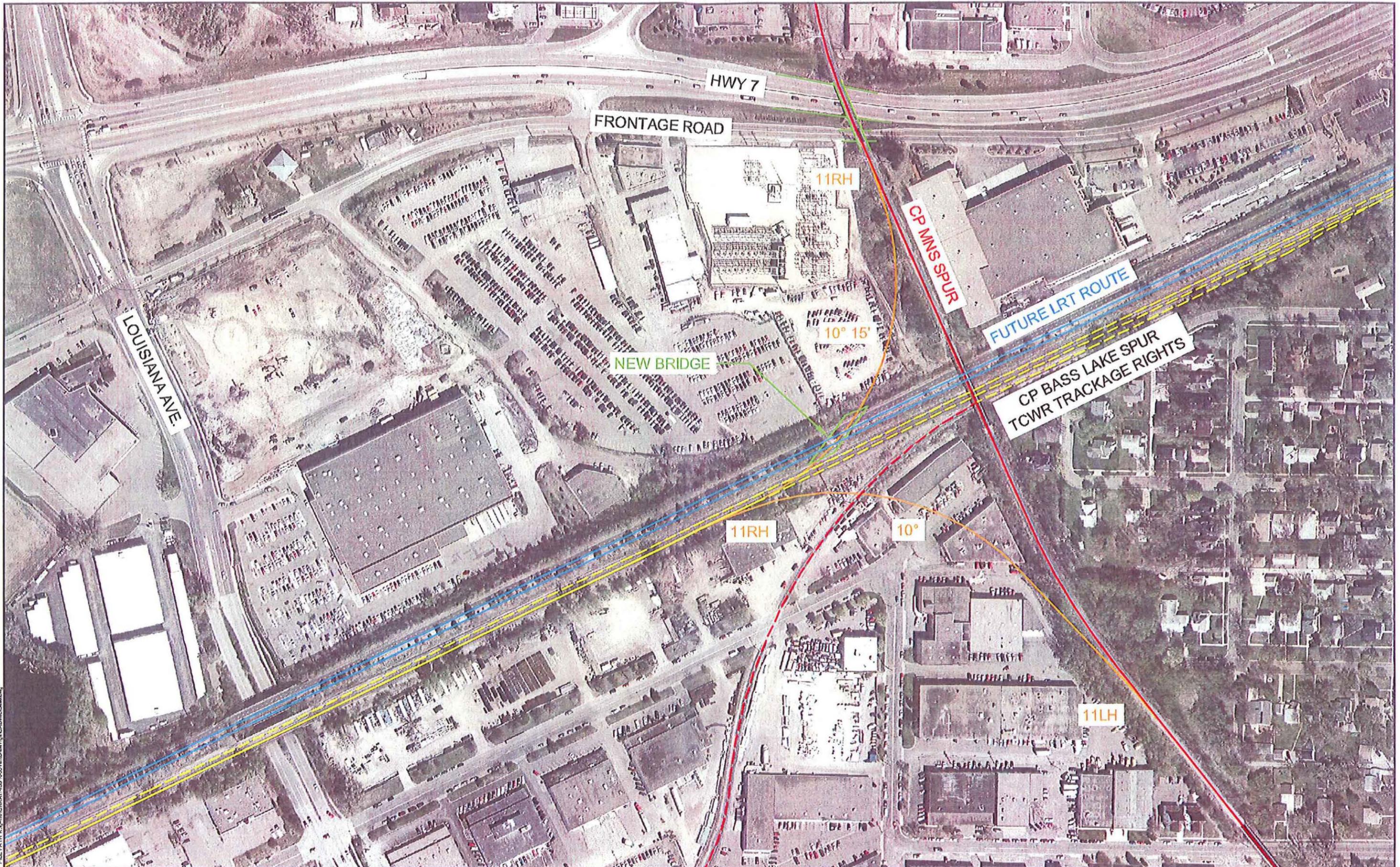
Going forward, in early 2010, the preferred alignment will be chosen and an environmental analysis and preliminary engineering will be performed. Once public involvement and impact mitigation is complete, final design can commence with construction to begin shortly thereafter.

RECOMMENDATION

The Hennepin County Staff would like to recommend to the Hennepin County Regional Railroad Authority to conduct the environmental and preliminary engineering analysis for the preferred option along the MNS Sub through St. Louis Park.

7/27/2009





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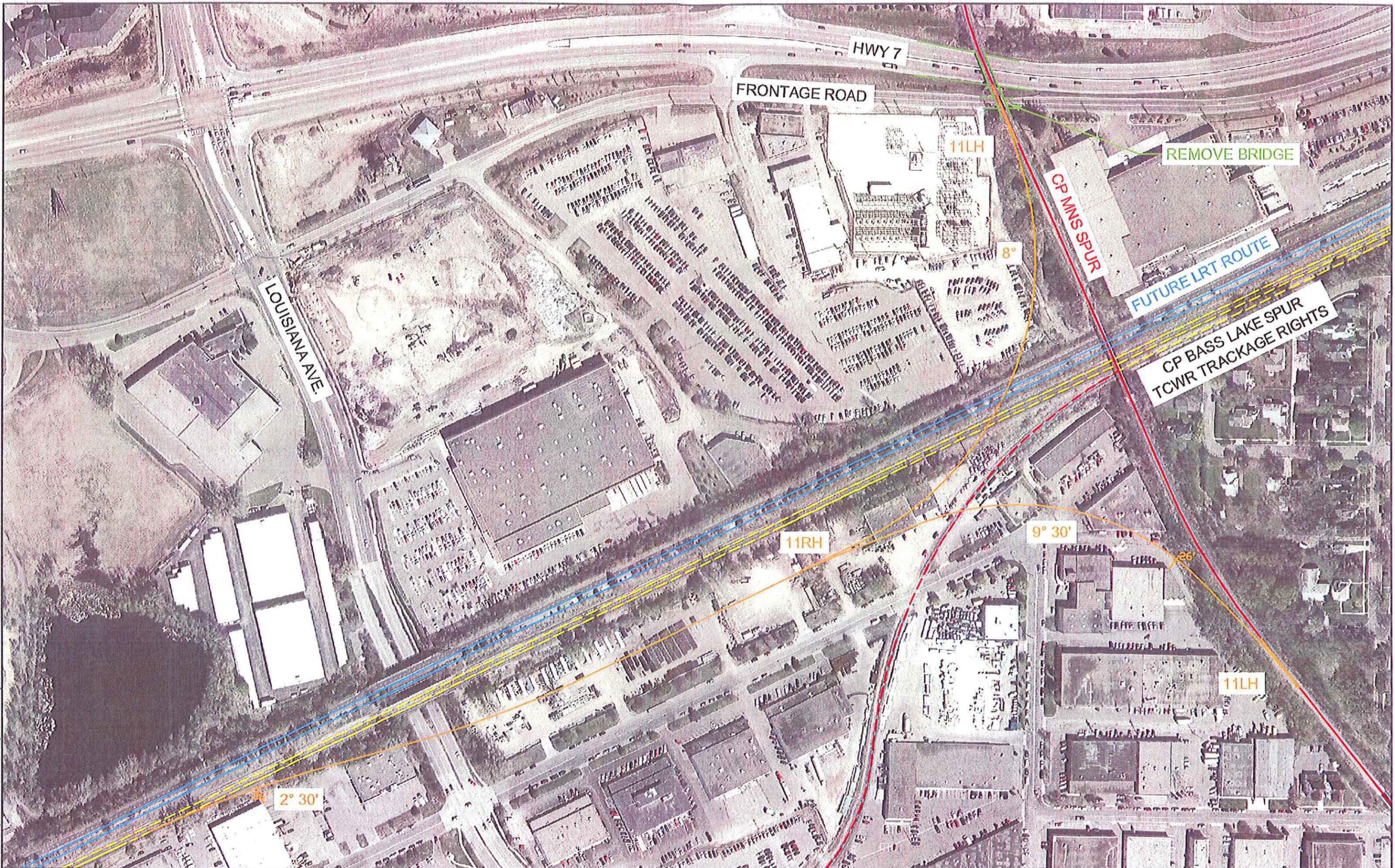
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HENNEPIN COUNTY REGIONAL RAILROAD AUTHORITY
HENNEPIN COUNTY FREIGHT RAIL STUDY
ST. LOUIS PARK, MN

CONCEPTUAL LAYOUT
TCWR - CP CONNECTION

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OPT 1	



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 ENGINEERS • ARCHITECTS • PLANNERS

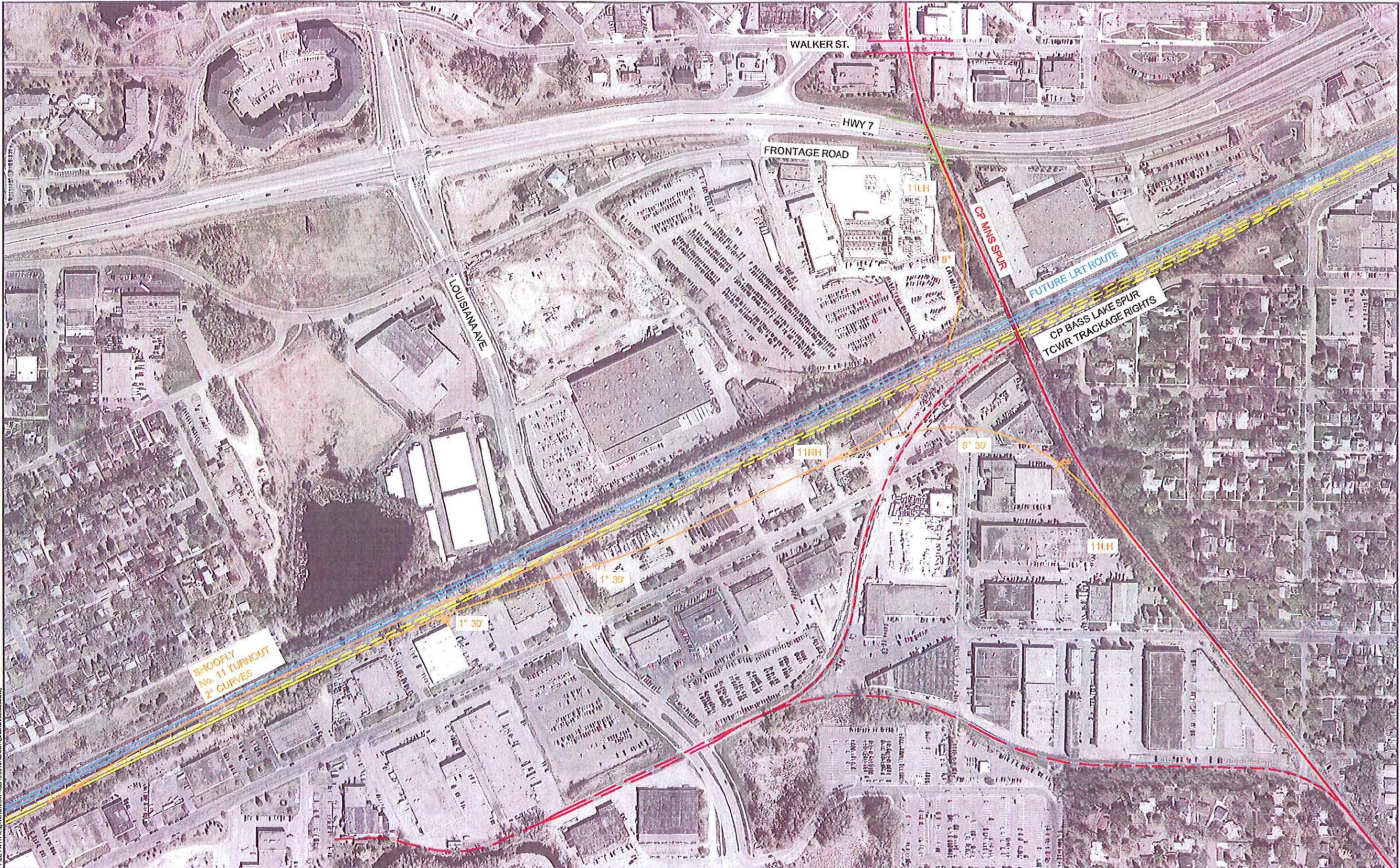
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HENNEPIN COUNTY REGIONAL RAILROAD AUTHORITY
HENNEPIN COUNTY FREIGHT RAIL STUDY
ST. LOUIS PARK, MN

CONCEPTUAL LAYOUT
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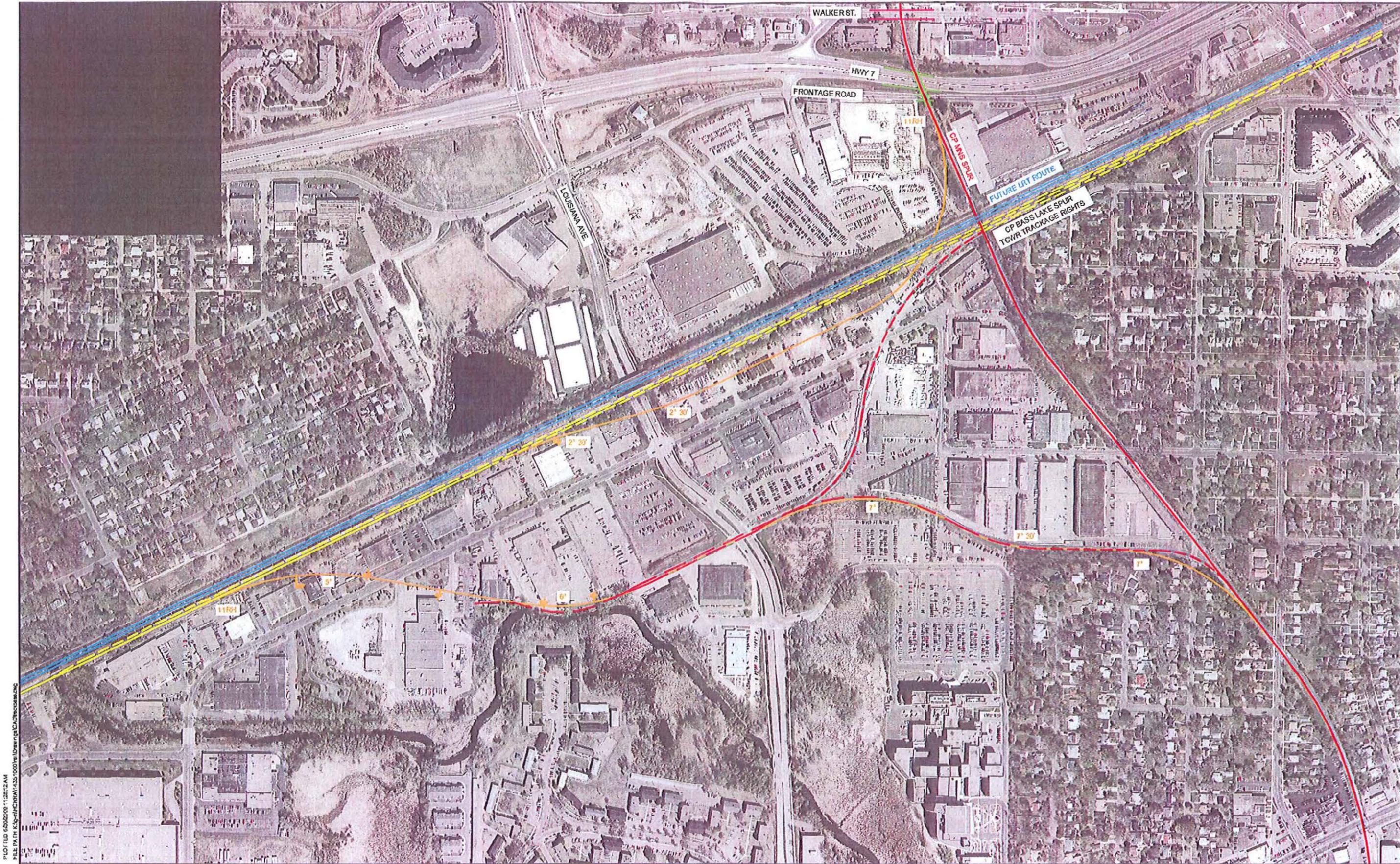
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HENNEPIN COUNTY REGIONAL RAILROAD AUTHORITY
HENNEPIN COUNTY FREIGHT RAIL STUDY
ST. LOUIS PARK, MN

CONCEPTUAL LAYOUT
TCWR - CP CONNECTION

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HENNEPIN COUNTY REGIONAL RAILROAD AUTHORITY
HENNEPIN COUNTY FREIGHT RAIL STUDY
ST. LOUIS PARK, MN

CONCEPTUAL LAYOUT
TCWR - CP CONNECTION

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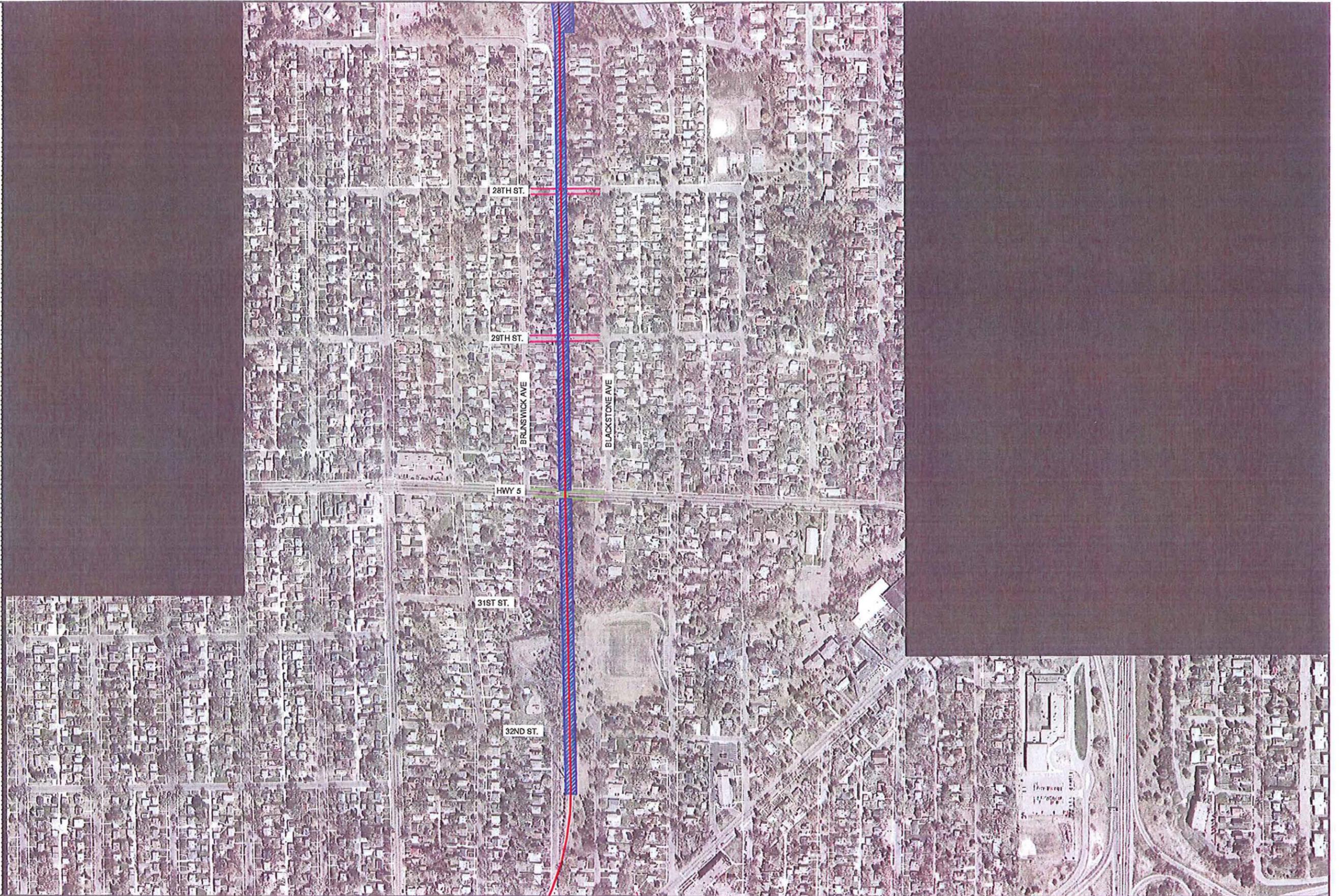
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**HENNEPIN COUNTY REGIONAL RAILROAD AUTHORITY
 HENNEPIN COUNTY FREIGHT RAIL STUDY
 ST. LOUIS PARK, MN**

**CONCEPTUAL LAYOUT
 MTKA BLVD BRIDGE**

COMM. NO.
 14351.000
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 1757
ENV 3

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 ENGINEERS • ARCHITECTS • PLANNERS

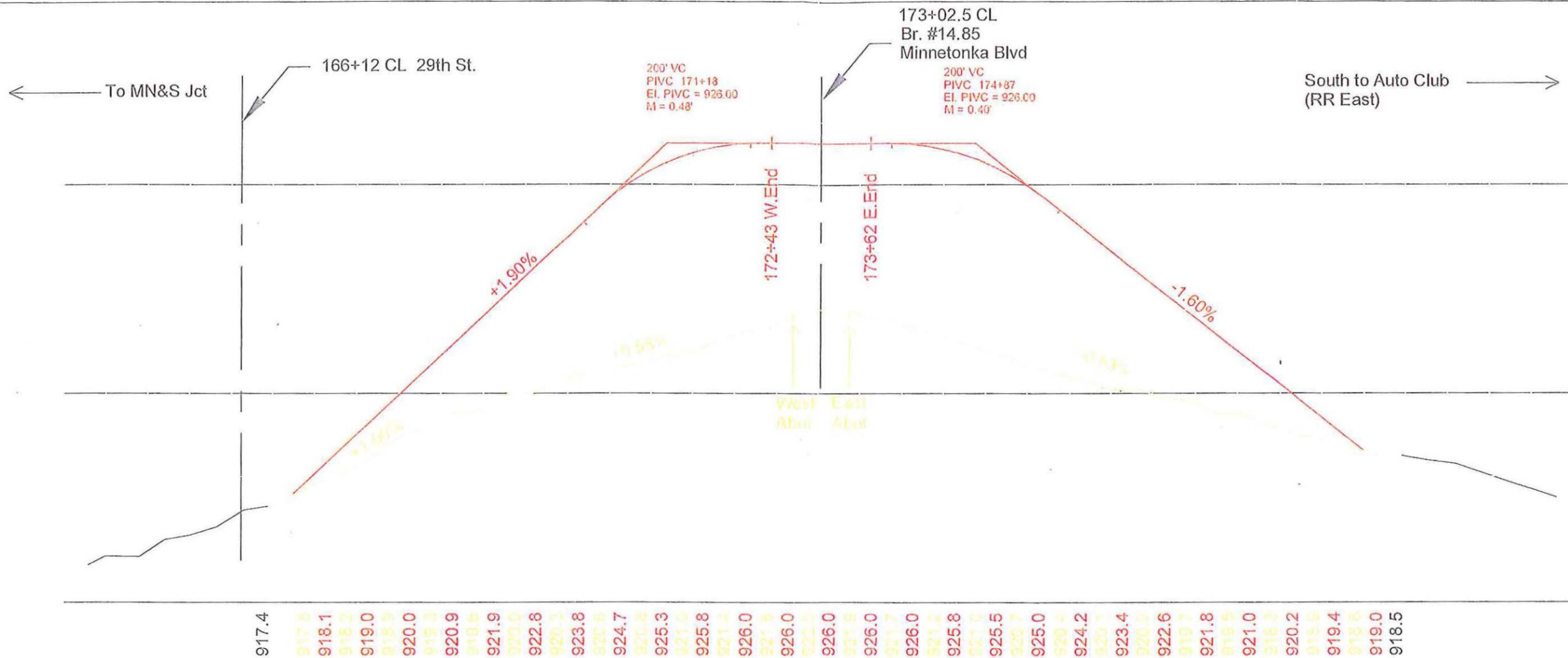
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**HENNEPIN COUNTY REGIONAL RAILROAD AUTHORITY
 HENNEPIN COUNTY FREIGHT RAIL STUDY
 ST. LOUIS PARK, MN**

**CONCEPTUAL LAYOUT
 MTKA BLVD BRIDGE**

COMM. NO. 14351000
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 1758



— Red - Proposed Top/Tie
 — Yellow - Existing Top/Tie

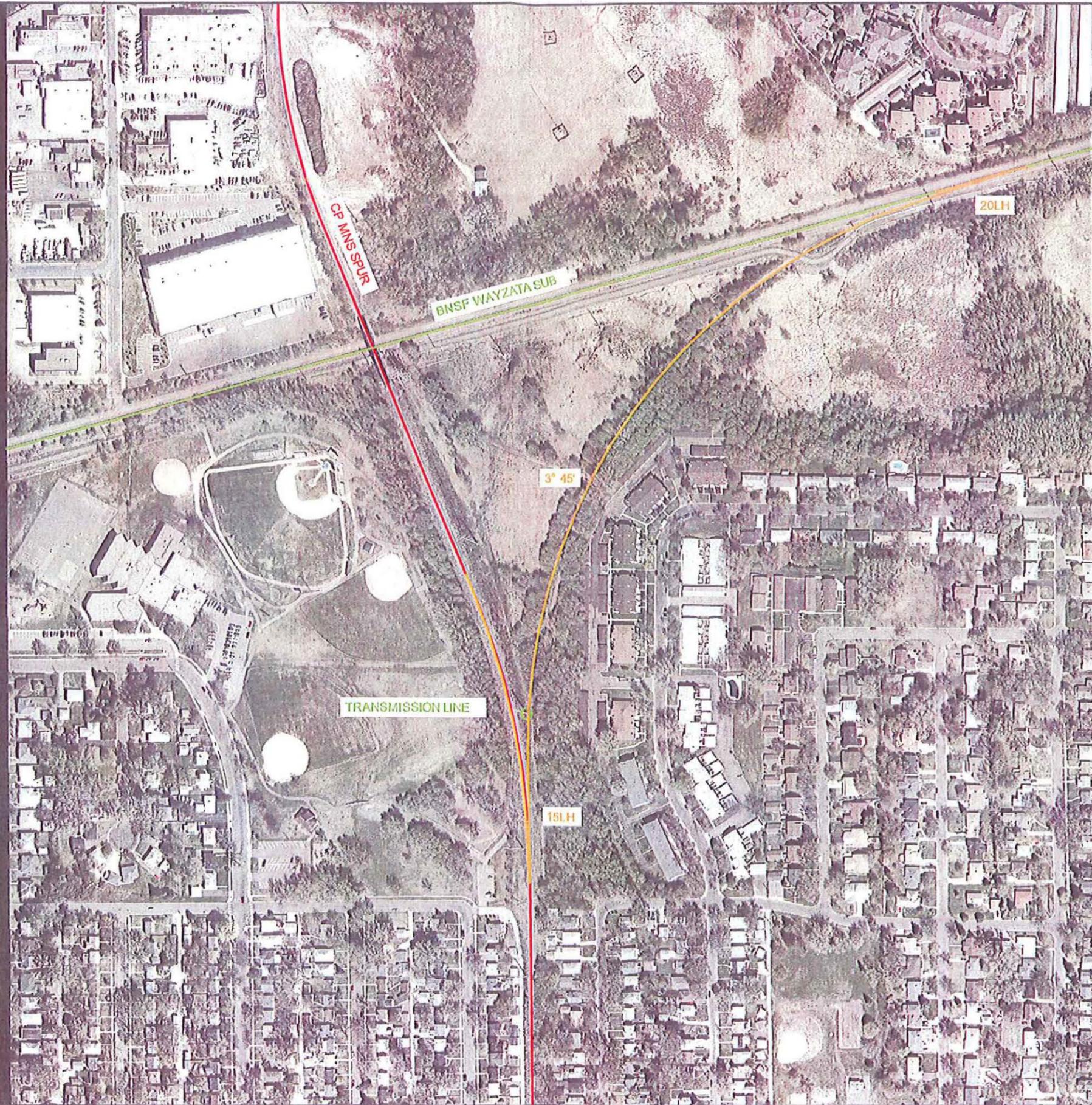
TOP/TIE PROFILE
 BRIDGE MN&S 14.85
 St. Louis Park, MN
 Jan. 30, 2008
 July 7, 2008 revise east grade

Information from survey done by Sunde Surveying, Spring, 2007

C:\Land Projects 2005\BR 14.85 MN&S\dtg\profile-rev.dwg 7/8/2008 2:21:44 PM CDT

RTS





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HENNEPIN COUNTY REGIONAL RAILROAD AUTHORITY
HENNEPIN COUNTY FREIGHT RAIL STUDY
ST. LOUIS PARK, MN

CONCEPTUAL LAYOUT
BNSF - CP CONNECTION

COMM. NO.
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1700
OPT 5

*Kenilworth Corridor:
Analysis of Freight Rail / LRT / Commuter
Bicycle Trail Coexistence*

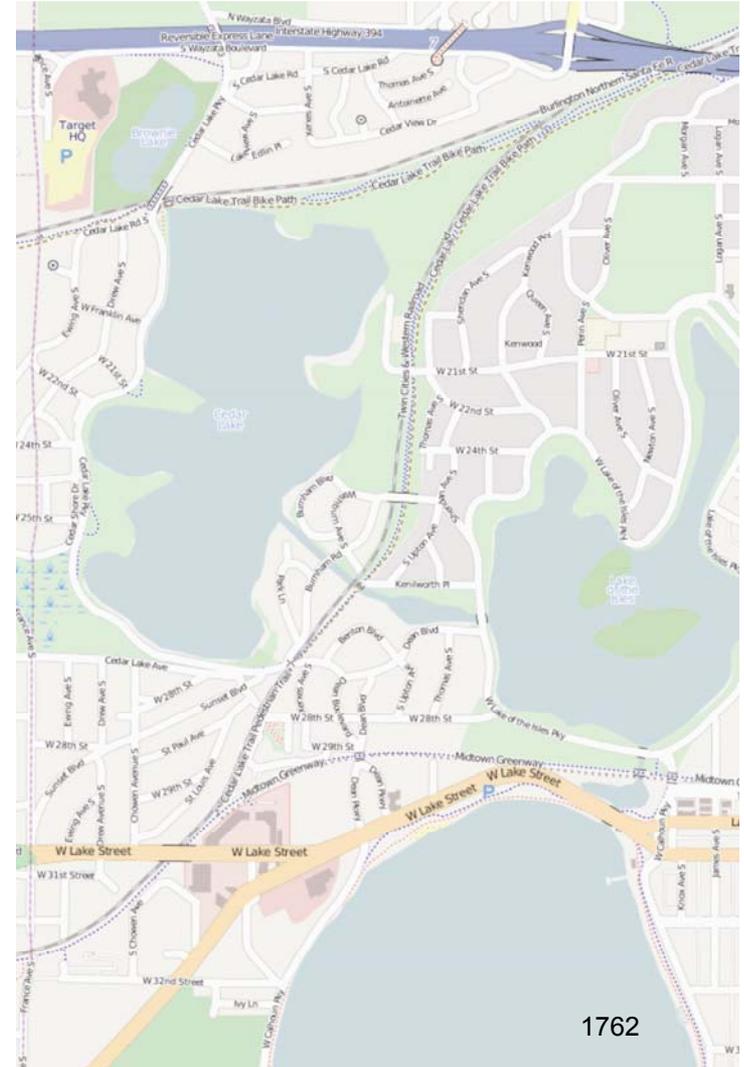
Prepared for:
Hennepin County
Regional Rail Authority



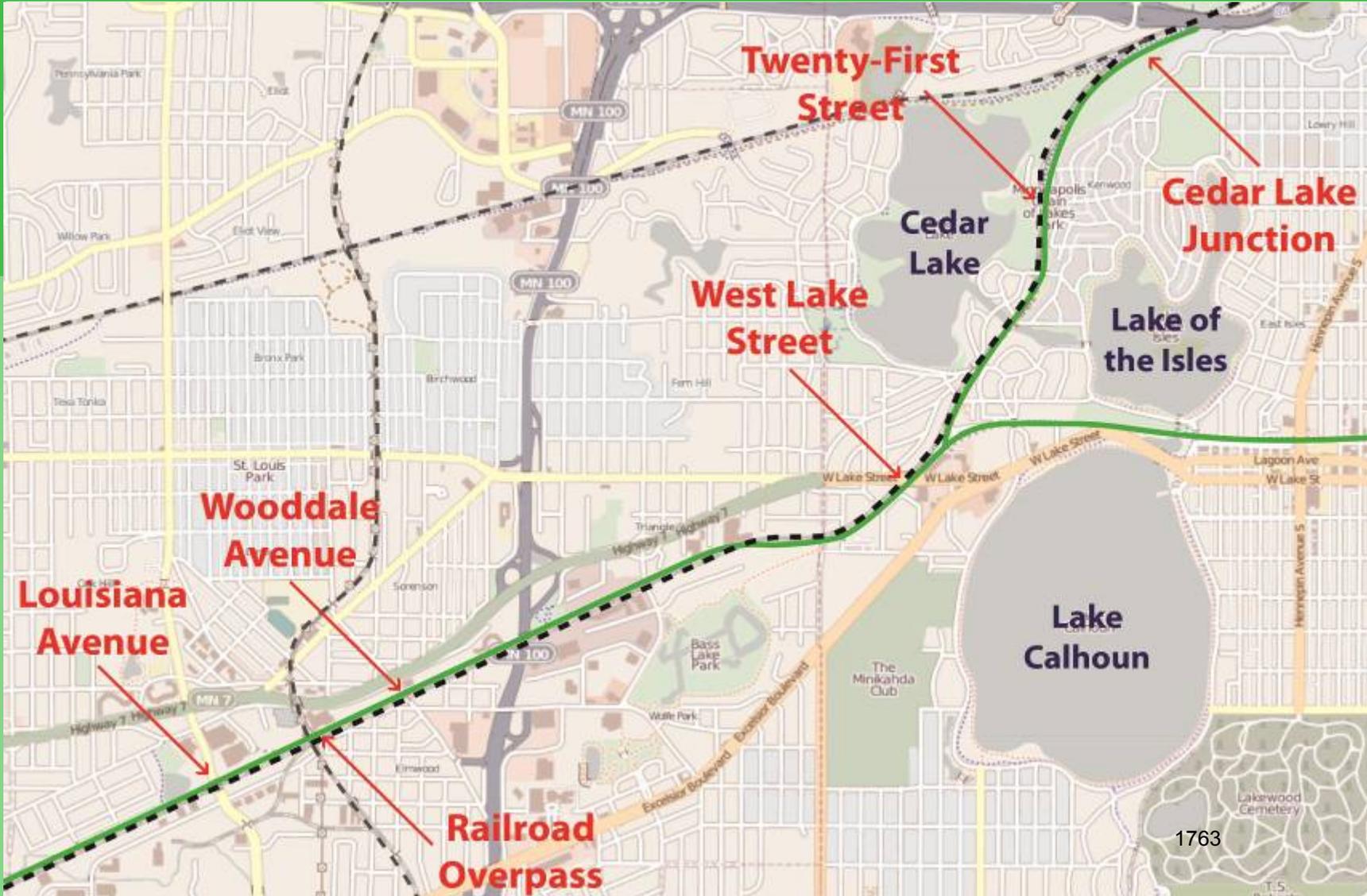
Prepared By:
R.L. BANKS & ASSOCIATES, INC. 

Study Purpose

- This study was undertaken in direct response to requests by the St. Louis Park City Council and School Board.
- Is there a design that would allow freight rail to stay in the Kenilworth Corridor?



Study Area



Seven Scenarios

1. All three alignments at-grade
2. Bicycle Trail relocated
3. Bicycle Trail elevated
4. LRT elevated
5. LRT in tunnel
6. LRT/Freight Rail share track
7. LRT single track

Presentation Outline

- Guidelines for evaluating scenarios.
- Existing conditions
- Design Criteria
- Evaluation of Scenarios
 - Scenario 1 – All alignments at-grade
 - Scenario 2 – Bicycle Trail relocated
 - Scenario 3 – Bicycle Trail elevated
 - Scenario 4 – LRT elevated
 - Scenario 5 – LRT in tunnel
 - Scenario 6 – LRT/Freight Rail share track
 - Scenario 7 – LRT single track
- Summary

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Evaluation Measures

- Sound Engineering –
 - Are the engineering solutions reasonable?
- Freight rail operations –
 - Will TC&W continue to have a safe, efficient, economical connection to Saint Paul?
- LRT operations –
 - Can the LRT line function as it is intended?
- Other Transportation system impacts –
 - What are the potential impacts to roads and commuter bicycle trails?

Evaluation Measures (cont.)

- Acquisitions/Displacements –
 - How many housing units need to be acquired?
- Potential Environmental Risk –
 - Parkland (4f)
 - Historic Properties (6f)
 - Water Quality
 - Aesthetics
- Implementation Factors
- Estimated Cost

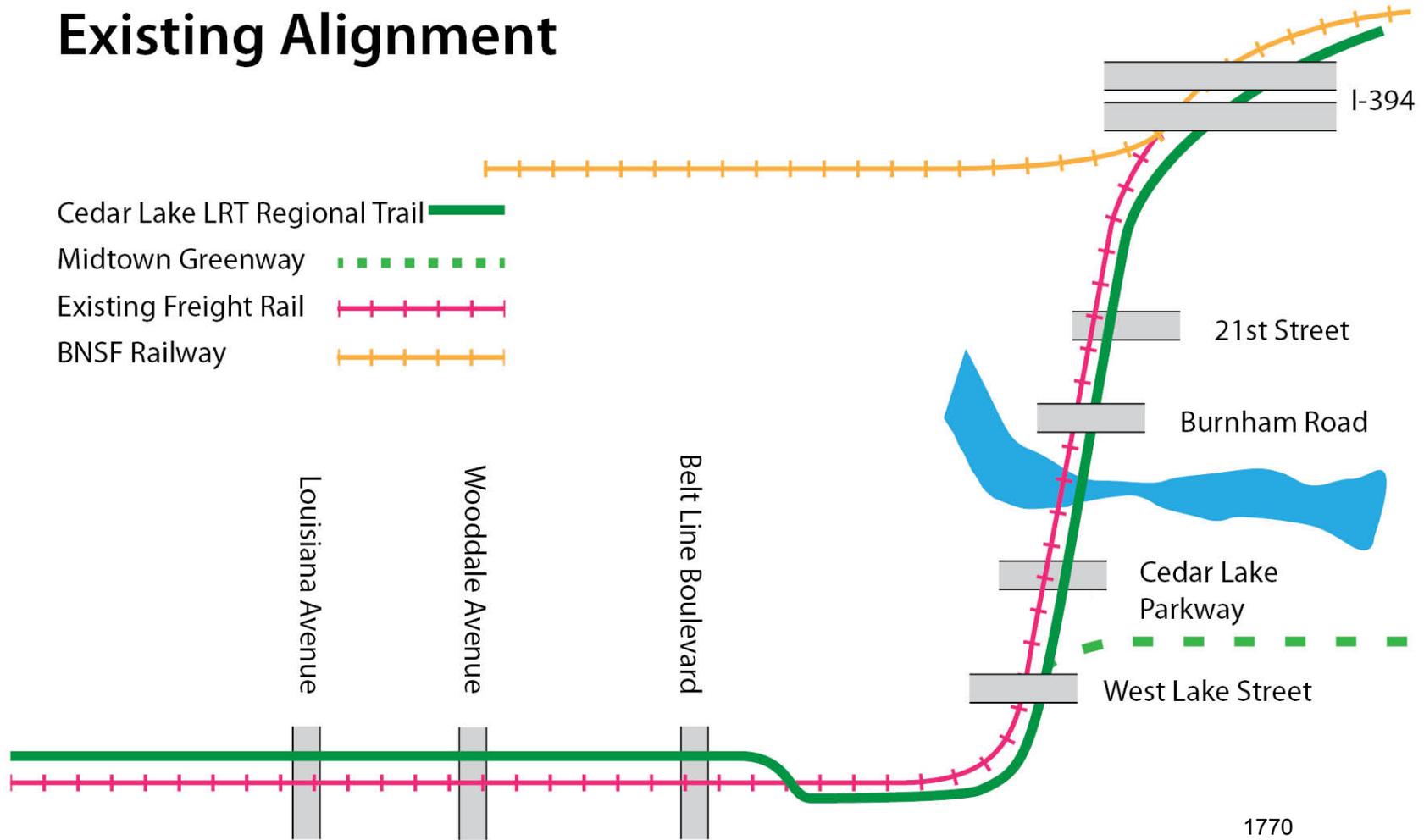
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Existing Alignments in Corridor

Existing Alignment

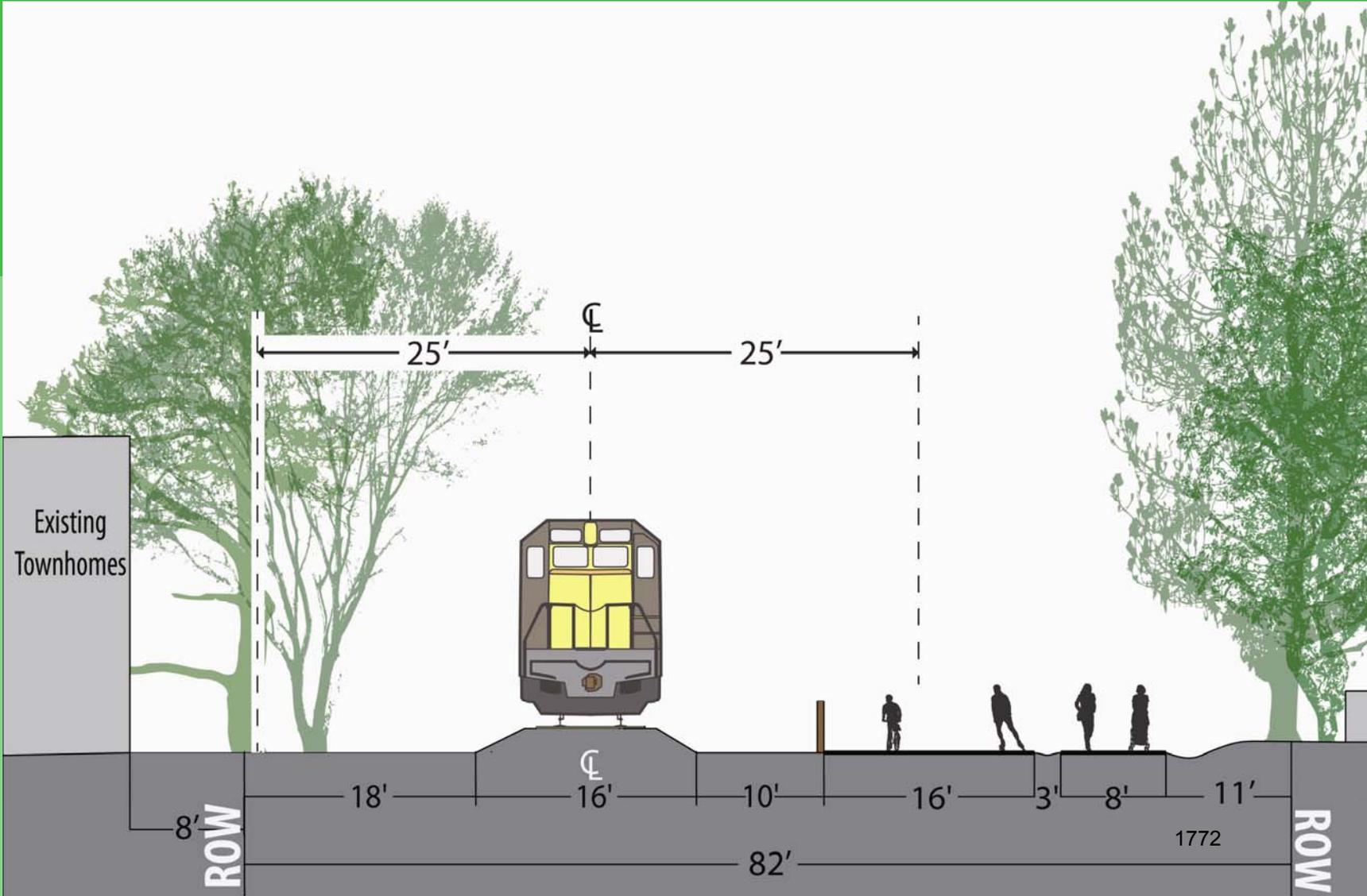
- Cedar Lake LRT Regional Trail
- Midtown Greenway
- Existing Freight Rail
- BNSF Railway



Kenilworth Corridor



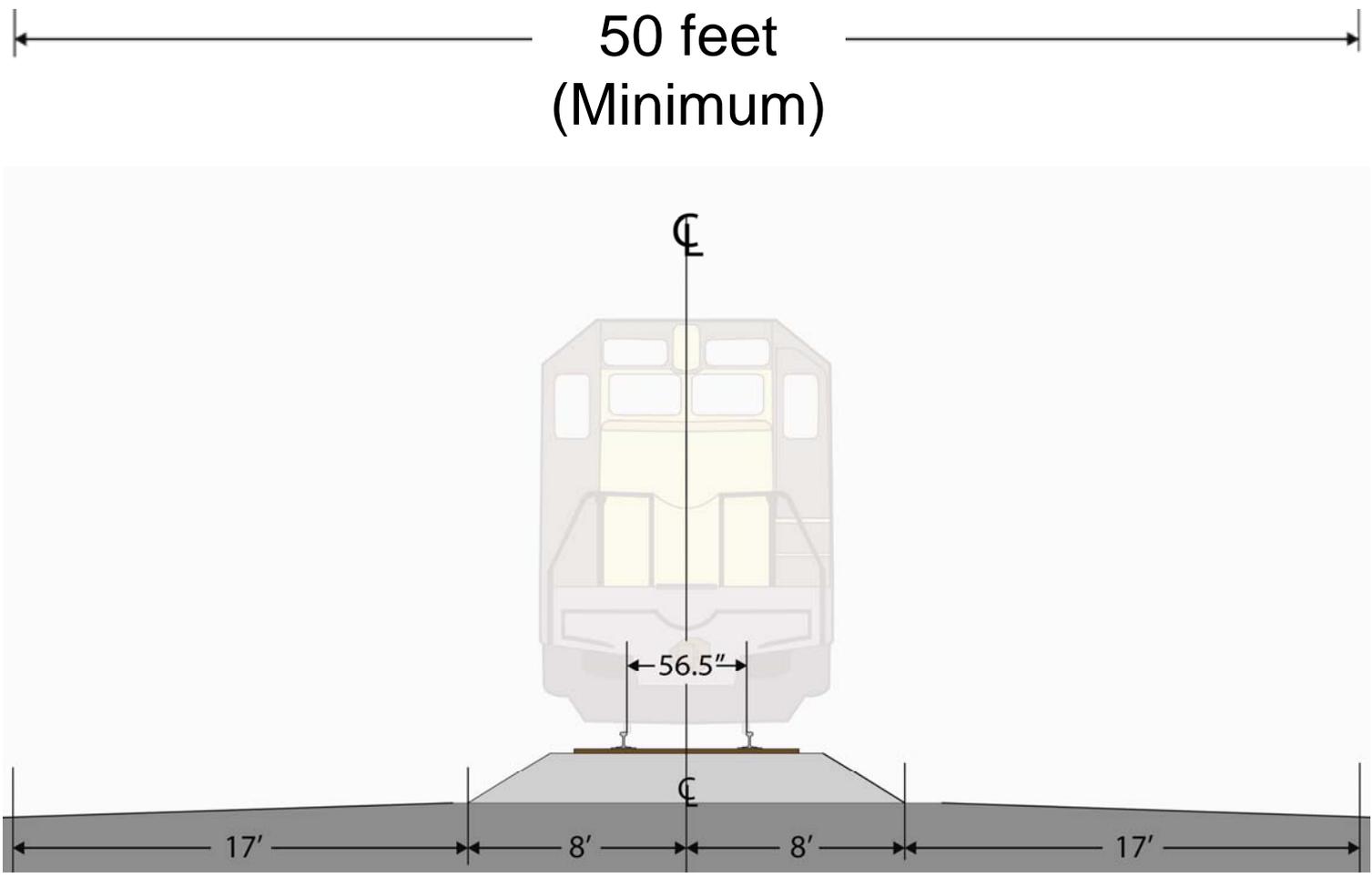
Existing Alignments in Corridor



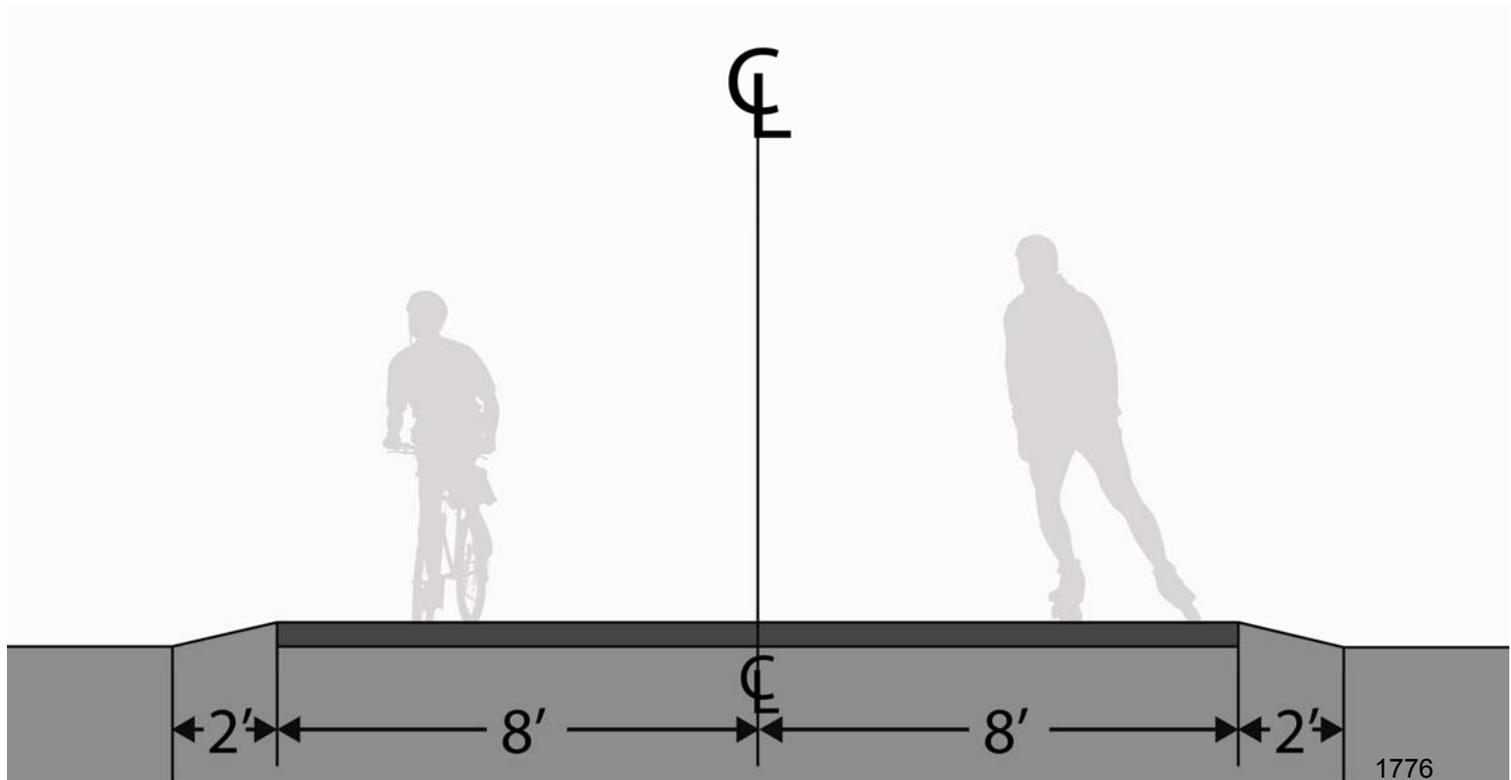
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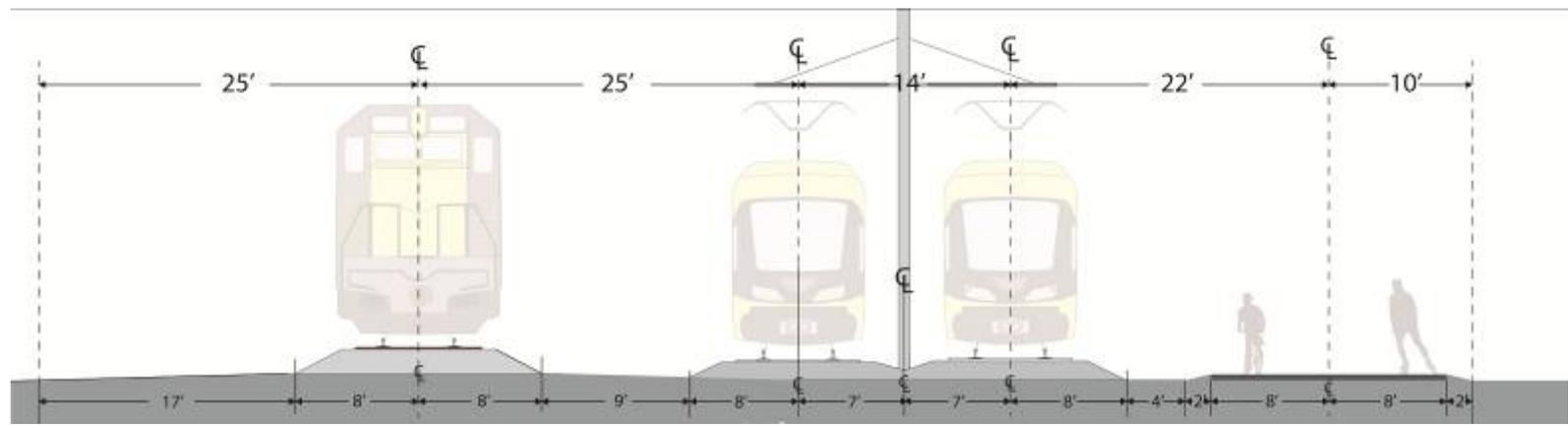
Freight Rail Cross Section



Bicycle Trail Cross-section



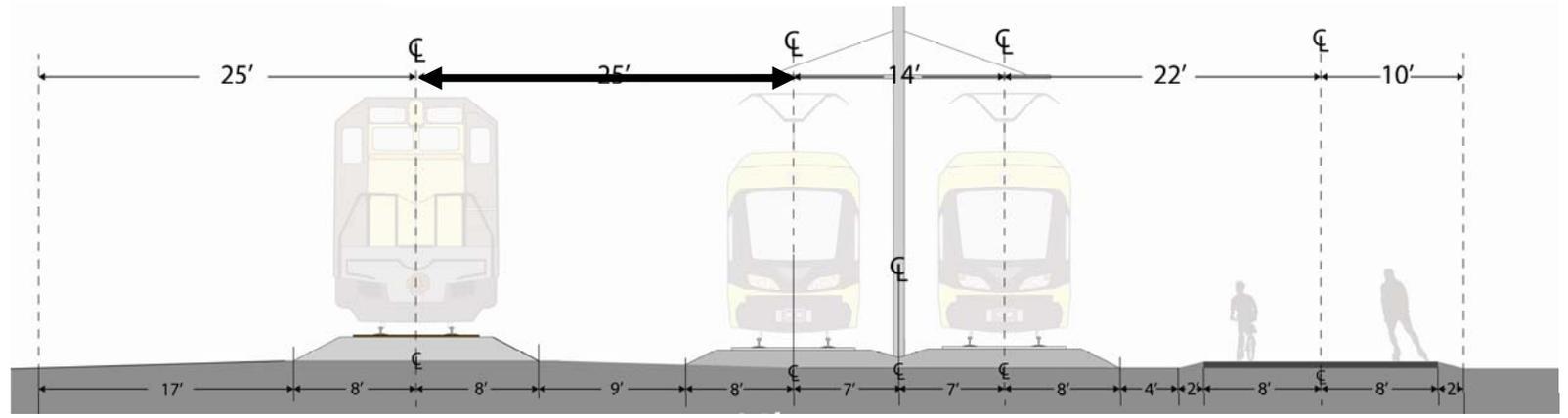
Total Width Required



Total Width Required

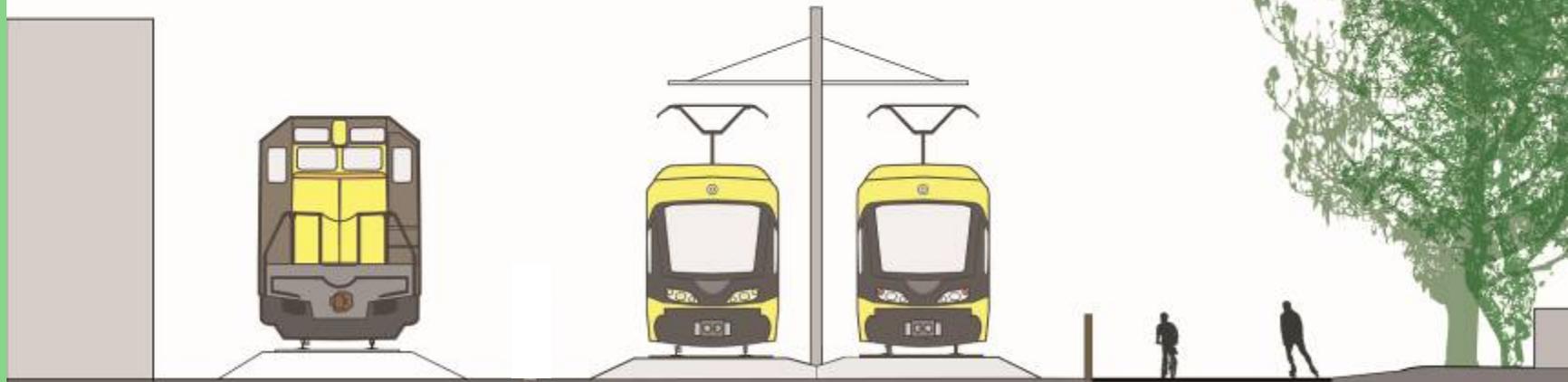


25 feet, minimum



Scenario # 1 – All Three At-grade

- **All three alignments at-grade**
 - Bicycle Trail – Remains.
 - Light Rail Transit – Constructed at-grade.
 - Freight Railroad – Constructed at-grade.

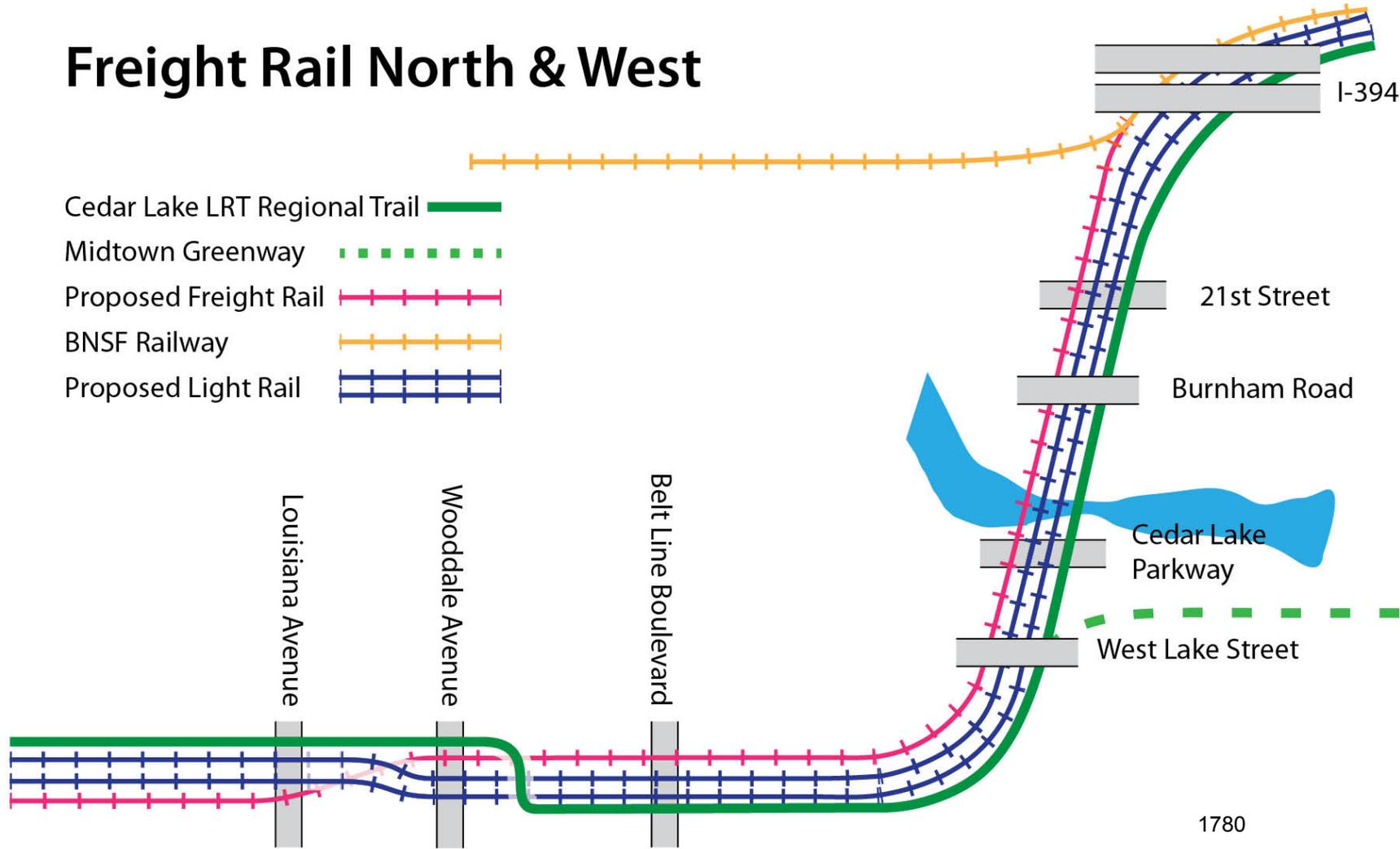


Looking North

Scenario # 1 – All Three At-grade

Freight Rail North & West

- Cedar Lake LRT Regional Trail 
- Midtown Greenway 
- Proposed Freight Rail 
- BNSF Railway 
- Proposed Light Rail 



Kenilworth Corridor



Potential Property Impacts



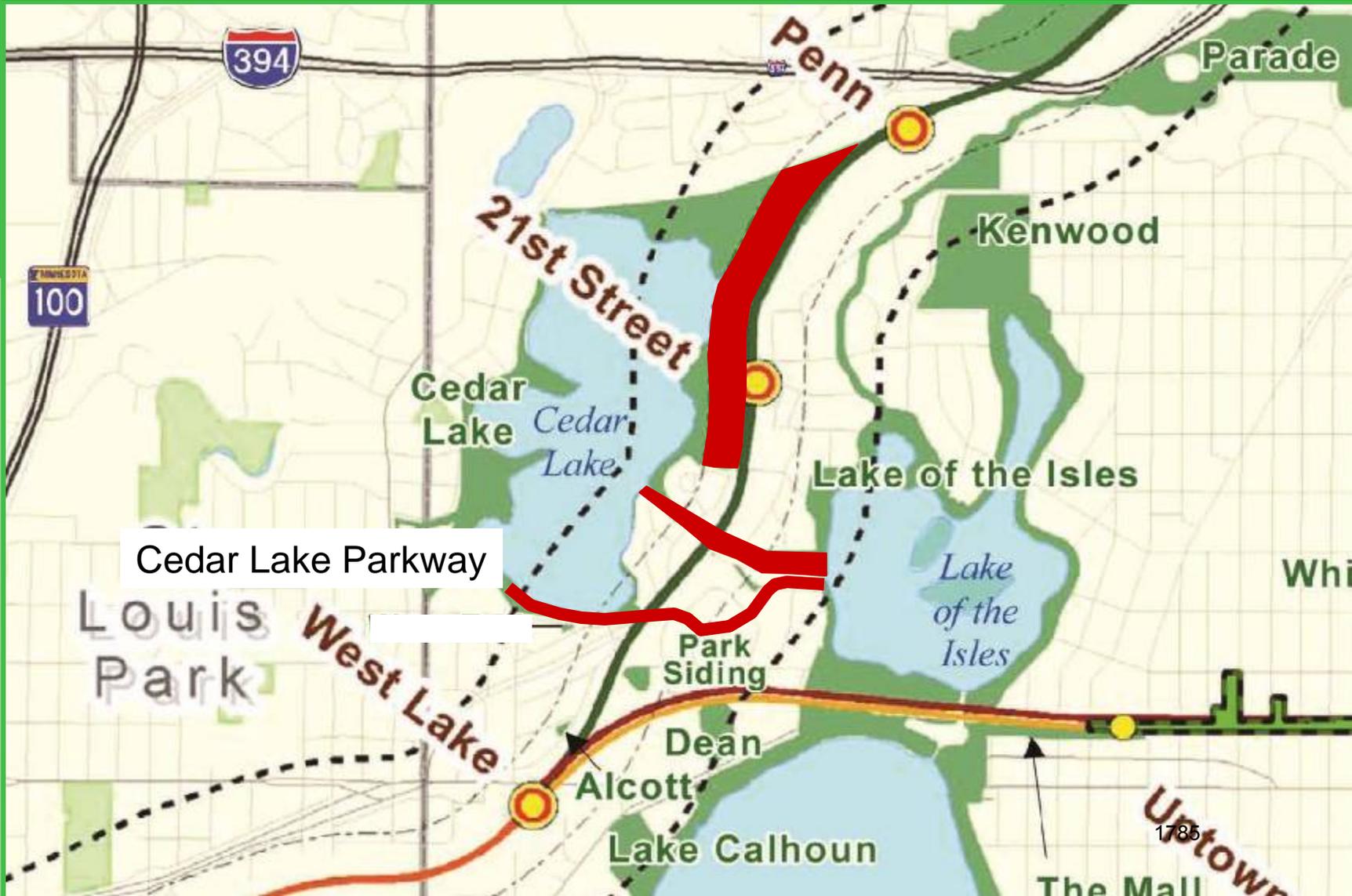
Potential Environmental Risk

- Identify any parks, recreation areas, wildlife and waterfowl refuges, or historic sites, districts or archeological sites in the project area.
- Is there a feasible and prudent avoidance alternative?
- Consult with officials and include all possible planning to minimize harm to 4(f) resource.

Potential Environmental Risk

- Properties owned by the Minneapolis Park Board that may fall under 4(f) protection.
 - Cedar Lake Park
 - Cedar-Isles Channel
 - Cedar Lake Parkway
 - Park Siding Park

Potential Parkland 4(f) Impacts



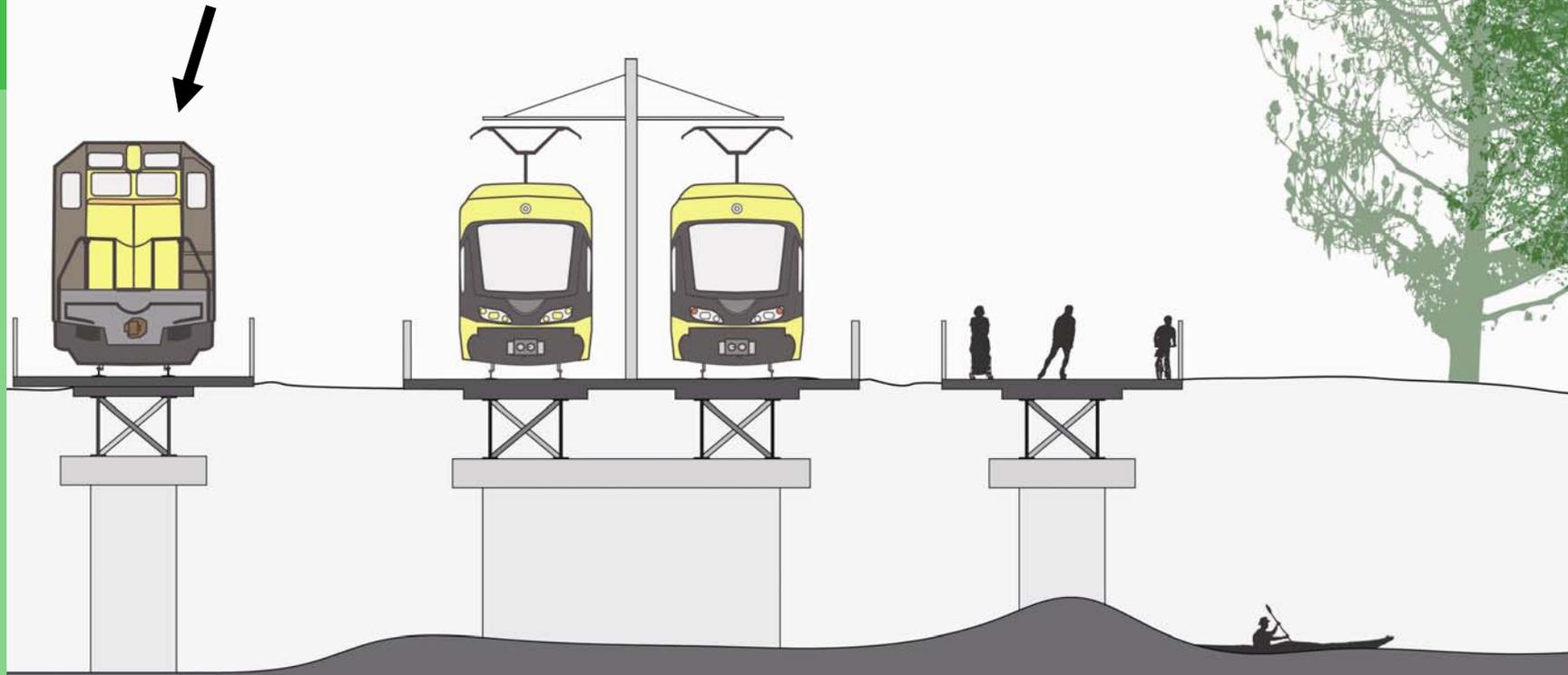
Cedar-Isles Channel

- The existing railroad and trail cross Cedar-Isles Channel on two pre-existing timber trestle railroad bridges.
- The channel flows from Cedar Lake to Lake of the Isles.



Cedar-Isles Crossing

Scenario #1 requires an additional bridge over Cedar-Isles Channel

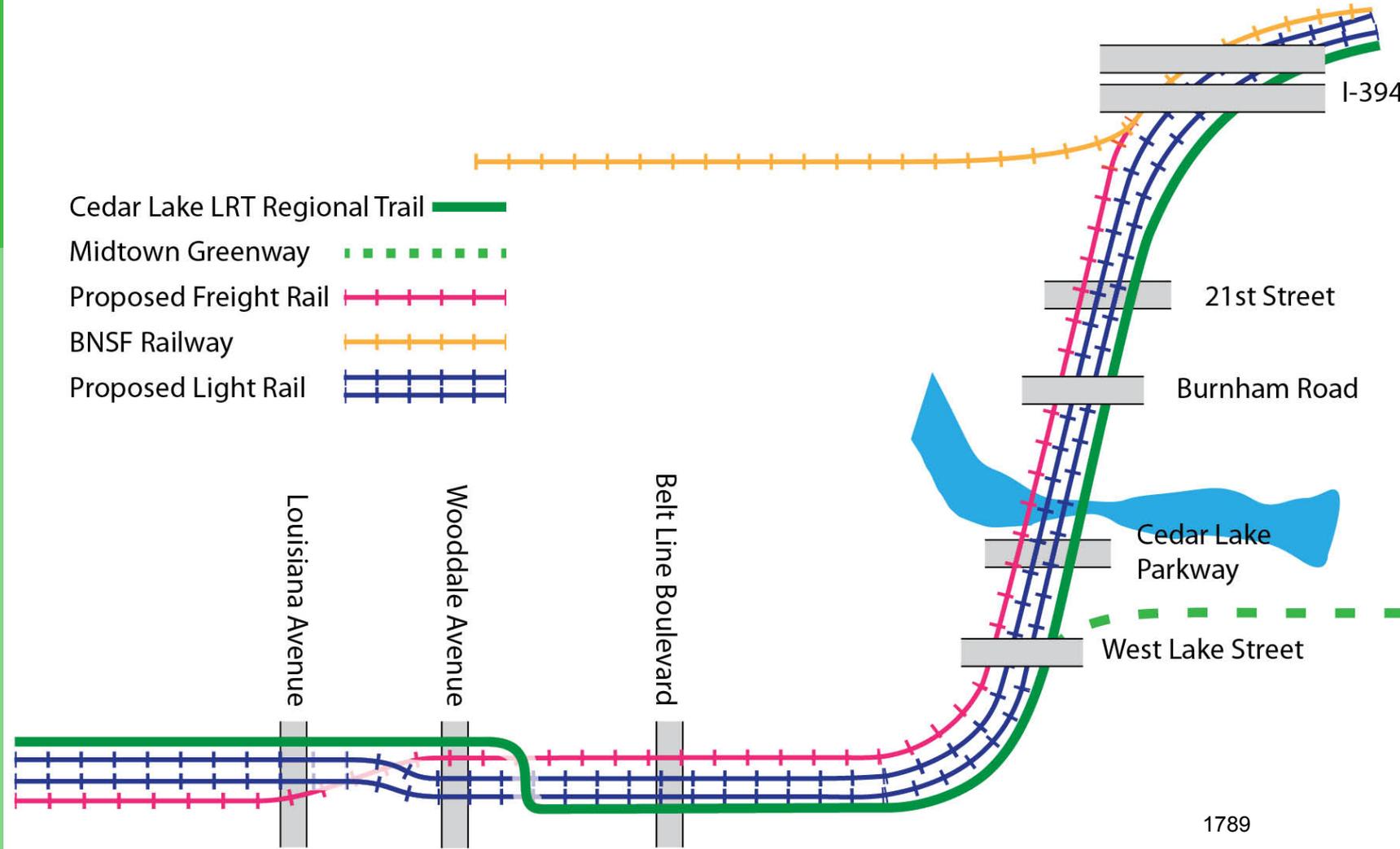


Looking North

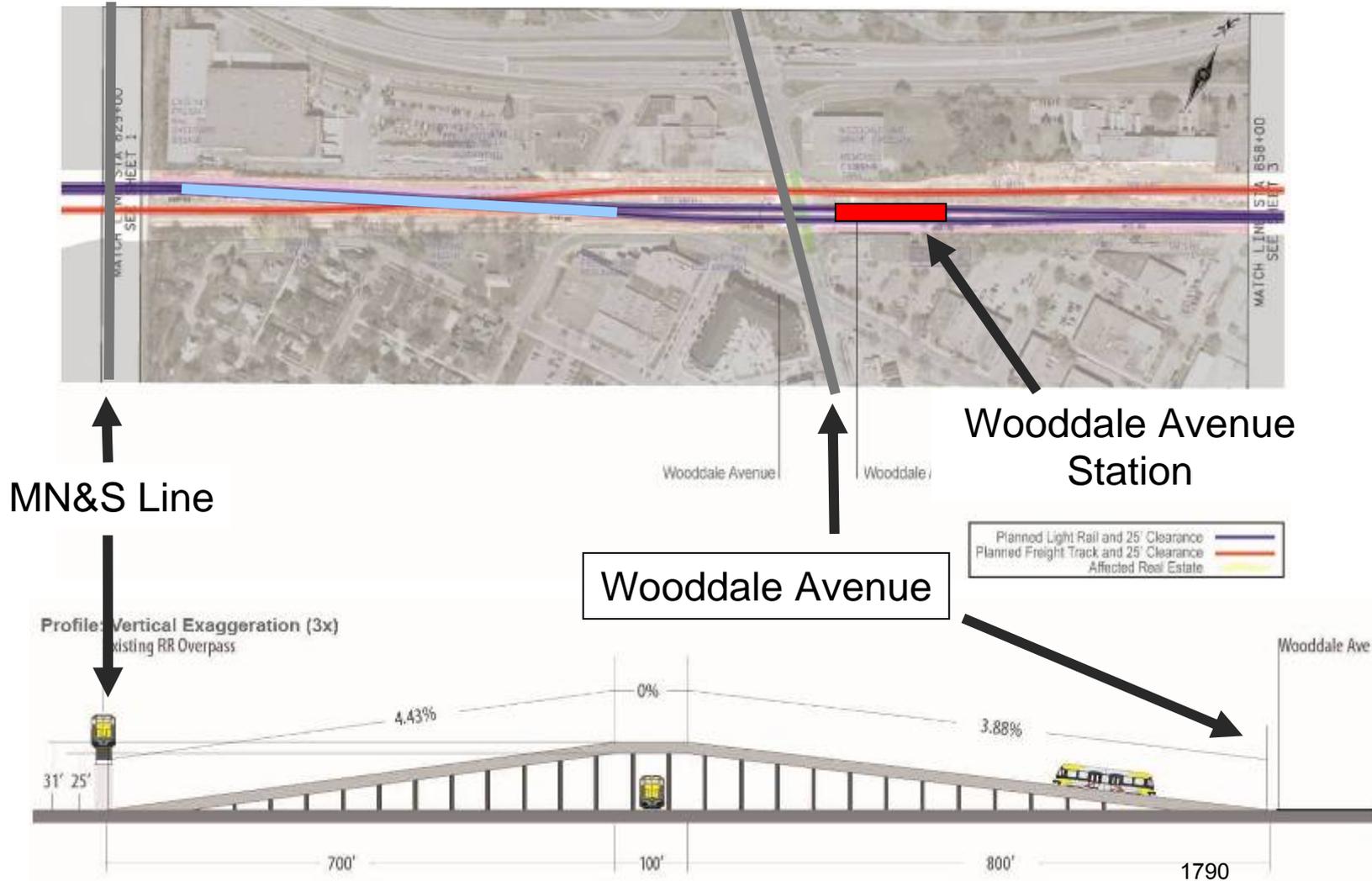
Cedar Lake Parkway



Scenario # 1 – All Three At-grade



West End LRT Bridge



Scenario # 1 – Summary

All Three Alignments At-grade

- Sound Engineering
 - Engineering solution is reasonable.
- Freight rail operations –
 - Freight rail operations unchanged.
- LRT –
 - LRT operations are maintained but with increased operating costs.

Scenario # 1 – Summary

All Three Alignments At-grade

- Transportation system impacts –
 - Functionality of Commuter Bicycle trail maintained.

- Property acquisition –
 - 33-57 housing units acquired.
 - Disruption of townhouse development.

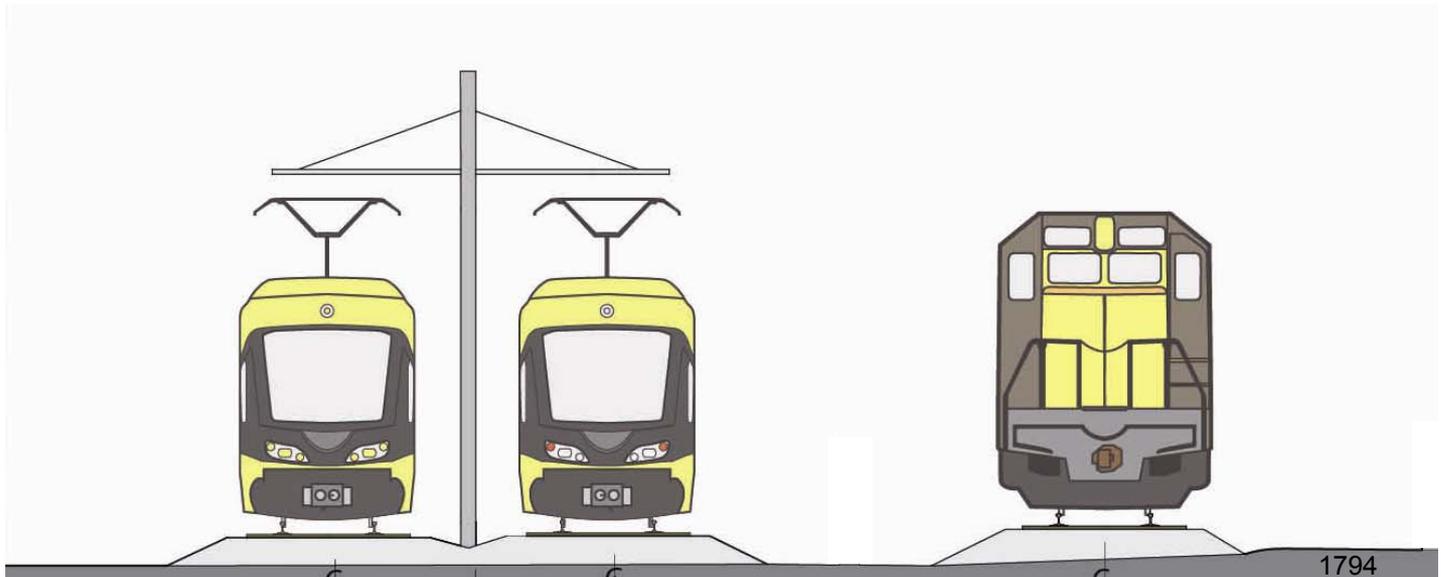
- Environmental Issues –
 - Likely parkland (4f) impacts to:
 - Park Board property
 - Potential parkland (4f) impacts to:
 - Cedar-Isles channel
 - Cedar Lake Parkway

Presentation Outline

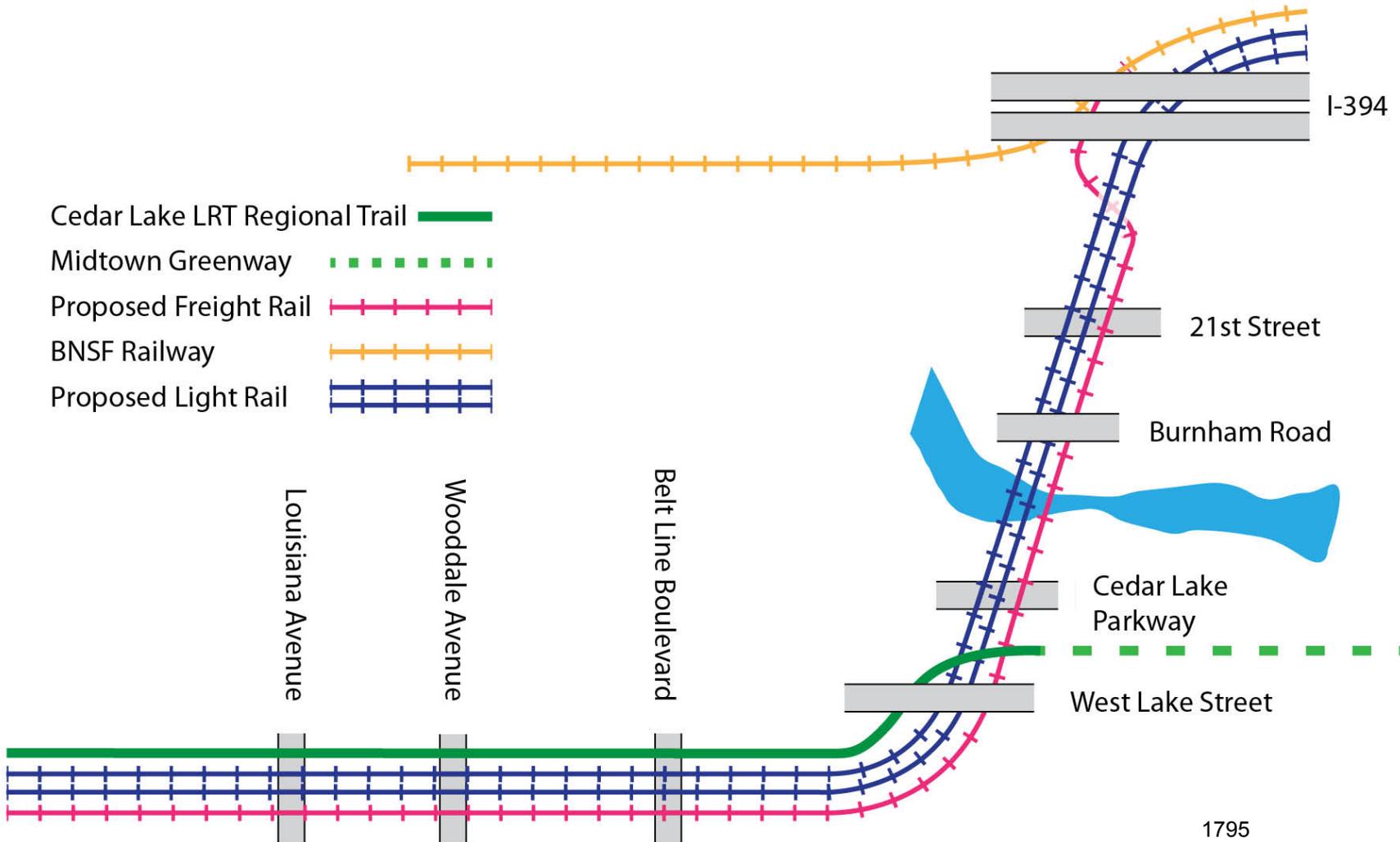
- Guidelines for evaluating scenarios.
- Existing conditions
- Design Criteria
- **Evaluation of Scenarios**
 - Scenario 1 – All alignments at-grade
 - **Scenario 2 – Bicycle Trail relocated**
 - Scenario 3 – Bicycle Trail elevated
 - Scenario 4 – LRT elevated
 - Scenario 5 – LRT in tunnel
 - Scenario 6 – LRT/Freight Rail share track
 - Scenario 7 – LRT single track
- Summary

Scenario #2 – Trail Relocated

- **Trail moved to another location**
 - Bicycle Trail – Relocated out of corridor
 - Light Rail Transit – Constructed at-grade
 - Freight Railroad – Constructed at-grade

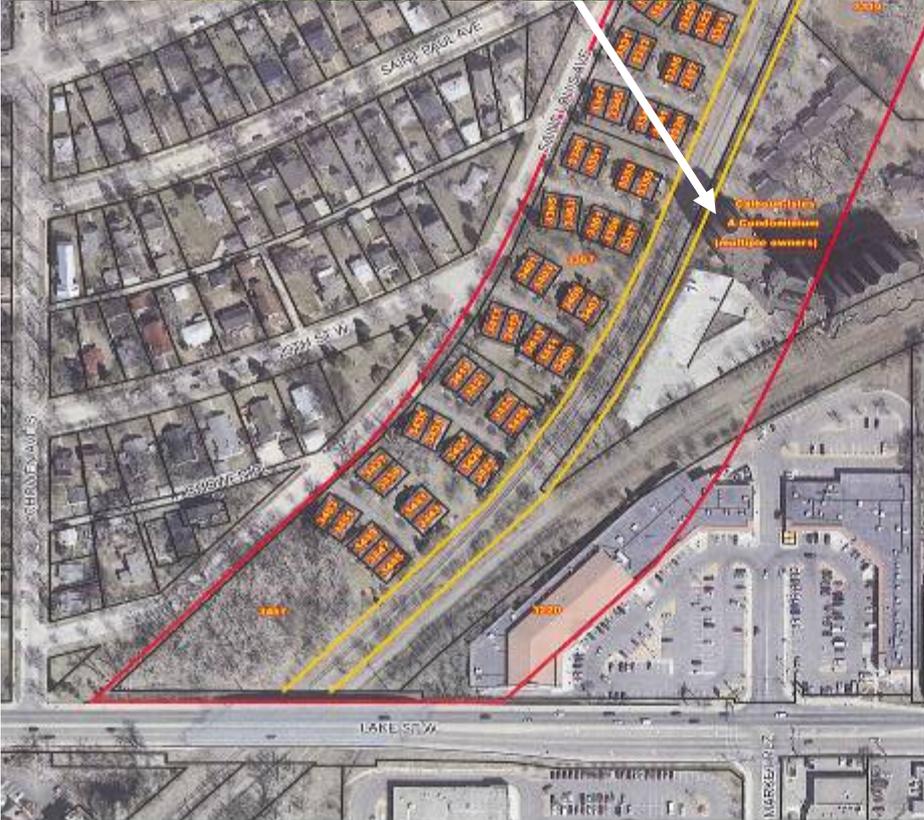


Scenario # 2 – Trail Relocated



East Side of Corridor

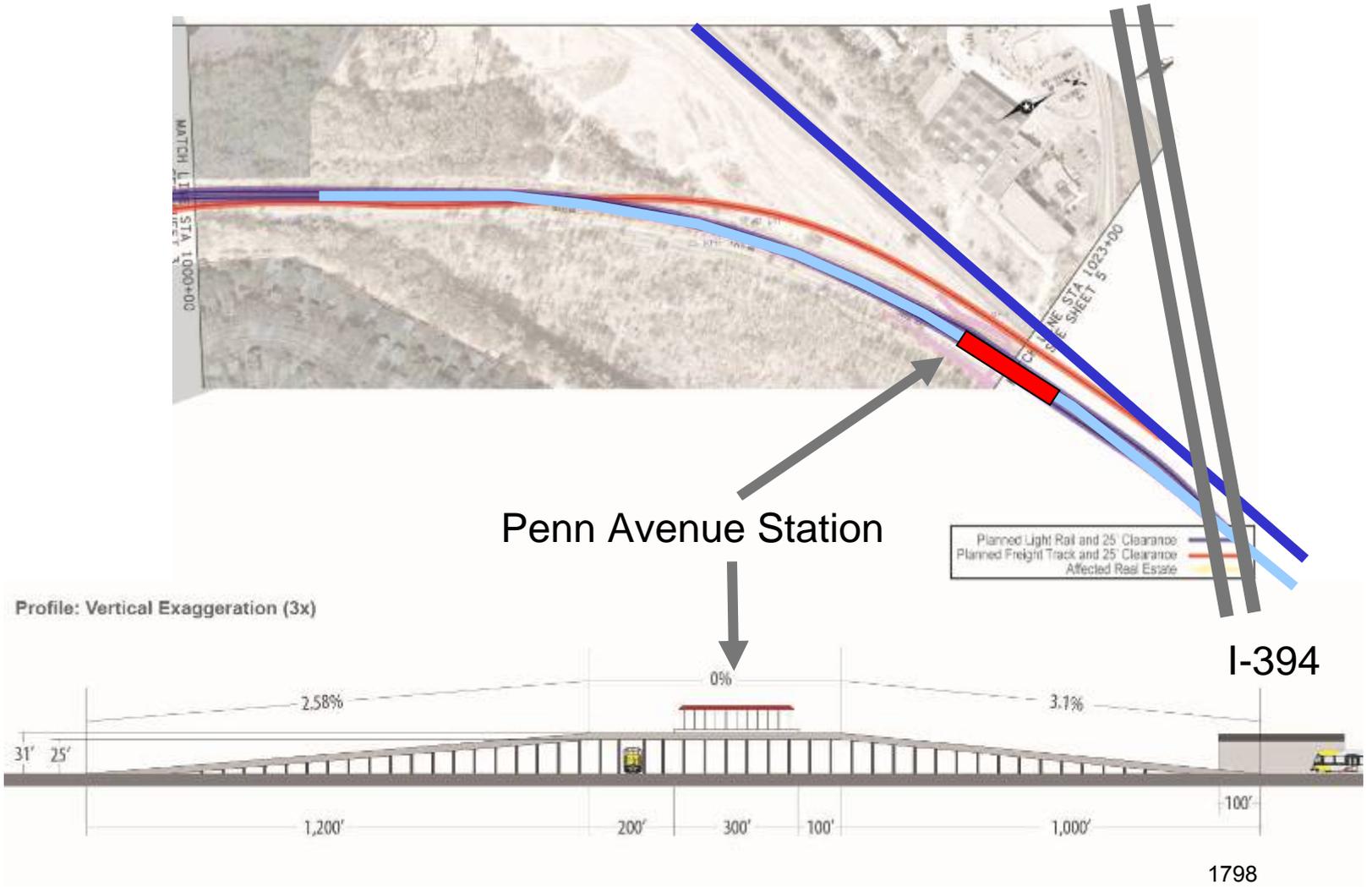




• 117 Total Housing Units

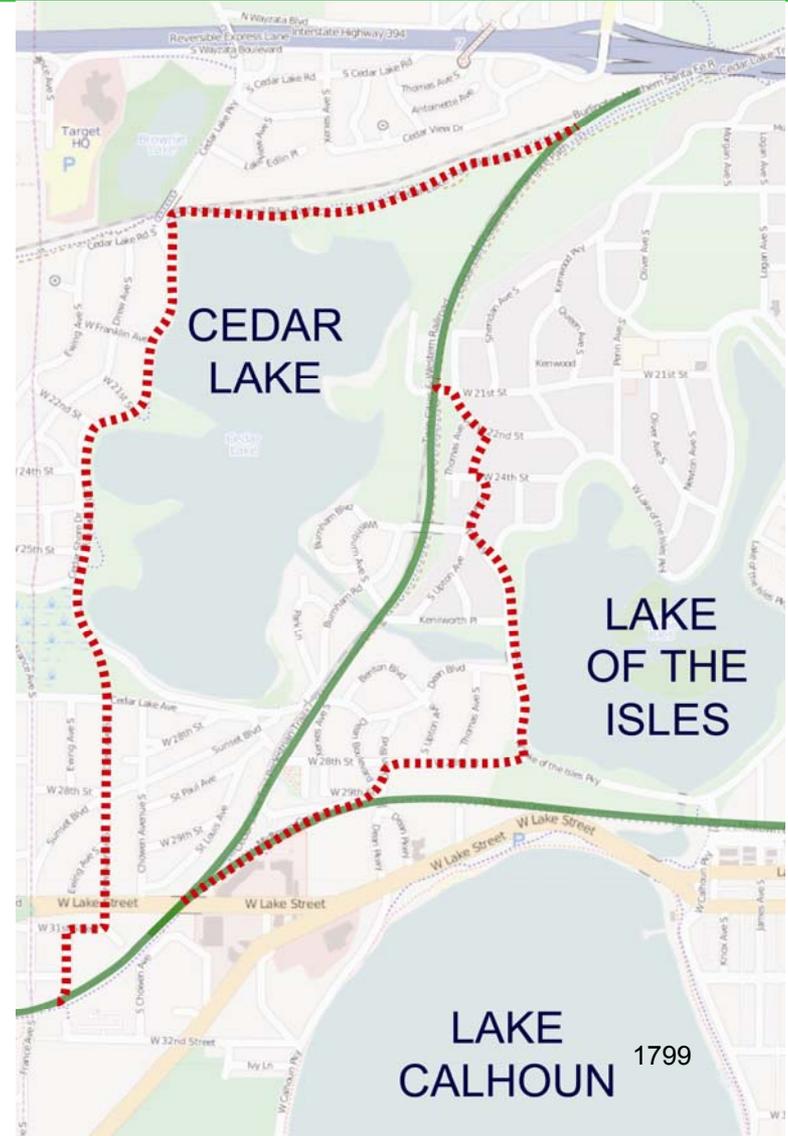
Potential Property Impacts

East End LRT Bridge



Scenario # 2 – Trail Relocated

- Existing trail functions as a transportation trail.
- Exclusive alignment allows direct, easy and fast access to downtown Minneapolis.
- An alternative that provides similar accessibility is not readily apparent.



Scenario # 2 – Summary Trail Relocated

- Sound Engineering
 - Engineering solution is reasonable.
- Freight rail operations –
 - Freight rail operations unchanged.
- LRT –
 - LRT operations are maintained but with increased operating costs.

Scenario # 2 – Summary Trail Relocated

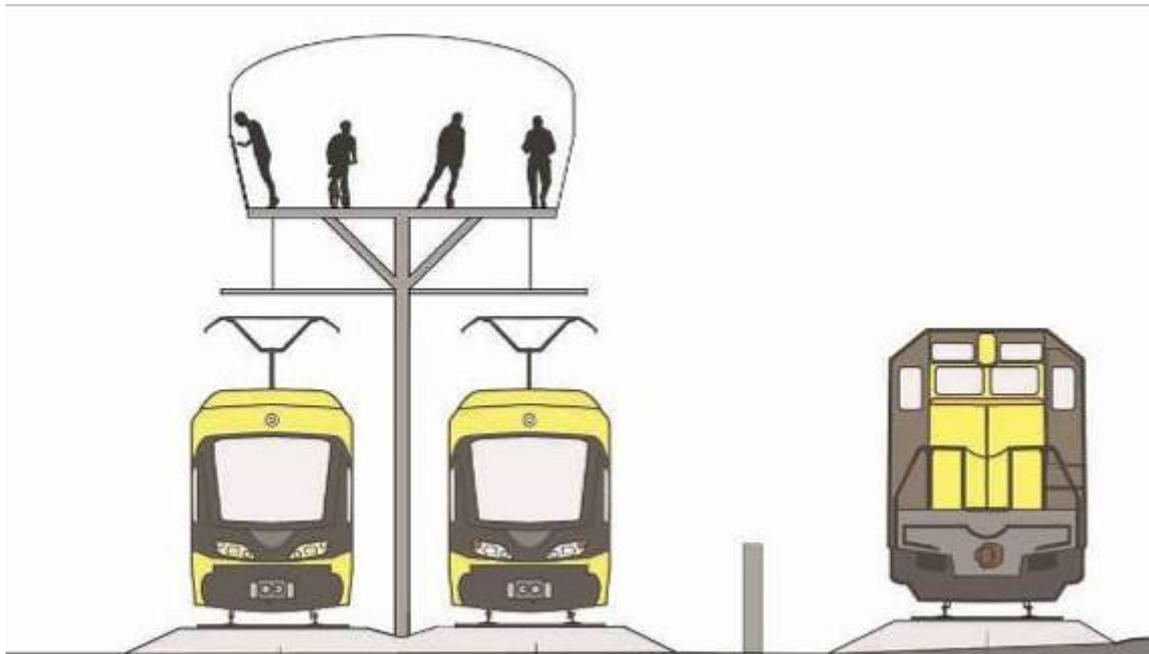
- Transportation system impacts –
 - Commuter bicycle trail is removed from corridor.
- Property acquisition –
 - 117 Housing Units acquired
- Environmental Issues –
 - Potential parkland (4f) impacts to:
 - Park Board property
 - Cedar-Isles channel
 - Cedar Lake Parkway

Presentation Outline

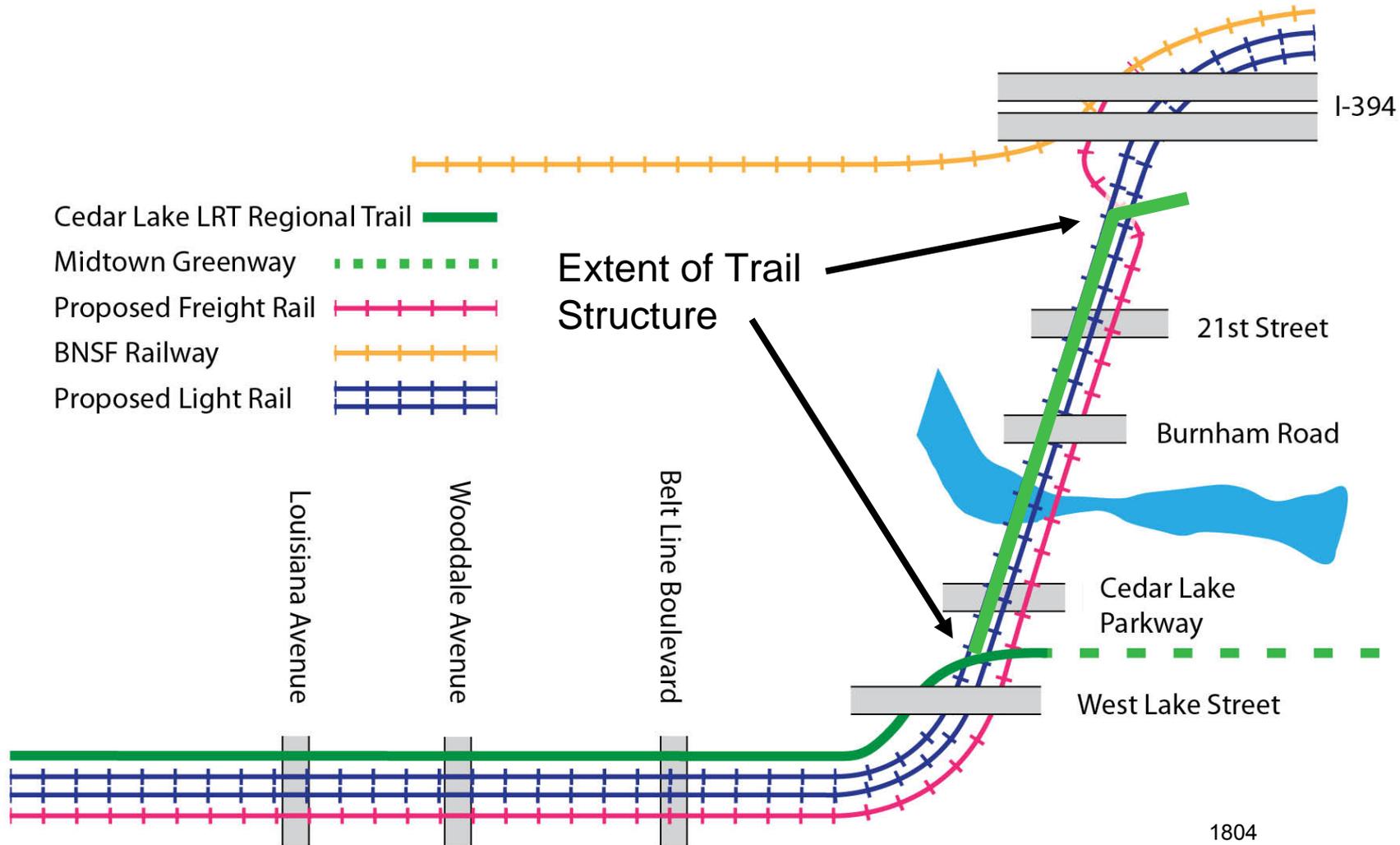
- Guidelines for evaluating scenarios.
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 - Scenario 7 – LRT single track
- Summary

Scenario #3 – Trail Over LRT

- **Trail on structure**
 - Bicycle Trail – Placed on structure through the corridor
 - Light Rail Transit – Constructed at-grade
 - Freight Railroad – Constructed at-grade



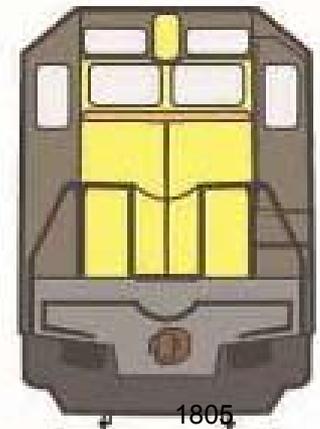
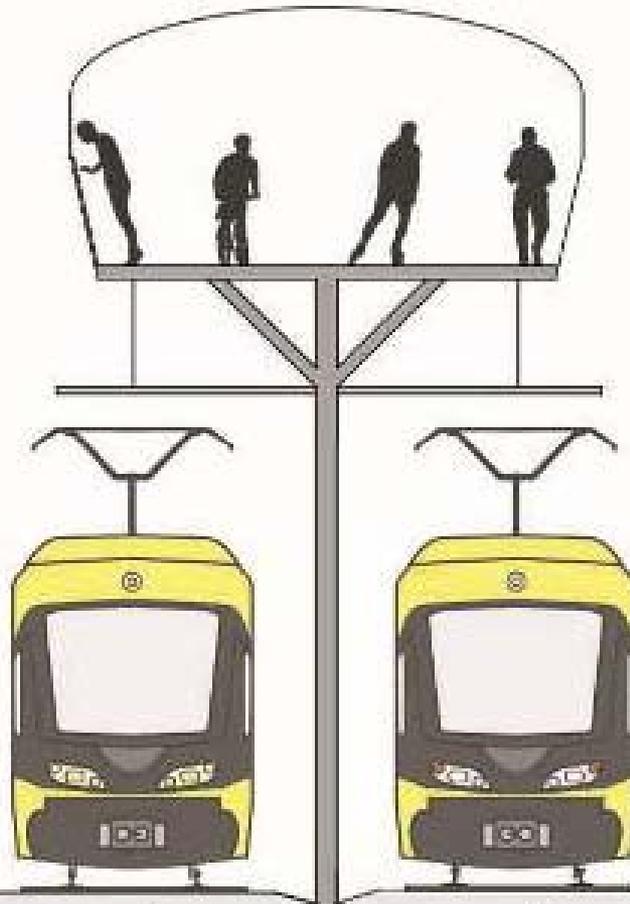
Scenario #3 – Trail Over LRT



Scenario #3 – Trail Over LRT

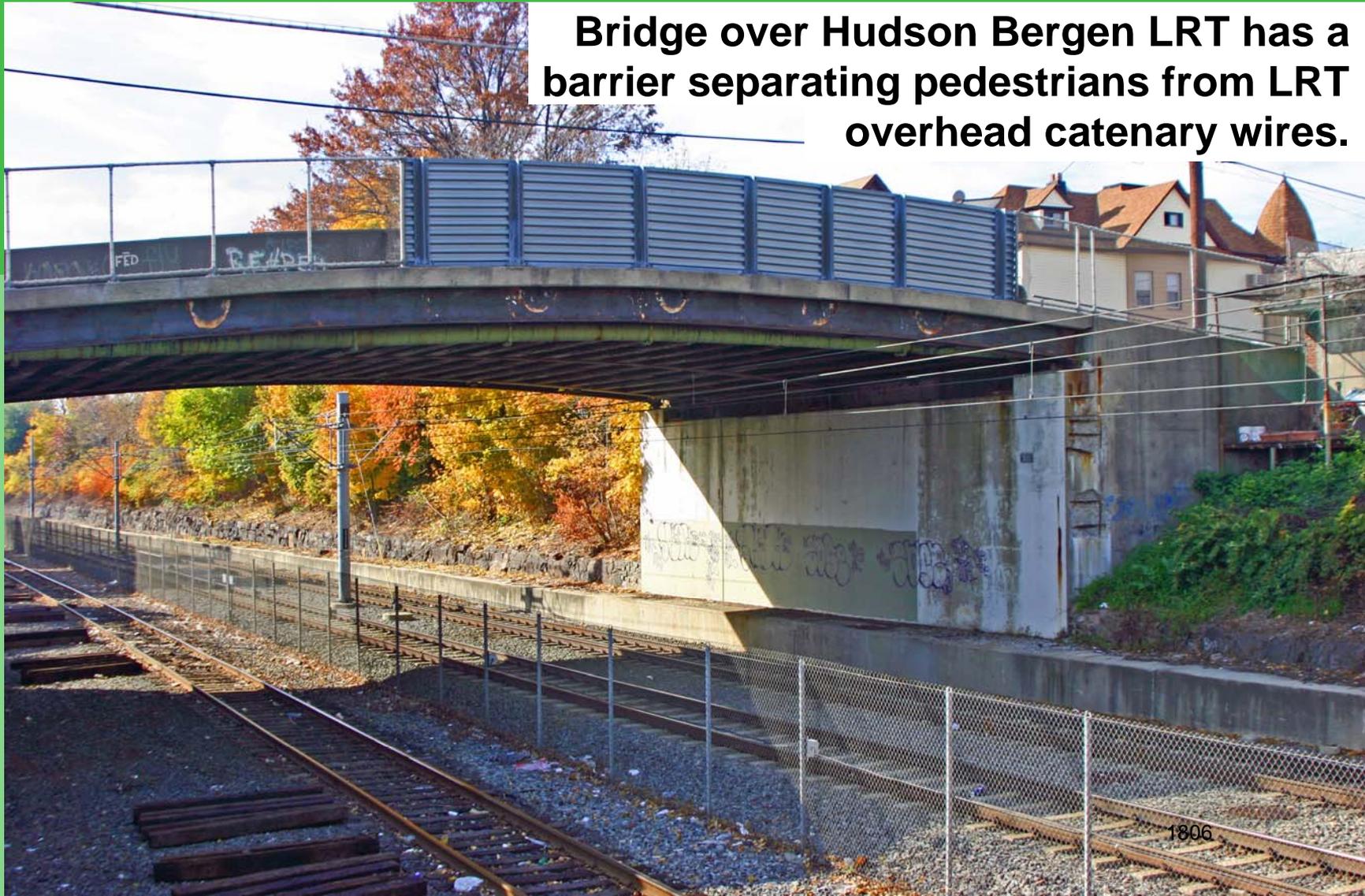
Bicycle bridge could be integrated with LRT OCS poles.

Bicycle bridge would require barriers on sides and above to protect users from overhead catenary and protect freight trains from vandalism.



Hudson Bergen LRT

Bridge over Hudson Bergen LRT has a barrier separating pedestrians from LRT overhead catenary wires.



Kansas City Passenger Station



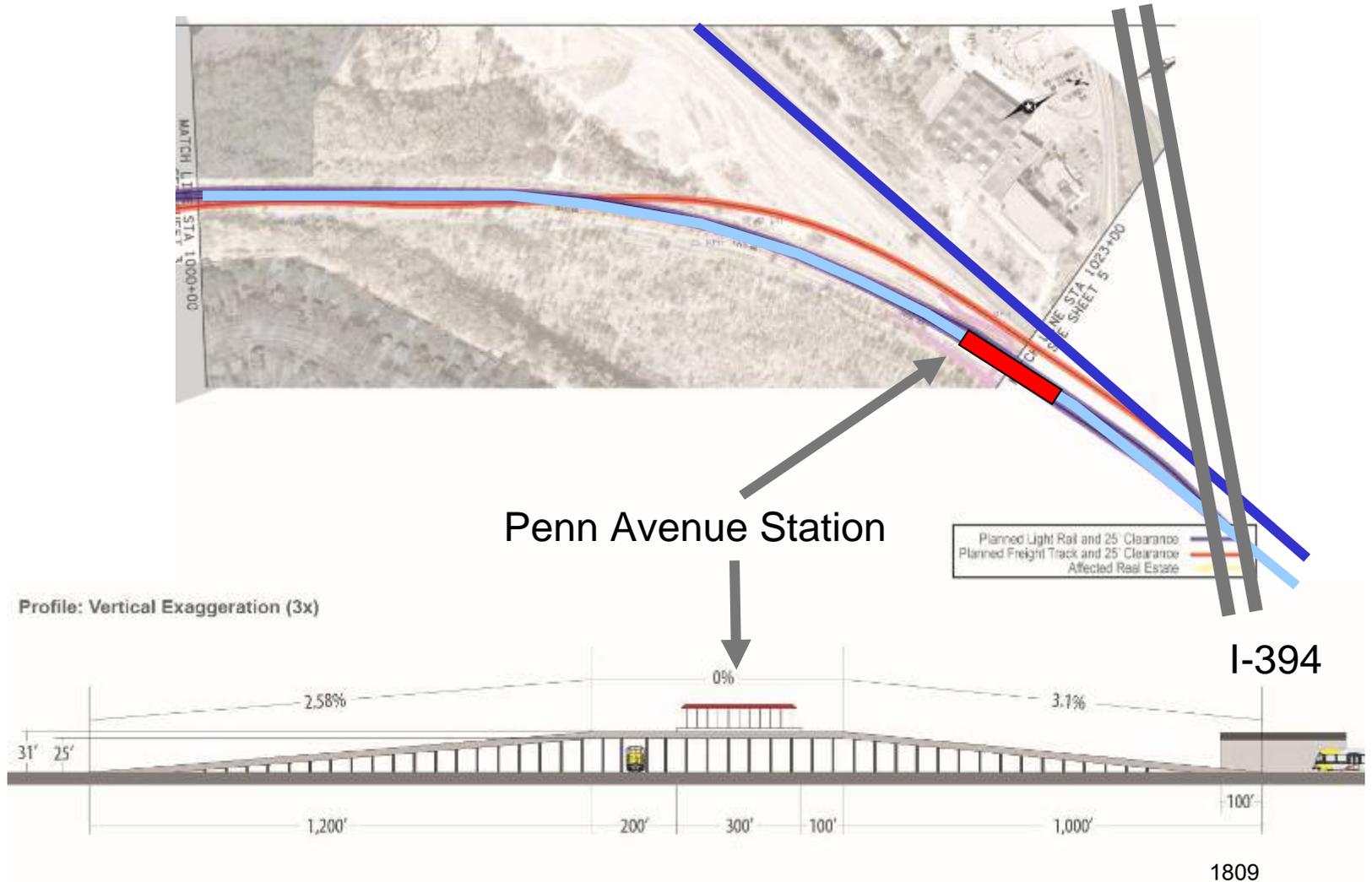
Bridge over freight tracks at Kansas City rail passenger station has a barrier to protect trains from vandalism.

Scenario #3 – Trail Over LRT



Looking East

Scenario #3 still requires an additional LRT bridge near the Penn Avenue station.



Scenario # 3 – Summary

Trail Over LRT

- Sound Engineering
 - Engineering solution is not reasonable.
 - Creates unique or unusual problems.
- Freight rail operations –
 - Freight rail operations unchanged.
- LRT –
 - LRT operations are maintained but with increased operating costs.

Scenario # 3 – Summary

Trail Over LRT

- Transportation system impacts –
 - **Functionality of Commuter Bicycle trail impaired.**

- Property acquisition –
 - **117 Housing Units acquired**

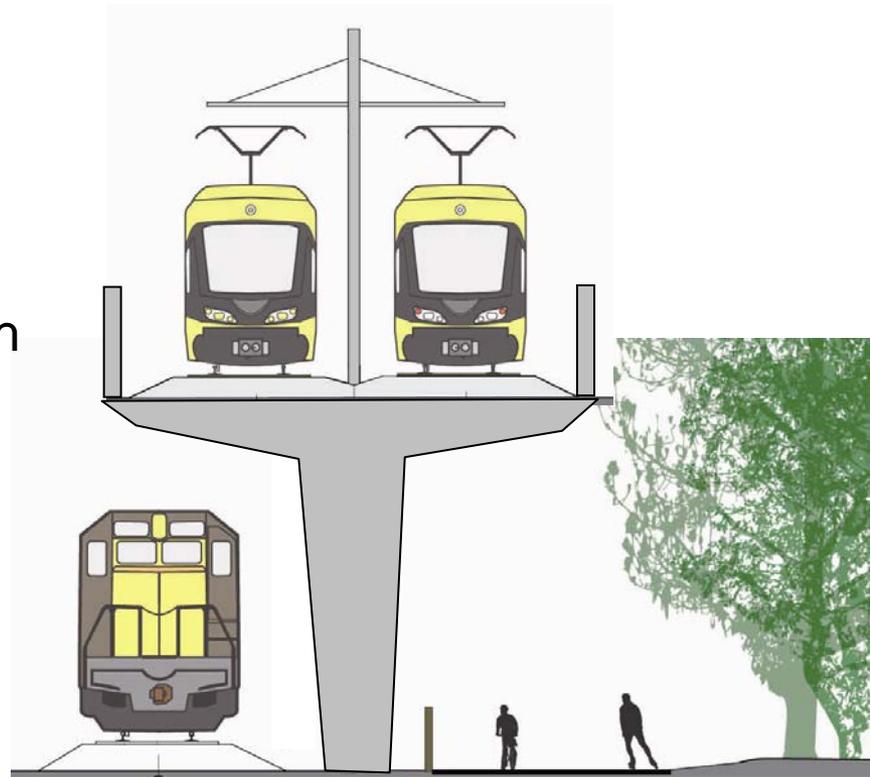
- Environmental Issues –
 - Potential parkland (4f) impacts to:
 - **Park Board property**
 - **Cedar-Isles channel**
 - **Cedar Lake Parkway**

Presentation Outline

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 - Scenario 6 – LRT/Freight Rail share track
 - Scenario 7 – LRT single track
- Summary

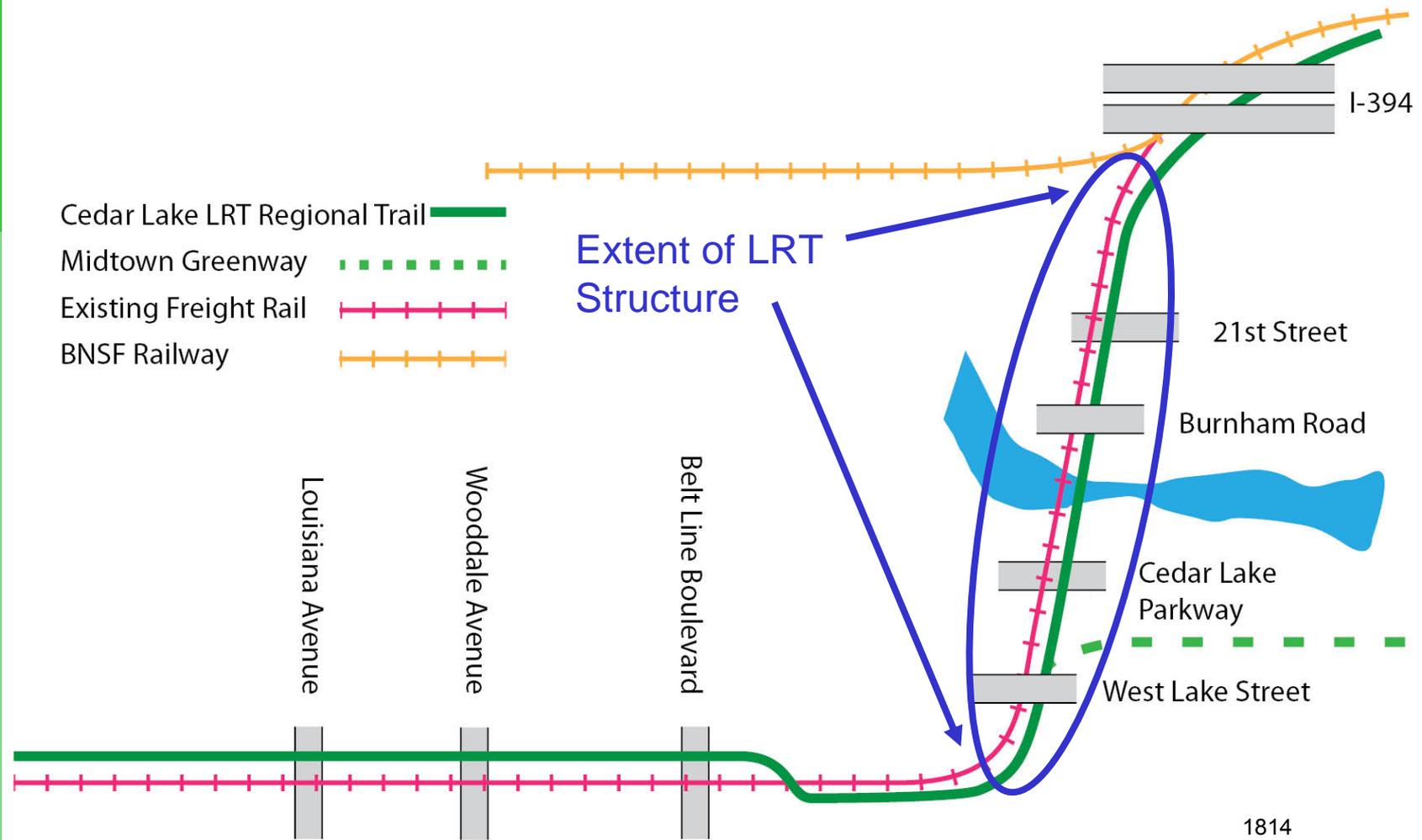
Scenario # 4 – LRT on Structure

- **LRT on structure**
 - Freight Railroad – Remains
 - Bicycle Trail – Remains
 - Light Rail Transit – Constructed through corridor on aerial structure.



Looking North

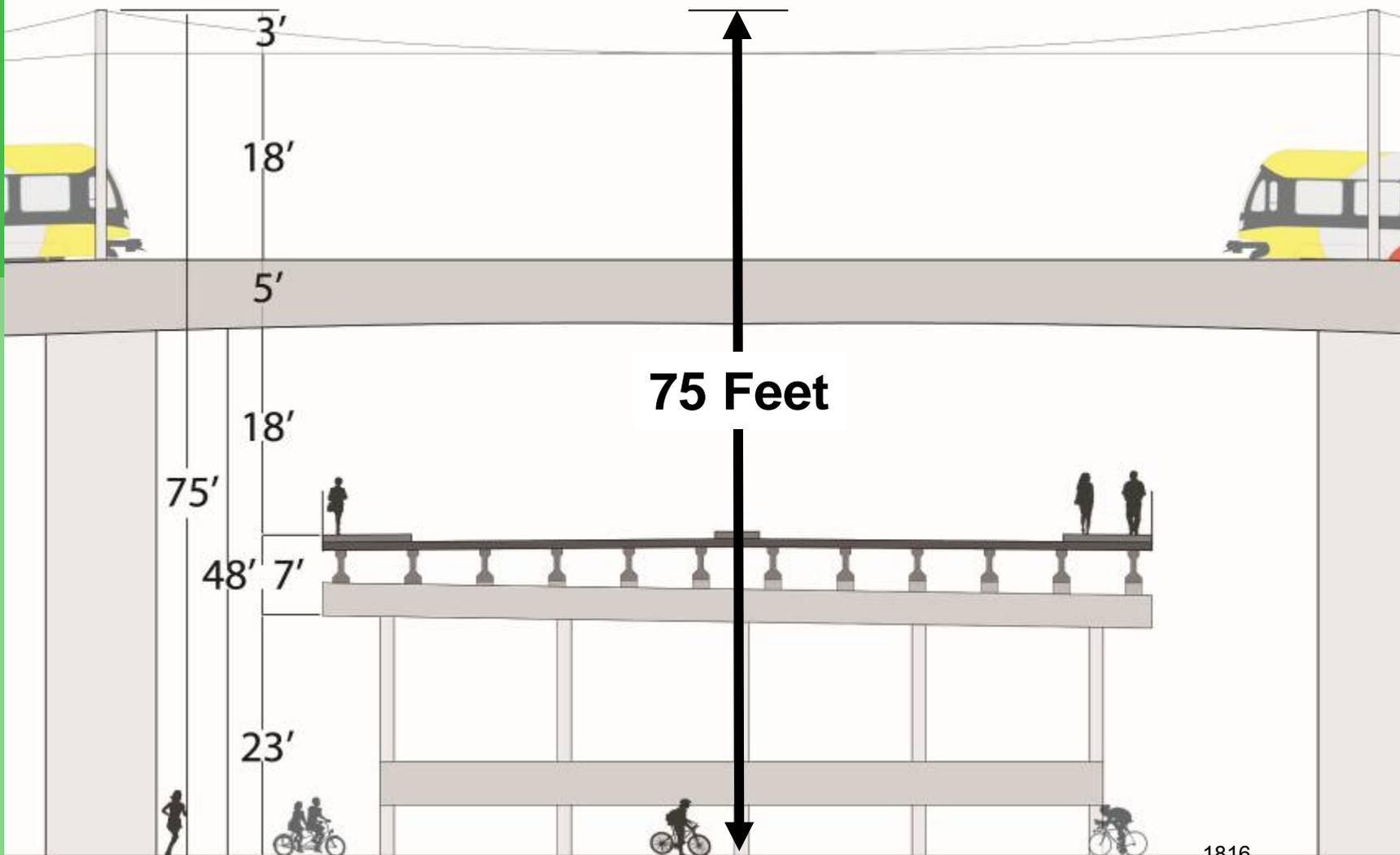
Scenario # 4 – LRT on Structure



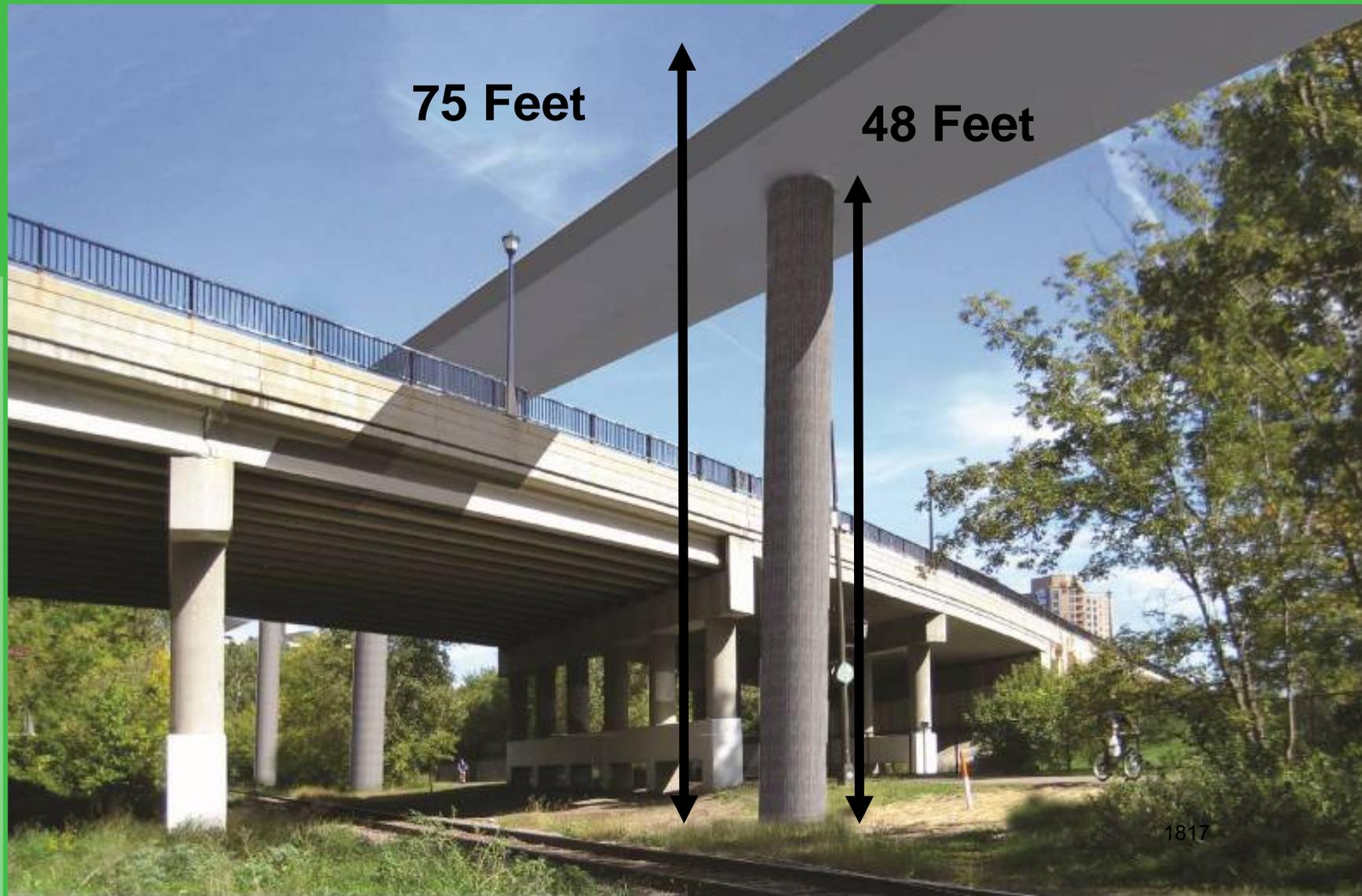
Scenario # 4 – LRT on Structure

- There is insufficient room north of the West Lake Street Bridge for LRT to rise from ground level to full height before reaching the narrow part of the corridor.
- An aerial structure for LRT would need to be at full height before crossing the West Lake Street Bridge.

Scenario # 4 – LRT on Structure



Scenario # 4 – LRT on Structure



Scenario # 4 – Summary

LRT on Structure

- Sound Engineering
 - Engineering solution is not reasonable.
 - Creates additional construction, maintenance or operational costs of an extraordinary magnitude.
- Freight rail operations –
 - Freight rail operations unchanged.
- LRT –
 - LRT operations are maintained but with increased operating costs.

Scenario # 4 – Summary

LRT on Structure

- Transportation system impacts –
 - Functionality of Commuter Bicycle trail maintained.

- Property acquisition –
 - No housing units acquired.

- Environmental Issues –
 - Potential parkland (4f) impacts to:
 - Park Board property
 - Cedar-Isles channel
 - Cedar Lake Parkway

Presentation Outline

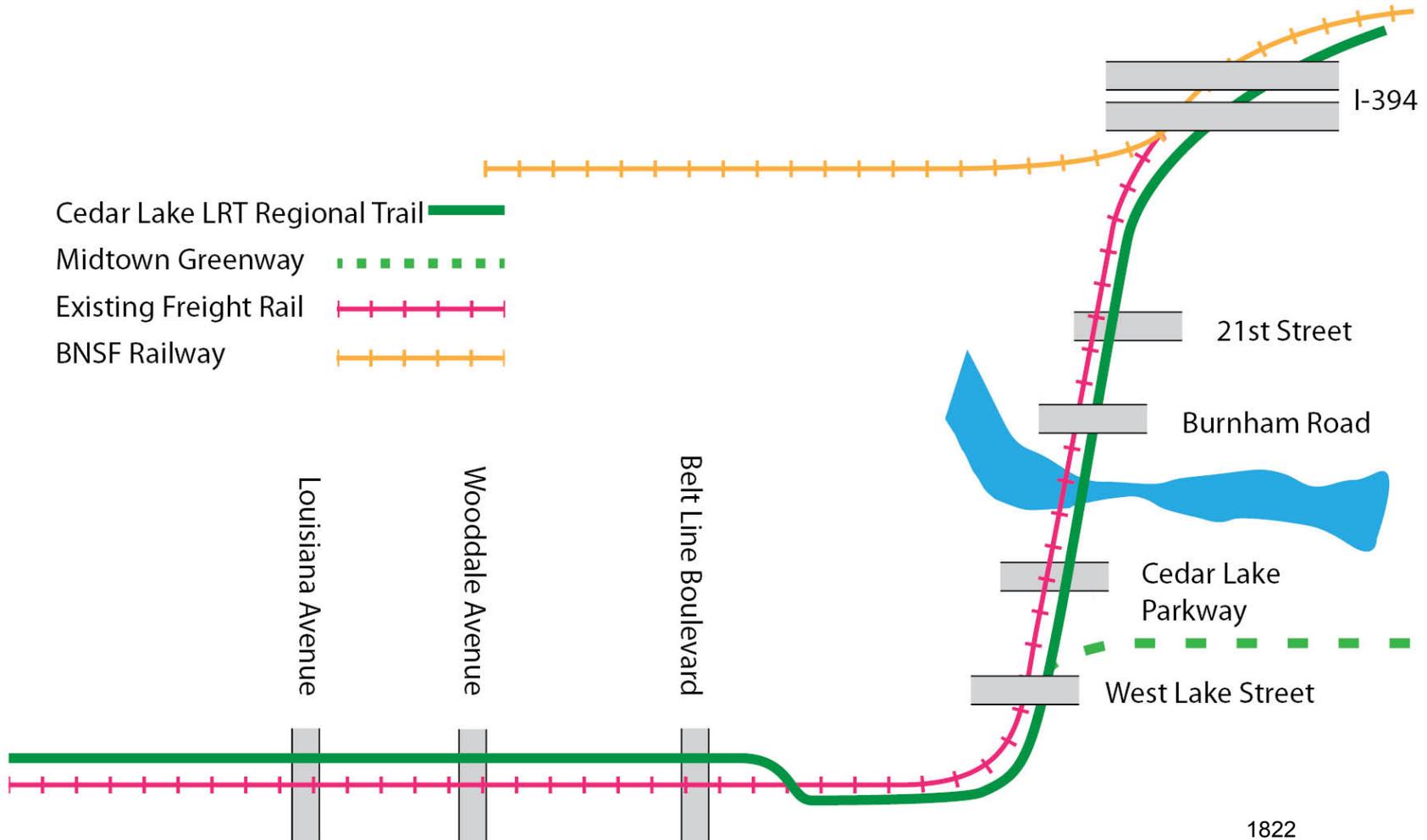
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 - Scenario 6 – LRT/Freight Rail share track
 - Scenario 7 – LRT single track
- Summary

Scenario # 5 – LRT in Tunnel

- **LRT in tunnel**
 - Bicycle Trail – Remains
 - Light Rail Transit – Constructed through corridor with portions in tunnel
 - Freight Railroad – Constructed at-grade

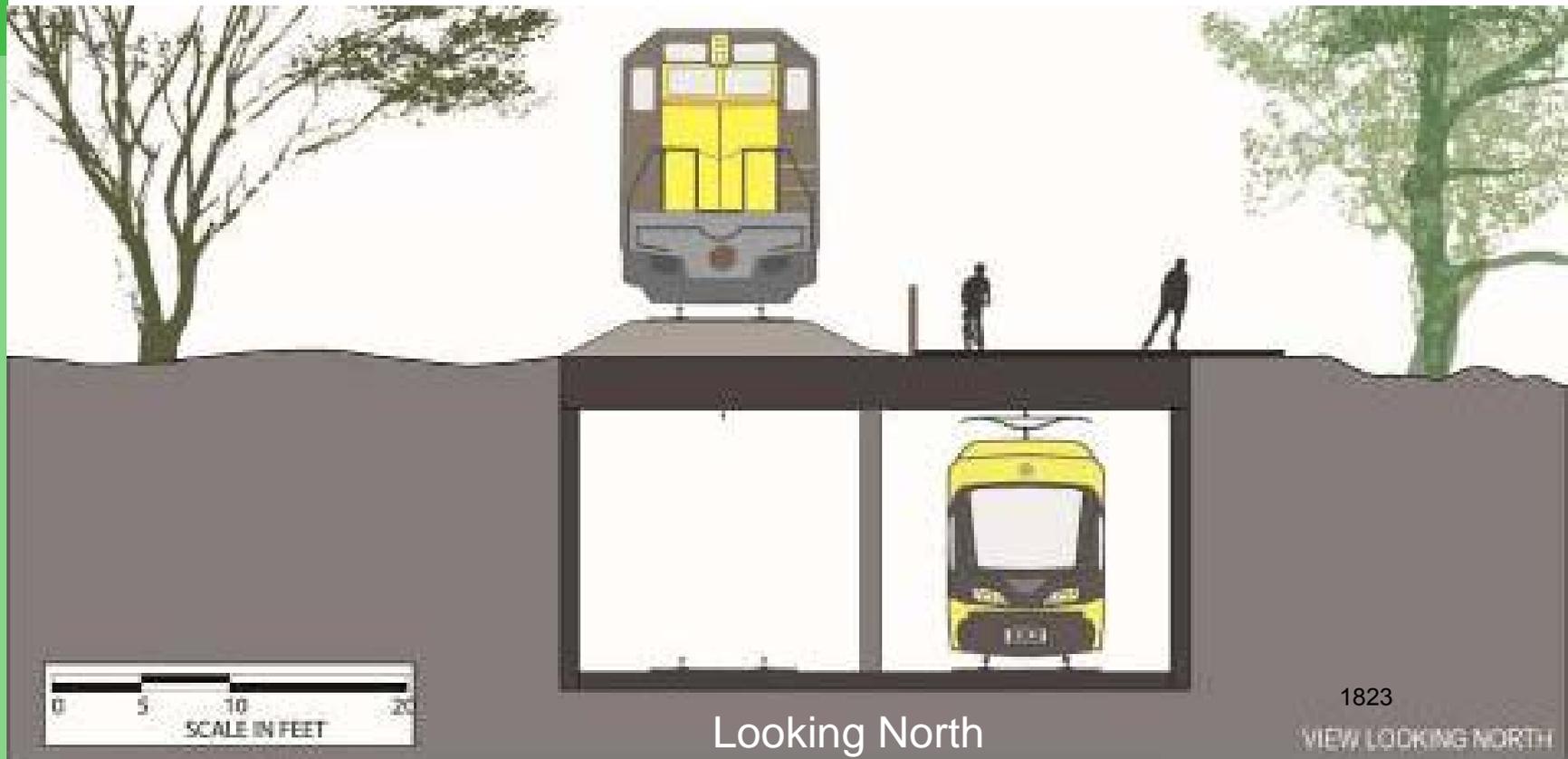


Scenario # 5 – LRT in Tunnel



Scenario # 5 – LRT in Tunnel

- Cut and Cover alternative impractical because of the weight of freight trains.



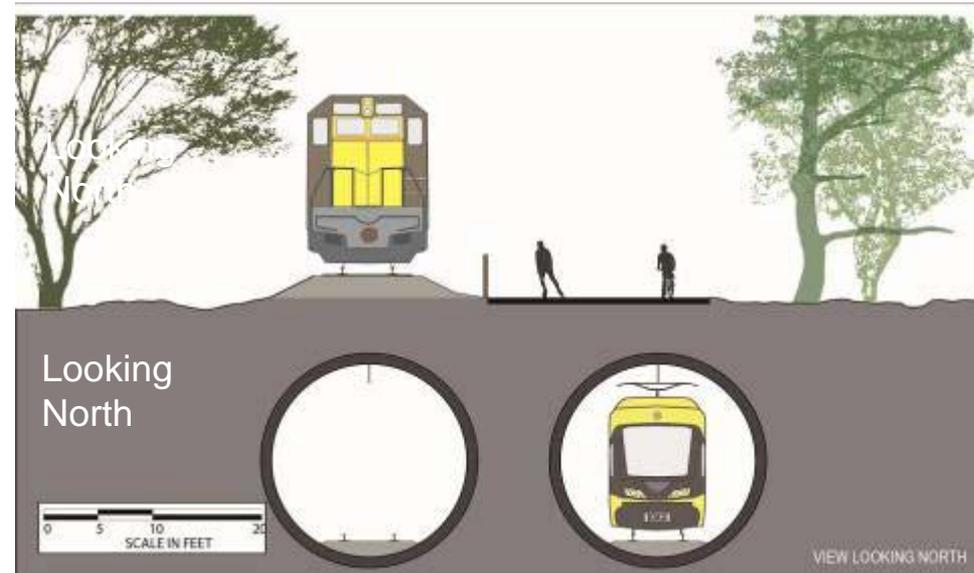
Scenario # 5 – LRT in Tunnel

- Cut and Cover alternative also impractical because of Cedar-Isles channel.



Scenario # 5 – LRT in Tunnel

- A deep tunnel has an unpredictable effect on groundwater.
- Invites continuing maintenance, safety and security problems.
- Vastly more expensive than other available alternatives.



Scenario # 5 – Summary

LRT in Tunnel

- Sound Engineering
 - Engineering solution is not reasonable.
 - Creates additional construction, maintenance or operational costs of an extraordinary magnitude.
- Freight rail operations –
 - Freight rail operations unchanged.
- LRT –
 - LRT operations are maintained but with increased operating costs.

Scenario # 5 – Summary

LRT in Tunnel

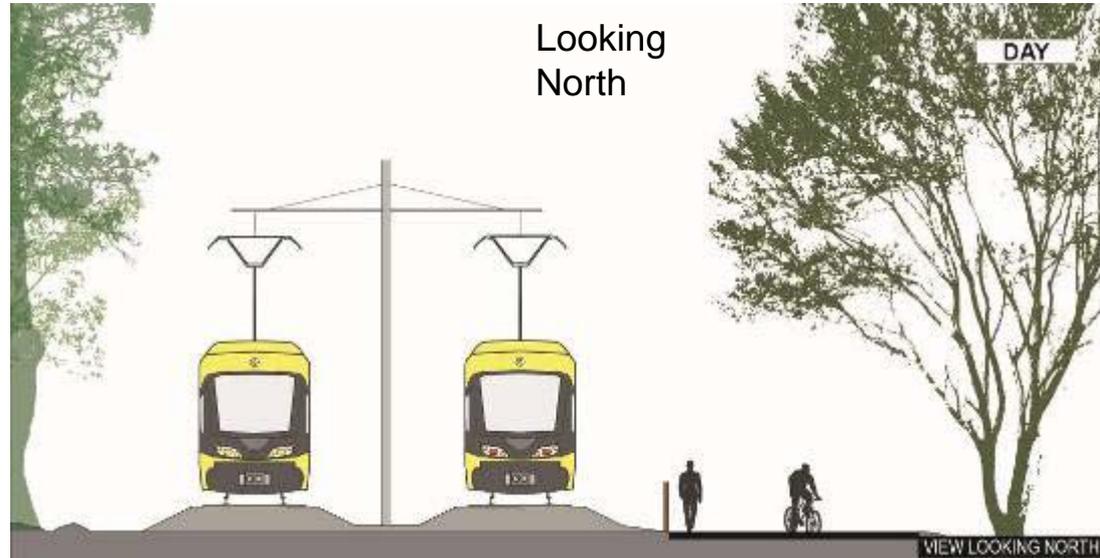
- Transportation system impacts –
 - Functionality of Commuter Bicycle trail maintained.
- Property acquisition –
 - No housing units acquired.
- Environmental Issues –
 - Potential parkland (4f) impacts to:
 - Park Board property
 - Cedar-Isles channel
 - Cedar Lake Parkway
 - Potential negative impacts on groundwater flow and water quality.

Presentation Outline

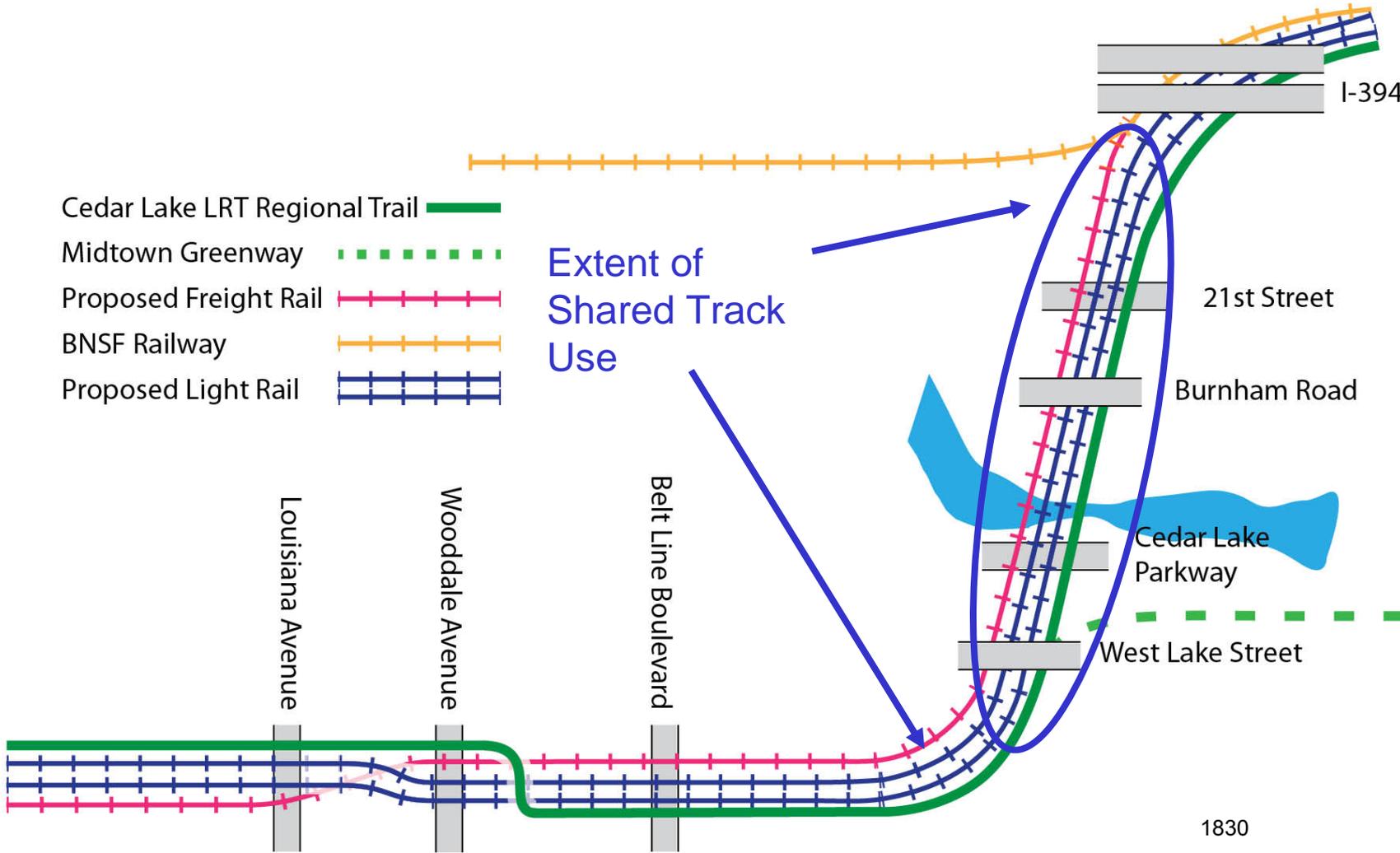
- Guidelines for evaluating scenarios.
- Existing conditions
- Design Criteria
- **Evaluation of Scenarios**
 - Scenario 1 – All alignments at-grade
 - Scenario 2 – Bicycle Trail relocated
 - Scenario 3 – Bicycle Trail elevated
 - Scenario 4 – LRT elevated
 - Scenario 5 – LRT in tunnel
 - **Scenario 6 – LRT/Freight Rail share track**
 - Scenario 7 – LRT single track
- Summary

Scenario # 6 – Shared Track Use

- **Freight Rail and LRT share track**
 - Bicycle Trail – Remains
 - Light Rail Transit – Constructed at-grade
 - Freight Railroad – Shares track with the LRT alignment through the corridor

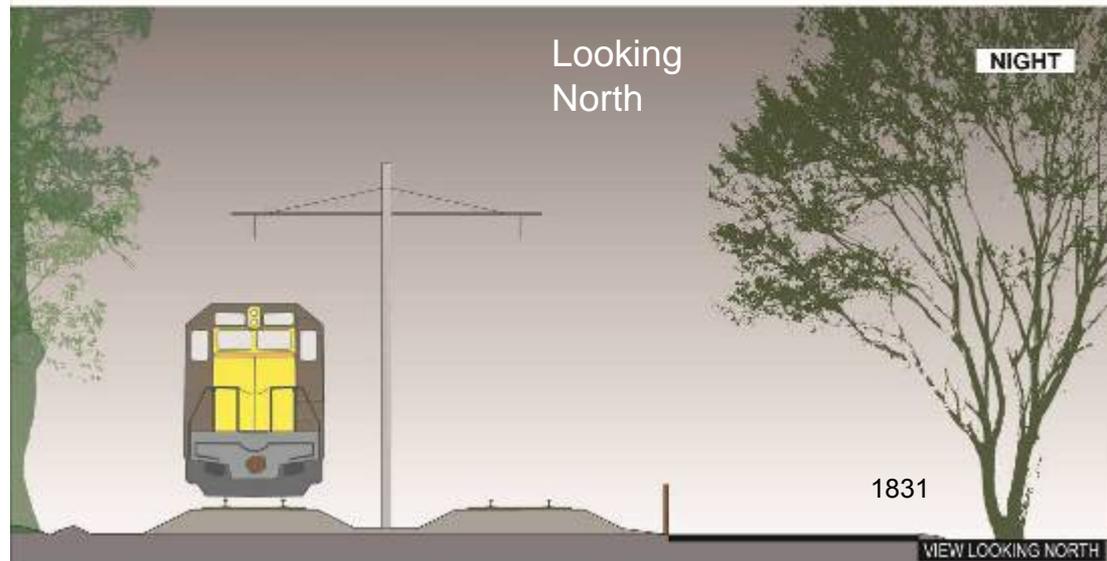
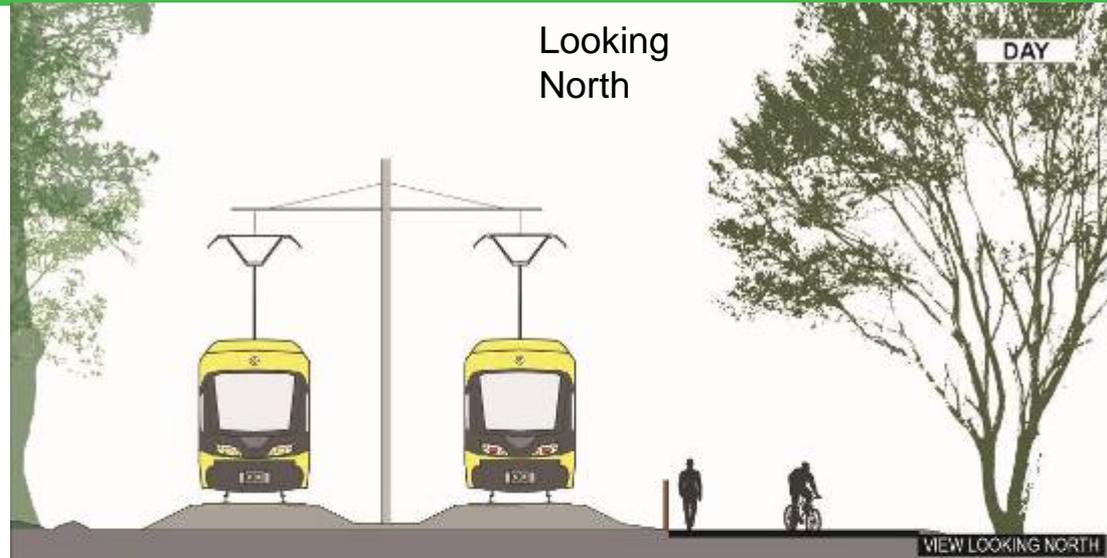


Scenario # 6 – Shared Track Use



Scenario # 6 – Shared Track Use

- FRA requires temporal separation of freight and LRT operations.
- LRT operates from 3:30 am to 12:30 am.
- The time period available to TC&W would be too restrictive.



Scenario # 6 – Shared Track Use

- Adjustment of station platform height would be necessary to allow sufficient clearance for freight train equipment.
 - Elimination of level loading at these stations.
 - Redesign of new LRT vehicles and retrofitting of existing LRT vehicles to provide bridge plates.



Scenario #6 – Summary

Shared Track Use

- Sound Engineering
 - Engineering solution is not reasonable.
 - Represents a severe economic impact to freight railroad.
- Freight rail operations –
 - Freight rail operations impaired.
- LRT –
 - LRT operations are maintained but with increased operating costs.
 - Potential for modification of new LRVs and retrofitting existing LRVs

Scenario #6 – Summary

Shared Track Use

- Transportation system impacts –
 - Functionality of Commuter Bicycle trail maintained.

- Property acquisition –
 - No housing units acquired.

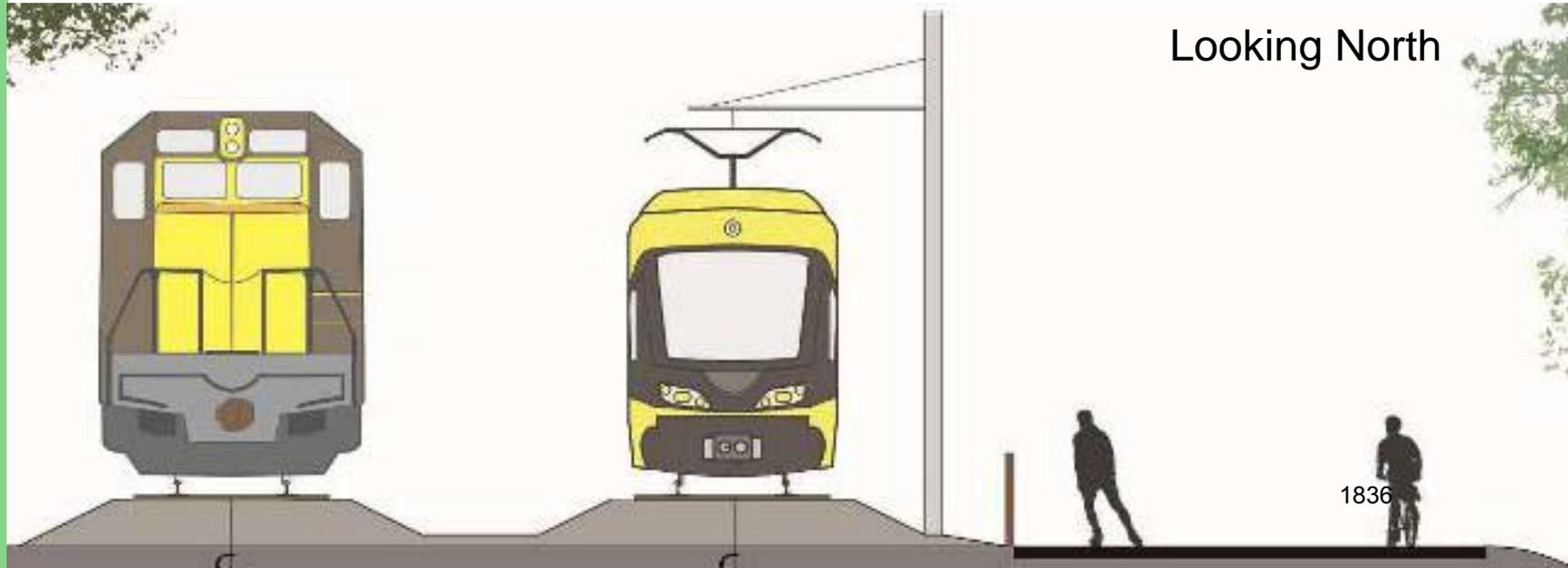
- Environmental Issues –
 - Potential parkland (4f) impacts to:
 - Park Board property
 - Cedar-Isles channel
 - Cedar Lake Parkway

Presentation Outline

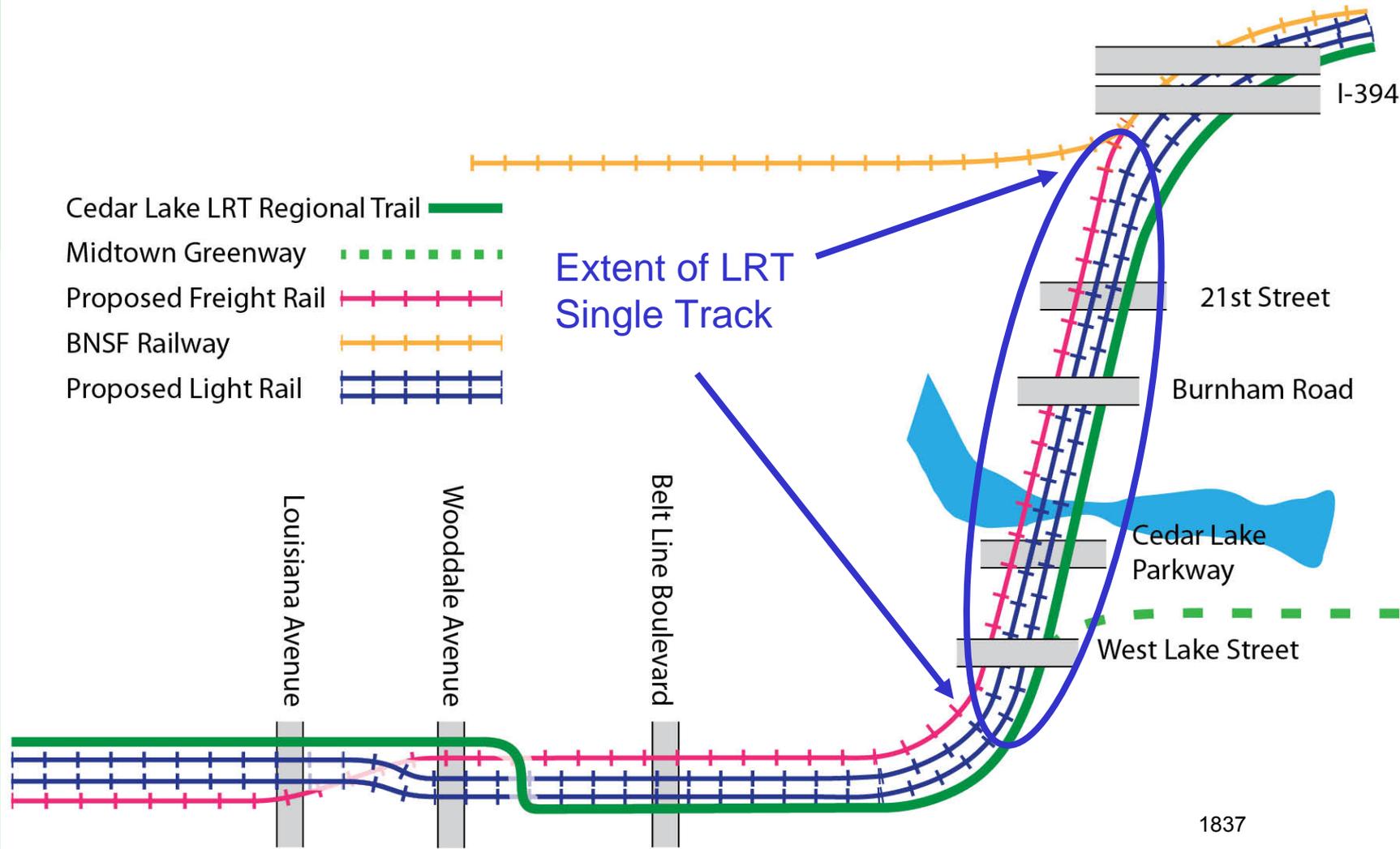
- Guidelines for evaluating scenarios.
- Existing conditions
- Design Criteria
- **Evaluation of Scenarios**
 - Scenario 1 – All alignments at-grade
 - Scenario 2 – Bicycle Trail relocated
 - Scenario 3 – Bicycle Trail elevated
 - Scenario 4 – LRT elevated
 - Scenario 5 – LRT in tunnel
 - Scenario 6 – LRT/Freight Rail share track
 - **Scenario 7 – LRT single track**
- Summary

Scenario # 7 – LRT Single Track

- **LRT single track**
 - Bicycle Trail – Remains
 - Light Rail Transit – Constructed at-grade but with only one track
 - Freight Railroad – Constructed at-grade

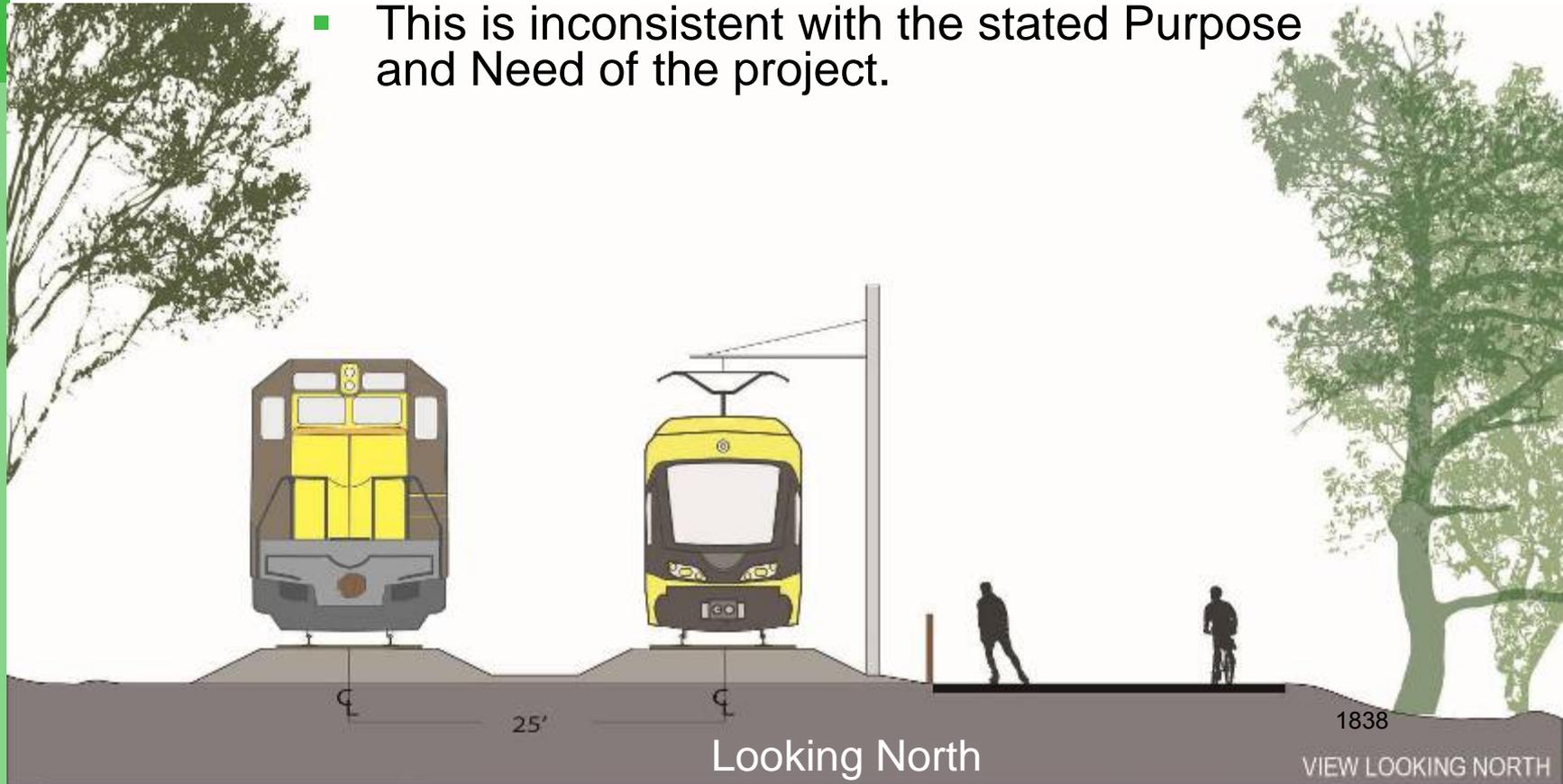


Scenario # 7 – LRT Single Track



Scenario #7 – LRT Single Track

- Single Track would subject the LRT line to operating restrictions that would prevent the line from achieving its forecast ridership.
- This is inconsistent with the stated Purpose and Need of the project.



Scenario # 7 – Summary

LRT Single Track

- Sound Engineering
 - Engineering solution is not reasonable.
 - Compromises the LRT project Purpose and Need
- Freight rail operations –
 - Freight rail operations unchanged.
- LRT –
 - LRT operations impaired.

Scenario # 7 – Summary

LRT Single Track

- Transportation system impacts –
 - Functionality of Commuter Bicycle trail maintained.

- Property acquisition –
 - No housing units acquired.

- Environmental Issues –
 - Potential parkland (4f) impacts to:
 - Park Board property
 - Cedar-Isles channel
 - Cedar Lake Parkway

Presentation Outline

- Guidelines for evaluating scenarios.
- Existing conditions
- Design Criteria
- Evaluation of Scenarios
 - Scenario 1 – All alignments at-grade
 - Scenario 2 – Bicycle Trail relocated
 - Scenario 3 – Bicycle Trail elevated
 - Scenario 4 – LRT elevated
 - Scenario 5 – LRT in tunnel
 - Scenario 6 – LRT/Freight Rail share track
 - Scenario 7 – LRT single track
- **Summary**

Summary

	1	2	3	4	5	6	7
	<i>All Three At-Grade</i>	<i>Trail Moved</i>	<i>Trail Above</i>	<i>LRT Above</i>	<i>LRT Below</i>	<i>Shared track</i>	<i>LRT Single Track</i>
<i>Sound Engineering</i>	Yes	Yes	No	No	No	No	No
<i>Freight Rail Impacts</i>	Low	Low	Low	Low	Low	No	Low
<i>LRT Impacts</i>	Medium	Medium	Medium	Medium	Medium	Medium	High
<i>Trail Impacts</i>	Low	High	High	Low	Low	Low	Low
<i>Acquisition/Displacement</i>	33-57	117	117	0	0	0	0
<i>Environmental Risk</i>	High	High	High	High	High	Medium	Medium
<i>Cost (Millions)</i>	51-59	109-120	71-88	112-139	203-230	35-43	31-38

Implementation Factors Railroads

- TC&W
 - Must agree to track design.
 - Must have safe, efficient, economical connection to Saint Paul.

- CP Railway
 - Must agree to track design.
 - Must agree to design of LRT stations built next to freight tracks.

Implementation Factors

Safety

- Federal Railroad Administration
 - Must approve conditions of shared track use
- State Safety Oversight Board
 - Must approve conditions of operating freight trains next to LRT

Implementation Factors

Southwest LRT Governance

- Federal Transit Administration
- Metropolitan Council
- County Transit Improvements Board
- Hennepin County Regional Rail Authority
- Transit Accessibility and Advisory Committee

Implementation Factors Commuter Bicycle Trail

- Minneapolis Parks and Recreation Board
- City of Minneapolis
- USDOT
- Cedar Lake Park Association
- Hennepin County Bicycle Advisory Committee
- Other biking associations

Implementation Factors Other Agencies

- Minneapolis Park Board
- State Historic Preservation Office
- US Army Corps of Engineers
- FHWA/MnDOT
- Minnesota DNR
- Minnesota Pollution Control Agency
- Environmental Protection Agency

Implementation Risks Neighboring Jurisdictions

- City of Minneapolis
 - Acquisition of housing units.
 - Commuter bicycle trail system.

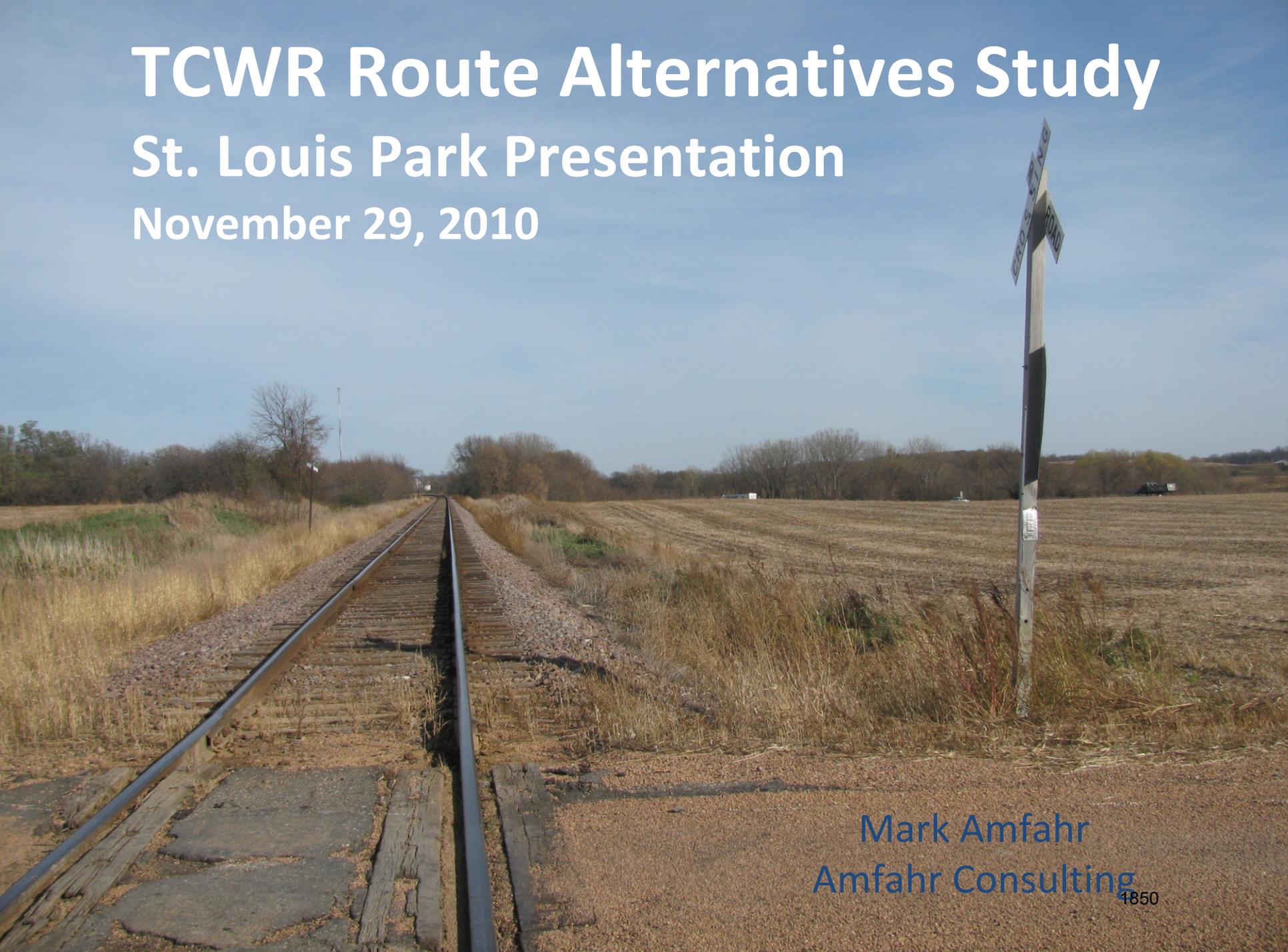
*Kenilworth Corridor:
Analysis of Freight Rail / LRT Coexistence*

Thank You

TCWR Route Alternatives Study

St. Louis Park Presentation

November 29, 2010

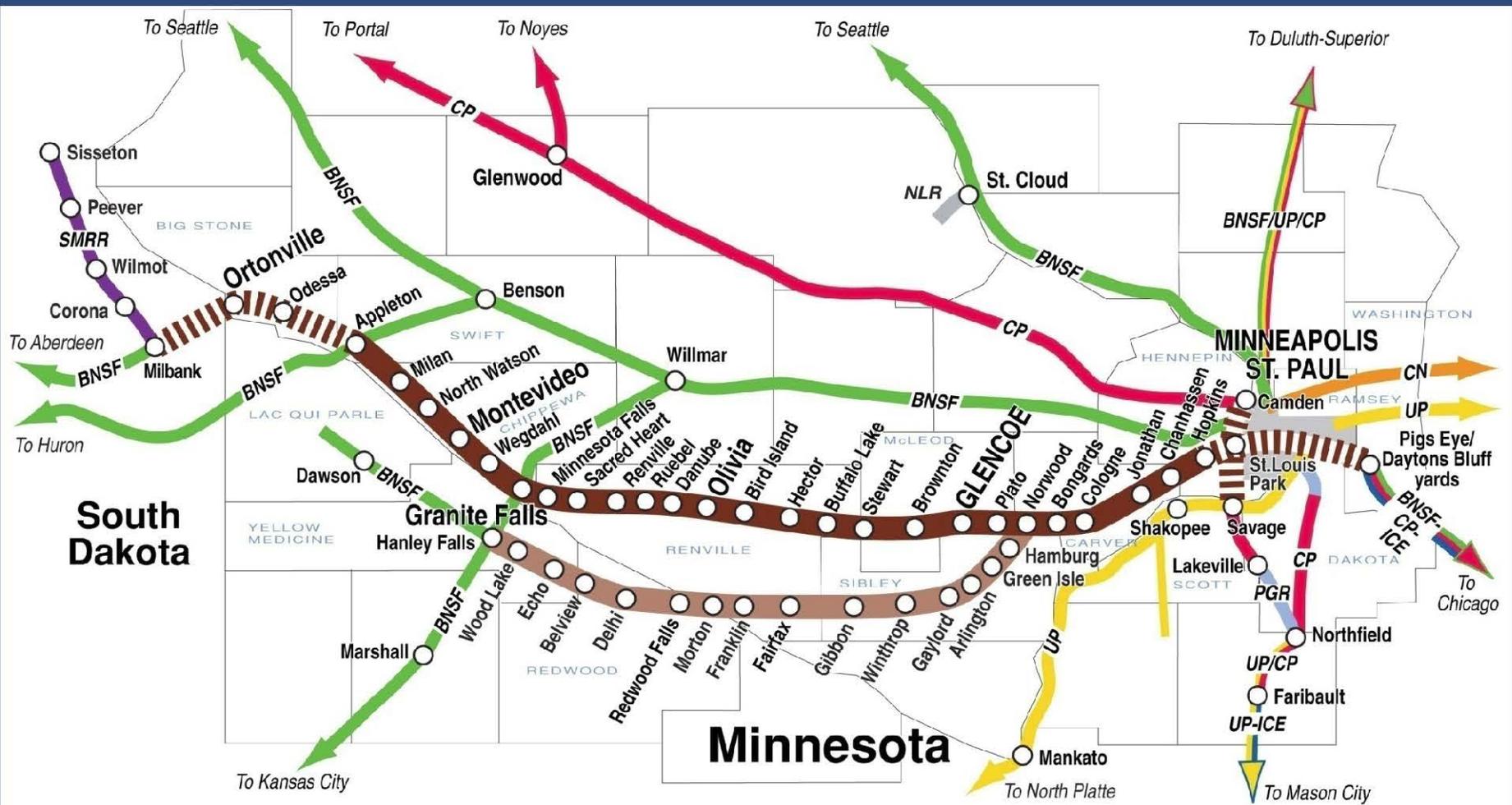


Mark Amfahr
Amfahr Consulting

1850

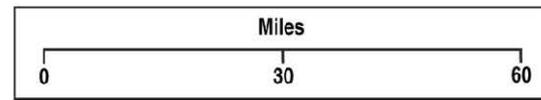
Study Purpose

- To provide additional information on the Chaska Cut-off, Midtown and Hwy 169 alternatives in response to St. Louis Park City Council Resolutions 10-070 and 10-071.
- To ensure that evaluation measures and cost factors are applied consistently across the alternatives being studied.



Twin Cities & Western Railroad Company

- Twin Cities & Western
- Minnesota Prairie Line
- Trackage rights



Evaluation Measures

Sound Engineering

- Grades, curves & clearances to allow for efficient railroad operation.

Freight Rail Operations

- Safe, efficient, & economic connection to St. Paul.

Transportation System Impacts

- Potential impact to roads, trails, and transit.

Acquisitions/Displacements

- Number, type and estimated cost.

Estimated Costs (2010\$)

- Construction costs including contingency factors.

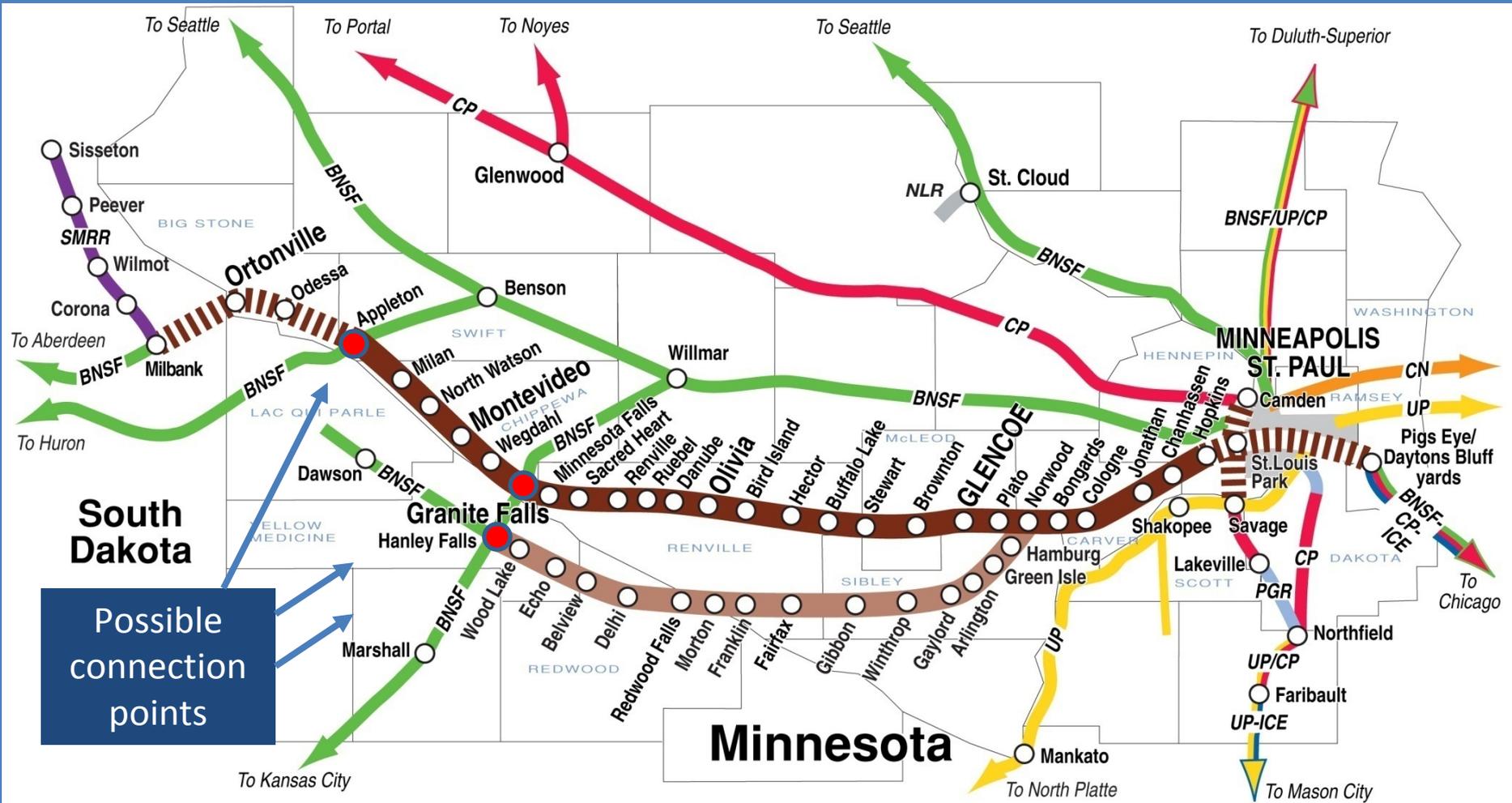
Potential Environmental Risks

- Potential for adverse impacts upon critical environmental resources.

Implementation Factors

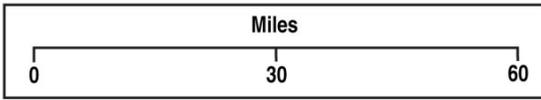
- Elements affecting implementation (agreements, permits, etc).
- Route must be acceptable to TCWR.

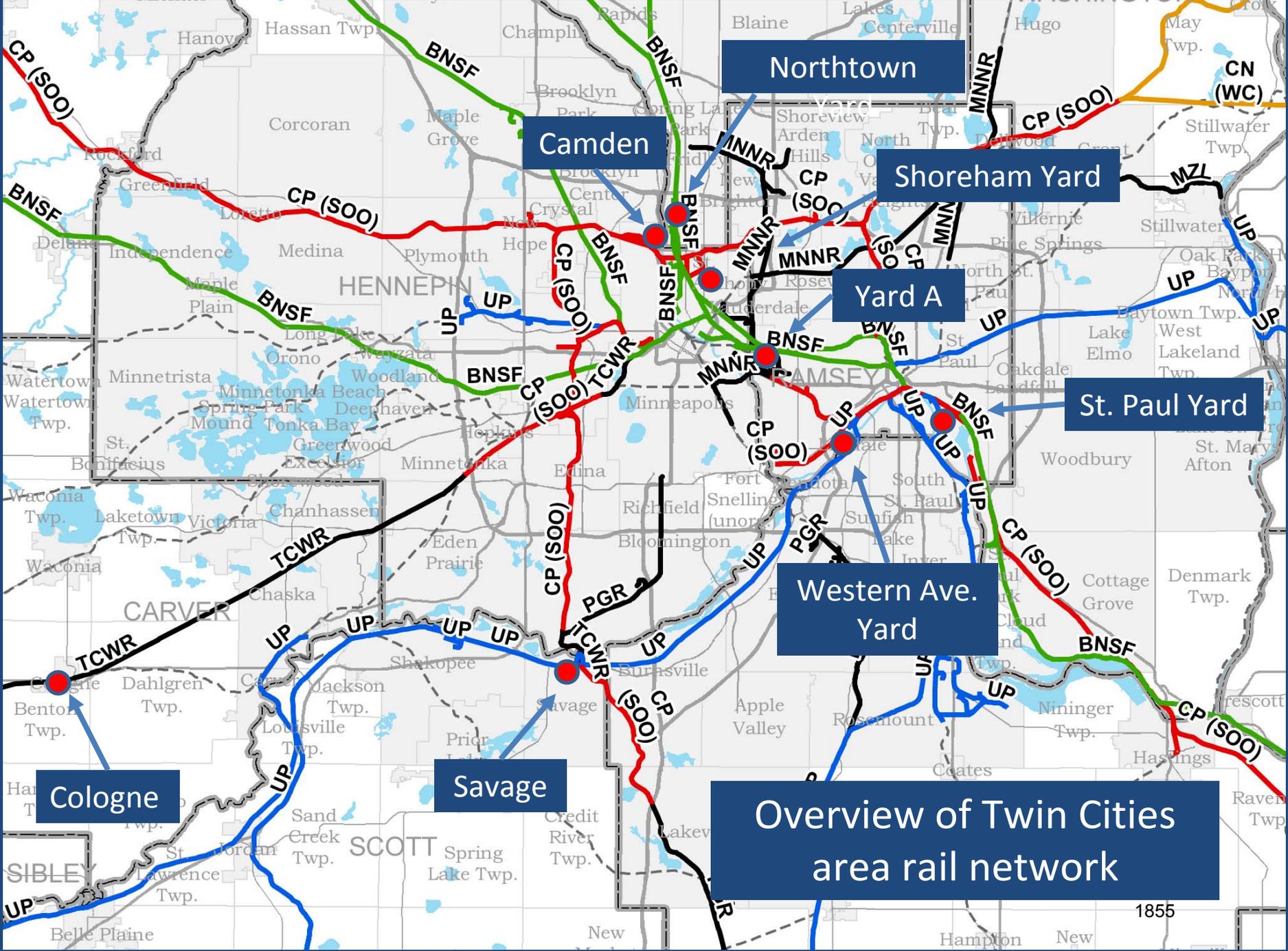
"Western Connection" options



Twin Cities & Western Railroad Company

- Twin Cities & Western
- Minnesota Prairie Line
- Trackage rights





Overview of Twin Cities area rail network

Northtown

Camden

Shoreham Yard

Yard A

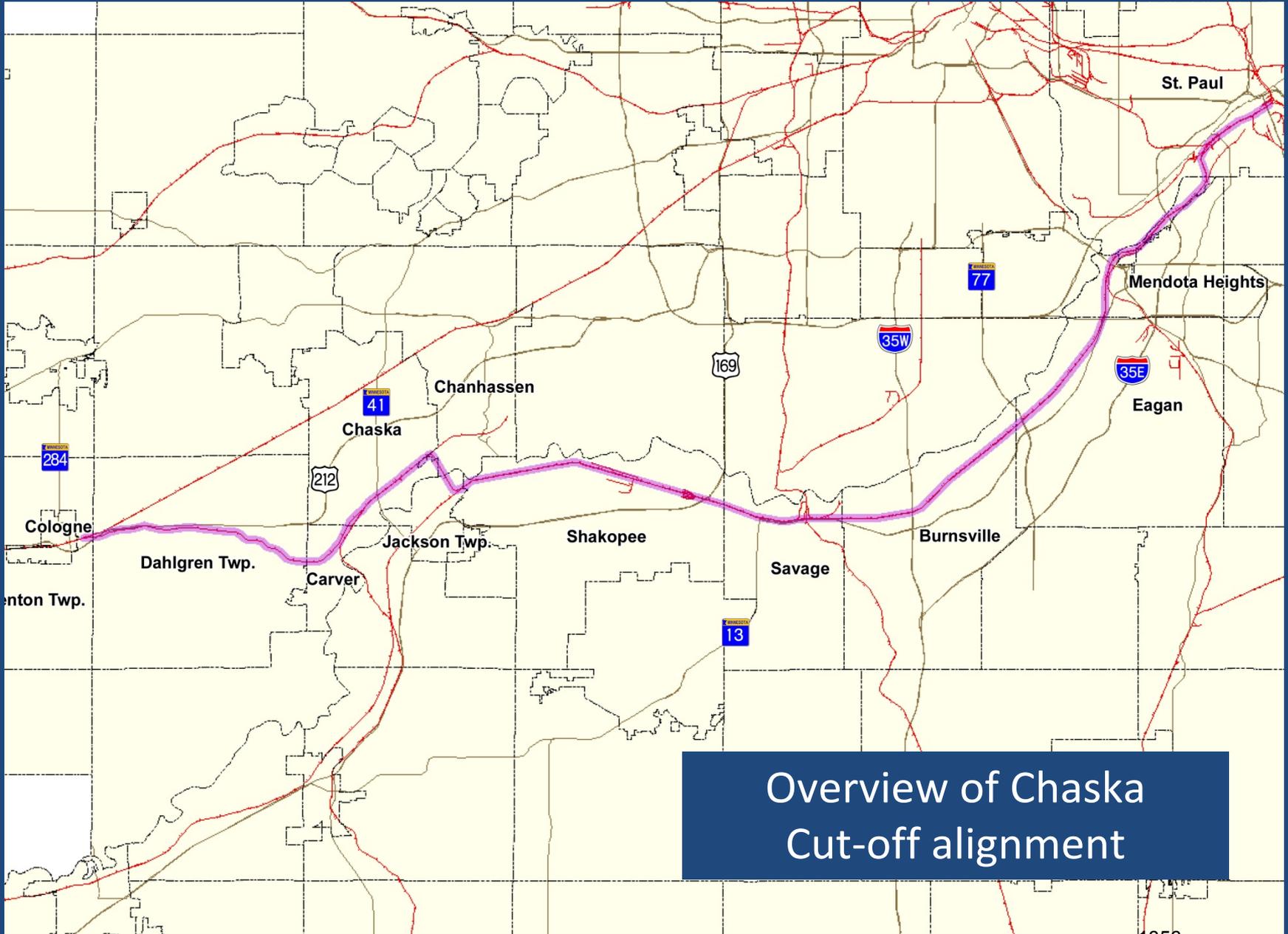
St. Paul Yard

Western Ave. Yard

Savage

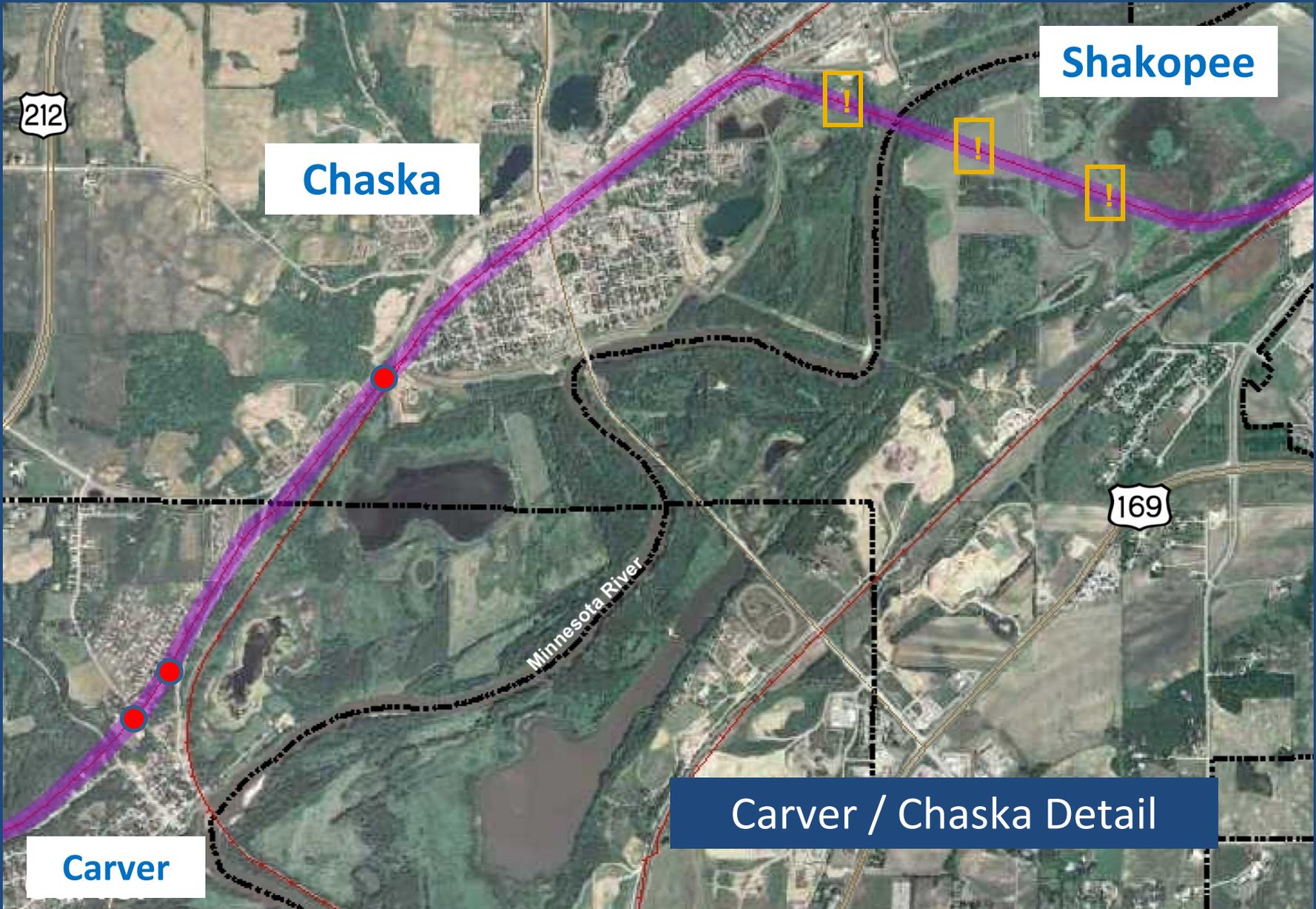
Cologne

Chaska Cut-off Alternative



Overview of Chaska Cut-off alignment

Chaska Cut-off Alternative



212

Chaska

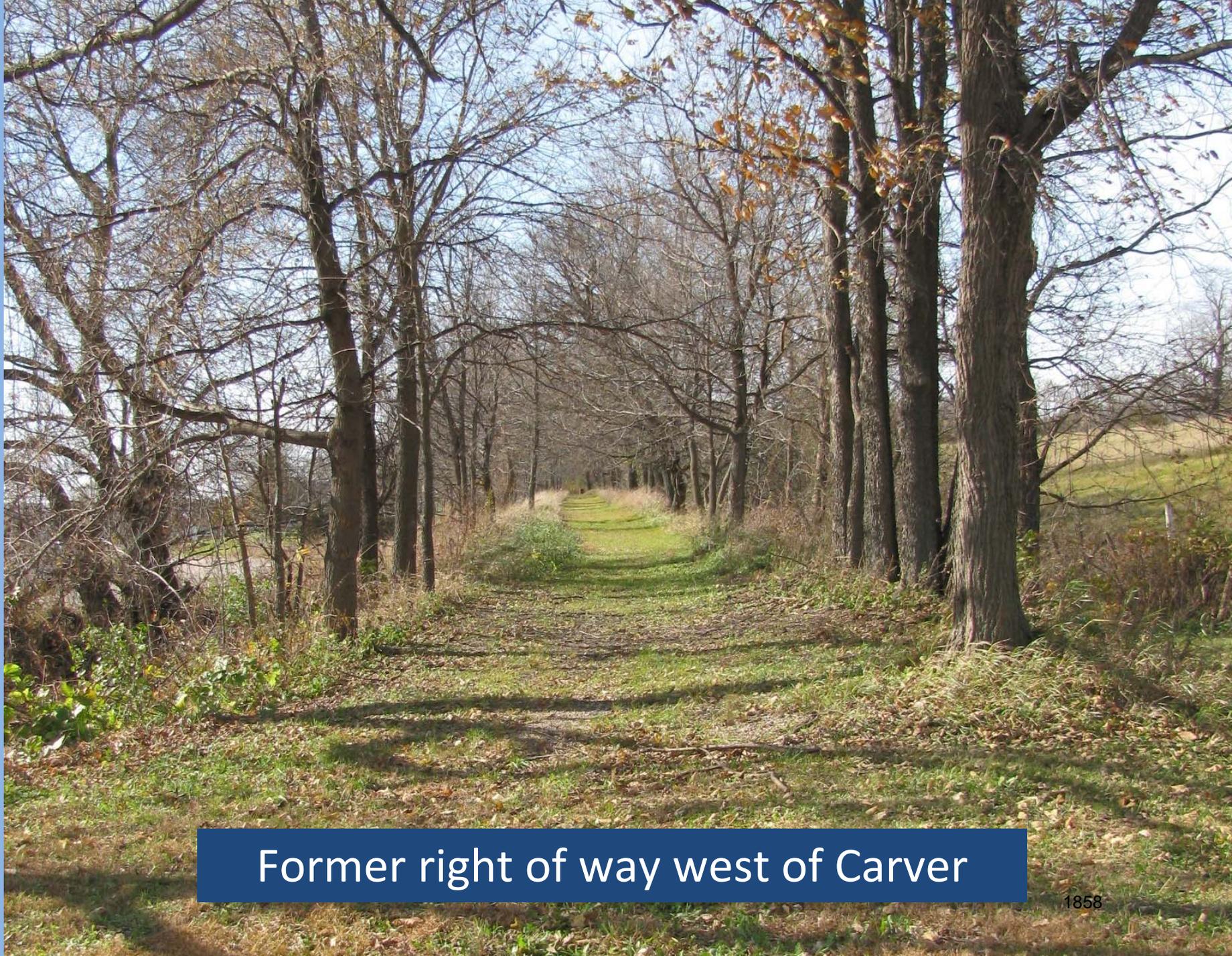
Shakopee

169

Minnesota River

Carver

Carver / Chaska Detail



Former right of way west of Carver

Former right of way in Carver

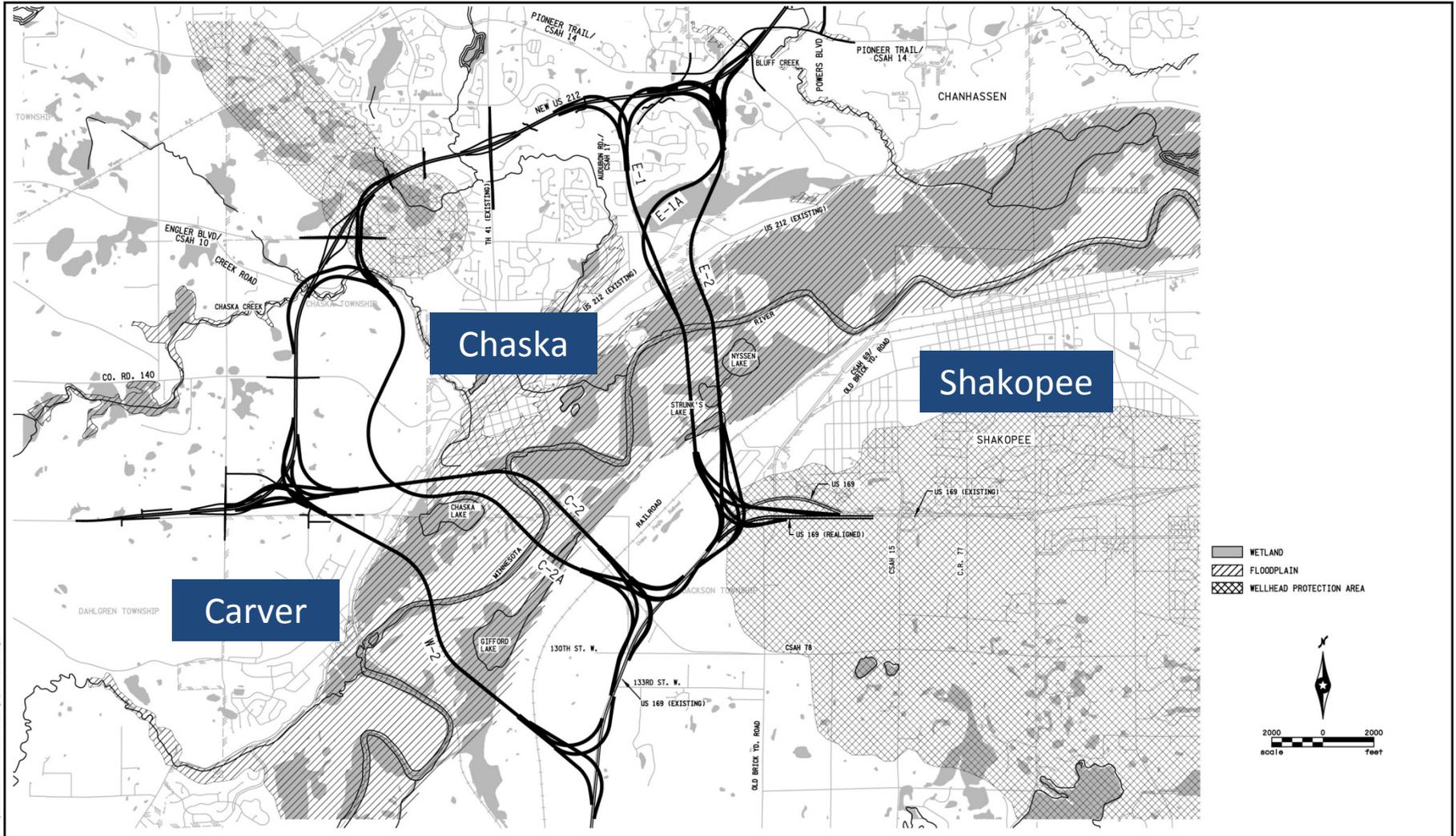
Chaska Cut-off Alternative





Existing track through Chaska

Minnesota River crossing; MNDOT Hwy 41 Study



FLOODPLAIN, WETLANDS AND WELLHEAD PROTECTION AREAS
 TRUNK HIGHWAY 41 MINNESOTA RIVER CROSSING
 Draft Environmental Impact Statement
 S.P. #1008-60
 Minnesota Department of Transportation

Figure 9-11

Chaska Cut-Off Evaluation

Sound Engineering

- Route can meet freight rail industry standards for operations.
- Westbound grade would be a limitation for TCWR vs. existing operation.
- Requires 11 miles of new trackage including a new crossing of the MN River.

Freight Rail Operations

- Additional distance vs. other routes would increase TCWR's operating costs.
- TCWR would have to own & maintain additional trackage.
- TCWR would need to operate over UP trackage.
- TCWR could serve a new customer in Chaska (United Sugars).

Transportation System Impacts

- 5 new at-grade crossings.
- No impact to trails.
- No impact to existing or planned transitways.

Chaska Cut-Off Evaluation

Acquisitions/Displacements

- 25 housing units displaced
- Total value of properties = \$9.4 million.

Estimated Cost (2010\$)

- Total Project Cost = \$129.8 million (includes 30% contingency).
- Major elements include new track, grade-separated crossings, & Minnesota River bridges.

Environmental Issues

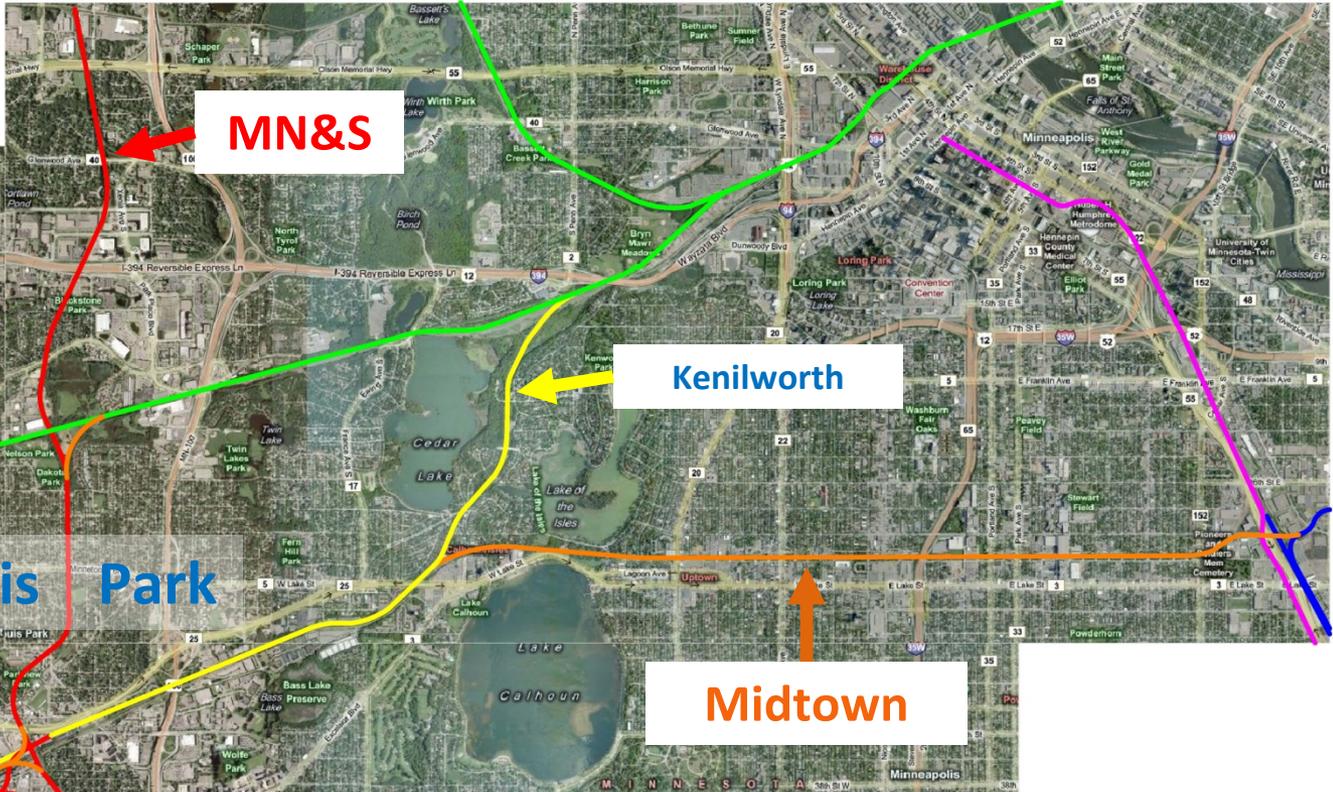
- MN River crossing likely requires an Environmental Impact Statement. Estimated time to complete is 3 to 8 years.
- Existence of wetlands and other protected areas.

Chaska Cut-Off Evaluation

Implementation Factors

- **Principal constraint is the Minnesota River crossing.** Environmental documentation & permitting are significant. Construction would require approvals/permits from the US Army Corps of Eng., FRA, US EPA, US Fish & Wildlife Service, Dept. of Interior, MN DNR, MN PCA, MN SHPO & local watershed districts.
- TCWR must agree to own & maintain new trackage.
- TCWR must obtain trackage rights from UP.
- MnDOT must agree to crossing over TH212.
- Carver County must agree to crossing over CR 40.

- BNSF
- CP
- TCWR
- MNMR
- UP
- HIAWATHA LRT
- PROPOSED ROUTE



**Hwy
169**

St. Louis Park

MN&S

Kenilworth

Midtown

To Cologne

**St. Louis Park Area
Overview**

Highway 169 Alternative



Former right of way under Highway 7

Highway 169 Alternative



NO
MOTOR
VEHICLES



Former right of way north of Highway



Townhomes along right of way

Hwy 169 Evaluation

Sound Engineering

- Route can meet freight rail industry standards for operations.
- Requires new bridge over Minnehaha Creek and 2.7 miles of new track

Freight Rail Operations

- TCWR would most likely own & maintain the new track
- TCWR would need additional trackage rights from BNSF
- TCWR would reach Savage via the existing St. Louis Park connection or via a new BNSF connection to the MN&S route.

Transportation System Impacts

- Would require TH 169 / Excelsior Blvd interchange to be reconfigured.
- 6 new at-grade crossings (2 in Hopkins & 4 in St. Louis Park).
- Requires reconstruction and/or relocation of recreational trail.
- No impact to existing or planned transitways.

Hwy 169 Evaluation

Acquisitions/Displacements

- 131 housing units displaced
- Total value of properties = \$38.0 million.

Estimated Cost (2010\$)

- Total Project Cost = \$121.6 million (includes 30% contingency).
- Major cost elements include significant acquisitions/displacements and the reconfiguration of the Hwy 169 / Excelsior Blvd intersection.

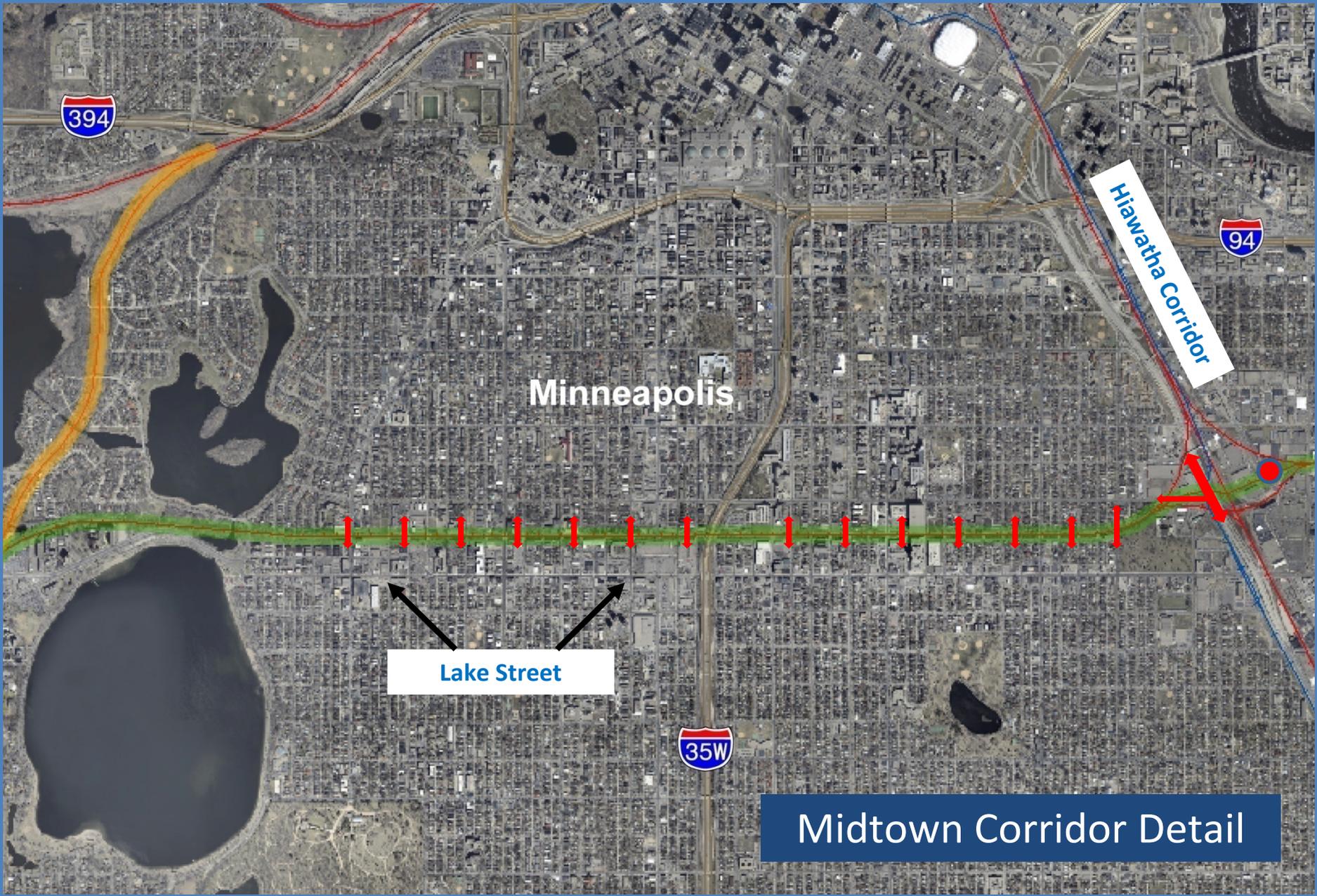
Environmental Issues

- Impact of bridge over Minnehaha Creek would need to be assessed.

Hwy 169 Evaluation

Implementation Factors

- TCWR must agree to own and maintain the 2.7 miles of new track.
- TCWR must obtain trackage rights from BNSF on the Wayzata Subdivision.
- MnDOT & FHWA must agree to modifications to Hwy 169.
- Hennepin County must agree to impact to Excelsior Blvd.
- Minnehaha Creek Watershed District must approve bridge construction over Minnehaha Creek.



394

94

35W

Minneapolis

Lake Street

Hiwatha Corridor

Midtown Corridor Detail



Former right of way through
“The Trench”



Former right of way – east end



Former right of way at
Hiawatha crossing

Sabo Bridge – crossing of Hwy 55

Midtown Alternative



Midtown Evaluation

Sound Engineering

- Route would require significant modifications to meet freight rail industry standards for operations.
- Requires excavation of 6 feet of former rail bed to meet clearance requirement of 23 feet.
- TCWR shifted operations from the Midtown Corridor to Kenilworth in 1998, a result of Hiawatha Corridor reconstruction.
- Quality of bridge over Mississippi River is questionable.

Freight Rail Operations

- TCWR must assume responsibility for ownership & maintenance of 4.4 miles of new track.
- TCWR must secure trackage rights from CP for section from Hiawatha Ave. east to St. Paul.
- TCWR would need to continue using the connection at St. Louis Park and the MN&S route to reach Savage.

Midtown Evaluation

Transportation System Impacts

- Would require a reconfiguration of the TH 55/Hiawatha Avenue and 28th St. intersection – both routes would be elevated.
- Would result in 4 new at-grade road crossings & closure of the South 5th and Humboldt Avenue at-grade crossings.
- Would result in the removal of recently opened Sabo Bridge over TH 55/Hiawatha Avenue.
- Would require reconstruction of the Hiawatha LRT line from 31st St. to 26th St.
- Both the LRT line and TH 55 would experience closures and/or disruptions during construction, negatively impacting users.
- Freight rail operation in this corridor would directly conflict with the proposed Midtown Streetcar project.

Midtown Evaluation

Acquisitions/Displacements

- A single building east of Hwy 55 would be displaced.

Estimated Cost (2010\$)

- Total Project Cost = \$195.6 million (includes 30% contingency).

Environmental Issues

- Unknown soil and subgrade conditions along the Midtown Corridor.
- Midtown Corridor is on the National Register of Historic Places. S4
- Dean Parkway & Lake of the Isles bridges are located on parkland.

Midtown Evaluation

Implementation Factors

- TCWR must agree to maintain additional trackage.
- TCWR must obtain trackage rights from CP east of Hiawatha.
- Significant modifications needed to the transportation system at TH 55 / Hiawatha Ave.
- MnDOT & FHWA must agree to reconstruction of TH 55/Hiawatha Ave.
- MPRB or Minneapolis & FHWA must agree to reconstruction or removal of Sabo bridge.
- Met Council & FTA must agree to reconstruction of Hiawatha LRT.

Comparison of Alternatives

Evaluation Measures:	Route Alternative:		
	Chaska Cut-Off	Midtown Corridor	Hwy 169 Connector
TCWR Operations:			
Round trip route distance	103	78	81
Passes Target Field Station?	No	No	Yes
Route to Savage	direct access?	St. Louis Park	St. Louis Park
Route Characteristics:			
Miles of new construction	10.8	4.4	2.7
No. of structures displaced	19	1	34
No. of housing units displaced	25	0	131
Value of properties	\$ 9.4 million	\$ 2.8 million	\$ 38.0 million
Total no. of grade crossings	45	29	27
No. of new public crossings	5	4	6
No. of St. Louis Park crossings	none	2	4
Estimated Total Cost:	\$ 129.8 million	\$ 195.6 million	\$ 121.6 million
Principal Challenges:	Permitting issues for the Minnesota River Crossing	High cost vs. others	Value and number of housing units impacted.
	TCWR is not in favor of this alternative	Conflict with transit and other development plans in the Midtown Corridor	



Hennepin County
Regional Railroad Authority

701 Fourth Avenue South, Suite 400
Minneapolis, MN 55415-1842

612-348-9260
Fax: 612-348-1842
www.hennepin.us

DATE: December 10, 2012
TO: Federal Transit Administration, Region V
FROM: Hennepin County Regional Railroad Authority
Debra Brisk, Deputy Executive Director 
SUBJECT: Southwest Transitway Draft Environmental Impact Statement
Questions and Responses for Surface Transportation Board

The following are responses to the questions submitted by the Surface Transportation Board to the Federal Transit Administration, Hennepin County Regional Railroad Authority (HCRRA), and Metropolitan Council regarding the Southwest Transitway Draft Environmental Impact Statement (DEIS).

Canadian Pacific (CP) Wye Track

1. *Is it a switching or wye track?*

RESPONSE: The track is a wye track that provides a connection from the Canadian Pacific Railway (CP) Bass Lake Spur to the CP MN&S Spur. As shown and labeled as Skunk Hollow on figure 2.3-2 on page 2-22 of the Southwest Transitway DEIS, the wye track, historically, has been used by the Twin Cities & Western Railroad Company (TC&W) for switching operations in order to facilitate freight movement to the Port of Savage. The wye can be used to access the MN&S route to either the north or the south of the Bass Lake Spur. Additionally, there is one shipper on the wye that occasionally receives shipments by rail.

2. *Is the wye or switching track already constructed?*

RESPONSE: The wye is constructed. See Figures 2.3-1 and 2.3-2 in the Southwest Transitway DEIS, where the wye is identified as Skunk Hollow. The attached Figure 2 provides a closer view of the location of the existing wye.

3. *Where on the CP line would/is the wye track located?*

RESPONSE: See Figures 2.3-1 and 2.3-2 in the Southwest Transitway DEIS. The attached Figure 2 also provides a closer view of the location of the existing wye.

4. *Is there a map that shows its location or proposed location?*

RESPONSE: See Figures 2.3-1 and 2.3-2 in the Southwest Transitway DEIS. The attached Figure 2 also provides a closer view of the location of the existing wye.

5. *How is the wye or switching track part of the proposed Southwest Transitway project? What is its purpose?*

RESPONSE: The FTA granted approval for the Southwest Light Rail Transit (SWLRT) Project entry into Preliminary Engineering (PE) in a letter dated September 2, 2011. Per this letter, FTA indicated the Project needs to "Analyze the impacts of relocating the Twin Cities & Western freight line, which currently operates on a segment of the planned Southwest LRT route, in the project's Environmental Impact Statement (EIS). Because the freight relocation is necessary for MC {Metropolitan Council} to be able to implement the Southwest LRT project as planned, the cost and scope of the freight line relocation must be included in the Southwest LRT project scope and budget, regardless of the funding sources that may be identified to pay for the work. This must be completed prior to seeking entry into Final Design." Page 2-9 of the Southwest Transitway DEIS discusses the letter and requirement to include the freight rail relocation.

National Lead/Golden Auto Site

Greater detail is required for the connection over the National Lead/Golden Auto Site:

6. *Is this connection part of the MN&S line already? If not, is it a new connection?*

RESPONSE: The direct connection proposed between the Bass Lake Spur and the MN&S Spur does not currently exist. The current connection is the wye track. See section 1.3.2.3 of the Southwest Transitway DEIS for a description of the connections.

7. *Provide a more specific description of the location of the connection?*

RESPONSE: As seen in the attached Figure 2, the connection will be located in the northwest quadrant where the MN&S Spur crosses over the Bass Lake Spur on a bridge.

8. *Are the tracks in existence?*

RESPONSE: The connection currently in place is the wye track.

9. *Are the tracks being utilized?*

RESPONSE: The CP-owned Bass Lake Spur and CP-owned MN&S Spur tracks are currently in use by TC&W and CP, respectively. The wye has historically been used by TC&W to access the Port of Savage.

10. *Are the tracks to be upgraded?*

RESPONSE: Under the relocation alternative outlined in the Southwest Transitway DEIS, the CP-owned Bass Lake and MN&S Spurs are proposed to be upgraded to accommodate future freight train operations of CP and TC&W, including but not limited to, 136-pound continuously welded rail. See Section 2.3.3.1 of the Southwest Transitway DEIS for further description of freight rail as part of build alternatives LRT 1A, LRT 3A, LRT 3C-1, and LRT 3C-2.

11. *It looks like there are 2 trains per week that move over the MN&S line -- but does any traffic travel over the connection at this point?*

RESPONSE: There currently is no direct connection between the CP-owned Bass Lake and MN&S Spurs. The only connection is the wye track, which has historically been used by the TC&W to access the Port of Savage. See Figures 2.3-1 and 2.3-2 in the Southwest Transitway DEIS. The attached Figure 2 provides a closer view of the location of the current configuration and proposed connection for LRT 1A, LRT 3A, LRT 3C-1, and LRT 3C-2.

FRR Route

12. *Are there any segments of the FRR that currently do not have train traffic (but would have train traffic if the reroute occurs)?*

RESPONSE: All segments discussed in the Southwest Transitway DEIS, and included as part of the relocation alternative, have existing train traffic. See section 2.3.1.3 of the Southwest Transitway DEIS for a summary of current freight rail operations in the study area. See Table 2.3-2 in the Southwest Transitway DEIS for an estimate from the MN&S Freight Rail Study of existing and projected future freight trains on the MN&S Spur.

13. *Please provide a map with a close-up view of the MN&S line (detailed enough to show street names, the Golden Auto Site, and the existing/proposed connection).*

RESPONSE: See Figure 2.3-1 of the Southwest Transitway DEIS. The attached Figures 1-3 provide a closer view of the location of the MN&S Spur, including the requested information.

14. *Please provide a map of the existing freight lines/routes (with names to indicate which rail line is which), and a more detailed map that shows the rail lines that freight would be rerouted over. [The map should show street names and any switching track or connection(s) needed on the MN&S and/or Wayzata lines in order to implement the reroute of freight traffic.]*

RESPONSE: See Figure 2.3-1 of the Southwest Transitway DEIS. The attached Figure 1 provides a closer view of the location of the MN&S Spur and Wayzata Subdivision, including the requested information.

15. *What planned rail line abandonment is part of this proposed project?*

RESPONSE: It is our understanding that, if freight rail is relocated, the HCRRA will need to abandon the Kenilworth Corridor tracks and CP will need to abandon a portion of their trackage along the Bass Lake Spur. Specific actions and requirements will be developed during the Preliminary Engineering (PE) process, with STB consultation and concurrence.

16. *Page 2-46 states: "The Build Alternatives would primarily use HCRRA owned ROW, which is abandoned freight rail property acquired to preserve it for a future transportation use." What is the history of this abandonment? Was the ROW officially abandoned and is there a Board decision regarding this abandonment?*

RESPONSE: Refer to response to question number 15. In addition, it is our understanding that CP and TC&W will need to abandon their overhead bridge trackage rights in the same area.

On December 6, 1995, the Interstate Commerce Commission (ICC) permitted the Chicago and Northwestern Transportation Company (CNW) to abandon the 3.65-mile track and discontinue service under Docket Number AB-1 (Sub Number 252X). Under the same decision, the ICC exempted HCRRA from obligations under Subtitle IV of United States Code 49 under Finance Docket Number 32816 as the HCRRA acquired the track from CNW.

See Appendix J of the Southwest Transitway DEIS for specific railroad agreements, and Appendix H for further background on rail corridor ownership.

17. *Detail required on DEIS: "abandoned Iron Triangle alignment, between West 27th Street and the connection with the BNSF Wayzata Subdivision." (Page 4-136). Are there plans to use this abandoned ROW for freight rail service or for the light rail service?*

RESPONSE: This alignment is planned for freight rail service only. The track, which existed as a freight rail connection historically, provides a connection from the CP MNS Spur to the BNSF Wayzata Subdivision for the relocation alternative.

18. *Is there any additional abandoned or existing ROW that would be used for the project?*

RESPONSE: The Southwest Transitway DEIS, and information contained within, is based on conceptual engineering drawings. As such, this will be further investigated as part of the PE process and development of 30% Plans and Specifications.

19. *Please indicate whether all the necessary ROW for the proposed project is already abandoned? (If so, the Board needs descriptions that include the date that the line was abandoned, the name of the applicant who sought abandonment authority from the Board, and a description of the rail line that was abandoned, including milepost numbers as well as the length of the segment that was abandoned).*

RESPONSE: All Right-of-Way (ROW) needed for this project has not gone through the abandonment process. During PE, and with STB consultation and concurrence, the need for future freight rail ROW abandonment will be reviewed and addressed.

Freight Movement Area

20. *If freight traffic is rerouted over the MN&S line, would TC&W be able to serve new markets or new territory?*

RESPONSE: It is our understanding that there will not be any new markets or territory served because of the reroute. TC&W currently has trackage rights on the CP-owned Bass Lake Spur and the MN&S Spur. By using the reroute, the TC&W would exercise existing rights over the MN&S line.

21. *Are there any potential customers located along the re-route that would be serviced under the new alignment, who are currently not being serviced?*

RESPONSE: At this time, we are not aware of any potential customers along the reroute that could be serviced under this new alignment. The Metropolitan Council, as the local project sponsor for the Southwest LRT project, will continue to coordinate with CP and TCW through PE.

22. *If freight traffic is rerouted from CP's Bass Lake and HCRRA's lines to the MN&S and Wayzata lines, it looks like six trains would be the highest number of trains per week that would be rerouted. Is that number correct?*

RESPONSE: Chapter 2, Section 2.3.1.3 and Table 2.3-2 of the Southwest Transitway DEIS uses information generated by the MN&S Freight Rail report to estimate the existing and future freight rail traffic. This information was developed with input from the freight rail companies.

23. *Is freight traffic expected to increase in the next 10 years?*

RESPONSE: Railroads typically do not share this information since operations are based on changes in the marketplace and other variables (i.e., world and national economy, new customers, new agreements between carriers, new commodity movements, etc.). The project team cannot respond to this question, as increases in freight rail service or service to new markets along routes are established by freight rail companies in conjunction with STB approval. The project team intends to work with the freight rail companies to transition the rerouting of freight from the Kennilworth corridor to the MN&S line.

Copy: Metropolitan Council (Mark Furhmann, Chris Weyer, Nani Jacobson)
HCRRA (Katie Walker, Howard Orenstein)

Figure 1. Relocation Alternative
MN&S Spur

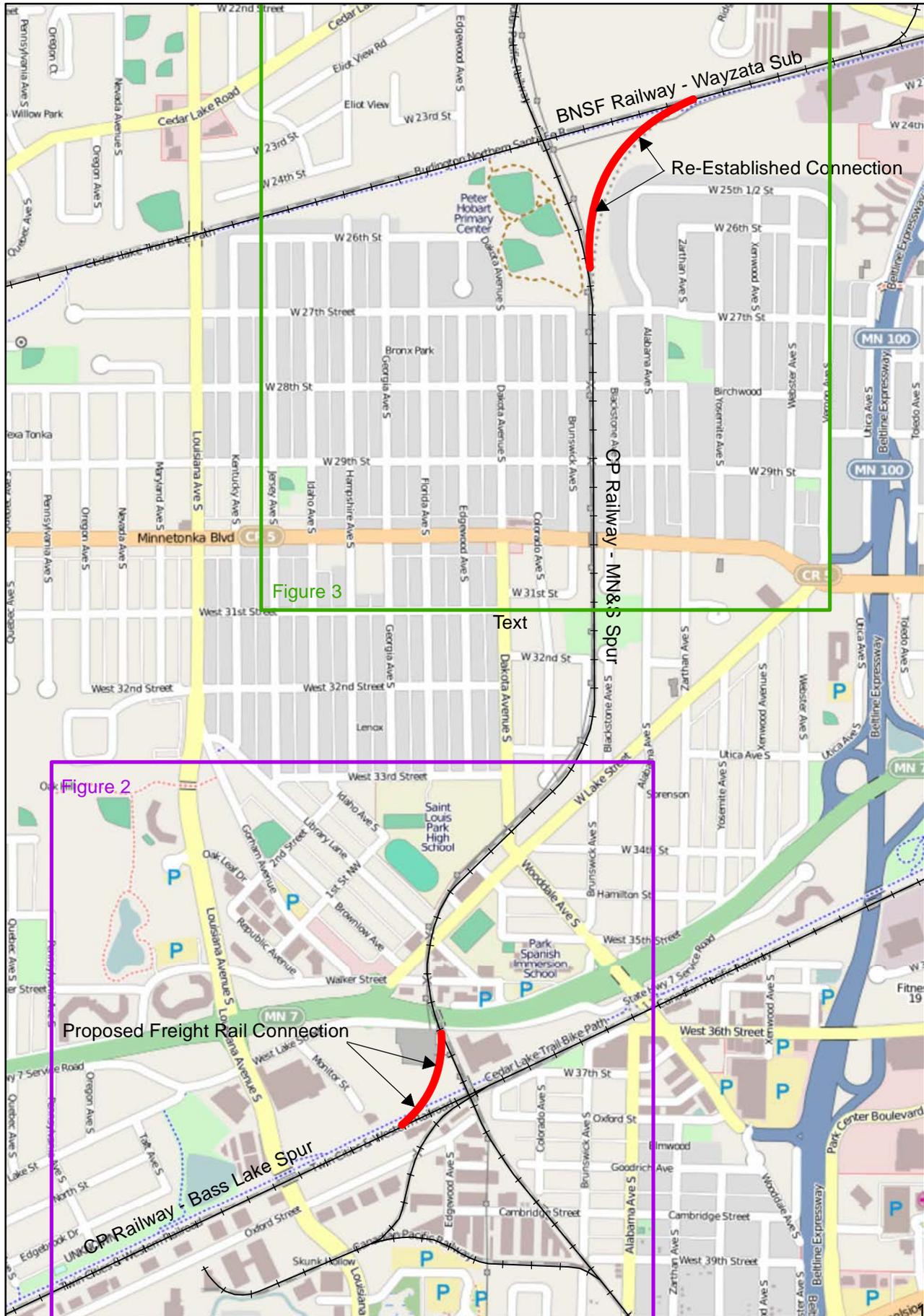
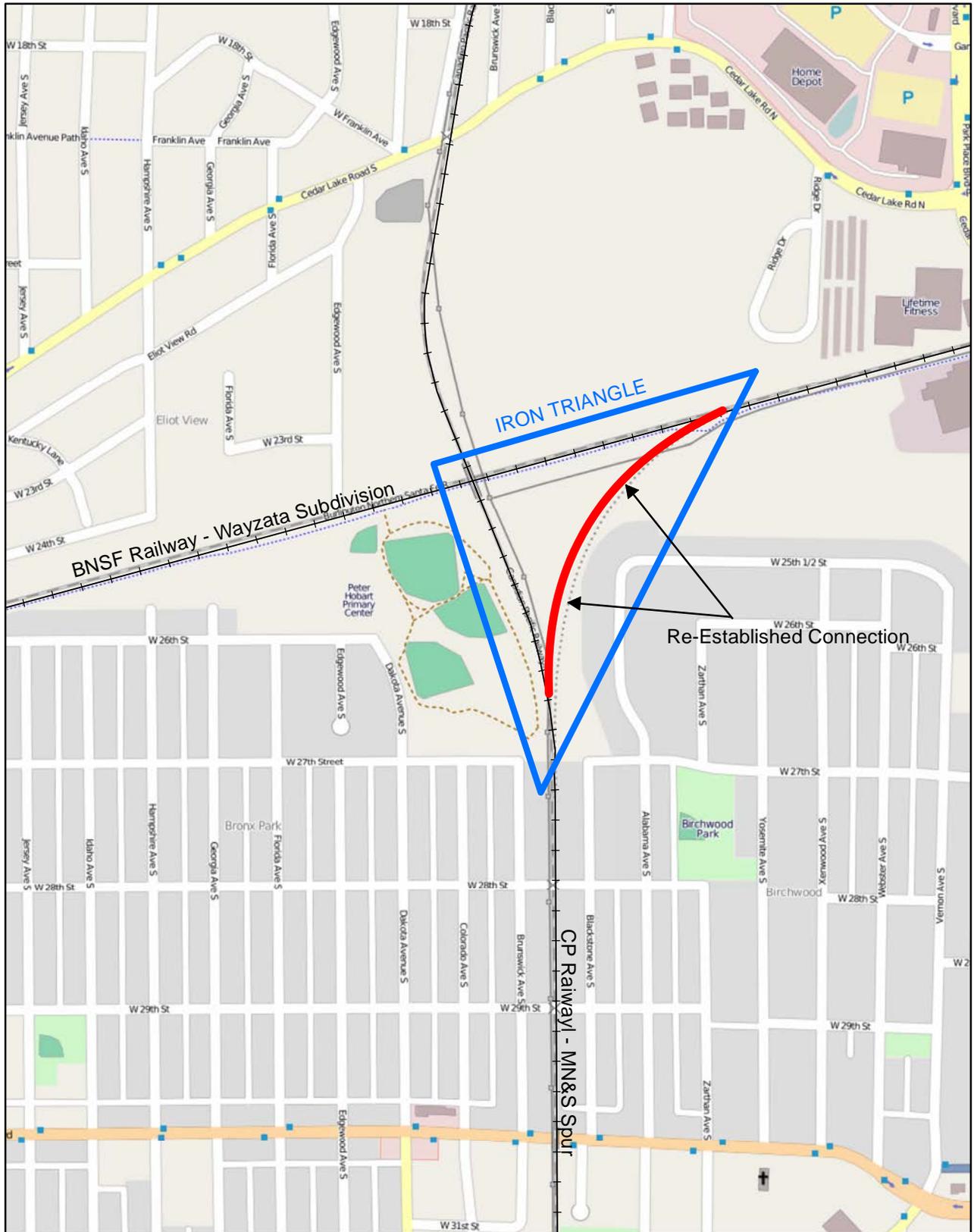


Figure 2. Relocation Alternative
 Skunk Hollow Wye Track and
 New Connection - Bass Lake Spur to MN&S Spur



Figure 3. Relocation Alternative
 Re-Established Connection - MN&S Spur to Wayzata Sub



City of St. Louis Park

Comments on the 12/12/12 DEIS update regarding questions from the Surface Transportation Board

The Surface Transportation Board (STB) is an economic regulatory agency that Congress charged with resolving railroad rate and service disputes and reviewing proposed railroad mergers. The STB is an independent decision-making board, although it is administratively affiliated with the Department of Transportation. The STB serves as both an adjudicatory and a regulatory body. The agency has jurisdiction over railroad rate and service issues and rail restructuring transactions (mergers, line sales, line construction, and line abandonments) plus other transportation issues. The STB accepted an invitation by the FTA to be cooperative agency for the SW LRT project. The freight railroad issues on the SW LRT project may or may not be under the jurisdiction of the STB.

HCRRA on December 10, 2012 answered a series of questions from the STB on the SW LRT DEIS. These questions answers were posted on the project website on December 12, 2012. The City has prepared comments for submittal on December 31, 2012 on the entire SW LRT DEIS and covered many of these issues but they are spread throughout the comments. The following are comments by the City directly related to the STB questions and HCRRA answers.

The December 10, 2012 response by HCRRA to the STB questions and the STB questions missed some critical areas of impacts that have not been adequately studied in the DEIS.

- a) The freight railroads (CP and TC&W) have not been actively engaged in the re-route decision process and the proposed re-route has many serious engineering questions regarding grades, curvature and grade crossing safety. The railroads have not agreed to any of the proposed designs L4
- b) The CP and TC&W have not agreed to accept ownership or maintenance of the new track or bridges.
- c) There have been many mixed messages from agencies and the railroads regarding the exact limits of the Bass Lake Line abandonment. The preferred LRT alignment is located on a substantial portion of the Bass Lake Line right of way. C
- d) The DEIS addresses noise and vibration impacts on the MN&S based on the current train characteristics and does not adjust for the larger, longer trains that will be operating on the re-route.

The Questions below are from the STB as reported in the HCRRA's memo dated 12/10/12 and posted on the Southwesttransitway.org webpage 12/13/12. City responses are in italic.

Canadian Pacific Wye Track

1. Is it a switching or wye track?

The Skunk Hollow wye track is a connection between the CP-Bass Lake Line and the CP- MN&S line. Historically, these were separate railroads that were purchased by the CP (Soo Line) over the last 40 years. The MN&S crosses over the Bass Lake line on a grade separated structure. CP and TC&W have access to this wye to connect the two rail lines. TC&W has operating rights on both CP line segments, and currently have a majority of the freight traffic. CP also services one customer located on the wye track.

The proposed new wye across the National Lead /Golden Auto site would provide a more direct access to the north than the existing Skunk Hollow wye. It would not improve the potential movement to the south towards Savage. A new connecting wye to the MN&S southbound would be needed. This improvement along with relocation of the sole customer on the existing switching wye would be needed to remove the existing switching wye. The City supports the concept of complete removal of the Skunk Hollow wye with a direct south wye connection.is still inefficient.

Q1

2. Is the wye or switching track already constructed?

The wye track was constructed in the early 20th century.

3. Where on the CP Line would /is the wye track located?

The existing Skunk Hollow wye track shown will remain in place on all three alternatives drawing plan sets (Appendix F, Parts 1, 2 and 3). The HCCRA figures 1 and 2 show the existing and proposed connections. The new connection will also be a grade separated structure over the Bass Lake Line and the proposed LRT track. The new wye is not accurately drawn on Figures 1 and 2. The actual wye track construction would begin 4,500 feet west of the existing MN&S bridge, climb 35 feet, at a .86% grade, mostly on a bridge structure and then descend 30 feet at a 1.5% grade to match the existing MN&S track. (See pages 30 thru 37 of Appendix F, part 2) Most of this track is an eight degree curve on a bridge, across a remediated super fund site.

C

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4. Is there a map that shows the location or proposed location?

See Appendix F, part 2.

5. How is the wye or switching track part of the SW LRT project? What is its purpose?

The LPA locating the SW light rail line through the Kenilworth corridor of Minneapolis was adopted into the Transportation Policy Plan by the Metropolitan Council in 2010 without any analysis of rerouting freight rail. The LPA was chosen with the assumption that even though freight rail existed in Kenilworth then and to this day, that it would be rerouted at some undefined time and by some undefined means. The FTA's September 2, 2011 letter approving entering into the preliminary engineering phase of project development of the New Starts

program said that the Metropolitan Council must analyze the impacts of relocating the TC&W freight line and include relocation in the Southwest LRT project.

National Lead/Golden Auto Site

6. Is the connection part of the MN&S line already?

No.

7. Provide a more specific description on the location of the connection?

See answer No 3.

8. Are the tracks in existence?

The track across the National Lead/Golden Auto Site does not exist today.

9. Are the tracks being utilized?

No. The track across the National Lead/Golden Auto Site does not exist today.

10. Are the tracks to be upgraded?

The tracks would be built to mainline standards of the CP.

11. It looks like there are **two** [*this is not accurate*] trains per week that move over the MN&S line – but does any traffic travel over the connection at this point?

The CP operates two trains per day, normally four or five days per week on the MN&S track.

The existing wye track is used as needed to service customers of the CP and TC&W. the connection across the National Lead/Golden Auto site does not exist today.

C

FRR Route

12. Are there segments of the FRR that currently do not have train traffic (but would have train traffic if the reroute occurs)?

The CP traffic on the existing MN&S track currently consists of two trains per day with about 10 cars serving several industries south of St Louis Park or interchanged with a short line in Bloomington MN.

The Bass Lake Line has between four and six trains per day operated by the TC&W. They do not have any local customers in the area. Their trains are interchanged in the Minneapolis and St Paul yards with several Class 1 railroads for delivery to western Minnesota.

The BNSF Railway's Wayzata Subdivision has 15 to 20 trains per day from Wilmar to the Twin Cities. Most of their traffic is long distance through movements.

13. Please provide a map of the project areas.

Figures 1, 2 and 3 provided in the HCRRA comments show an overview of the project area. A review of Appendix F drawings show the reroute alignment is through a fully develop residential area. The environmental impacts of noise, vibration and safety have been based on minimal field data and do not adequately address to potential impacts.

C

R2

14. Please provide a map of existing freight lines/routes (with names to indicate which rail line is which), and a more detailed map that shows the rail lines that freight would be rerouted over. The map should show street names and any switching track or connection(s) needed on the MN&S and/or Wayzata lines in order to implement the reroute of freight traffic.

See Appendix F

15. What planned rail line abandonments is part of this proposed project?

There are several abandonment actions that will required. The DEIS drawings show the Kenilworth corridor owned by HCRRA and about one mile of the Bass Lake Line owned by the CP. There are several operating and trackage right agreements between CP, TC&W, HCRRA and BNSF that need to revised or canceled. A list of railroad agreements is included in Appendix J but the City does not know if this is complete list. Many of these decisions have been delayed until more engineering work has been completed.

Q0

16. Page 2-46 states: “The Build Alternative would primarily use HCRRA owned ROW which is abandoned freight rail property acquired to preserve it for future transportation use. What is the history of this abandonment? Was the ROW officially abandoned and is there a Board decision?”

The City defers to HCRRA for the details of these transactions.

C

17. Detail required on DEIS: “abandoned Iron Triangle alignment, between West 27th Street and the connection with the BNSF Wayzata Subdivision.” (Page 4-136). Are there plans to use this abandoned ROW for freight rail service or for the light rail service?

The abandoned Iron Triangle wye will be reinstalled but will be brought up to mainline standards to allow for the TC&W trains to access the BNSF mainline two miles west form their current connection. As part of the project a new siding will be built paralleling the BNSF mainline track.

C

The current right of way in owned by the CP, but most of the right of way in surrounded by wetlands or flood plains. The old wye track had a 1.5% grade descending to the east. The proposed reinstallation of the wye would match this grade, but does not meet normal mainline engineering standards. The DEIS does not address how that difference will be resolved. After the track was removed, a new townhome development was developed near the track.

C

18. Is there any additional abandoned or existing ROW that would be used for the project?

The DEIS does not address this issue.

19. Please indicate whether all the necessary ROW for the proposed project is already abandoned?

M4

The DEIS does not address this issue.

Freight Movement Area

20. If freight traffic is rerouted over the MN&S, would TC&W be able to serve new markets or new territory?

No. TC&W does not have origination rights on the MN&S track.

21. Are there any potential customers located on the re-route that would be serviced under the new alignment, who are not currently being serviced?

No.

22. If freight rail is rerouted from the CP Bass Lake and HCRRA lines to the MN&S and Wayzata lines, it looks like 6 trains would be the highest number of trains per week that would be rerouted. Is that number correct?

No. The current TC&W traffic is about 6 trains per day that would be rerouted.

23. Is freight traffic expected to increase in the next 10 years?

The Minnesota State Rail Plan developed in 2010 is an extensive document that reviews freight and passenger rail needs for the State. Translating that data to these lines is difficult because market changes, there is capacity with existing TC&W trains to add additional cars and government regulations. The State Rail Plan projects a 25 percent increase in freight rail traffic between 2007 and 2030. The Plan also identified this line as a potential intercity rail operation that could bring passenger train operations to this line.

Specific Comments on the DEIS by page

Page	Reference	Comment
ES-11	"The implementation of quiet zones at all grade-crossings would eliminate severe noise impact throughout the corridor by removing the freight locomotive horn noise."	Adequate and appropriate noise and vibration analysis has not been completed to ascertain whether whistle quiet zones by themselves will eliminate all severe noise impacts.
ES-14	Table ES.1 Goal 3 Parklands 1.12 long-term	Does not subtract the .8 that is existing today
Alternatives considered	LRT 3A (LPA) and LRT 3A-1 (Co-location)	Bias in labeling of these alternatives. Both alternative 3A and 3A-1 use the LPA for SWLRT. There is no "LPA" established for Freight rail.
1-5	Regional Authorities	Need to include Bassett Creek Watershed Management Organization
1-11	1.3.2.3 Need to Develop and Maintain a Balanced and Economically Competitive Multimodal Freight System	New goal – this is the first time this goal has been identified; it was not part of the SWLRT planning process Humboldt Yard connection – was not a part of proposed action discussed in the SWLRT LPA process and inappropriate to paint as a rationale for route selection now.
1-14	Goal 6: Support economically competitive freight rail system	New goal – where did this come from; not adopted previously; should not be the basis for route decisions
2-6 & 2-7	Table 2.1-1 Project Goals and Objectives; Table 2.1-2	Goal 6 is not present here. This shows it was newly added. However it illustrates the inconsistency of the DEIS document and creates confusion.
2-9	"...HCRRA...conducted an evaluation..."	There were several other studies that were contracted by HCRRA including the: <ol style="list-style-type: none"> TCWR Freight Rail Realignment Study dated October 12, 2009 by TKDA Kenilworth Corridor: Analysis of Freight Rail/LRT Coexistence dated November 2010 by R. L. Banks & Associates TCWR Route Alternatives Study dated November 29, 2010 by Mark Amfahr, Amfahr Consulting MN&S Freight Rail Study Environmental Assessment Worksheet (EAW) that was completed, commented on and subsequently withdrawn, RGU MnDOT, distributed on May 12, 2011. The record should note this information and be clear on the studies and historical process that took place since 2009 regarding freight rail.
2-9	"In their (sic) September 2, 2011 letter...FTA stated	The quote from the FTA letter is inaccurate. The FTA letter (attached)

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S1

	the freight rail relocation project should (bold added) be considered as part of the Southwest Transitway project under NEPA to avoid any segmentation concerns.”	states, “...the key items MC must (bold added) address...the impacts of relocating the Twin Cities & Western freight line.... There was no equivocation in the FTA requirement to address relocation of the TC&W freight line in the DEIS.	L4
2-19	2.3.1.3 Freight Rail	This subject appears out of place and, there is not a discussion of the relocation or colocation alternatives included.	C
2-20	Reference to figure 2.3-2 in error and missing	Figure 2.3-2 is referenced in Section 2.3.1.3 which is the “no build” description but the figure is the alternate routes for the freight rail in a build condition. It should be referencing figure 2.3-1 which simply shows existing freight rail. There does not appear to be any appropriate reference to figure 2.30-2.	U
2-24, 2-30, 2-33 and others throughout chapter	Figure ?	The figure number, title and map are cut off in the printed document.	U
2-25	Section 2.3.3 Build Alternatives	Numbering appears incorrect throughout this section. There is no numbering related to LRT 3A, LRT 3C-2, LRT 3A-1. Are these items parallel to the other build alternatives?	U
2-26	2.3.3.1 Freight Rail states “LRT 1A, LRT 3A, LRT 3C-1, AND LRT 3C-2 need the relocation of freight rail”	This should state that they “ assumed ” the relocation of freight rail	U
2-27	“A perpetual easement...was granted by Hennepin County to the City of St. Louis Park”	This statement is in error. The easement was granted by the <u>property owner</u> to the City of St. Louis Park.	U
2-27	Section 2.3.3.1 Implementation of Freight Rail Relocation	In section 2.3.3.1 the two freight rail alternative routes for all the build alternatives are described. After a brief description of the alternative freight rail routes and a table showing no build vs. build train traffic on the MN&S route it jumps to a discussion titled, "Implementation of Freight Rail Relocation" which essentially portrays the routing of trains to the MN&S as a decision previously made, and whose implementation had been "delayed" due to the need to remediate the National Lead Super fund site. It further states that Hennepin County had given the City of St. Louis Park an easement for freight rail connection across the National Lead site. This is an incomplete and inaccurate description of the history and current situation regarding the National Lead site, access across the site and the	L4

		status of the decision to build the connections from the Bass Lake and BNSF tracks to the MN&S and reroute trains to the MN&S. If the decision to build connections and relocate trains had truly been made, why are alternative routes for freight rail part of the SW Transit project and SW Transit DEIS? And since the alternative routes for freight trains are part of the DEIS, why is this material in the document? It is not relevant.	L4 K3
2-28, 2-31, 2-34 and others	This alternative includes relocation of the existing freight rail service...as described in more detail in Section 2.3.4.1	Section 2.3.4.1 does not exist in the document. Is there a description in another place in the document? This is repeated in all the sections of chapter 2 describing the alternatives.	U
2-32 and others	Table 2.3-3, 2.3-4, 2.3-5, 2-3.6, shows assumed parking spaces for each station area	These amounts have not been shown to the city before this document; other amounts have been used in the AA and other documents. Much more work will be needed to determine the appropriate amount of parking and how much will be surface versus structured parking.	P10
2-37	Alternatives are initially numbered, beginning with "2.3.3.2 LRT 1A"	Alternatives LRT 3A, LRT 3C-2, and others are not numbered, making it confusing to see which alternatives are being considered.	U
2-41	Reference to letter from City of St. Louis Park shown as September, 2008.	The 2008 letter was dated October 14, 2008. In addition to requesting that widening the narrowest part of the Kenilworth corridor to accommodate a co-location alternative be considered, the letter requested that an alternative route for the regional bike trail be considered in order to make a co-location plan more feasible. An alternative involving rerouting the bike trail is not considered in the DEIS and should be. (see attached letter)	U G2

3-1	build analysis was not completed for 3A-1	An analysis of co-location of freight rail was not conducted during the AA or LPA analysis and selection processes.	C
3-19	refers to a Figure 3 in a section titled "Community Facilities and Resources Data"	This section is not listed in TOC	U
3-20	"Six separate studies have been completed....These studies concluded the best option for freight rail operations was to relocate..."	These studies did <u>not</u> reach this conclusion; AND, the freight rail companies have never said that relocation is the best option for freight rail operations.	C
3-20	3.1.2.7 regarding zoning districts of St. Louis Park	The DEIS states in this section that relocation of TC&W freight rail operations from the CP RR (Kenilworth Corridor) to the existing and	

		currently used MN&S and the BNSF would not conflict with the adopted zoning districts of St. Louis Park; and, that the Land use for the corridor is categorized in the St. Louis Park Comprehensive plan as railroad. This is a misleading, inaccurate and irrelevant statement. First, both the railroad tracks for the 3A (rerouted TC&W trains) and the 3A-1 (co-location in Kenilworth) routes are designated as Railroad on the City’s Comprehensive plan. This is in recognition of the existence of railroad tracks in these locations and the fact that cities have no control over where freight rail tracks are located. Second, there is no railroad zoning district in St. Louis Park. None of the railroad tracks, be they the MN&S, the BNS&F or the CP/Bass Lake Spur tracks, are zoned for railroad use. They are zoned the same as the abutting properties which, for the most part, are zoned single family residential land use. The designation of the abutting properties is the more relevant question. The key question is, what is the land use adjacent to the freight rail route, not what is the designation of the track rights of way themselves. The Comprehensive Plan and zoning designation of the properties abutting the railroads is predominantly single-family residential and public land uses like parks and schools along the MN&S. These are not land use or zoning districts compatible with freight rail.	
3-24	Table 3.1-2 on Page states SLP Comprehensive Plan references study of MN&S alignments and impacts includes goals to minimize impacts of rail operations in SLP and addressing the potential rerouting of freight rail in SLP.	This does not state that the Comp Plan’s Freight goal is to work to identify impacts, mitigation to address the potential of freight re-route and that the impacts to neighborhoods need to be considered before a decision is made...	
3-26	“Based on the analysis of local and regional plans and studies, it has been determined that LRT 3A (LPA) alternative is the most compatible with local and regional planning.”	In fact, the table does not show this conclusion, nor provide any data to support it.	
3-26-27	“the review only considered the local and regional plans of the project partner cities that were required under the Metropolitan Land Planning Act”	The Hennepin County Sustainable Development Strategy 2011 is listed and notes it is incompatible with 3A-1; however it is not a required plan.	
3-34	Section 3.1.5.1	This section of the DEIS overstates the acquisitions needed to accommodate alternative 3A-1, co-location in the Kenilworth corridor. The	

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		DEIS states that up to 57 townhomes in the Kenilworth corridor would need to be acquired to implement alternative 3A-1. The space that would be created by the removal of all 57 townhomes is well beyond what is needed. In contrast, the DEIS does not include acquisition of 42 homes along the MN&S tracks that would be needed to create an appropriate right of way to accommodate re-routing train traffic and increasing train traffic on the MN&S. In addition the DEIS's statement that a "disturbance to Minneapolis Park Board properties on the east side of Cedar Lake Rd in order to create adequate clearance" ignores the fact that there is no indication that any adjustments to alignments of the trail, LRT and freight rail lines were explored to eliminate use of the park property.	C
3-39	Table 3.1.8 states that LRT 3A-1 would NOT be compatible with existing land use, however 3A would be.	The land use pattern in 3A is less compatible than 3A-1, as there are more residences that are much closer to freight rail.	S3 C
3-39	Table 3.1.8 states that LRT 3A-1 would NOT be compatible with planned development, however 3A would be.	There is not any evidence that either 3A or 3A-1 are or are not compatible with planned development. Planned development has already occurred along the SWLRT route even with the presence of freight rail today.	C M1
3-39	"No mitigation is necessary or proposed."	The paragraph prior refers to mitigation measures so it is unclear what this sentence means.	U
3-49	<ul style="list-style-type: none"> Neighborhood, Community Services and Community Cohesion Impacts... 	Minneapolis neighborhood descriptions start on page but they have a lot more detail than other city's sections with less data on the land use percentages in each neighborhood	M3
3-57	co-location states that maintaining freight train movement in the area would conflict with the LRT stations and their operations creating a number of issues	this was not addressed earlier on page 3-57 in Segment 4 where rail service will operate adjacent to stations in Hopkins. It indicates a lack of equal treatment of the alternatives.	C
3-58	states significant impacts to traffic not anticipated with LRT service on Segment A	But states nothing about the fact that LRT will run more frequently than Freight.	P4
3-58	Co-location: states the largest disruption in community cohesion would be the acquisition of 60 housing units	Does not discuss acquisition of property needed for all build alternatives except 3A-1 in order to accommodate freight rail re-routing in Segment 4 (page 3-57); nor is it discussed in freight relocation segment on page-3-60. This section should discuss how close these 60 housing units would be to the tracks as it is stated later that 50 feet is the distances used to assess proximity of habitable dwellings or structures (page 3-129.) This section should also discuss how close the freight will be to the single family homes	C

		as well and compare that to how close single family homes would be on freight realignment segment.
3-59	the last paragraph on co-location states that co-location has the potential to produce adverse effect to community cohesion	Rerouting freight rail traffic to the MN&S should also be stated as adverse to community cohesion on page 3-60.
3-60	States relocation would add only a small increase in freight traffic ... impact to community cohesion would not be anticipated.	The DEIS describes the additional train traffic that would be shifted to MN&S under the re-routing alternative as “only a small increase in freight rail traffic”. This is not accurate. The MN&S sees two short trains per day, while Kenilworth corridor sees 4-6 trains per day, all of which would be longer than those on the MN&S. That is a doubling or tripling of trains. Because the TC&W trains are longer than the trains currently on the MN&S, the increase in rail cars is even greater. Based on information provided by TC&W railroad, while the MN&S tracks are experiencing 10 trains of 15 rail cars each, or 150 rail cars in a typical week, the TC&W is handling 1300 to 1500 rail cars in a typical week. This would be as much as a 10 fold increase in rail car traffic for the MN&S tracks. An increase in rail traffic of that volume will have a negative impact on the community cohesion along the MN&S especially since the MN&S is abutted by parks, schools and single family homes for the most part. The low volume rail car traffic on the MN&S today and in recent years means that today’s train traffic has limited impact on people crossing the tracks at formal or informal crossings. The noise and vibrations from passing trains are short and rare episodes that only modestly disrupt activity adjacent to the MN&S tracks today, whether it is teaching in the adjacent classrooms, conversations in backyards, activity in adjacent retail businesses, or activities in the parks and trails. Adding 1500 more rail cars per typical week will be a significant increase in disruptions along the MN&S.
3-60	states moving freight trains will allow removal of at-grade crossing between Beltline and West Lake which will improve safety.	It does not address the fact that there will still be LRT crossings at these locations which will be much more frequent than freight rail crossings reducing the potential benefit from removing freight trains.
3-60	states mobility and pedestrian movement across track will be improved with removal of freight rail.	It does not address addition freight traffic effects on neighborhoods, commercial areas and the high school on freight line.
3-61	states that an impact of co-location would be a narrow ROW corridor...forced to accommodate a freight rail line, LRT, and recreation trail creating	The rail and trail already exist. LRT is not anticipated to add a barrier in fact it has been stated earlier that LRT is expected to increase community cohesion. Freight does not run as frequently as rail.

C

C

R2

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M3

	greater barrier to community cohesion		
3-61	Section 3.2.2.7 community cohesion inaccuracies and inconsistencies	This section of the DEIS points out that there would be improvements to community cohesion and safety from the removal of freight trains from the Kenilworth and east Bass Lake Spur areas with implementation of alternative 3A. This is true but it does not acknowledge that the benefits of rerouting freight trains is moderated by the fact that LRT will still be operating in the Kenilworth and east Bass Lake spur corridors. The SWLRT trains, tracks and apparatus will limit movement across the corridor and create some level of disruption for adjacent uses whether freight rail is present or not. Conversely adding these trains to the MN&S tracks will be a quantum jump in disruption and safety concerns for an area experiencing only extremely low train traffic today, on a route that has never had more than one track and was never intended to handle long fast moving trains. The Kenilworth corridor is generally wider than the MN&S. And where the Kenilworth corridor is narrowest, the draft plan is to acquire property to widen the right of way. A critical 1800 to 2000 foot long section of the MN&S's right of way is only 66 feet wide and elevated above the adjoining single family homes. This right away is not proposed to be widened. The existing right of way is inadequate considering the proposed increase in traffic, the elevation of the tracks, the proximity of the abutting single family homes and the need to improve the tracks and smooth the grades. These factors have not been adequately considered in evaluation of community cohesion.	C E1 M3
3-67	Land Use-Community Cohesion states that alternative LRT 3A-1 (co-location) does not increase community cohesion. Specifically it states: "some neighborhoods are concerned about keeping freight rail," and "some neighborhoods are concerned about additional freight rail traffic."	These same or something similar statements need to be identified in all the build alternatives that re-route trains to the MN&S, including alternative 3A. The DEIS needs to address or identify the opposition that exists for all the alternatives.	C
3-67:	Table 3.2-2 the row that lists Stations would improve economic development	This table addresses economic development by asking whether "stations would improve economic development". The table ignores negative impacts of freight rail traffic rerouting completely. The reroute will not only require the acquisition of industrial land in segment 4, but the structure that will need to be built to move trains from the Bass Lake Spur to the MN&S will negatively affect the commercial-industrial area around	C

		<p>the Louisiana Station area as well. Any economic development impacts other than literally the impact at the stations are ignored also. The impact of rerouting trains to the MN&S will increase freight rail traffic through the Walker/Lake street commercial areas along the MN&S. This will negatively affect this commercial-industrial area.</p> <p>The table acknowledges that the elimination of 57 townhomes in the vicinity of the West Lake station but not the acquisitions needed for rerouting freight rail to the MN&S.</p> <p>The table says that the presence of freight trains will adversely affect the station but does not acknowledge that other stations, most notably the Blake road station will have freight rail present and no one is saying that the opportunity for economic development is diminished there, why is it the critical issue only for alternative 3A-1?</p> <p>The table category titled "Community Cohesion Maintained" says yes for alternative 3A but no for alternative 3A-1. The reasoning provided in the table is faulty. It says for alternative 3A-1 that "No: some neighborhoods are concerned about keeping freight rail and some neighborhoods about additional freight rail traffic". If this is indeed a community cohesion issue, the same can be said about all the other build alternatives too, including alternative 3A. Many in the neighborhoods along the MN&S are adamantly opposed to increased freight rail traffic through their neighborhoods; passed their schools and parks and neighborhood commercial areas. The potential adverse impacts of increased freight rail traffic on the MN&S neighborhoods and community cohesion is not acknowledged.</p>
3-67	Table 3.2-2 the last row: Community cohesion maintained. LRT 3A needs to say no due to effects on neighborhoods with increase in length and amount of trains.	The comment that "Some neighborhoods are concerned about keeping freight rail and some neighborhoods about additional freight rail traffic." Should apply to all the build alternatives, not just 3A-1.
3-69	3.3-1 Acquisitions footnote states Residential numbers for freight relocation includes 2 residential properties. These 2 residential properties were identified because they are within 50 feet of freight tracks.	How close the 60 housing units on the co-location segment are to tracks should be provided. Could be described on page 3-70.

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3-107	Paragraph 3 discusses the new bridge for the freight realignment and how it would be a visual change at the south end of the corridor.	Mitigation to this new visual change is not discussed.	C
3-107	Paragraph 4 discusses an increase in the number of trains traveling through the area with freight rail relocation and states “the overall visual character of the area would not change.....residential, businesses, and trail users...would see trains more frequently, but the character of the visual impact would be similar..”	The increased length and frequency of trains will effect visual impacts and should be noted. Today not as many trains and many businesses, customers and trail users might not see a train pass at all. Increases in the amount and frequency of trains this will change this for the worse.	C
Page 3-110, and text Page 3-113	Table 3.6-3	<p>The “Visual Effects by Segment” table and text in the visual impacts analysis fails to adequately acknowledge the impact of the freight rail flyover connecting the Bass Lake Spur to the MN&S tracks and the replacement of the Hwy 7 freight rail bridge. These changes will affect the businesses in the vicinity of the Louisiana station, the motorists on Louisiana Avenue, Hwy 7, and Oxford Street; and, regional trail users. The future of the Louisiana Station area is anticipated to include office, medical and residential uses that would be sensitive to visual impacts. This is not considered or discussed.</p> <p>The Visual impact analysis of segment A fails to acknowledge that a new 2 mile long siding track will be added in the BNSF right of way increasing the presence of freight rail trains for Cedar Lake Trail users and residents along the BNSF east of the MN&S tracks. This means that there will be the potential for two trains to be in this right of way at once. The resulting increase in moving trains in this corridor and the addition of stopped trains to the corridor will detract from the visual experience for trail users quantitatively. The last point is true in part because trains will need to wait on siding for access to the mainline track for undetermined lengths of time.</p>	C
3-121	paragraph 7 states the visual impact at the commercial and industrial properties obstructed by the high embankment south of TH 7 are generally not considered to be sensitive because the activity in generally confined to indoors.	It should take into consideration employees or those trying to find the commercial properties that will be obstructed by the high embankment.	C

3-121	Freight Rail Relocation: Visual impacts where the proposed overpass is located are substantial.	Should be stated that there will be substantial impacts as it includes a large bridge and retaining walls. It also states that impacts on single and multi-family development areas would not be substantial because of mature vegetation buffers. This section should include that same sentence that is on page 3-117 (Segment A co-location) which states “Visual impacts may be substantial where the alignment is not screened by vegetation.”	C
3-125.	Paragraph 4 identifies that co-location would involve an additional bridge over the channel.	The paragraph above it should then include discussion on the fact that the freight realignment would involve a new bridge. Paragraph 3 should also include discussion on the freight realignment visual impacts	C
3-129	Section 3.7.1.2 minimum separation of property from center line of freight rail tracks	A standard of 50 foot separation between habitable building space and the center line of freight rail tracks is proposed in this section. No minimum standard for freight rail right of way or separation from private property, especially single family lots, is provided. A minimum 50 feet separation between the center line of freight rail tracks and a single family lot should be established for the relocation of freight rail traffic. This is especially critical in St. Louis Park where single family home lots are small and the adjacent freight rail tracks are elevated. Without a minimum 50 feet separation between the centerline of freight rail tracks and single family homes in St. Louis Park, the safety buffer area for freight trains will be people’s backyards. An appropriate right of way for freight rail should be 100 feet minimum. Today much of the MN&S right of way is only 66 feet.	C
3-130	Section 3.7.2.1 Dakota Park and Hobart school not acknowledged	The existing conditions described in this section do not acknowledge the existence of Dakota Park and Hobart Elementary school along the MN&S tracks. Other important uses along the MN&S are not acknowledged and considered in the safety analysis either. The DEIS acknowledges the Spanish Immersion Elementary school but it does not acknowledge the school is housed in the Central Community Center which also includes early childhood and aquatics programs, and the community clinic among other programs oriented toward kids, families and education. The St. Louis Park Emergency Program (STEP) is also along the MN&S but not acknowledged. This is a food shelf and social service provider for the community. The St. Louis Park Housing Authority also owns several homes either abutting the MN&S right or way or in the surrounding	C
			C

		neighborhoods. The impact on these uses from increased freight rail traffic on the MN&S needs to be considered.
3-131 & 3-132	Section 3.7.3.3 co-location of freight rail, LRT and trail for all build alternatives not acknowledged	Only alternative 3A-1 is acknowledged to include the co-location of freight rail, light rail and the regional trail as part of the project in this subsection of the DEIS. All of the alternatives will include co-location of freight rail, light rail and the regional trail in segment 4, west of the MN&S tracks in St. Louis Park and Hopkins. The DEIS also does not acknowledge any safety concerns for the addition of a siding track on the BNSF adjacent to the Cedar Lake Regional Trail for the build alternatives 1A, 3A, 3C-1 and 3C-2.
3-132 & 3-133	Section 3.7.3.5 safety risks associated with additional trains by St. Louis Park Schools understated.	This section understates the safety risks associated with the steep grades and tight curves presented by the design for re-routing freight rail traffic to the MN&S from the Bass Lake Spur. It does not acknowledge or include in the evaluation of the safety risks of the re-route to the MN&S and the impacts of increased freight rail traffic at the three public schools, three parks and the seven at-grade pedestrian/vehicle crossings along the MN&S.
3-134	Table 3.7-1: LRT 3A-1 has 4* dwellings within 50 feet. The footnote * states that: the number of dwelling that would remain within 50 feet of freight rail co-location with LRT and the trail cannot be exactly determined until PE is complete.	This table summarizing potential safety and security impacts is incorrect. "LRT near active freight rail lines" applies to all five alternatives listed on the table. All of the alternatives include LRT operating adjacent to freight rail west of the MN&S tracks along the Bass Lake Spur in segment 4. The number of "parks near freight rail" is undecipherable. It appears to only acknowledge Roxbury and Keystone parks along the MN&S route. It does not include Dakota Park also located along the MN&S route. That would increase the number of parks along the re-route alternatives, 1A, 3A, 3C-1 and 3C-2, to three. In addition all five of the alternatives will have "parks near freight rail" west of the MN&S tracks along the Bass Lake Spur. Overpass Skate Park in Hopkins, Edgebrook Park in St. Louis Park and Isaac Walton League/Creekside park in St. Louis Park are all near freight rail no matter which alternative is chosen. The number of parks near freight rail for alternative 3A-1 also does not appear to be correct. The table is inaccurate with regards to "trails near freight rail". The table acknowledges only the Kenilworth Corridor trail. All the alternatives will have trails near freight rail west of the MN&S tracks in St. Louis Park and

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S3

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		<p>Hopkins. Similarly all the re-routing alternatives 1A, 3A, 3C-1 and 3C-2 will see a two mile long siding track added on the BNSF along the Cedar Lake Regional trail.</p> <p>The table is inaccurate and incomplete regarding “trails near LRT”. The table notes that LRT will be near the Midtown Greenway for alternatives for alternatives 3C-1 and 3C-2 but does not acknowledge that LRT will be near the Kenilworth trail for all the other alternatives (1A, 3A, 3A-1) nor does it acknowledge that LRT will be near trails for all of the build alternatives for virtually all of segment 4.</p>	P9
3-135	Section 3.7.5.2 regarding acquisition of ROW	The need to acquire additional right of way along the MN&S tracks is acknowledged but under represents the need. Expansion of the right of way or publicly held land along the MN&S tracks to provide a 100 foot wide right of way should be part of the re-route alternatives.	E2
3-135 & 3-136	Quiet zones are discussed and it is stated that there will be consultation with the City and other stakeholders regarding additional feasible and effective safety mitigation in the vicinity of the High School, including a HAWK signal.	Quiet Zones themselves will not adequately address all the noise impact issues for residents and businesses, and public uses along the MN&S route.	C

Page	Reference	Comment	
6	General Assumptions	Traffic used 2030 volumes but the train counts used 2012 volumes with no future increase.	U
6-37	Queuing Analysis	Text and Table 6.2.8 data to not match regarding train lengths and speeds.	C
6-38	Section 6.2.2.2	The evaluation of queuing and traffic circulation along the MN&S for the re-routing alternatives does not adequately consider the potential that multiple streets could be blocked by a train at the same time. The combination of the curving MN&S route and the shifting street grid in the Walker Street/Lake Street/Library Lane/Dakota Avenue area makes the potential for traffic and pedestrian congestion greater than would otherwise be the case. The	U
			C

		potential impacts of multiple streets blocked by trains simultaneously needs to be analyzed in greater detail. It should also be noted that the Hwy 7/Lake Street access will be closed prior to the construction of the SWLRT project.	
6-48	Quiet Zone as mitigation measures	No discussion on ownership and maintenance of fences and other pedestrian mitigation improvements is provided and is an important issue.	P9
6-56	6.3.2.2	No discussion of tight curves or steep grades needed for reroute.	C
6-61	6.3.3.2	Construction outage time limits are unacceptable to the railroads.	
6-62	6.3.3.3	There is no reason to connect the freight and light rail tracks. The freight tracks would be built before the LRT construction begins.	C
11-10	11.2.3 (1 st bullet)	“slight increase in freight rail traffic”. Freight rail increase from 2 per day to 6 or 8 per day	C
11-10	11.2.3 (1 st bullet)	No data to support “sporadic traffic queues”	P4
11-10	11.2.3 (2 nd bullet)	Assumes that severe noise can be mitigated through Quiet Zones. Quiet Zones are not automatic and with many pedestrians around the high school the QZ may not be effective.	C
11-11	11.2.3 (1 st bullet)	Assumes that the direct connection is an improvement to the north. No discussion about rail traffic to the south.	C
11-11	11.2.3 (1 st bullet)	There are no discussions about the impact of increased trains north of the BNSF mainline. Also assumes that the TC&W wants to go to Humboldt Yard, which is a questionable assumption.	C
11-11	11.2.4	Assumes freight rail reroute identical to Alternative 3A	C
11-12	11.2.5 (3 rd bullet)	It is not clear which properties are 4f impacted. Cedar Lake Park contains old railroad right of way that parallels	S2

		the HCRRA property. There is no indication on how wide the proposed impact is and if the DEIS attempted to adjust the alignment to minimize the impacts.	S2
11-12	11.2.5 (4 th bullet)	Alternative 3 LPA would require this maneuver to go south to Savage.	U
11-12	11.2.5 (5 th bullet)	High construction costs assumption is not supported. The Co-location construction is less complex than the Re-route alternative.	C
11-12	11.2.5 (8 th bullet)	The DEIS does not address the accurately the number of homes that need to be acquired to provide a proper right of way.	C
11-12	11.2.5 (9 th bullet)	The reroute increases the divide in the St Louis Park neighborhoods	M4
11.12	11.2.5 (10 th bullet)	The reroute has not been shown to be feasible	C
11.13	11.2.6 (2 nd bullet)	Why would you reroute if the LRT would not use the Kenilworth Corridor?	C
11-14	11.2.7 (2 nd bullet)	Why would you reroute if the LRT would not use the Kenilworth Corridor?	C
11-15	11.3 (2 nd paragraph)	“...improves regional freight rail network consistent with the Minnesota Comprehensive Statewide Freight and Passenger Rail Plan. The State Rail Plan recognizes the challenges of the reroute but does not recommend the reroute (page 4-18) and it outlines concerns about any reroutes (page 4-23). The DEIS does not include the State Rail Plan in the Appendix.	C
		Louisiana and 7 as a related action	

December 26, 2012

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Minneapolis, MN 55415

RE: Response to the Southwest Transitway Draft Environmental Impact Statement

To Whom It May Concern:

The Twin Cities & Western Railroad (TC&W) appreciates the opportunity to review and respond to the Draft Environmental Impact Statement (DEIS) for the Southwest Light Rail Transitway (SLRT) Project. We recognize the effort that the authors have put into the study.

TC&W is a regional freight rail system that utilizes the tracks in St. Louis Park and the Kenilworth Corridor to transport a variety of products to and from south-central Minnesota and eastern South Dakota. The economical freight transportation offered by TC&W has enabled the communities we serve to create jobs, expand existing businesses and create new businesses in the region. Over the past 20 years, this economic footprint has generated over \$500 million in cumulative private sector investment in businesses, facilities and infrastructure in those communities.

TC&W takes very seriously its role as a force for economic development and job growth in Minnesota and South Dakota. We work closely with economic development agencies, chambers of commerce and governmental entities to ensure that our operations provide optimal benefit to the communities and customers we serve.

While the freight rail relocation recommended in the DEIS may seem as simple as removing a barn from the path of a new freeway, in reality the issue is much more complicated.

To configure rail tracks in a way that provides the safest and most efficient movement of freight requires special attention to the engineering and safety guidelines involved in the operation of trains that can exceed 7,200 feet in length and 10,000 tons in weight. TC&W believes that the re-route design described in the DEIS fails to meet recognized standards of engineering and safety.

TC&W's customers, cities and counties that we serve share our concerns about the safety and efficiency of the proposed reroute (see Appendixes F-H). Under federal regulations, these concerns must be addressed before any changes to existing freight rail tracks are approved. If the freight rail line and its shippers object on the grounds that proposed changes have the potential to negatively impact the availability, safety, efficiency and cost of existing freight rail service, the federal government is likely to deny the proposed reroute.

In addition to these considerations, the environmental implications of these changes must also be addressed. Moving freight by rail is one of the most fuel-efficient ways of transport. Our trains move a ton of freight 435 miles on a gallon of fuel, making us anywhere from four to ten times more fuel-efficient than the average truck. Any changes that increase our fuel usage, require the use of additional locomotives, or otherwise diminish our fuel efficiency are environmentally harmful as well as economically detrimental.

TC&W supports and shares the goals of the SLRT project—creating jobs, growing our economy and reducing greenhouse gas emissions. We are committed to working constructively with Hennepin County, and other jurisdictions, to find a route that enables us to meet all of these goals without sacrificing one to achieve another.

Toward that end, TC&W's response on the DEIS will address the specific problems inherent in the recommended re-route. We hope for a revised SLRT plan that does not sacrifice the safe, cost effective and fuel efficient freight rail transportation so important to Minnesota and South Dakota communities today and in the future.

In the attached document you will find an Executive Summary intended to summarize our response to the DEIS. We have also included our response to each of the 12 Chapters in the DEIS along with several appendices to provide validation, history and support to our response.

Sincerely,



Mark Wegner

President

Twin Cities & Western Railroad

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Enclosures

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EXECUTIVE SUMMARY

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

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

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

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

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

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

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

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

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

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

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

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

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

INTRODUCTION: WHO IS TC&W?

Twin Cities & Western Railroad Company (TC&W) is a Minnesota-based freight railroad company that utilizes tracks in St. Louis Park and the Kenilworth Corridor to transport a wide variety of products to and from south central Minnesota and eastern South Dakota on a six and sometimes seven day a week basis. TC&W currently is the sole user of the freight rail tracks in the Kenilworth Corridor. In St. Paul, TC&W exchanges freight shipments with all four large North American railroads that serve the Twin Cities: Canadian Pacific (CP); Union Pacific (UP); Burlington Northern Railway (BNSF); and Canadian National (CN), and also with the Minnesota Commercial Railway (MNNR). Because of the connections with these other railroads, TC&W customers can access markets virtually anywhere in North America and the rest of the world, moving their products greater distances at less cost and using less fuel than would be the case using over-the-road trucks. We consider our railroad to be our customers' "Gateway to the World Markets".

The reach of shipments made via TC&W, by its customers, is extensive. For example, in the last two years, TC&W customers have shipped or received products to or from no less than thirty-nine U.S. states, seven Canadian provinces, and four Mexican states. Further, many tons of products shipped via TC&W ultimately are exported to locations around the world. When shipping via railroad, less fuel is used than with trucks. On average, a train is four times as fuel-efficient as a truck, which means rail provides a substantial benefit in terms of lower greenhouse gas emissions. Since a single train can carry the freight of several hundred trucks (a 110-car train is the equivalent of 440 trucks), a competitive TC&W helps reduce truck emissions, as well as highway congestion, wear and tear on highway infrastructure, road maintenance costs and highway accidents.

We are a regional freight rail system serving communities in Minnesota and South Dakota. TC&W has grown from 30 employees in 1991 to over 70 today. The communities TC&W serves have been able to create jobs, expand existing businesses and create new businesses because of the economical freight transportation TC&W offers. The economic footprint has led to a cumulative investment of private dollars in new businesses, expanding existing businesses and investment in freight infrastructure in the communities TC&W serves in excess of \$500 million dollars over the past 20 years.

TC&W takes its role of promoting economic development and job growth in Minnesota and South Dakota very seriously. TC&W works with economic development agencies,

chambers of commerce and governmental entities to promote job growth and has demonstrated success by preserving existing industries and fostering creation of new industries in Minnesota and South Dakota.

The rural areas TC&W serves provide jobs and economic vitality to a region that has traditionally been challenged. Recent private rail investments include:

- Granite Falls (MN)
 - Ethanol plant recently completed a loop track to increase its shipping capacity. This facility will load as many as 116 cars per unit train.
- Unit Grain Train Facilities built by farmer cooperatives:
 - Buffalo Lake (MN) and Brownton (MN)
 - It is conservatively estimated that these facilities will ship over 70 unit grain trains annually, consisting of 110 cars each. These trains will traverse the TC&W line westbound to be loaded and then eastbound to St. Paul, where the grain will be transferred to other railroads for delivery to markets and export facilities across the U.S., Canada and Mexico.

The proposed re-route is not solely an issue for TC&W. Rail shipments handled by TC&W move to and from a large number of domestic and international locations, but are not initiated by TC&W. These shipments are made by TC&W's customers. In TC&W's rural service territory, most shipments are made to and from cooperative agricultural facilities owned by Minnesota citizens *numbering in the thousands*. TC&W has a positive economic impact on Minnesota citizens, businesses and communities. Our railroad annually hauls *hundreds of millions of dollars'* worth of agricultural products, such as corn, soybeans, wheat, sugar, vegetables and ethanol from numerous locations all over the Midwest. In addition to these agriculture products, we haul non-farm hard goods, such as crushed rock, metals, plastics, fuel oil, machinery and lumber.

Whether they are shipping farm or non-farm goods, our customers' ability to remain competitive in the global market depends on our ability to maintain our existing cost and price structure. Keeping those customers competitive is absolutely essential to maintaining jobs, growth and economic vitality in the rural communities where they are located.

We believe the goal is to create a path for SLRT that does not sacrifice the cost and fuel-efficient rail freight transportation system for the communities that we serve. We likewise believe that the proposed re-route must not degrade safety for railroad workers and people in the communities TC&W serves.

The locally preferred alternative to re-route TC&W traffic, as designed in the DEIS, negatively impacts the communities along TC&W's railroad by increasing operating costs that would be passed on to our customers, jeopardizing their economic viability and negatively affecting the economic health of the communities where they operate. To prevent economic harm, TC&W's costs to operate and maintain its route to St. Paul must be maintained where they are today. This is crucial to the communities in Minnesota and South Dakota because they depend on a cost and fuel-efficient freight rail system today, tomorrow and into the future. In addition to the adverse impact the proposed re-route would have on our operating and maintenance costs, the engineering flaws in the planned route would also negatively affect the safety profile of TC&W's operations in the affected area, which will impose significant and unacceptable societal costs on TC&W, our customers and the local communities through which we operate.

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TC&W's OBJECTIONS to the DEIS

The freight rail re-route design presented in the DEIS is not acceptable to TC&W. Our objections fall into these major areas:

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- Engineering flaws
- Safety
- Environment -noise and vibration
- Failure to comply with FTA and MnDOT directives
- Operations/maintenance/efficiency/costs
- Loss of track capacity
- Track “outage” during construction
- Inadequate analysis of the costs of a re-route
- Lack of analysis of the co-location alternative

TC&W has consistently emphasized to Hennepin County and the Met Council that the gradients and curvature of the proposed re-route have to be comparable to the grades and curvature of TC&W's existing Kenilworth Corridor route so safety and efficiency will not be degraded.

The re-route design of the DEIS includes a new northbound track connection from the CP's Bass Lake Spur onto the CP's MN&S line, a new track connection from the MN&S onto BNSF's Wayzata subdivision through the “Iron Triangle,” and an upgrade of the MN&S track. It includes four curves, each with a different grade. A map is attached in Appendix A, page 5 with the curves shown and numbered.

The first curve from the Bass Lake Spur to the MN&S is entirely new. It begins with an elevated track on a “retained fill structure” on the south side of the Bass Lake Spur track, transitions onto a “bridge structure,” which then curves north and crosses over the Bass Lake Spur, the planned SLRT track, and Highway 7 and onto the MN&S. (Appendix H to DEIS, MN&S Freight Rail Report at p. 12.) The second and third curves are existing curves on the MN&S. The fourth curve is a new connection, taking the train north and east from the MN&S through the Iron Triangle onto the BNSF Wayzata subdivision.

Engineering Flaws

TC&W engaged a professional engineer with extensive freight railroad experience, Carey Bretsch of Civil Design Inc., to review the re-route design contained in the DEIS. In his

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report, a copy of which is attached as Appendix A, Mr. Bretsch highlights the fact that the design in the DEIS “places sharp curves, reversing curves and steep grades in a mainline freight railroad.” Appendix A, p. 4. He concludes, for the reasons summarized below, that the proposed re-route design “imposes restrictions that are unreasonable for the operating railroad” and that it “would draw criticism from any railroad wherever presented.” Appendix A, p. 4. “All guiding specifications and design guidelines have been violated by this proposed plan.” Appendix A, p. 4. This conclusion is based primarily on the grades and curves in the route, which exceed accepted railroad engineering standards and present substantial safety concerns.

Grain, coal and ethanol trains today are frequently unit trains with 80 to 123 cars and three or more locomotives. Train length can exceed 7,800 feet. Because of the length of trains, the re-route design in the DEIS would require a unit train to go up grades and curve through the first three horizontal curves and six undulating vertical curves, all at the same time. The difficulties would be cumulative. “The dynamics of the train will be very difficult for the crew to control and the potential for derailment is high.” Appendix A, p. 2.

The design ignores accepted railroad engineering standards. The BNSF Design Guidelines for vertical curves (i.e., grades) say that the rate of change should not be more than 0.10 feet per station in sags (dips in the track) and 0.20 feet per station on summits (high points in the track). Appendix A, p. 1. The rate of change of the design in the DEIS is 0.59 feet per station, almost three times greater than the maximum allowed by the BNSF Guidelines. Appendix A, p. 1. The reason for the BNSF Guidelines controlling the rate of vertical change “is to avoid the cars from uncoupling. As one car is coming up a grade while the adjacent car is going down a grade, the coupling between the cars can . . . unhook.” Appendix A, p. 1

When there is both a grade and a curve, the two act together to increase the effort needed to pull the train. American Railway Engineering & Maintenance of Way Association (AREMA) provides a formula to calculate the “compensated grade.” A westbound train going into curve No. 1 must overcome a grade of 1.5% while winding around an 8 degree curve. The grade and curve are equivalent to a compensated grade of 1.82% on a straight track. Appendix A, p. 2. This compensated grade is more than 80 percent greater than the maximum compensated grade on the Kenilworth Corridor track of 1.01%.

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The series of reversing curves also violates accepted railroad engineering standards. The 2003 AREMA “Practical Guide to Railway Engineering” says “reversing curves should be avoided at all costs.” Appendix A, p. 2. Reversing curves create a “couple effect” which “greatly increases the likelihood of the train buckling and thus a derailment.” *Id.*

Mr. Bretsch points out that curve No. 1 takes the route over the Bass Lake Spur and the bridge over Highway 7. “Placing an 8 degree curve on a bridge with a steep grade on either side . . . introduces enough of a safety concern in itself to dismiss the current proposed plan.” Appendix A, p. 4. In view of these significant design flaws, Mr. Bretsch concludes that the safety concerns presented by the DEIS re-route should “bring the designers back to the drawing board.” Appendix A, p. 4. The safety risks threaten both railroad workers and the general public.

At Page 3-132 of the DEIS, the last paragraph says the curvature of the bridge structures and grade on the bridge structures “would be engineered and constructed to meet stringent railway engineering requirements to ensure safe operation.” Despite the passage of over two years, that has not been done. Doing so will not be a simple matter, but will require a much larger footprint for the re-route.

Crossing Safety Issues

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Re-routing TC&W trains from the Bass Lake Spur onto the MN&S will bring trains close to the Saint Louis Park High School. The high school abuts the MN&S track at the Dakota Avenue South crossing. The school building is just over 100 feet from the MN&S track. Just across the MN&S track from the high school is a McDonalds. As a result, there is considerable pedestrian and vehicle traffic at the Dakota Avenue South crossing. This is in marked contrast to the present Kenilworth route which has no similar location along it. The DEIS design will bring freight train traffic into close proximity to pedestrians and vehicle traffic to and from the high school. The safety risks are obvious, especially given the age of high school students.

For decades, trains have been required to blow their horns at road crossings. To reduce noise from trains on the MN&S, the DEIS says that there would be a “quiet zone” which would “eliminate severe noise impacts throughout the corridor by removing the freight locomotive horn noise.” DEIS P. ES-11. However, **quiet zones adversely affect safety** because they remove regular locomotive horn blowing at crossings. The DEIS does not mention this problem.

There have been several studies for the Federal Railroad Administration (FRA) analyzing the effects of quiet zones on crossing safety. The first report in 1995 considered collisions between January 1988 and June 30, 1994. “FRA found that whistle ban crossings averaged **84 percent more collisions** than similar crossings with no bans. There were 948 collisions at whistle ban crossings during the period studied. Sixty two people died in those collisions and 308 were injured. Collisions occurred on every railroad with crossings subject to whistle bans, and in 25 of the 27 states where bans were in effect.”¹ The report did an analysis of the accidents by type of crossings and concluded, “On average, the risk of a collision was found to be 84 percent greater at crossings where train horns were silenced.” *Id.* at p. 2.

The next FRA study, of the effects of banning train horns, excluded pedestrian accidents and used data from 1992 through 1996. It considered crossings with gates and crossings without gates. “The analysis showed that an average of **62 percent more collisions** occurred at whistle ban crossings equipped with gates than at similar crossings across the nation without bans.” *Id.* at p. 3 (emphasis added). As for the crossings without gates, “The updated analysis also indicated that whistle ban crossings without gates, but equipped with flashing light signals and/or other types of active warning devices, on average, experienced **119 percent more collisions** than similar crossings without whistle bans. This finding made it clear that the train horn was highly effective in deterring collisions at crossings equipped with active devices, but without gates.” *Id.* (emphasis added).

A 2003 report which studied five additional years of accident data concluded that **“nationwide, whistle bans were associated with an increase in grade crossing accidents.”**²

The use of iPod or iPhone headphones and constant cell phone voice and texting is commonplace, which means there will be students crossing the MN&S track who will be distracted or unable to hear approaching trains, especially if those trains do not blow their horns because of the “quiet zones.” Trains today are quieter and give less advance notice of their approach; the use of long, welded rail has eliminated the “clackety-clack” of train wheels. These factors intensify the safety risks to pedestrians.

¹ Updated Analysis of Train Whistle Bans, available at <https://www.fra.dot.gov/eLib/Details/L02686> (January 2000) at p. 1 (emphasis added).

² P. Zadora, Analysis of the Safety Impact of Train Horns Bans at Highway-Rail Grade Crossings: An Update Using 1997-2001 Data, available at <https://www.fra.dot.gov/Page/P0104> at p. 9 (emphasis added).

In its September 2011 letter, the Federal Transit Administration (FTA) approved the SLRT entering the preliminary engineering phase. The FTA letter required that the Met Council address certain issues, including, “In consultation with the Federal Railroad Administration (FRA), determine the design requirements for adequate safety features for street-grade crossings between the SLRT line and existing freight rail tracks.” Despite the passage of almost sixteen months, this has not been done. The DEIS does not contain any new or additional analysis or design requirements to foster pedestrian and vehicle safety at crossings, which was required by the FTA. Minnesota Statutes Section 116D.02, subd. 2(2) specifically refers to safety as a state policy that must be considered in the EIS process. At a minimum, the first part of preliminary engineering should include a formal diagnostic team evaluation of the proposed quiet zones with representatives of all interested parties including MnDOT, FRA, the City of St. Louis Park, CP, and TC&W. Such an evaluation should also be done if the co-location alternative is to be built.

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Derailment Safety Issues

Mr. Bretsch’s engineering review raises additional safety issues created by the re-route design. Derailments can result in injury or death of the train crew as well as pedestrians, vehicle occupants, and people in residences and businesses along the track. “When the curve radius and grade is severe, the potential for accidents is increased. This is not desirable in an urban area and certainly less than desirable from a railroad’s standpoint.” Appendix A, p. 2. If empty and loaded cars are interspersed (which commonly occurs in railroad freight operations), “there is concern that the loaded cars would pull the empty cars off the track on the inside of the curve. This is called a ‘straight lining the curve’ derailment.” Appendix A, p. 4.

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The engineering review points out that failure to maintain super-elevation (with the inside rail of the curve lower than the outside rail) “creates a hazardous condition where cars could overturn on the outside of the curve. Additionally, having a sharp curve on a bridge introduces safety issues related to public and railroad safety.” Appendix A, p. 3.

The “bridge structure” that the DEIS proposes to build to take trains off the Bass Lake Spur, over the SLRT track and Highway 7, and onto the MN&S (curve no. 1) presents a special problem. The structure would be built over ground which is part of the Golden Auto/National Lead Superfund site. Page 4-30 of the DEIS refers to the *MN&S Freight Rail Study*. That study says the Golden Auto/National Lead site (at the northwest quadrant of the intersection of the Bass Lake Spur and the MN&S) was de-listed as a National Priority Site due largely to the containment of contaminated materials beneath

an asphalt cap and that the construction of a rail structure across the Golden Auto site would alter the asphalt cap and could disturb contaminants. The DEIS fails to consider whether, in the event of a severe derailment, the Golden Auto site could be impacted.

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Increased Noise and Vibration

The DEIS describes only the noise due to train horn (DEIS P. ES-11). It fails to mention the noise of steel train wheel flanges squealing on steel rails or of locomotives accelerating to haul 20,000,000 pound trains up the curved grade of the “bridge structure” to the top of the MN&S. The DEIS contains no analysis or discussion of the noise and vibration that will affect residents of St. Louis Park as four 4400 HP, 400,000 lb. locomotives pull a train with 110 loaded grain cars up the “bridge structure” and over the Bass Lake Spur onto the MN&S. Moreover, because of the close proximity of residences and the high school, trains may blow their horns more than presently anticipated. Minnesota Statutes Section 116D.02, subd. 17 specifically refers to the need to consider minimizing noise in the EIS process. The re-route design will create severe noise and vibration where there is little or none now.

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Failure to Comply with FTA Directions

The September 2011 letter from the FTA required the Met Council to “analyze the reconfiguration of the Canadian Pacific Railroad’s freight tracks where they will be elevated over the Southwest LRT line and include the analysis in the SLRT project’s EIS and cost and scope. The planned flyover, as currently designed by MC, shows sharp curvature, steep grades, and insufficient clearances.”

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The DEIS does not comply with the FTA’s directions. No changes have been made in the design from that first unveiled over two years ago. It contains the same sharp curvatures, steep grades, and insufficient clearances. The DEIS fails to discuss, much less analyze, the maintenance issues of the design which were raised by TC&W, CP, and the FTA. See Appendices C and D. In its comments to the Environmental Assessment Worksheet (EAW) in June 2011, CP said it was largely in agreement with TC&W’s comments and that the design was “operationally deficient.” See Appendix D. It said that the EAW failed to recognize the costs of operating and maintaining the new track, signals, and connection would be much more expensive and that CP had not agreed to be responsible to own, operate, or maintain the new structures and track.³

³ In the Conceptual Engineering Drawings in Appendix F by Kimley-Horn dated April 12, 2011, the “track typicals” at p. 24 and 25 of 31, state, “DECK PLATE GIRDER (DPG) BRIDGE SECTION SHOWN FOR ILLUSTRATION PURPOSES. BRIDGE SECTION DESIGN NOT COMPLETED.”

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The engineering review, in Appendix A, contains specific information on the costly additional maintenance that would be required if this design is built. “Rail life is severely impacted on any curve over two degrees and the useful life is shortened based on tonnage and speed. . . . [R]eplacement of the rails and ties due to the curve will need to be frequent.” Appendix A, p. 2-3. The cost of replacing rails and ties would be \$150,000 to \$200,000 each time in today’s dollars. In addition to frequent replacement of ties and rails, in order to comply with FRA safety requirements for curves, resurfacing and alignment of the rails will be required 3 to 4 times a year. Appendix A, p. 3.

Failure to Comply with MnDOT Directives

In June 2011, the MnDOT reviewed the objections of TC&W and CP to the EAW. MnDOT said it “assumed . . . that concurrence will be reached between all parties . . . answering specific design and operational issues.” Findings of Fact and Conclusions, Minnesota Department of Transportation, June 30, 2011, p. 18-19. “Concerns of grade, curvature, maintenance, ownership, operational considerations, etc. will be addressed to the satisfaction of all parties during the design review process” MnDOT continued, “Given the necessity of all parties to concur on an acceptable and workable final design prior to implementing operating agreements, regulatory filings, and the mutually desired advancement of contiguous highway and transit projects . . . this appears to be an inescapable requirement.”

While MnDOT determined that finding a design acceptable to the railroads was an “inescapable requirement,” Hennepin County and Met Council have not made a single change in the design despite the passage of almost a year and a half. Moreover, the staff has not had a single meeting with TC&W to discuss substantively the problems created by the re-route design or what changes they intend to make.

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Effects on Operations

The engineering review describes only some of the deleterious effects of the design on railroad operations. They all would take more crew time and fuel, and include:

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- Limits on train speed
- Additional running time
- Additional locomotives may be needed
- Distributed power may be needed
- Long trains may have to be broken up and doubled, with only some of the cars taken at a time. If this is necessary, half of the cars will have to be uncoupled

and left standing on the Bass Lake Spur while the locomotives take the first group of cars up to the BNSF Wayzata Sub. There, a new set of sidings will be needed (which are not included in the present design) so the locomotives can detach the cars, run back around them, and go back down to pick up the cars left sitting on the Bass Lake Spur. Once those cars are pulled up to the BNSF, the locomotives will have to uncouple the second set of cars, go onto the siding and get back to the front of the first group of cars, and then reassemble the entire train. In cold weather, it may take several hours to build up sufficient air pressure for the brakes through the whole train before it can move out onto the BNSF Wayzata Sub.

- Train assembly will have to be changed at many stations along TC&W’s line to have all the loaded cars together with the empties following. This would require immense amounts of additional crew time and fuel. Additional yard tracks may be needed at various points to break up trains, shuffle cars, and reassemble the trains.

Loss of Track Capacity

The proposed design includes building an elevated “retained fill structure” on the south side of the Bass Lake Spur leading to a “bridge structure” to cross over the Bass Lake Spur and the proposed LRT track. The “retained fill structure” would require retaining walls on each side. Building this structure would eliminate more than 12,000 feet of track space (space for 192 cars) along the Bass Lake Spur and other yard tracks used by TC&W for staging, sorting, switching and storing railcars. See Appendix B. These tracks are an integral part of TC&W’s daily operations. While the tracks are owned by CP, TC&W has trackage rights to use them. The DEIS does not mention this issue and does not have any plan or budget to build the track space elsewhere. The nearest location where TC&W has large sidetracks is at Cologne and Bongards, over 35 miles west. Those tracks, however, are already in use for staging and switching cars and are not available for the car staging, sorting, switching, and storage that currently takes place along the Bass Lake Spur.

The loss of track space ultimately reduces TC&W’s capacity to handle both its existing traffic and additional growth, thus increasing freight costs and constraining its customers’ growth. This will result in more trucks on highways and associated adverse environmental effects. Car storage is an important revenue source for TC&W, and the DEIS contains no promise or plan to replace the track space. Replacing the lost track space will be expensive and require additional land beyond that shown in the DEIS. In

any event, the Surface Transportation Board has invalidated governmental takings of yard tracks and extra-width railroad properties where the affected railroad can show such properties are needed in connection with common carrier freight operations.

Skunk Hollow Wye

The DEIS appears to assume that the Skunk Hollow Wye connection to the MN&S would be eliminated. It says that LRT 3A-1 (co-location) would require freight trains to “navigate the cumbersome and noisy Skunk Lake Hollow switching Wye to complete this maneuver.” (P. 11-12) the inference is that the proposed design somehow eliminates the Skunk Hollow connection. Yet none of the “conceptual” engineering plans included in the DEIS show any alternative to the Skunk Hollow connection. TC&W needs to continue to use the Skunk Hollow connection to reach customers in Savage. TC&W will also continue to need track space for at least 75 cars east of the Wye to be able to effectively move cars on and off the Skunk Hollow connection. This means the railroad bridge over Highway 100 will have to be able to handle both freight rail and the proposed SLRT tracks.

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Track “Outage” during Construction

The DEIS says there would be a “track outage” of one to four weeks and that TC&W trains would be re-routed. (P. 6-61) However, the DEIS does not describe any alternate routes and TC&W is not aware of any. The DEIS does say that “if the railroads find the duration of the track outage unacceptable, it may be necessary to construct a temporary alignment and bridge structure.” No details are given as to what would be the “temporary alignment” or the “bridge structure.” A track outage requiring TC&W to close down would impermissibly interfere with the federal common carrier obligations of TC&W.

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Inadequate Analysis of Costs of Re-routing Freight

The FTA’s September 2011 letter required the Met Council to “analyze the impacts of relocating the Twin Cities & Western freight line, which currently operates on a segment of the planned Southwest LRT route, in the project’s Environmental Impact Statement (EIS). Because the freight relocation is necessary for MC to be able to implement the Southwest LRT project as planned, the cost and scope of the freight line relocation must be included in the Southwest LRT project scope and budget, regardless of the funding sources that may be identified to pay for the work.”

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The DEIS appears to say that the re-route with its defective design would cost almost \$23 million more than having light rail and freight rail together in the Kenilworth Corridor.⁴ However, the DEIS does not attempt to price a safe and efficient re-route design that would eliminate the increased grades and curvature and replace the lost track capacity. Such a design will require a larger footprint with additional expenses for land acquisition and track construction. An adequate design for a re-route onto the MN&S with reduced grades and curvature will require more land, affect more streets, traffic, businesses, and people, and cost substantially more. By not preparing and pricing an adequate design with detailed cost estimates, the DEIS did not comply with the FTA’s directions. The cost of a safe, adequate design is likely to be much more than \$23 million.

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The DEIS does not say what has been assumed as the cost of the “quiet zones” it says will be built.

The Co-Location Alternative

In a February 2012 meeting with TC&W, Met Council staff said that the FTA letter had cleaned the slate of past discussions of freight rail options and that the Met Council was directed to study both co-existence of freight and light rail in the Kenilworth Corridor and a re-route of freight rail traffic onto the MN&S. See DEIS P. 2-9. Minnesota Statutes Section 116D.04, subd. 2(a) also requires that alternatives be studied.

The DEIS discusses the co-location alternative, but does not contain a meaningful analysis of what would be the difference in costs. The DEIS appears to indicate that the re-route onto the MN&S would cost about \$22.9 million more than the co-location alternative.⁵ A previous estimate of the cost of the re-route using the present defective design was \$76.7 million.⁶ Thus, the DEIS indicates that allowing the freight rail to

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⁴ The capital costs of the entire Southwest LRT with a re-route onto the MN&S (LRT 3A) are stated as \$1,194,636,000 and the capital costs of the entire project with the co-location alternative (LRT 3A-1) are stated as \$1,171,770,000 (after correcting for the subsequently-discovered \$100 million error). (P.8-11) The DEIS thus appears to say that the re-route of freight onto the MN&S would cost about \$22.9 million more than the co-location alternative. The DEIS does not give any details as to how the cost of the re-route was calculated. It says the cost estimates for the alternatives were developed based upon the advanced conceptual engineering plans of Appendix F. (P. 8-1) Those plans, however, are only drawings and do not contain any cost estimates. The DEIS also says the plans were “described in Technical Memorandum No. 7A dated September 29, 2009 which may be viewed at southwesttransitway.org.” (P. 8-1) However, the referenced web site does not display or contain a link to such a memorandum. The DEIS also says unit costs for freight rail were obtained from the MN&S Freight Rail Study by Kimley-Horn, but that document is a one page summary estimate showing total capital costs of \$76.7 million. See, www.mnsrailstudy.org/key-documents, linked as “MN&S Freight Rail Study Capital Cost Estimate.” The DEIS does not cite any study by Kimley-Horn of the costs of the co-location alternative.

⁵ See footnote 4.

⁶ See, www.mnsrailstudy.org/key-documents, linked as “MN&S Freight Rail Study Capital Cost Estimate.” The \$76.7 million estimate is a one-page summary without any explanation as to how it was determined.

remain in the Kenilworth Corridor would cost about \$54 million. The DEIS does not explain why it would cost \$54 million to have the freight rail remain in the Kenilworth Corridor where it is today. Even if the entire Kenilworth track is taken up and re-laid on a new track bed, the Kenilworth track is only 2.5 miles long. Spending \$54 million would work out to be around \$21.6 million per mile, an astonishing cost. The DEIS does not contain an explanation or calculation comparing the costs of the co-location alternative to the costs of the MN&S re-route. In addition, the DEIS does not consider whether safety, noise and vibration impacts, as well as costs, would be less with the co-location alternative. (See Minnesota Statutes Section 116D.04, subd. 6).

The DEIS purports to consider and reject the co-location alternative for two reasons: (1) co-location would require 0.81 acres of property owned by the Minneapolis Parks and Recreation Board; and (2) co-location would fail to “provide a direct connection between the CP Bass Lake Spur and the CP MN&S which would satisfy the need for the safe, efficient and economical connection to St. Paul.” (P. ES-21) Neither reason is well grounded. As to the 0.81 acres, the DEIS fails to say exactly where that land is located or even why it must be acquired. If the area is the 0.81 acres shown on the map at page 7-16, that land is inside a triangle formed by the meeting of the BNSF Wayzata Sub and the Kenilworth Corridor tracks. There is no explanation as to what would be done to that 0.81 acres in the co-location alternative (LRT 3A-1) that is not being done today. The land has no active park or recreational use. The Minneapolis Park Board may welcome the opportunity to sell it.

The second reason stated for rejecting co-location is factually incorrect. TC&W already has a direct connection with the BNSF via the Kenilworth Corridor track which allows TC&W to reach St. Paul. TC&W has been using the Kenilworth Corridor track since 1998. As explained above, the re-route design in the DEIS would create a route that would be less “safe, efficient and economical.”

Summary

The DEIS contains no recognition or analysis of the safety risks of the present design. It ignores the noise and vibration that will be heard and felt when locomotives pull long trains through the four curves over the Bass Lake Spur onto the MN&S and then onto the BNSF Wayzata Sub. The DEIS does not comply with the FTA’s directions in its September 2011 letter that the DEIS must include an analysis of the “reconfiguration” of the “flyover” of CP’s Bass Lake Spur onto the MN&S. The DEIS ignores the directions of MnDOT that finding a design acceptable to the railroads is an “inescapable

requirement.” Despite the passing of almost 16 months since the FTA’s letter, there have been no changes to the design. Nor does the DEIS analyze the impacts of relocating TC&W’s traffic, which include increased safety risks, unusually large maintenance expenses, and operational problems that will handicap and make TC&W operations more difficult and expensive. Nor does the DEIS solve the elimination of the Bass Lake Spur tracks, potential track outages, and the Skunk Hollow issues. The DEIS fails to accurately and appropriately analyze the co-location alternative, which was specifically directed by the FTA.

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Minnesota Statutes Section 116D.04, subd. 2(f) requires that an EIS consider permitting issues; the DEIS does not consider how permitting can be accomplished in view of the federal regulatory issues raised by the DEIS. The U.S. Surface Transportation Board (STB) is the successor to the Interstate Commerce Commission and has exclusive jurisdiction over common carrier rail operations (and related railroad property), including trackage rights.⁷ See 49 U.S.C. § 10501(b), 10102(9)(A). This jurisdiction protects the public against trackage rights being unnecessarily discontinued, interrupted or obstructed. Accordingly, trackage rights cannot be withdrawn, terminated or limited once they are granted, without the authority of the STB, **even if the governing trackage rights agreement is expired or terminated.** To obtain the appropriate STB discontinuance authority, the party desiring to terminate the trackage rights must initiate a discontinuance proceeding before the STB. In such a proceeding, that party would bear the burden of proving that the present or future public convenience and necessity permit such a discontinuance, and the STB would consider, among other factors, the impact of such a discontinuance on the trackage rights operator and the shippers. In this respect, a rail carrier providing common carrier operations via trackage rights has the same rights and obligations to continue to provide such rail operations as it would have if the carrier owned or leased the rail line. In the absence of a safe and adequate design for a re-route, TC&W will oppose any discontinuance or relocation proceeding brought before the STB.

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The DEIS incorporates an unsafe, operationally defective design with increased operating costs and unusually large maintenance expenses due to the increased grades and curvature compared to the existing Kenilworth Corridor. The design does not comply with recognized engineering and safety standards. The design needs to be revised because it does not satisfy the requirements of Minnesota Statutes Section 116D nor the

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⁷ The Interstate Commerce Commission Termination Act (ICCTA) eliminated state and local authority over railroads and granted sole regulatory power to the Surface Transportation Board. It has exclusive jurisdiction over railroads and their property. 49 U.S.C. §§ 10501(b), 10102(9)(A). Remedies under ICCTA are exclusive and preempt other Federal and state regulations. 49 U.S.C. § 10501(b).

requirements of the FTA as set forth in the September 2011 letter. A safe and properly engineered design must be created, and it will need a revised analysis of the likely costs and environmental impacts.

Executive Summary
(ES)

COMMENTS ON CHAPTERS 1 – 12 OF THE DEIS

EXECUTIVE SUMMARY (ES)

ES – Page ES-7: In the second paragraph of LRT 3A-1, the statement is made that “The existing freight tracks along the CP Bass Lake Spur and the HCRRA Cedar Lake Junction (locally referred to as the Kenilworth tracks) would need to be reconstructed to meet BNSF design standards for clearance requirements.” BNSF’s jurisdiction ends approximately 100 feet south of their Wayzata sub, so this statement is incorrect and misleading.

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ES – Page ES-11: The only noise impacts described under the freight rail are train horn noise. There is no acknowledgement of steel wheel flange squeal on the rails or the noise of locomotives accelerating to hoist tonnage up the grade to the top of the MN&S.

ES – Page ES-16: The table under Property Acquisitions describes 125 parcels of land to be acquired under LRT 3A, and 175 parcels of land to be acquired under LRT 3A-1 (co-location). Details should be provided to allow for proper response.

ES – Page ES-20: Under LRT 3A, the third bullet point asserts that a direct connection from the Bass Lake Spur to the MN&S and from the MN&S to the BNSF would allow faster and more efficient train movements. TC&W has yet to see a re-route design that would make this assertion true. Logically the distance is further than the existing route and pulling tonnage up a steeper grades and tighter curves than the existing route is actually less efficient, not more so.

ES – Page ES-20: Under LRT 3A-1, it refers to “high construction related impacts because of the complex construction staging required to rebuild the freight rail tracks.” What are the “complex construction staging” facts, scenarios, and assumptions that support this statement? To the degree the assumptions are based on an erroneous perception that the BNSF has jurisdiction over this track, this assertion is misleading. TC&W operates on the Kenilworth Corridor tracks and does not believe the freight rail tracks need to be rebuilt.

ES – Page ES-21: In the first bullet point on the page, the park land is not specifically identified and the “need” to acquire it is not explained. If the area being considered is the 0.81 acres shown on the map at page 7-16, that land is inside the triangle formed by the meeting of the BNSF Wayzata Sub and the Kenilworth Corridor tracks. There is no

explanation as to what would be done to that 0.81 acres in the co-location alternative (LRT 3A-1) that is not being done today. The land has no active park or recreational use. The Minneapolis Park Board may well welcome the opportunity to sell it.

ES – Page ES-21: In the second bullet point on the page, “Failure to provide a direct connection...” This statement ignores the plain, uncontestable fact that there already is a direct connection with the BNSF via the Kenilworth Corridor track that allows TC&W to reach St. Paul, a connection TC&W has been using since 1998. This is not a reason to reject the co-location alternative.

ES – Page ES-21: In the third bullet point, “There is no feasible and prudent alternative...” The current re-route design is not feasible or prudent, and therefore unacceptable. Until an acceptable re-reroute design is created, it cannot be determined if the re-route is feasible and prudent.

ES – Page ES-22: In the second paragraph under the “Environmentally Preferred Alternative” bullet point, the concluding sentence of that paragraph asserts that LRT 3-A “improves the regional freight rail network.” This assertion is false, given the fact that the primary regional freight carrier, TC&W, has found that alternative unacceptable.

CHAPTER 1

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Page 1-4: It states that “On August 22, 2012, FTA invited the STB to become a cooperating agency.” What does this mean, and what significance does it have? The STB is the sole regulator of railroads, and the DEIS does not include any discussion recognizing the STB’s authority.

Page 1-8: It states that HCRRA amended the Scoping Summary Report to include the freight rail relocation to the MN&S project as part of the build alternatives. Why is the Scoping Summary Report not included in the attachments to the DEIS?

Pages 1-11, 1-12: The assertion is made that a TC&W interchange with CP in the Humboldt Yard as a result of a direct connection would be far preferable to TC&W than the “extra distance” to St. Paul. This assertion completely ignores commercial realities. As a matter of hard fact, ninety percent (90%) of the freight rail traffic interchanged to the CP in St. Paul goes to eastern or southern destinations in the United States. TC&W is compensated for bringing the cars to St. Paul. This statement also ignores the fact that St. Paul is CP’s primary rail yard in the Twin Cities. This means that cars interchanged in St. Paul are likely to be sorted and on their way to destinations within hours of arrival in the Twin Cities versus Humboldt Yard, where it may take an extra day before the cars leave the Twin Cities for their destination. These facts are plain and uncontested. The authors of this section did not communicate with TC&W on this topic.

Page 1-12: The first full paragraph attempts to describe freight rail operations without consulting with the freight rail carriers. The BNSF is a privately owned freight line. BNSF’s policy towards putting passenger trains on its freight lines has been to protect the capacity of its freight rail lines for present and future freight rail growth. Therefore, the assertion that a railroad such as BNSF would not have the position that passenger rail trains on freight rails will not diminish current and future freight rail capacity is false. It also ignores that TC&W’s primary freight rail exchanges occur in St. Paul, and going to St. Paul via the current Kenilworth route is more efficient than detouring north to Crystal and then heading east and south to get to St. Paul.

Page 1-12: On the first bullet point, access to Savage would not be improved because the direct connection is northbound and a side track would be needed to enable movement of the locomotives (such activity requires additional time and increases costs) from the north end of the train to the south end before the train could proceed south to Savage.

Page 1-12: In the second bullet point, access to other locations on the east side of the metropolitan area would not be improved.

C

Page 1-14: On Goal 6, TC&W endorses these goals, but the current design does not meet them.

CHAPTER 2

C

Page 2-7: On Table 2.1-2, Alternative 3A-1 is not shown on the chart.

Pages 2-8, 2-9: It refers to the “preferred location” for the freight rail and the “preferred permanent home” for freight rail operations. Which entity has this preference? The TC&W has remained neutral in its position on whether it stays in the Kenilworth Corridor or an alternative route via the MN&S, as long as the costs to operate and maintain remain the same as they are today. TC&W is not the entity that has this preference. The entity should be disclosed.

Page 2-16: Table 2.1-3--Alternative 3A-1 is not shown on the chart.

Pages 2-19, 2-20: There is discussion about existing freight operations but no discussion of freight rail growth. Nationwide, freight rail is projected to increase 35% over the next 20 years, and locally three of TC&W’s customers invested in their facilities in 2012 to enable unit train capacity which will add an additional estimated 70+ loaded and 70+ empty trains a year in addition to the current train traffic identified in this section. The SLRT must be designed and developed in such a way that the future growth of commercial rail freight activity is not limited or inhibited.

Page 2-27: The conceptual engineering for the freight rail re-reroute prepared by Kimley-Horn and Associates and presented to TC&W in a meeting with Hennepin County in late 2010 was rejected by TC&W because the grades were too steep and the curves too sharp. There is no explanation why this defective design has not been revised over two years later.

Page 2-41: In the second paragraph it refers to the necessity to reconstruct the existing freight tracks along the CP Bass Lake Spur and the HCRRA Cedar Lake Junction (the Kenilworth tracks) to meet BNSF design standards. These tracks function perfectly well today. TC&W can and does haul dimensional loads over these segments. BNSF has no jurisdiction from approximately 100’ south of their Wayzata spur. If anything, the proposed re-reroute design (the one rejected by TC&W but being used in the DEIS) would restrict movement of dimensional loads due to the tighter curves. What is the basis for this comment in the DEIS?

CHAPTER 3

Page 3-20: It says that the six studies concluded that the best option for freight rail operations was to relocate the TC&W freight rail operations to the MN&S line. None of the studies considered that the proposed design would create safety risks, noise, and vibration and impose increased operating costs on TC&W and its customers.

Page 3-34: In describing the freight rail relocation, it is unclear what land is affected. In order to reduce the curvature of the connecting tracks (north and south), the diameter of the curves will need to be increased.

Page 3-60: In the first paragraph it states that adding TC&W traffic to the MN&S would add only a small increase in freight rail traffic. Who is defining “small” and what is the definition?

Page 3-60: The fourth paragraph refers to a new bridge structure being constructed. What are the assumptions about who will own and maintain the bridge?

Page 3-61: The second paragraph states “...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.” Originally this area was the operational hub of the Minneapolis & St. Louis Railway, including locomotive servicing shops and a rail sorting yard. It is incorrect to claim that the area wasn’t originally intended for an intense level of railroad use.

Page 3-69: In the table showing property acquisitions, what footprint is assumed for freight rail relocation? If it is the Kimley-Horn design, then this table substantially understates the amount of land needed for an acceptable freight rail relocation design.

Page 3-70: In describing property acquisitions, the DEIS refers to the *MN&S Freight Rail Report*, Appendix H. TC&W had not seen this report prior to the release of the DEIS. On page 19 of the *MN&S Freight Rail Report* it states, “The design of the direct northerly connection from the CP Bass Lake Spur to the CP MN&S Spur was developed to minimize right of way impacts in this area, and hence provide optimal developable land.” This contradicts the fact that a larger land footprint will be needed to achieve grades and curvature comparable to the existing Kenilworth freight rail route which meets safety and recognized railroad engineering standards. This error results in misleading comparisons shown in the DEIS for property acquisition.

Page 3-96: It states that construction footprints for the Freight Rail Relocation segment have not been developed. This contradicts the land acquisition assumptions earlier in this chapter. In its September 2, 2011, letter, the FTA required the Met Council to do three things: (1) determine the design requirements for adequate safety features for street-grade crossings; (2) include the cost and scope of freight line relocation in the SLRT project and budget; and (3) “analyze the reconfiguration of the Canadian Pacific Railroad’s freight tracks where they will be elevated over the Southwest LRT line and include the analysis in the Southwest LRT project’s EIS and cost and scope. The planned flyover, as currently designed by MC, shows sharp curvature, steep grades, and insufficient clearances.”

The Met Council did not perform any of the three actions mandated by the FTA. The Met Council did not prepare a re-reroute design that eliminates the sharp curvature, steep grades, and insufficient clearances of the present design. There is no additional analysis or design to foster pedestrian and vehicle safety at crossings. The DEIS does not contain any detailed analysis of the cost of the re-route, or of construction of the “quiet zones” it says it will build.

The EIS does not state any details of the cost of the re-route or explain who calculated it or show it was considered in any way. At p. 8-1, the DEIS says the cost estimates for the several alternatives were developed based upon the advanced conceptual engineering plans of Appendix F. Those plans, however, are simply drawings and do not contain any cost estimates. The DEIS says the plans were “described in Technical Memorandum No. 7A dated September 29, 2009 which may be viewed at southwesttransitway.org.” However, the web site does not display or contain a link to such a memorandum. The DEIS says unit costs for freight rail were obtained from the MN&S Freight Rail Study by Kimley-Horn, but that study did not involve any consideration of the co-location alternative.

The DEIS incorporates the same deficient design as the Environmental Assessment Worksheet (EAW) of May 2011, which was shown to TC&W and deemed by TC&W to be unacceptable in 2010. In the absence of an adequate design, the DEIS studies a re-route design that will never be built.

Page 3-107: The visual impacts apply to a connection that is not acceptable for freight rail location and therefore cannot be built.

Page 3-124: It asserts that the new track and retaining walls will be the property of the railroad. Has any railroad indicated it would accept ownership of the retaining walls?

C

Page 3-127: The footnote to the table refers to “Source: HDR, February 2010.” Where is that source?

Page 3-129: The second paragraph asserts that the use of flashers and bells are examples of railways’ risk mitigation. Railroads do not control the use of flashers and bells. Typically it is the public entity whose streets intersect railroad tracks that typically requests flashers and bells to protect the public.

Page 3-130: It refers to page 85 of the *MN&S Freight Rail Study*, which is included in Appendix H of the DEIS. On page 85 in the third paragraph under “Derailments,” it says, “The required train control signalization measures to be designed and constructed would also improve the safety of train operations in this area. Train crew members operating such trains are all trained on how to operate trains safely on grades, curves and structures.” This assumes that the design and engineering of the grades, curves and structures would “meet very stringent railway engineering requirements.” Since the proposed design does not meet these requirements, as already noted by the FTA and detailed in the engineering review in Appendix A, the safety of train operations in the area will not be improved, but would be compromised.

Page 3-132: It describes CP and BNSF as owners and operators of the tracks in the area. Nowhere does it describe TC&W’s operations or concerns, despite the fact TC&W is the primary freight operator in the Kenilworth and Bass Lake Spur segments.

Q2

Page 3-132: As mentioned, the last paragraph on page 85 of the *MN&S Freight Rail Study* claims that the curvature of the bridge structures and grade on the bridge structures would be engineered and constructed “to meet stringent railway engineering requirements to ensure safe operation.” The design represented in this DEIS does not meet those requirements and is therefore unacceptable. An adequate design will require more land area.

C

Pages 3-135, 136: It mentions Quiet Zone upgrades. Given the proximity to schools adjacent to the MN&S, and the tendency of children to use portable headphones while

walking or biking, the proposed Quiet Zones may well increase risk to school children rather than mitigate it.

C

CHAPTER 4

Page 4-30: It refers to the *MN&S Freight Rail Study*. On pages 20-21 of that study, it says that the Golden Auto National Lead site has been delisted as a National Priority Site because contaminants have been contained beneath an asphalt cap. However, the site is still monitored and subject to some restrictions. There is no conclusive evidence that a rail structure could be constructed on the Golden Auto site without altering the asphalt cap and disturbing the contaminants there, nor is there any discussion of the potential costs associated with this element of the project.

Page 4-42: It states that construction limits have been reviewed and refined through the project development process to minimize impacts on wetlands, but it does not describe the particular wetland areas to be affected, what the likely impacts are, how the impacts have been minimized, or the design on which the assumed construction limits are based.

CHAPTER 5

C

Page 5-3: In the table it is shown that ROW expenditures for the LRT 3A-1 are greater than for LRT 3A. It also references the source as “HDR Engineering” for the figures used in the table. What assumptions have been made for the footprint of the freight rail relocation? The necessary revision of the design to address problematic grade and curve issues will require a larger footprint than the currently proposed design. This table substantially underestimates ROW costs for freight rail relocation.

Page 5-4: In the first full paragraph, the same question is raised. What assumptions have been made regarding the land footprint needed for an acceptable freight rail relocation?

Page 5-15: In the table shown, there is no mention of the impacts of the freight rail relocation project, but mention is made of freight rail in the co-location option. This appears to be an apples to oranges comparison.

Page 5-16: In the table shown, under LRT 3A-1, the statement is made that CP would need to amend their trackage rights under the co-location alternative. What is the basis for this statement? TC&W can identify no logical reason why CP would need to amend their trackage rights agreement under the co-location alternative.

CHAPTER 6

Pages 6-38 & 39: In the discussion about vehicle queuing, the report offers no opinion as to the likelihood of trains passing by schools during arrival or dismissal times. TC&W's current daily operations have an eastbound train proceeding through the area during arrival time. TC&W's time of operation is largely dictated by the actions and cooperation of the BNSF and CP railroads, since it is on their tracks that TC&W has trackage rights beyond the Cedar Lake Junction to get to St. Paul. This increases the likelihood of blocking the school crossings at arrival time in the morning.

C

Page 6-48: As discussed previously, TC&W questions whether installing Quiet Zones improves or hurts pedestrian safety in the vicinity of the tracks.

Page 6-50: A subsequent update to TC&W traffic should be noted. Two unit grain train facilities became operational on TC&W in November 2012. This is estimated to add an additional 70+ loaded and 70+ empty trains per year in addition to the trains shown in section 6.3.1.2.

Page 6-56L: It states that some form of STB oversight will be necessary with respect to freight rail operations. What it fails to mention is that TC&W holds permanent trackage rights over the Kenilworth Corridor and that only TC&W can petition the STB to abandon its trackage rights over that corridor. TC&W will not do so unless the freight re-route design results in a freight rail operation that is safe and does not cost more than it does to use the existing Kenilworth Corridor. These costs include operating and maintenance costs. STB oversight is to protect the freight rail shippers along the TC&W freight rail corridor in south central Minnesota and eastern South Dakota from freight rate increases due to increased freight rail operating costs and to protect those shippers' investments in their businesses and facilities.

Q0

Pages 6-56 & 57: As discussed in earlier parts of this response, both the proposed southern connection from the Bass Lake Spur to the MN&S and the proposed northern connection from the MN&S to the BNSF are unacceptable to TC&W, and clearly impose significantly greater uphill grades and sharper curves than the existing Kenilworth route. The notion that TC&W would gain an alternate route by way of CP's Humboldt Yard ignores the fact that this would add significant distance and greater freight track congestion than the current route and delay movement of railcars through the Twin Cities.

C

Page 6-57: The Freight Rail Relocation calls for using BNSF 25' standards from center of track to LRT track, and from center of track to ROW line. Whose decision was it that a BNSF standard must be used, and what is the rationale for that decision? The DEIS also references the AREMA 25' clearance from bridge piers without a crash barrier. What is the standard with a crash barrier and would that be more economical?

Page 6-59: In the segments describing the various trail crossings under the various scenarios, a map would be helpful.

Page 6-60: It mentions that TC&W freight rail service may be obligated to use temporary trackage during LRT construction, but it doesn't describe where, why, for what period of time, and at what cost.

Page 6-61: The description of construction activities implies that the design in this DEIS is acceptable to TC&W. It is not. The footprint needed for an acceptable design would necessitate a rewrite of this segment.

Page 6-61: A 1-week to 4-week track outage is unacceptable to TC&W. TC&W's customers depend on TC&W to provide timely delivery of their products to St. Paul, and timely transportation of their products from St. Paul to their locations in south central Minnesota.

Page 6-62: A map showing what is described in 6.3.3.3 would be helpful.

CHAPTER 7

Page 7-2: It describes the conditions under which an alternative may be rejected as not feasible and prudent, or as one that “has additional cost of extraordinary magnitude.” Who determines what “extraordinary magnitude” is? Since the design in this DEIS does not meet recognized railroad engineering standards, what is the true cost of a southern and northern connection which would meet those standards? Would that cost be of “extraordinary magnitude”?

Page 7-2: It describes “de minimus” [*sic*] impacts to park properties. Does the acreage needed for LRT 3A-1 (an additional 0.89 acres over LRT 3A) qualify as *de minimis* impact? Is it possible to design the LRT 3A-1 route so as not to take any (or less) park land? Who has attempted to create such a design and how successful were they?

S2

Page 7-9: The table for LRT 3A-1 does not identify a map or otherwise explain exactly where the 0.81 acre area is located in Cedar Lake Park. If the use of such an area is of significance in choosing routes, it should be clearly identified.

S2

Page 7-20: It describes the channel between Brownie and Cedar Lakes as a potential Section 4(f) use. Without knowing what an acceptable design for the northerly connection would look like, but assuming the grading would have to be much more gradual to function for freight rail, it is reasonable to assume there will be Section 4(f) impacts.

C

CHAPTER 8

C

In this chapter the costs are shown in the aggregate. It is impossible to determine what specific assumptions and calculations are behind the estimated costs of building the proposed southern connection from the Bass Lake Spur to the MN&S and the proposed northern connection from the MN&S to the BNSF.

Without having those costs clearly detailed, it is not possible to make an accurate comparison to what an acceptable freight re-reroute might cost. This is especially so since no acceptable re-route design has been created and the costs of building an acceptable re-route design have not been estimated. The table shows the cost of relocating the freight as being \$123 million more versus co-location (note: this \$123 million amount was subsequently revised to \$23 million). Does this meet the “extraordinary magnitude” described in the previous chapter? Who determines this?

CHAPTER 9

In the table spanning pages 9-14 through 9-17, there is no mention of freight rail, giving the reader the impression that freight rail impacts have not been considered.

Page 9-25: There is no discussion of the safety impact of freight rail adjacent to the schools along the MN&S, nor is mitigation discussed.

Pages 9-30-32: In these pages there is no discussion of the noise and vibrations of accelerating freight locomotives pulling tonnage up the steep grade until the midpoint of the freight train meets the top of the grade on the MN&S at Minnetonka Boulevard. This noise and vibration will be significant. There also is no discussion of the squealing of steel freight car wheels against the curved steel rails on the proposed southern and northern connections. Mitigation would involve a design that makes the grades substantially less severe and elongates the curves to reduce rail wheel squeal.

Page 9-45: In the table under safety and security, no mention is made of the safety issues created by rerouting the freight rail.

Page 9-52: In the table under Freight Rail Relocation, it describes the cumulative impacts as “more noise events.” This is not discussed in the narrative portion of this chapter.

Page 9-53: In the table under Freight Rail Relocation it says “An increased number of ground-borne vibration events may occur because of the increased number of freight rail trips.” This is not discussed in the narrative of this chapter. Vibration will certainly increase because of the increased number of freight rail trains.

CHAPTER 10

TC&W has no comments on Chapter 10.

CHAPTER 11

Page 11-3: In the table describing the parklands, .227 acres is described as “de minimus,” [sic] but 1.12 acres does not have the “de minimus”[sic] notation, implying that the author knows what the standard for *de minimis* is. What is the standard for *de minimis*, and by whom was that standard set?

S2

Page 11-4: In the table describing the noise, it shows 267 properties affected by co-location and 201 properties by freight rail relocation, with the parenthetical note (“with use of quiet zones for FRR segment”). The assumptions behind this table need to be explained, because as mentioned earlier in this response, the noise of accelerating locomotives and squealing of steel rail wheels on steel rails may rise to the level of “severe residential impacts.”

C

Page 11-5: In the table showing property acquisitions, the assumptions behind the numbers should be explained. As noted earlier in this document, the land footprint needed to make the freight rail relocation meet recognized railroad engineering standards will be greater than described in this DEIS, making this table misleading.

Page 11-7: The table describes LRT 3A as meeting the goal of “safe, efficient, and effective movement of freight throughout the region, state and nation.” The design used for this DEIS does not meet that goal. Further design work in collaboration with TC&W, the primary user of the freight rail route, will be needed in order to achieve this goal.

Page 11-7: In the table showing the goal of “Continuous flow of freight rail throughout the study area.” it shows “yes’ under LRT 3A and “no” under LRT 3A-1. There is no explanation for this difference and it is erroneous. Since 1998, TC&W freight traffic has moved through the Kenilworth Corridor onto the BNSF Wayzata Sub.

Page 11-10: In the language describing freight rail traffic on the MN&S, it uses the language “slight increase” in several areas. This language is not objective; how is “slight increase” defined and by whom?

Page 11-12: In describing the potential adverse impacts of LRT 3A-1 compared to LRT 3A, the first bullet point states that acquiring the Cedar Lake Park property (identified earlier in the DEIS as .81 acres) causes a Section 4(f) impact. Earlier in the DEIS it shows .227 acres as “de minimus.”[sic] (Page 11-3) Again, what is the standard for *de minimis*?

S2

The DEIS does not identify a map or otherwise explain exactly where the 0.81 acre area is located in Cedar Lake Park. If such an area is of significance in choosing routes, it should be clearly identified. The map contained at page 7-16 has “0.81 acre” inside a box and an arrow pointing to the triangle where the BNSF Wayzata sub meets the Kenilworth Corridor track. If that is the area causing a Section 4(f) impact, that land is already adjacent to both freight rail lines and there is no explanation as to how the co-location alternative would affect that land.

The second bullet point implies that having the direct northbound connection from the Bass Lake Spur would eliminate the need for the Skunk Hollow switching wye. TC&W has stated on numerous occasions that a direct northbound connection would NOT eliminate the need for the Skunk Hollow switching wye. This bullet point is false.

The third bullet point makes an assertion without stating the assumptions.

Page 11-12: The last paragraph implies that 0.81 acres is not “de minimus”[*sic*]. Again, what is the standard? It also states that the alternatives (apparently freight rail re-routing onto the MN&S) are “feasible and prudent alternatives.” Without knowing what land footprint will be needed for a design that meets recognized railroad engineering requirements, and without knowing what will be the costs of building an acceptable route, this statement is unsupported. “Feasible and prudent” both require definition.

Page 11-15: In describing the process leading to the selection of LRT 3A as the preferred alternative, it does not mention that the freight rail relocation design and costs were **excluded** as a consideration for arriving at that preference. If consideration had been given to proper design and the true cost of freight rail relocation during the decision making process, would LRT 3A still have been chosen?

Page 11-15: In the second paragraph, the assertion is made that LRT 3A improves the regional freight rail network. The design described in this DEIS does not improve the regional freight rail network due to unacceptably steep grades and sharp curves which do not meet recognized railroad engineering standards. TC&W believes a design can be created that does meet those standards. However, in light of the persistent failure of the Hennepin County and Met Council staffs to listen to TC&W, CP, MnDOT, and the FTA and to collaborate on an acceptable design that does not impose higher operating and

maintenance costs upon the railroads, it is doubtful that the “preferred alternative” route will ever be built.

CHAPTER 12

C

Page 12-4: it states that the selection of LRT 3A as the recommended Locally Preferred Alternative (LPA) was made in Fall 2009. It does not state that Hennepin County excluded freight rail relocation as a consideration when determining the Local Preferred Alternative (LPA).

Page 12-14: Table 12.2 of the DEIS lists a number of government permits that the SLRT project will require. The list does not include the United States Surface Transportation Board (STB). The STB is the successor to the Interstate Commerce Commission (ICC), and has exclusive and plenary jurisdiction over trackage rights. The Interstate Commerce Commission Termination Act of 1990 (ICCTA) eliminated state and local authority over railroads and granted sole regulatory power to the STB. It has exclusive jurisdiction over railroads and their property. 49 U.S.C. §§ 10501(b), 10102(9)(A). Remedies under ICCTA are exclusive and expressly preempt other Federal and state regulation. This jurisdiction protects the public. Accordingly, trackage rights cannot be withdrawn, terminated or limited once they are granted, without the authority of the STB, **even if the governing trackage rights agreement is expired or terminated**. To obtain the appropriate STB discontinuance authority, the party desiring to terminate the trackage rights must initiate a discontinuance proceeding before the STB. In such a proceeding, that party would bear the burden of proving that the present or future public convenience and necessity permit such discontinuance, and the STB would consider, among other factors, the impact of such discontinuance on the trackage rights operator and the shippers. In this respect, a rail carrier providing common carrier operations via trackage rights has the same rights and obligations to continue to provide such rail operations as it would have if the carrier owned or leased the rail line. The trackage rights over the Kenilworth Corridor and the Bass Lake Spur used by TC&W were approved by the STB. The STB would have to approve any discontinuance of those rights and also have to approve any re-route. In making such determinations, the STB considers many factors, including the effects upon railroad shippers.

A key element of TC&W's formation, which allows its shippers to grow, prosper and invest, is that TC&W's freight rail route to St. Paul will not be impeded with additional costs. In protecting the permanence of a freight railroad's trackage rights, ICCTA created the proper incentives for TC&W and the shippers it serves to grow, prosper and invest, resulting in efficient, economical and sustainable rail operations.

CONCLUSION

TC&W has grave concerns about a number of issues that will negatively impact our operations and shippers in south central Minnesota and eastern South Dakota. TC&W has raised these issues before but has been ignored.

As presently designed, the SLRT would negatively affect the people and businesses in the rural areas of central Minnesota and eastern South Dakota served by TC&W. It would also negatively impact many residents of St. Louis Park. The negative effects include:

- Failure to consider safety risks to pedestrians, vehicles, and residents
- Environmental
 - Additional greenhouse gas emissions
 - Increased locomotive and train wheel noise
- Increased operating and maintenance costs
 - Costs being passed onto our customers
 - Stifled job and economic growth
 - Defective freight rail design
 - A. Tighter curves and greater grades in excess of recognized railroad engineering standards
 - B. Greater risks of derailments
 - C. Operating inefficiencies
 - D. Unusually large track maintenance expenses
 - E. Loss of track capacity on the Bass Lake Spur necessary for staging, switching, sorting, and storing freight railcars
 - F. No alternative to continued use of the Skunk Hollow Wye
 - G. Threats of track “outages” during SLRT construction
- Inadequate consideration of the co-location alternative
- Failure to comply with FRA and MnDOT Directives

The DEIS does not satisfy the requirements of Minnesota Statutes Section 116D nor the requirements of the FTA as set forth in its September 2011 letter to the Met Council.

The FTA required the Met Council to “determine the design requirements for adequate safety features for street-grade crossings between the SLRT line and existing freight rail tracks.” Despite the passage of sixteen months, that has not been done.

The FTA also directed the Met Council to develop with a freight rail design without “sharp curvature, steep grades, and insufficient clearances.” Again, despite the passage of sixteen months, that has not been done.

The FTA further directed the Met Council to evaluate the co-location alternative. The analysis of co-location in the DEIS is perfunctory and the result appears predetermined. The reasons advanced for rejecting co-location – the “need” to use 0.81 acres of park land and the “need” for the re-route to give TC&W a route to get to the BNSF Wayzata Sub and to St. Paul – are insubstantial as to the first and inaccurate as to the second. The cost analysis fails to show any detail to allow an honest evaluation of the costs of co-location, especially since a safe and adequate re-route design has not been developed.

A safe, effective, and operational re-route design will need more land area and cost more than the present design. If one is ever completed, a revised analysis of environmental impacts and costs will be needed.

In the absence of a safe and properly engineered re-route, TC&W will oppose any discontinuance proceedings before the STB which would be required by federal law to terminate TC&W’s trackage rights to continue to use the Kenilworth Corridor.

APPENDICES TO TC&W'S RESPONSE TO THE DEIS

- A. Engineering Report**
- B. Track Capacity Constraints**
- C. TC&W June 2011 Response to the EAW**
- D. CP June 2011 Response to the EAW**
- E. History of Railroads and the TC&W**
- F. Letters of Support from Customers**
- G. Letters of Support from Cities**
- H. Letters of Support from Counties**

December 11, 2012

ENGINEERING REVIEW OF FREIGHT REROUTE WITHIN
DRAFT ENVIRONMENTAL IMPACT STATEMENT

Review of the proposed plan to reroute the daily freight rail traffic of the TC&W Railroad would be described as detrimental at best to freight operations. The new ruling grade for all freight would dramatically affect the operations, maintenance and capital plans for this railroad. Comments related to these three items are detailed below:

Background:

In a perfect world, all railway alignments would be tangent (straight) and flat. This would provide for the most economical operations and the least amount of maintenance. A freight train is most commonly comprised of power and cars. The power may be one or more locomotives located generally at the front of the train. The cars are then located in a line behind the power. As a train moves up and down a hill, it could be visualized as pulling on a chain. As the chain is pulled up a hill everything follows very nicely in a straight line. If the chain gets pulled over a hill, the downhill portion of the chain tries to bunch up behind the leading link and doesn't want to stay in a straight line (buff – downhill forces; draft – uphill forces). As the chain is pulled around in a curve, the trailing links in the chain try to form a straight line. The chain analogy creates a good visualization for the forces acting on a train.

The proposed connecting route for the TC&W Railroad would require both loaded and empty trains to negotiate a series of steep grades and sharp reversing curves. The current proposed design for a connecting route from the Bass Lake Spur to the MNS Spur includes grades of 0.86% and 1.5% grades leading up to and through an 8 degree curve. The high point of the grade is well into the curve. Thus west bound traffic would have to pull up a grade of 1.5% while turning through an 8 degree curve while the trailing cars would be negotiating a reversing set of curves behind.

In the BNSF Design Guidelines, Revision May 2011, under the heading of Vertical Curves states "For secondary main tracks (speed < 50 MPH), the rate of change should not be more than 0.10 feet per station in sags, and not more than 0.20 feet per station on summits." Considering the curve proposed between the Bass Lake Spur and the MNS Spur, there is a 0.86% east bound grade and a 1.5% west bound grade with the summit being at about Station 141+82. The length of the vertical curve is 400 feet or 4 stations. Thus the rate of change per station can be calculated as $(0.86 + 1.50) / 4 = 0.59$ feet per station. This is greater than 0.20 feet per station by almost 3 times.

AREMA (American Railway Engineering and Maintenance-of-Way Association) provides an equivalent grade by adding 0.04% of grade for every degree of curve. Therefore the compensated grade for the proposed route is $1.5\% + 0.04 * 8 = 1.82\%$. Now the 8 degree curve is reduced to an equivalent grade of 1.82% on tangent (straight) track. This creates a new "Ruling Grade" for any freight operation. A ruling grade is the maximum grade for which the railroad must allocate power (locomotives) to pull a load.

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AREMA also specifies that the tractive effort (the force required by the locomotive) increases by 20 pounds/ton per percent of grade. Since the maximum existing grade is 0.45% the increase in grade becomes $1.82\% - 0.45\% = 1.37\%$ and increases the tractive effort required by 137 tons on a full (10,000 ton) train, requiring at least one additional locomotive and the likelihood of distributed power. Distributed power is the ability of placing locomotives at both the front and the rear of the train. Distributed power requires a mechanism that will balance the force between the front and rear locomotives such that they will work together to move the loads.

The 2003 AREMA "Practical Guide to Railway Engineering" points out many hazards associated with extreme curvature, reverse curvature and undulating grade. This publication summarizes as follows:

"... reversing curves should be avoided at all costs. With reverse curves, there are two dynamic components acting on a single car or rail vehicle causing a yawing effect, which is of concern. . . . The net effect is a couple about the center of the car. This compares to a car on a single curve where the forces at either end of the car are acting in the same direction and thus counter-acting one another. This couple effect greatly increases the likelihood of the train buckling and thus a derailment."

Once onto the MNS Spur, there are two reversing curves with grades as high as 1.5% and compensated grades as high as 1.72%. For an east bound loaded grain train of 110 cars, the train would be 7045 feet with three locomotives; the train would extend through the first three curves from the Bass Lake Spur to the MNS. When the curve radius and grade is severe, the potential for accidents is increased. This is not desirable in an urban area and certainly less than desirable from a railroad's standpoint.

It is difficult for many people to visualize how long a train can be. If a 7000 foot loaded grain train were east bound and the back of the train was positioned at the beginning of the curve where the Bass Lake Spur turns north to the MNS Spur, the front of the train would be positioned just north of the 29th Street crossing. Within this length, the train would be trailing through three horizontal reverse curves and six vertical curves. The dynamics of the train will be very difficult for the crew to control and the potential for derailment is very high.

Maintenance:

Curves, especially sharp curves, are a maintenance problem for all railroads. Rail life is severely impacted on any curve over two degrees and the useful life is shortened based on tonnage and speed. Excessive effective grade (over 1% compensated) will cause an increase of wheel burns to the rail, which will lead to an increase in web/head fracture or broken rail. The low rail is flattened particularly when the rail is traversed at slow speeds and underbalance imposes more car weight over the low rail. The high rail is abraded as the truck attacks the high rail as it is steered around the curve. AREMA indicates that wheel tread will general guide the rail vehicle on curves up to three degrees before flange/rail contact begins to regularly occur (thus significant curve wear of rail head begins).

The proposed connecting route from the BNSF Wayzata Subdivision over the MNS Spur to the Bass Lake Spur will contain four horizontal curves that exceed 1% compensated grades. Within this route, there are 5,102 feet of curves that exceed 1% compensated grades. Depending on the tonnage, replacement of the rails and ties due to the curve will need to be frequent. Replacement of the rail for these curves would cost between \$150,000 and \$200,000 in today's dollars. Also, there are two switches in this proposed mainline at grades of 1.5% and very near the point of horizontal curve. These switch positions are certainly not desirable as they create likely points for derailment given their relative position in the horizontal and vertical alignments.

Super-elevation (inside rail is lower than the outside rail) is required to keep cars balanced and the speed of the train will create a centrifugal force that will try to keep the cars on a straight line. By introducing super-elevation, the force on the track is more balanced between the rails. However in sharp curves, the amount of super-elevation required to counteract the centrifugal force becomes more substantial. Without any super-elevation, the speed on the curve would be limited to 23 MPH.

To maintain this super-elevation is very costly. Failure to do so creates a hazardous condition where cars could overturn on the outside of the curve. Additionally, having a sharp curve on a bridge introduces safety issues related to public and railroad safety. Because of the safety concern, the FRA (Federal Railroad Administration) requirements for surface and alignment in a curve are much more stringent. For reference see FRA 213.55 and FRA 213.63. It is likely that the track within the curves would require surfacing at least 3 to 4 times per year at a current cost of around \$10,400 per time.

Operations:

Train Speed will be impacted primarily by the 8 degree horizontal curve although all of the curves in this proposed alignment will affect train speed. Without super-elevation in the curves, the train speed is limited to 23 MPH. Uphill trains will operate slower. If higher downhill speed is desired, super-elevation must be added to be compliant with FRA 213.57 which will result in rail flattening as referenced above.

Additional running time will be required for each train as they travel up the hills and around the horizontal curves. The result of the MNS Spur connection may be that heavier trains will need to double the entire MNS Spur (only half of the train will be hauled up the hill at a time), resulting in the need for a long siding at each side of the MNS Spur to accommodate the doubling movement. With increased power required for each train, there would likely be a need to purchase additional locomotives to run with each train. It is also very likely that distributed power would be required on each loaded train to avoid excessive force on drawbars. By our calculations, pulling a full train (10,000 tons) on the proposed alignment and grade, without distributed power would be possible with five locomotives but the coupler capacity would be exceeded by about 33% thus causing damage to cars.

A typical freight operation would organize cars in the train for efficient operation at the stations. For example, Station A might get 5 loaded fertilizer cars and 5 empty grain cars, Station B might get 3 loaded box cars and 4 loaded gondolas. The railroad would line these cars up in the train so that cars for Station A are at the rear of the train, next would be cars for Station B and so on. If empty cars are

interspersed with the loaded cars (ie: empty grain cars returning with loaded fertilizer cars) as is typically the case with freight movements, there is a concern that the loaded cars would pull the empty cars off the track on the inside of the curve. This is called a "straight lining the curve" derailment. To avoid this condition, the railroad would need to change their operations to group all the loads together behind the locomotive and all the empties following. Rearranging the cars in this fashion would require additional time, labor and fuel at every station to set out loads and empties. Additionally, it is possible that additional yard track would be required at the stations to maneuver the cars.

Capital Plans:

The additional locomotive power and the ability to distribute power would require a capital investment on the part of the Railroads. The proposed plan will require the Railroad to invest in new locomotives and maintenance equipment for surfacing the curves along with the additional cost of fuel. These costs will be incurred in perpetuity causing an increase in operating costs and a decrease in profitability. In addition, if the track changes the operations of the Railroad, additional siding tracks may be required to allow the railroad to manipulate the cars at each Station. The cost of track for freight is currently about \$165 per track foot plus the cost of switches. Thus if a station needed to have an additional 20 cars of track to set off cars at the station, the cost could be over \$300,000 per station.

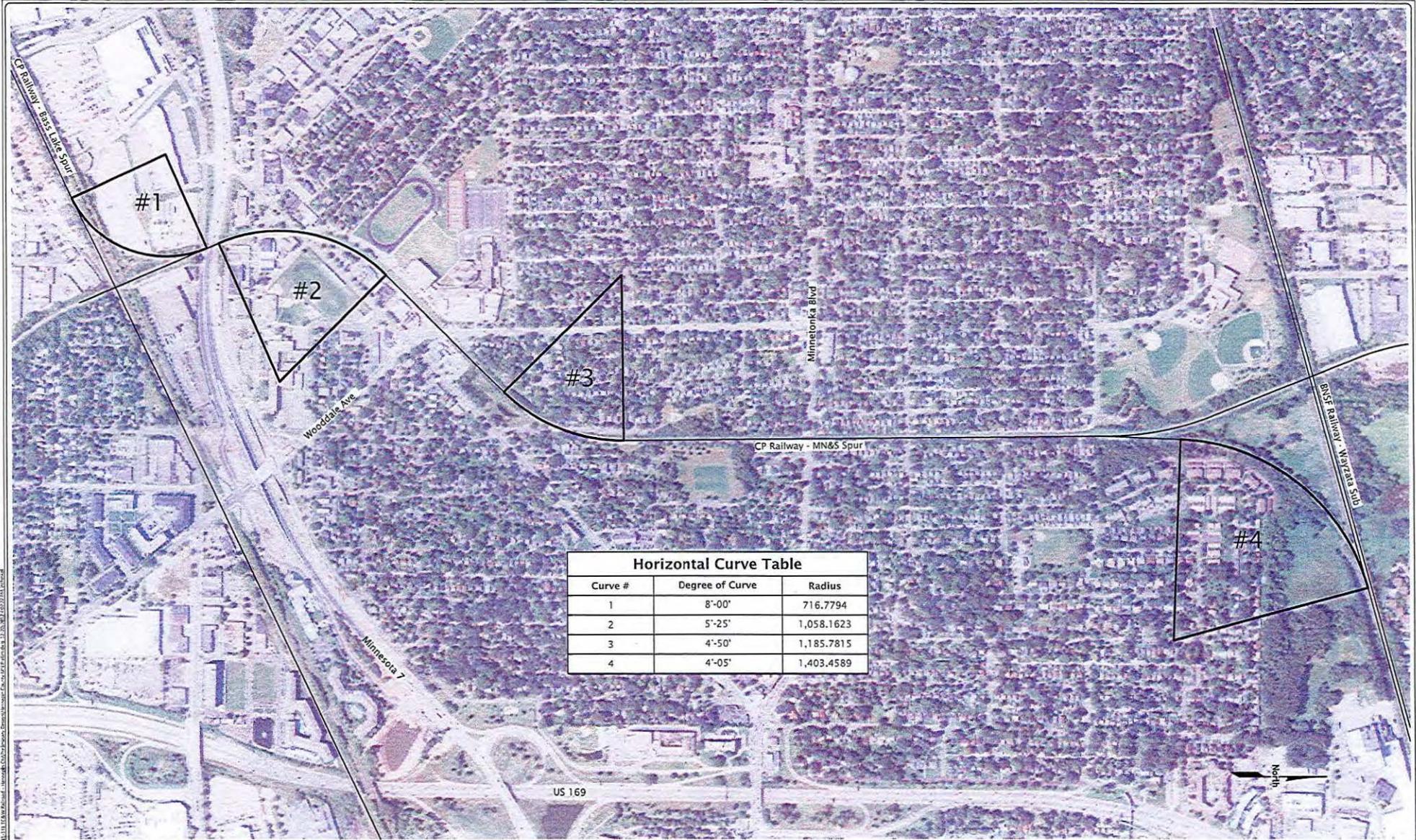
Conclusion:

The proposed plan for the Bass Lake/MNS Spurs places sharp curves, reversing curves and steep grades in a mainline freight railroad. All guiding specifications and design guidelines have been violated by this proposed plan. Placing an 8 degree curve on a bridge with a steep grade on either side, introduces enough of a safety concern in itself to dismiss the current proposed plan.

This plan would draw criticism from any railroad wherever it is presented and should not be considered. With the information above, even if cost were not an issue, the safety concerns would certainly be enough to bring the designers back to the drawing board. Having an elevated grade in a curve has safety implications for the railroad workers, and the general public. Finding a solution that will satisfy these conditions should be a priority before anything else. Addressing the original set of criteria would require that no additional restrictions be imposed on the freight railroad. This plan imposes restrictions that are unreasonable for the operating railroad.

Respectfully,

Carey Bretsch, PE
Principal



Horizontal Curve Table		
Curve #	Degree of Curve	Radius
1	8°-00'	716.7794
2	5°-25'	1,058.1623
3	4°-50'	1,185.7815
4	4°-05'	1,403.4589

Hennepin County - Rail Study	CAD Filename:	CDI Project No.:	Drawn By:	Checked By:	Scale:	Date:	CDI CIVIL DESIGN INC	609 Main Ave S Brookings, SD 605-696-3200	Sheet No.:	of No.:
	Hennepin Co. Prelim	2011-131	JDS	CLB	1" = 600'	12/20/2012				

TRACK CAPACITY CONSTRAINTS

Currently the Twin Cities & Western Railroad operates on the Canadian Pacific Bass Lake Spur. Along the Bass Lake Spur are multiple locations called sidings. Sidings are locations connected to the main track by switches. A switch is a mechanism that allows a train to leave one track to traverse onto another track.

For the purposes of clarity, each siding location on the Bass Lake Spur is named. Along with the name for each siding, the number of cars that can fit in each is shown below.

This is the breakout of the sidings on the Bass Lake Spur east to west:

1. Bass Lake Yard: Two tracks with each one able to hold 20 cars
2. Hwy 100: 32 cars
3. Creek: 105 cars
4. Salt Track: 15 cars
5. Dominick East: 62 cars
6. Dominick West: 86 cars

In total, the TC&W has storage for 340 cars along the Bass Lake Spur. We utilize these tracks for long term storage, staging of unit trains, and staging of traffic to go west on TC&W. The majority of the time, these tracks are full and in use.

When the TC&W receives cars from the Canadian Pacific (CP), Burlington Northern Santa Fe (BNSF), Union Pacific (UP), or Minnesota Commercial (MNNR) we bring those cars onto the Bass Lake Spur where we use these tracks to sort our cars. TC&W switches out these cars by repeatedly decoupling, moving and recoupling for final train assembly, into the appropriate order based on their final destinations, to allow for fluid and timely operations.

Under the proposed re-route option presented in the DEIS, TC&W will lose storage and sorting space along the Bass Lake Spur. Based on the table above, TC&W would lose the Bass Lake Yard, Hwy 100, Creek, and Salt Track sidings. This means a loss of storage space for 192 cars, or approximately 12,480 feet of current track capacity. This capacity is essential for daily operations on the TC&W. Any lost track capacity must be replaced at an agreed upon location.

If additional track is needed west of Hwy 169 overpass, then the balance of the storage would be compromised (Dominic east and west) and we would lose 9,620 feet of storage, bringing the total lost track capacity to more than 22,000 feet.



TWIN CITIES & WESTERN RAILROAD COMPANY

June 15, 2011

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Frank Pafko
Director, Office of Environmental Stewardship
Minnesota Department of Transportation
395 John Ireland Boulevard, MS 620
St. Paul, MN 55155-1899

RE: Comments on MN&S Freight Rail Study Environmental Assessment Worksheet

Thank you for the opportunity to review and submit comments relating to the environmental assessment worksheet. As a freight operator over the proposed and current rail, please accept our comments below in response to the MN&S Freight Rail Study - Environmental Assessment Worksheet (EAW) dated 05.12.2011.

Licensing and STB Approval

The common carrier operations of Twin Cities & Western Railroad Company ("TCW") are subject to the federal Surface Transportation Board ("STB"), which has "exclusive" jurisdiction over "transportation by rail carriers." 49 U.S.C. § 10501(b). "Transportation" is defined broadly, to include any "property . . . of any kind related to the movement of passengers or property, or both, by rail, regardless of ownership or an agreement concerning use." 49 U.S.C. § 10102 (9) (A). Under the ICC Termination Act of 1995, a common carrier must obtain regulatory authority to conduct operations on the rail lines of a third party. Accordingly, TCW obtained such authority from the STB in 1998 in connection with relocating its rail operations from the Merriam Park Line (also known as the 29th Street Corridor, now the Midtown Greenway), also owned by Hennepin County Regional Railroad Authority, to the Kenilworth Corridor prior to commencing operations over the Kenilworth Corridor. Moreover, and of particular importance with respect to the project described in the EAW, a common carrier generally must obtain regulatory authority to discontinue operations over the line of a third party or to re-locate operations onto another rail line. The EAW lists several licenses and permits which must be obtained for the project. (EAW, p. 16). The EAW, however, does not mention or discuss the necessity of seeking and obtaining similar regulatory authority from the STB for this relocation project.

TCW has not approved or accepted the proposed reroute design. We have serious misgivings about the design of the proposed connection between the CP Bass Lake Spur and the CP MN&S Spur and the grade on the MN&S. Those concerns focus on the safety, efficiency and costs of TCW's proposed operations over that connection and the adverse effects on shippers. TCW's customers have expressed similar concerns to senior officials of our company. Under these circumstances, attempts to obtain regulatory authority for this relocation project (including

authority for TCW to discontinue its current rail operations over the Kenilworth Corridor) could raise opposition from various entities, as well as judicial challenges.

The EAW does not discuss either the need to obtain STB regulatory authority as a condition to completing the proposed project or the prospect that such authority may not be forthcoming. These issues should be carefully considered before HCRRA proceeds along the lines described in the EAW.

Failure to identify environmental impacts from increased curvature and gradients

- TCW's existing operations consists of at a maximum ascending eastbound grade of 0.40% and a maximum curve of 3.5 degrees on the Bass Lake Spur, and a maximum eastbound ascending grade of .45% (this is a short segment preceded by a longer segment of descending grade of .65%) and a maximum curvature of 6 degrees on the Kennilworth corridor. The proposed design proposes a maximum ascending eastbound grade of 0.86% (ascent from Bass Lake Spur to the MN&S) and maximum curve of 8 degrees on the new design element. (EAW, p. 8, Proposed Action - Key Design Elements section) On the MN&S, the proposed grade is 1.2%. (EAW, p. 12, Detailed Project Description)
- If the .86% and the 1.2% grades are assumed to be final, the increased noise from accelerating locomotives struggling to make the increased grades will be significant. The EAW fails to discuss or assess the increased noise. (EAW, p. 48 - 55, Noise section)
- The increased curvature creates additional friction, which amplifies the noise emissions including high-frequency squealing and echoing. The EAW again fails to discuss or assess the increase in noise due to greater curvature. This increased noise is not identified or assessed in the EAW. (EAW, p. 48 - 55, Noise Section)
- The greater grades will result in increased diesel emissions due to the need for more horsepower because of the increased grade. (EAW, p. 47, Air Quality Hot Spot Analysis/Mobile Air Source Toxins) The EAW fails to make any assessment of this.
- The EAW does not identify the linear feet associated with increased grades, which has a direct environmental impact on noise, emissions, vibration, etc. (EAW, p. 12, first paragraph)
- The EAW does not identify the grade to traverse from the west-bound BNSF Wayzata Subdivision to the south-bound MN&S. (EAW, p. 8, Proposed Action - Key Design Elements section)
- The EAW does not identify and measure vibration of existing train traffic on the existing TCW route. (EAW, p. 63, Existing conditions)

- The existing connection to BNSF at Cedar Lake Junction is directly to the main line. The proposed project shows the existing BNSF mainline at the Iron Triangle will be converted to a siding track. The emissions, vibration, and nuisance impacts of this siding are not identified. (Track Plan, Sheets 15-22)

Inaccuracies in the EAW, EIS, AUAR or other accompanying documents

- The proposed increased east-bound grade and curvature does not improve TCW's operational efficiency for freight movement through the City of St. Louis Park as stated. (EAW, p. 47, third paragraph) Instead, the increased grade and track curvature lessens our operational efficiency by requiring additional horsepower. The increased curvature would produce increased wear and tear on car and locomotive wheels.
- The EAW assumes the TC&W freight operations which are to be relocated have an average of 50 carloads/train for CP and an average of 20 carloads/train for UP. (EAW, p. 7, Regular Trains) However, TCW's current carload averages are greater; the average train size of our current operation is 68.5 cars/train for CP and 23.5 carloads/train for UP.
- Our existing operations would lead the 8-8:15 a.m. scenario to be more common than "relatively rare". (EAW, p. 41, last paragraph)
- Correction in the sentence, "The times in the table are based on the time when the first car enters the corridor until the time when the first car exits the corridor." (EAW, p. 40, third paragraph) We believe this should read "...when the last car exits the corridor."

Environmental impacts that have not been adequately addressed

- The EAW says TCW trains will be temporarily rerouted during the 1-week to 4-week duration when the MN&S bridge over TH7 and the TH7 South Frontage Rd would be removed and reconstructed but does not discuss what routes would be available or the impacts of such disruption on TCW and its customers. (EAW, p. 14, Disruption of Rail Operations)
- The "Economics" section does not mention, much less resolve, the increased operating costs to TCW from increased grades and curvatures. (EAW, p. 88, Economics)

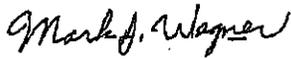
Possible mitigation measures that could or should be added to the proposal

Quiet Zone: TCW urges city, county, and state officials to thoroughly and carefully consider the residual safety hazards that are associated with a quiet zone in St. Louis Park versus the associated environmental benefits. We have safety concerns due to a number of factors: 1) increase in train size, speed, and frequency; 2) proximity to schools, business, and residential; 3) an increased number of at grade crossings. While we understand the concern for train whistle and associated noise impacts, we strongly urge consideration of these safety factors when decisions are made. (EAW, p. 44, Mitigation)

Design review

TCW has not approved the proposed design. We have not thoroughly reviewed the proposed design or hired an engineer to review it. Engaging in such a review does not seem appropriate unless the project is going to proceed. Hennepin County has now represented that the cost of the proposed project is \$76.7 million. We are not aware that Hennepin County or any other government entity has such funds available or committed for this project. We also are not aware of any timetable for obtaining such funds. This cost estimate is, moreover, plainly insufficient since it does not include money to ameliorate the increased costs of operations which will be caused by the proposed design. TCW anticipates retaining an expert to review whatever is the proposed design at the time that adequate funding appears on the horizon. We may have further comments based on that review.

Respectfully submitted,



Mark Wegner
President
Twin Cities & Western Railroad
2925 12th Street East
Glencoe, MN 55336



**CANADIAN
PACIFIC
RAILWAY**

501 Marquette Avenue
Minneapolis, Minnesota 55402

June 14, 2011

Mr. Frank Pafko
Director, Office of Environmental Stewardship
Minnesota Department of Transportation
395 John Ireland Boulevard, MS 620
St. Paul, MN 55155-1899

VIA E-MAIL: frank.pafko@state.mn.us

RE: Comments on MN&S Freight Rail Study Environmental Assessment Worksheet

Dear Mr. Pafko:

Thank you for the opportunity to comment on the environmental assessment of the proposed upgrades to the MN&S rail corridor. As owner and operator of some of the railroad track under study, the Canadian Pacific (CP) will ultimately need to concur in the final design and approve the proposed changes made to our property. These comments are not intended to fulfill that function, nor are they intended to serve as an endorsement or rejection of the proposed project. Rather, by submitting comments, CP would like to ensure that any assumptions about the project are accurate and that the proposal aligns with our expectations about how we manage and operate the MN&S property. In that spirit, we would like to make you aware of the following:

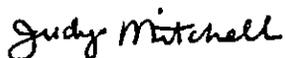
- At this time, CP has not made any commitments to own, operate or maintain the new structures or track proposed in the EAW.
- We have reviewed comments to be submitted by the Twin Cities and Western Railroad (TC&W) and are largely in agreement with their concerns.
- The document fails to recognize impacts to CP of the upgraded infrastructure and increased tonnage. The cost of operating and maintaining the new track, structures, signalization system, and connections from the Bass Lake Spur to the MN&S and from the MN&S to the BNSF will be much more expensive and is expected to exceed any revenue derived from TC&W's use of the track.
- The proposed physical improvements should address the operating needs of the railroads for grade and curvature. Such a significant investment for improvements should result in a design that is not operationally deficient.
- Quiet zones can be an effective tool for improving grade crossing safety while minimizing noise. However, designing and constructing the improvements needed to meet FRA requirements for quiet zones may be difficult – especially considering the site and geometrics in the MN&S corridor.
- CP will experience track outages during construction of the proposed project, particularly during reconstruction of the bridge over Trunk Highway 7. The disruptions will challenge the ability for CP's customers, including Progressive Rail, to receive service

for almost a month. No plan for phasing construction to accommodate disrupted CP traffic is provided. (page 14)

- There are references to a number of permits that may be required for completion of the project. (page 16) Without analyzing the specifics of any of the identified permit requirements, we simply note that state and local permitting requirements may be subject to preemption by the federal laws regulating rail transportation.
- If any attempts are made to reduce the grade of the new connection from .86% for improved railroad operations, Minnehaha Creek could be impacted. Even existing grades at locations on the MN&S of 1.5% and 1.2% present operating difficulties for the proposed longer, heavier trains.
- Due to the possibility of disturbing contaminants at the Golden Auto National Lead Site, it is unlikely that CP would be interested in taking on responsibility for construction or ownership of the new connection between the Bass Lake Spur and the MN&S.
- Some proposed physical improvements, such as the installation of fencing, are not betterments that the CP would ordinarily agree to make and would have to be built and maintained by others.
- CP has not committed to owning the new retaining walls (page 71). The process of designing these walls will require a high level of community engagement. This is not something CP is in a position to undertake, but that a public entity would need to coordinate.

If the proposed project moves forward, CP wants to ensure balance between the interests of the railroads, our customers, and those of the community. Based on the scope of the project and characteristics of some of the improvements, CP may decline to take possession of them, as significant cost and liability are shifted to us. We do not make this point to undercut the potential viability of the project if properly carried out, but to caution that there are still significant decisions to be made that will impact private and public expectations going forward.

Respectfully submitted,



Judy Mitchell
Director Strategic Initiatives
Passenger Rail US
Canadian Pacific Railway

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HISTORY:

FREIGHT RAIL IN SAINT LOUIS PARK AND THE KENILWORTH CORRIDOR

In order to understand why freight rail operates in this area as it does, it is helpful to understand the history of the four rail lines or corridors in the area. There are four rail lines:

- 1) The east-west Wayzata Sub of the BNSF, the northern rail line in the study
- 2) The Hennepin County owned bike trail (Cedar Lake trail) and the rail line in the Kenilworth Corridor (freight trains operated by TC&W)
- 3) The CP's Bass Lake Spur (former Milwaukee Road main line) (freight trains operated by TC&W)
- 4) The MN&S north-south rail line from Crystal through Saint Louis Park, continuing to Savage and points south

The east-west Wayzata sub of the BNSF was originally part of the Great Northern Railway (GN), which went to the West Coast. The GN had a large rail yard east of where the current Highway 100 crosses over it in Saint Louis Park, about one mile east of where the MN&S rail line crosses over the BNSF line. GN exchanged rail cars with the MN&S railroad at the GN rail yard. MN&S brought the cars to be exchanged (10 to 20 cars at a time) from its north-south line to the GN's east-west line via a connecting track (now known as the Iron Triangle) that was designed for a small number of rail cars (up to 20 at a time).

When the merger of the GN, Northern Pacific, Chicago, Burlington & Quincy and the Seattle Spokane and Southern occurred in 1969 to create the Burlington Northern Railroad (BN), the BN began to consolidate its rail yards in the Twin Cities, closing some and expanding its Northtown yard in Fridley and northeast Minneapolis. In approximately 1972-3 the BN closed and salvaged the rails in the GN rail yard that existed east of Highway 100 on the Wayzata sub. This led the MN&S to transfer rail traffic from the MN&S to the BN using the Soo Line track in North Minneapolis across the Mississippi River near the Camden area of Minneapolis to get to the BN's yard at Northtown. This led to the abandonment and removal of the rail connection between the MN&S and the BN in Saint Louis Park's Iron Triangle. The land ownership remains with CP (successor of MN&S). The grade and curvature of that track were built to handle up to 20 cars at a time, not today's unit trains which can have up to 123 cars.

The Hennepin County-owned Cedar Lake bike trail and the Kenilworth Corridor were once part of the Minneapolis and Saint Louis Railway (M&STL). Saint Louis Park is named after this rail line. This independent rail line once had a rail yard and locomotive shops in the Kenilworth Corridor (hence the wide right of way ½ mile north of Lake Street). The rail line went along the Hennepin County Cedar lake bike trail into Hopkins, where a junction existed.

The M&STL was purchased by the Chicago Northwestern Railway (C&NW) in 1958 and merged into their system, but freight operations in this area remained unchanged until around 1980. At that time, the C&NW built a rail connection at Norwood (now Norwood Young America) to allow freight trains onto the Milwaukee Road via trackage rights from Norwood to the Kenilworth Corridor. This allowed the C&NW to abandon its track from Norwood to Hopkins. Hennepin County purchased the land from Hopkins to Victoria to create the Lake Minnetonka bike trail.

Around 1990, trackage rights arrangements were made with the Soo Line (successor to the Milwaukee Road) to allow Soo Line to obtain access to Shakopee, Minnesota via the C&NW rail line on the south side of the Minnesota River. This enabled the C&NW to abandon the track west of the Kenilworth corridor to Chaska, which Hennepin County purchased and created the Cedar Lake bike trail and the Minnesota Bluffs bike trail.

Freight rail traffic that originated at cities along the freight rail line from Norwood to Hanley Falls were exchanged with the C&NW at the Kenilworth corridor following the 1990 abandonment west of Kenilworth, using the Bass Lake Spur tracks.

The CP's Bass Lake Spur was once part of the Milwaukee Road's main line to the Pacific Coast. The main line ran from Chicago to Minneapolis, with a spur up to the historic station in downtown Minneapolis (now a hotel and skating rink), and thence through the 29th Street Corridor, past the Kenilworth track, through Hopkins and points west, all the way to Tacoma, Washington. As recently as 1960, passenger trains traversed this route at 80 mph.

As the health of the US freight railroads declined in the 1950's and 1960's with the advent of the interstate highway system and heavy regulation of freight rates by the ICC, the rail and infrastructure condition on the Milwaukee Road's system began to deteriorate. In 1977 the Milwaukee Road declared bankruptcy. The Milwaukee Road then operated under a bankruptcy trustee, abandoning its rail line from Montana to Tacoma,

along with scores of branch rail lines in Minnesota, North and South Dakota, Iowa and Illinois.

In 1985 what remained of the Milwaukee was put up for sale at auction, and there were two bidders, the C&NW Railroad and the Soo Line Railroad. The C&NW had a significantly higher bid, but the bankruptcy judge felt it was in the public's best interest to maintain a competitive freight rail system. To everyone's surprise, he awarded the bid to the Soo Line.

The Soo Line was not prepared for the cash infusion the Milwaukee Road needed. In an effort to raise cash the Soo Line single-tracked much of the remaining double-track Milwaukee rail and sold parts of its own system to raise cash. The Milwaukee Road segment from Minnetonka to Appleton, Minnesota was sold in July 1991 to the founders of TC&W. During negotiations for that sale, Hennepin County expressed its interest in the 29th Street Corridor and part of the consideration was to allow the sale of the 29th Street Corridor as long as a suitable re-route was obtained to allow TC&W to get to Saint Paul.

The Minneapolis Northfield & Southern (MN&S) was a relative late-comer to the Minnesota freight rail network. Most of Minnesota was already served by railroads by 1905, but Colonel Marion Savage had a race horse - Dan Patch - and a dream to get people to come to his race track south of the Minnesota River. In 1908 the Minneapolis, St. Paul, Rochester and Dubuque Electric Traction Company was formed to build a rail line, which was built in the 1908-1910 era, and then extended north following 1918 through Bloomington, Edina and Saint Louis Park. Because of the late construction through an already developed area, the MN&S right of way is narrower than that of most freight rail lines.

The MN&S thrived as a facilitator of rail freight between the larger railroads in the Twin Cities until the deregulation of rail freight rates by the ICC in 1980. The Soo Line purchased the MN&S in 1982.

The CP absorbed the Soo Line into its system in the late 1990's.

FREIGHT RAIL INDUSTRY – TRACKAGE RIGHTS AND SPIN-OFFS

As 1960 approached, freight rail in North America and in Minnesota was in decline. Due to heavy regulation by the ICC, railroads were not able to set freight rates to compete with trucks. With the expanding interstate highway system and the upgrading of state and

county roads, many low density freight rail lines disintegrated until the lack of service led to disuse and eventual abandonment. The freight rail companies at the time focused their efforts on higher density rail lines, but those too couldn't compete with the highways, so main lines eventually were abandoned as well.

After the much publicized failure of the merger of the Pennsylvania Railroad with the New York Central to form Penn Central, the Penn Central bankruptcy and the government bailout forming Conrail, Congress and the President passed the Staggers Act of 1980 which began the de-regulation of the rail industry.

During the 1970s and 1980s, some large railroads abandoned their own main lines connecting large cities after obtaining trackage rights on a competing railroad connecting the same cities. For example, there once were four main freight rail lines connecting Minneapolis-St. Paul to Duluth-Superior. The Soo Line (now CP) was able to abandon its rail line from Minneapolis to Superior after obtaining permanent trackage rights on the BN. The C&NW (now UP) was able to abandon its rail line from St. Paul to Superior after obtaining permanent trackage rights on the BN.

The BN itself was able to abandon its line from St. Paul to Duluth by consolidating rail operations on its Minneapolis to Superior rail line. In order to maintain freight rail competition, federal policy has been to approve permanent trackage rights arrangements over alternate routes prior to the freight railroad abandoning its own route. Part of this approval process is to ensure the alternative route preserves freight rail competition. The existing freight rail operator must request abandonment of a current route in favor of an alternative route that maintains competition.

One of the outcomes of the Staggers Act was to provide an alternative to freight rail line abandonment, because preserving freight rail service to rural areas was sound public policy. The large railroads began to sell or lease lighter density rail lines that they couldn't operate or maintain profitably.

A key part of the large railroads' strategy to take advantage of this new opportunity was to spin off segments of their systems, but create a sale or lease in which the connecting track to their own freight rail system would remain in their hands. This was done via the "trackage rights" system, wherein the connecting track would be made available for use by other carriers to connect to the selling railroad and other railroads.

The STB, successor to the ICC, has exclusive and plenary jurisdiction over trackage rights. The Interstate Commerce Commission Termination Act of 1990 (ICCTA) eliminated state and local authority over railroads and granted sole regulatory power to the STB. It has exclusive jurisdiction over railroads and their property under 49 U.S.C. §§ 10501(b), 10102(9)(A). Remedies under ICCTA are exclusive, and expressly preempt other Federal and State regulations.

This jurisdiction protects the public against disruption in rail operations via trackage rights being unnecessarily discontinued, interrupted or obstructed. Accordingly, trackage rights cannot be withdrawn, terminated or limited once they are granted, without the authority of the STB, *even if the governing trackage rights agreement is expired or terminated*. To obtain the appropriate STB discontinuance authority, the party desiring to terminate the trackage rights must initiate a discontinuance proceeding before the STB.

In such a proceeding, that party would bear the burden of proving that the present or future public convenience and necessity permit such discontinuance, and the STB would consider, among other factors, the impact of such discontinuance on the trackage rights operator and the shippers. In this respect, a rail carrier providing common carrier operations via trackage rights has the same rights and obligations to continue to provide such rail operations as it would have if the carrier owned or leased the rail line.

Trackage rights granted by the STB are generally permanent (regardless of any applicable contractual terms to the contrary), unless and until the STB grants discontinuance authority. Until such authority is granted, the STB retains its exclusive jurisdiction over the trackage rights, thereby trumping the ability of a third party to pursue other ways to terminate trackage rights. The permanence of these trackage rights protects both the short line railroad and the shippers located along the rail line served by the short line; they incent the railroad to make the initial and continuing investments to provide quality rail service over a line via trackage rights; and it encourages short line rail customers to make investments in their businesses and facilities.

FORMATION OF THE TWIN CITIES & WESTERN RAILROAD COMPANY

As mentioned in the previous section “Freight Rail in Saint Louis Park and the Kenilworth Corridor,” the Soo Line acquired what remained of the Milwaukee Road in 1985. This included the Milwaukee Road’s main line segment from Saint Paul to Ortonville, Minnesota. This segment was identified by Soo Line as a candidate for sale to raise cash. The founders of TC&W originally intended for the freight rail interchange to

occur in south Minneapolis, at a location just east of Hiawatha Avenue, where a freight rail yard existed.

Sometime late in the negotiations (1990 or early 1991) Hennepin County must have approached Soo Line about purchasing the 29th Street Corridor. The Soo Line changed the interchange location from south Minneapolis to St. Paul, and structured a trackage rights agreement with TC&W that enabled TC&W to get to St. Paul over the segment that Soo Line retained in its ownership, i.e. the Bass Lake Spur and the 29th Street Corridor.

The Soo Line added a condition of the sale that if the 29th Street Corridor was sold, Soo Line would be responsible for obtaining for TC&W an alternate route to St. Paul that would not cause additional operating expense. The alternate route identified was the Kenilworth Corridor.

On July 26, 1991, TC&W purchased the freight rail line from Minnetonka west to Appleton, Minnesota, and received trackage rights west to Milbank South Dakota and east of Minnetonka via the 29th Street Corridor to St. Paul, as well as trackage rights from Milwaukee Junction in Saint Louis Park (also known as “Skunk Hollow”) on the MN&S line north to reach the Upper River Terminal in north Minneapolis. In 1995 TC&W received trackage rights on the MN&S from Milwaukee Junction in St. Louis Park south to Savage, Minnesota.

On December 23, 1992, Hennepin County purchased from Soo Line the segment of the 29th Street Corridor freight rail line from France Avenue (the western border of Minneapolis) to Hiawatha Avenue. However, there was no change in rail freight operations; TC&W continued using the Bass Lake Spur and the 29th Street Corridor to St. Paul.

One issue identified in the December 23, 1992 purchase agreement between Soo Line and Hennepin County was the future reconstruction of Hiawatha Avenue and the desire by Minnesota Department of Transportation and the City of Minneapolis to eliminate the at-grade rail crossings at Hiawatha Avenue, which would save “substantial sums of money.”

A trackage rights agreement was reached between the C&NW, Soo Line and TC&W on July 26, 1993, allowing TC&W to operate its freight rail trains over the Kenilworth Corridor tracks. Sometime after that agreement was reached, the C&NW abandoned its

freight rail interest in the Kenilworth Corridor, and Hennepin County inherited the trackage rights agreement between C&NW, Soo Line and TC&W.

By mid-1997, reconstruction of Hiawatha Avenue had progressed to the point where the governing agencies desired to relocate TC&W's freight operations from the 29th Street Corridor to the Kenilworth Corridor and to sever the 29th Street Corridor rail line. In order for TC&W to agree to discontinue its trackage rights over the 29th Street Corridor, TC&W insisted that the Kenilworth track be rehabilitated to the same 25 mph standard as the 29th Street Corridor. MnDOT funded the rehabilitation of the Kenilworth rail line to a 25 mph standard; the work was completed in 1998.

It was anticipated that Minneapolis residents along the Kenilworth Corridor would protest this freight rail relocation.

The idea of a direct freight rail connection from the Bass Lake Spur to the MN&S had surfaced in about 1993. The idea may have been in response to citizen complaints in Saint Louis Park over the transfer of freight cars from the Bass Lake Spur to the MN&S line using the Skunk Hollow Wye connection. TC&W cannot find any evidence of engineering studies exploring that option until 1997, when TC&W had a professional engineer look at the issue and offer an opinion. The opinion was that to accomplish a direct connection that would work for freight rail would be very difficult.

Representative Dee Long was able to get legislation passed in 1997 that created a fund to clean up underground contamination that existed underneath where a proposed direct connection would be built – the Golden Auto/National Lead Superfund site in the northwest quadrant of the intersection of the Bass Lake Spur and the MN&S.

In August 1998, TC&W provided notice to the citizens near the Kenilworth Corridor that freight trains were coming to the neighborhood. The last TC&W train to operated over the 29th Street Corridor on August 28, 1998. The next day TC&W started operating over the Kenilworth Corridor. The TC&W received very few complaints about using this route, and continues to operate in this corridor today.

SUPPORT OF THE SOUTHWEST LIGHT RAIL TRANSITWAY PROJECT (SLRT)

Several years ago, a task force was formed to look at the concept of a passenger rail service serving the southwestern Minneapolis suburbs. TC&W was invited to participate in those discussions. At that time, the concepts under discussion were commuter rail, light rail using diesel multiple units (DMU's) or light rail powered by overhead

electricity. After several years the task force decided that light rail powered by overhead electricity was the desired passenger rail configuration.

By 2007, the task force had formed two committees: the Technical Advisory Committee and the Policy Advisory Committee. During this period, the issue of routing the passenger rail through the Kenilworth corridor was identified. There was concern that the Kenilworth rail corridor was too narrow to accommodate the bike trail, freight rail and light rail side-by-side.

Discussions took place with Hennepin County staff to study freight rail relocation. During these discussions, Hennepin County emphasized that the issues and costs of freight rail relocation could NOT be included in calculating the cost of the SLRT Project because that might tip the cost/benefit analysis done by the FTA and result in a conclusion that the cost of the light rail project would exceed the benefits.

TC&W cooperated with Hennepin County in studying freight rail relocation outside of the SLRT decision-making process, in part to show our support for the SLRT Project, and in part because TC&W believed that working constructively with Hennepin County on identification of a preferred route would yield acceptable results for the future of TC&W's freight rail customers and enable the SLRT task force to proceed with its preferred route analysis.

SLRT AND FREIGHT RAIL RE-ROUTE DISCUSSIONS

As indicated previously, TC&W has a history of constructive community involvement. When discussions began around 2004 about some kind of passenger rail service for the southwestern Minneapolis suburbs, TC&W sent a representative to participate in the discussions. By 2007, when the decision was made to pursue a light rail option powered by overhead electricity, TC&W was put into a difficult situation.

Hennepin County said that including freight rail relocation as part of the SLRT Project in its submission to the FTA for federal funding would jeopardize the cost/benefit analysis by FTA as part of its consideration for federal funding. At Hennepin County's direction, freight rail relocation discussions could not occur at the SLRT meetings, nor could it be considered as part of determining the Local Preferred Route.

It was clear, however, that Hennepin County wanted the freight rail relocated so that its preferred route through the Kenilworth Corridor would have fewer impediments. TC&W cooperated with Hennepin County to try to arrive at a track design that would be

acceptable for freight rail relocation. In 2008 Hennepin County engaged an engineering firm that visited with TC&W. TC&W emphasized that the gradients and curvature of the proposed connection of the Bass Lake Spur to the MN&S had to be comparable to the grades and curvature of TC&W's existing route or it would not be accepted by TC&W. The engineering firm presented TC&W with a conceptual design that started the ascent just east of Blake Road and, after crossing Minnehaha Creek, swung south and gently curved north. While this did not match exactly the existing grades and curvature on the Kenilworth track, it was a good starting point for continued discussions. TC&W made it clear to Hennepin County that TC&W would only discontinue its trackage rights over the Kenilworth Corridor if an alternate route with acceptable curves and grades were provided.

For reasons unknown to TC&W, a different engineering firm was employed by Hennepin County in 2009 which resulted in the rail design shown in the draft DEIS. This design was presented to TC&W in October 2010. TC&W unequivocally communicated that this design was not acceptable; it was a regression from the earlier design. TC&W also advised that it appeared the northern connection from the BNSF to the MN&S going west and southbound had unacceptable grades. This is especially troublesome because TC&W regularly runs heavy, loaded coal trains that would have to climb that grade going south on the MN&S.

TC&W was told that there would be an opportunity to formally comment on the design when the EIS was issued. An EAW was issued by Hennepin County in May 2011 that concluded an EIS was not required. TC&W's objections were ignored; the design was the same as that presented in October 2010. In its comments on the EAW, TC&W again said that the proposed design had greater grades and curvatures than those of the Kenilworth Corridor track presently used by TC&W. See Appendix C.

The EAW did not discuss or assess the increased noise and vibration from accelerating locomotives pulling heavy trains up the increased grades and around the greater curvature. The proposed design would be a longer distance for TC&W trains to travel than the present Kenilworth Corridor route which would require more fuel, equipment, and crew time. The EAW did not mention or suggest how to solve the problems that the design would increase operating and maintenance costs. The EAW said TC&W trains would be re-re-routed during a one to four-week period during construction, but failed to identify what route would be available or the impacts on TC&W and its customers from

closing down TC&W. Finally, TC&W pointed out that the safety hazards of the proposed quiet zone were inadequately considered.

In its comments in Appendix D, CP said it was largely in agreement with TC&W's comments and that the design was "operationally deficient." It noted that the EAW failed to recognize that the costs of operating and maintaining the new track, signals, and connection would be much more expensive, and that CP had not agreed to be responsible to own, operate, or maintain the new structures and track. CP also pointed out that the project design included the possibility of disturbing contaminants at the Golden Auto Superfund site.

In June 2011, the MnDOT nevertheless determined the re-route project itself did not have the potential for significant environmental impact. As to the railroads' objections to the design, MnDOT "assumed . . . that concurrence will be reached between all parties . . . answering specific design and operational issues." Findings of Fact and Conclusions, MnDOT, June 30, 2011, p. 18-19. "Concerns of grade, curvature, maintenance, ownership, operational considerations, etc. will be addressed to the satisfaction of all parties during the design review process . . ." MnDOT continued, "Given the necessity of all parties to concur on an acceptable and workable final design prior to implementing operating agreements, regulatory filings, and the mutually desired advancement of contiguous highway and transit projects . . .this appears to be an inescapable requirement."

This decision was appealed by entities other than TC&W, but it became a moot point in September 2011 when the FTA, as part of its approval for the Southwest Transitway to enter preliminary engineering, required that the cost of freight rail relocation be included in the budget for the SLRT.

On September 2, 2011, the FTA approved the SLRT Project entering the preliminary engineering phase. The FTA approval letter required that the Met Council:

- In consultation with the FRA, determine the design requirements for adequate safety features for street-grade crossings between the SLRT line and existing freight rail tracks.
- Analyze the impacts of relocating the TC&W freight line, which currently operates on a segment of the planed SLRT route, in the project's EIS. Because the freight relocation is necessary for MC to be able to implement the SLRT project as planned, the cost and scope of the freight line relocation must be

included in the SLRT project scope and budget, regardless of the funding sources that may be identified to pay for the work.

- Analyze the reconfiguration of the CP's freight tracks where they will be elevated over the SLRT line and include the analysis in the SLRT project's EIS and cost and scope. The planned flyover, as currently designed by MC, shows sharp curvature, steep grades, and insufficient clearances.

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

The authors of the DEIS did not comply with the FTA's directions. To date, no changes have been made in the design. The DEIS contains the same deficient design from over two years ago. The DEIS fails to discuss, much less satisfy, the cost and operating issues raised by TC&W, CP, and the FTA because the design contains the same sharp curvatures, steep grades, and insufficient clearances. The DEIS fails to satisfy the requirements of the FTA as set forth in its September 2011 letter that the DEIS **must** include an analysis of the freight line relocation onto the MN&S. In addition, the DEIS fails to meet certain requirements of the applicable state law, Minnesota Statutes Chapter 116D.

Since the FTA approval for preliminary engineering in September 2011 designated the Met Council as the lead agency, TC&W has met three times with Met Council staff. All three times TC&W was told our opportunity to respond would be in response to the DEIS.



ADM – Benson Quinn
701 4th Avenue South – Suite 800
Minneapolis, MN 55415-1633
Ph. 612-340-5900
Fax: 612-335-2948

December 4, 2012

Dear Hennepin County, Housing, Community Works & Transit:

I am writing to you on behalf of ADM-Benson Quinn (ADM-BQ). ADM-BQ has been providing agricultural services in the form of grain origination, merchandising and transportation services to the country elevators and farmers in south central Minnesota since 1920. We have recently made a substantial investment at Brownnton, MN located on the TC&W in a greenfield grain storage and handling facility for origination of local grain production. This investment was made in partnership with United Farmers Coop.

We rely on grain origination from this region to feed ADM's export assets to supply destination markets across the globe. Rail is an integral part of this link from producer to export market. Minnesota has a long-lived, rich history of linking its farmer-producers to export markets. This linkage has become a vital part of the fabric of Minnesota's economy. A disruption to this transportation system will have an adverse effect on the agricultural economy of this region.

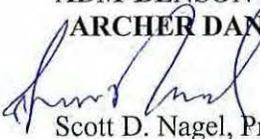
We have reviewed the design as recommended in the Southwest Transitway Draft Environmental Impact Statement (DEIS), which recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012, will result in increased costs for TC&W to operate its trains to and from ADM-BQ facilities. With increased competitive pressures and tightening margins, it is imperative that we continue to strive towards providing Minnesota's farming regions with the most cost-effective transportation system possible. It is critical that ADM-BQ retains the economical freight rail transportation option which is provided by TC&W. It is our understanding that TC&W has encouraged you to consider alternatives that would be less intrusive to the existing freight business and that several of these alternatives would be less costly and more conducive to serving the needs of all parties involved. Therefore, we could support the following alternatives to your recommended design:

- 1) Do engineering for the reroute that meets TC&W's engineering standards;
- 2) Co-locate the SWLRT with the current freight route;
- 3) Reroute freight back to the 29th Street Corridor, where the TC&W ran until 1998; or
- 4) Route the SWLRT up the MN&S rail line.

We are hopeful we can work together to find a solution that will yield a fair and economically viable result to benefit all parties affected. We are confident an alternative solution can be reached. We would be happy to participate in discussions towards this end.

Sincerely,

**ADM-BENSON QUINN, A DIVISION OF
ARCHER DANIELS MIDLAND COMPANY**


Scott D. Nagel, President

340 Michigan St. SE
P.O. Box 609
Hutchinson, MN 55350-0609



Phone: 320-587-2133
800-328-5189
Fax: 320-587-5816
www.agritradingcorp.com

November 28, 2012

Dear Hennepin County, Housing, Community Works & Transit

Attn: Southwest Transitway

We, the Agri Trading Corp. depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the Agri Trading Corp. understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We, the Agri Trading Corp. further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012, will result in increased costs for TC&W to operate its trains to and from Agri Trading Corp.

It is important that Agri Trading Corp retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

- 1) Do engineering for the reroute that meets TC&W's engineering standards,
- 2) Co-locate the SWLRT with the current freight route,
- 3) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
- 4) Route the SWLRT up the MN&S rail line

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, the Agri Trading Corp. oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

A handwritten signature in blue ink that reads "Stephen Borstad".

Stephen Borstad
Agri Trading Corp.



BIRD ISLAND BEAN CO LLC

Common sense solutions for Central Minnesota's dry bean growers.

December 4, 2012

Dear Hennepin County, Housing, Community Works & Transit-Attn: Southwest Transit Way:

We, Bird Island Bean Co, LLC, depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We understand that the Southwest Transit Way Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transit Way (SWLRT). We, Bird Island Bean Co, LLC, further understand, based on the information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Bird Island Bean Co.

It is imperative that Bird Island Bean Co, LLC, retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

- 1.) Do engineering for the reroute that meets TC&W's engineering standards,
- 2.) Co-locate the SWLRT with the current freight route,
- 3.) Reroute freight back to the 29th St. Corridor, where TC&W ran until 1998, or
- 4.) Route the SWLRT up the MN&S rail line.

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is vital to allow us in rural Minnesota to compete in the global marketplace, we respectfully request that Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and work to arrive at a acceptable design, as we depend on economical freight rail transportation.

We, Bird Island Bean Co, LLC oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation option.

Sincerely,

Larry Serbus, owner

Curt Meyer, owner

Bird Island Bean Co, LLC

320-365-3070 P.O. Box 249 | East Hwy 212 | Bird Island, MN 53310 www.bibcllc.com

**BIRD ISLAND SOIL SERVICE CENTER INC.
511 OAK AVE
BIRD ISLAND, MN 55310
320-365-3655 or 800-369-2812**

November 26, 2012

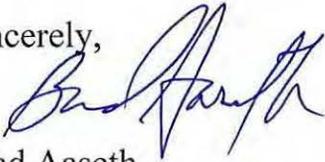
Dear Hennepin County, Housing Community Works & Transit – Attn:
Southwest Transitway:

Bird Island Soil Service Center depends on the Twin Cities & Western Railroad Company for economical freight rail transportation. Because the Southwest Transitway Draft Environmental Impact Statement recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway our rail freight will see increased costs.

We support light rail transportation, but not the current proposed route that will increase rail freight. We recommend that Hennepin County and others involved find a solution that keeps rail freight competitive. It makes no sense to us to use light rail to remove vehicles from the roadways just to add trucks, because to noncompetitive rates.

Bird Island Soil Service Center opposes the current freight rail relocation design and hope that a better solution can be found.

Sincerely,



Brad Aaseth
General Manager



CENTRAL BI-PRODUCTS

590 West Park Road
P.O. Box 319
Redwood Falls, Minnesota 56283-0319

Phone: 507-637-2938
Fax: 507-637-5409
www.centralbi.com

December 3, 2012

Hennepin County, Housing, Community Works & Transit
Attn: Southwest Transitway

Dear Hennepin County, Housing, Community Works & Transit:

Central Bi-Products depends on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. Central Bi-Products understands that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). Central Bi-Products further understands, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Central Bi-Products.

It is imperative that Central Bi-Products retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

- 1.) Do engineering for the reroute that meets TC&W's engineering standards.
- 2.) Co-locate the SWLRT with the current freight route,
- 3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
- 4.) Route the SWLRT up the MN&S rail line.

Therefore, we recommend that Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend that Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design as we depend on economical freight rail transportation.

Central Bi-Products opposes the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommends that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,
Central Bi-Products

Duane Anderson
Chief Operating Officer

11/27/12

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

We, the Central Bi-Products depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the Central Bi-Products understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We the Central Bi-Products further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Central Bi-Products.

It is imperative that Central Bi-Products retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

- 1.) Do engineering for the reroute that meets TC&W's engineering standards,
- 2.) Co-locate the SWLRT with the current freight route,
- 3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
- 4.) Route the SWLRT up the MN&S rail line

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, the Central Bi-Products oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,



Central Bi-Products

Clinton Co-op Farmers Elevator Association

Box 371
Clinton, Minnesota 56225

NOV 28, 2012

Phone: (320) 325-5404
Fax: (320) 325-5405

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

We, the Clinton Elevator depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the Clinton Elevator understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We the Clinton Elevator further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Clinton Elevator.

It is imperative that Clinton Elevator retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

- 1.) Do engineering for the reroute that meets TC&W's engineering standards,
- 2.) Co-locate the SWLRT with the current freight route,
- 3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
- 4.) Route the SWLRT up the MN&S rail line

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, the Clinton Elevator oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

Ben Schumme, Manager

Clinton Elevator

Sandy Gillespie
Grain Buyer



December 3, 2012

Dear Hennepin County Housing, Community Works & Transit – Attn: Southwest Transitway:

Cloud Peak Energy depends on Twin Cities & Western Railroad Company (TC&W) for economical freight transportation into Minnesota. We understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends relocation of the freight rail route used by TC&W to accommodate the Southwest Light Rail Transitway (SWLRT). We have been informed by TC&W that the recommended freight rail relocation design in the preferred alternative LRT3A as shown in the DEIS released on October 12, 2012 would result in increased costs for TC&W to operate its trains to and from our delivery points.

TC&W provides an economical freight transportation option for us to bring product to many areas of Minnesota. We fear that increased operational costs on TC&W related to this change will be passed on to our customers. This would limit the ability to economically bring product into many areas of Minnesota served by TC&W and its logistics chain, which would have a negative socio-economic impact on businesses and the regional economies in those areas, likely resulting in net negative economic impacts against the projected localized development surrounding alignment and station areas with the preferred alternative.

We understand that TC&W may have some solutions that work for both the SWLRT and TC&W's freight rail operations, some of which were alternatives considered under the DEIS. The potential solutions TC&W has described to us include (1) co-locating the SWLRT with the current freight route, (2) re-routing the freight back to the 29th Street corridor, where TC&W ran until 1998, (3) routing the SWLRT up the MN&S rail line or (4) engineering a re-route of the freight rail that meets TC&W's engineering standards. For the benefit of our customers and their communities in Minnesota, we respectfully ask that you consider alternative proposals provided by TC&W that can address concerns related to the SWLRT and still allow TC&W to continue operations in an economical manner.

Sincerely,

Cloud Peak Energy Resources LLC

By:  _____

*on behalf
of*

Name: Jim Orchard

Title: Sr. Vice President, Marketing and Government Affairs

12/3/2012



November 26, 2012

Dear Hennepin County, Housing, Community Works & Transit – Attn: Southwest Transitway:

We, Coop Country Farmers Elevator (CCFE) depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. CCFE understands that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). CCFE further understands, based on the information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC &W to operate its trains to and from CCFE.

It is imperative that CCFE retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

- 1) Do engineering for the reroute that meets TC&W's engineering stands,
- 2) Co-locate the SWLRT with the current freight route,
- 3) Reroute freight back to the 29th St. Corridor, where TC&W ran until 1998, or
- 4) Route the SWLRT up the MN&S rail line

Therefore, we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

CCFE opposes the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

Craig Hebrink
President & CEO

Corona Grain & Feed

PO Box 107

Phone: 605-432-6206

Corona, SD 57227

Fax: 605-432-9282

November 27, 2012

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

We, The Corona Grain & Feed, depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the Corona Grain & Feed understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We, the Corona Grain & Feed further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Corona Grain & Feed.

It is imperative that Corona Grain & Feed retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

- 1) Do engineering for the reroute that meets TC&W's engineering standards,
- 2) Co-locate the SWLRT with the current freight route,
- 3) Reroute freight back to the 29th St. Corridor, where TC&W ran until 1998, or
- 4) Route the SWLRT up the MN&S rail line

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Sincere rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, the Corona Grain & Feed oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,



Jerry Settje, Manager

Corona Grain & Feed



November 27, 2012

Dear Hennepin County, Housing, Community Works & Transit-ATTN: Southwest Transitway

The Dairy Farmers of America Winthrop, MN dairy plant depends on the TC&W for providing our dairy plant with the lowest cost butter fat and other dairy ingredients we need to produce our finished goods butter oil. The Winthrop, MN butter oil is exported internationally to fifteen countries. The Winthrop plant also requires up to (7) seven truckloads per week of locally produced Renville sugar. Without the TC&W rail service our raw material costs would be 20% higher due to the higher costs of truck rates versus rail rates. Any higher rail rates jeopardize the future jobs of the sixty (60) employees working at the Winthrop, MN plant.

The Dairy Farmers of America Winthrop, MN plant understands that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the SWLT. We further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for the TC&W to operate its trains to and from the Dairy Farmers of America Winthrop, MN plant.

It is imperative that the Dairy Farmers of America Winthrop, MN plant retain an economical freight rail transportation option which is provided by the TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

1. Do engineering for the reroute that meets TC&W's engineering standards
2. Co-locate the SWLRT with the current freight route
3. Reroute freight back to the 29th St Corridor, where TC&W ran until 1998 or
4. Route the SWLRT up the MN&S rail line

Therefore, we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota we recommend Hennepin County and the Met Council reject the freight design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

The Dairy Farmers of America Winthrop, MN plant opposes the freight rail relocation design recommendation in the DEIS based on the information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely

A handwritten signature in black ink that reads 'Tom Otto'.

Tom Otto
Plant Manager

December 3, 2012



Dear Hennepin County, Housing, Community Works & Transit-ATTN: Southwest Transit:

We, Equity Elevator & Trading Co. depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the Equity Elevator & Trading Co. understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the South Light Rail Transitway (SWLRT). We the Equity Elevator & Trading Co. further understand, based on information provided by TC&W, that the recommended freight rail location design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Equity Elevator & Trading Co..

It is imperative that Equity Elevator & Trading Co. retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

- 1.) Do the engineering for the reroute that meets TC&W's engineering standards,
- 2.) Co-locate the SWLRT with current freight route,
- 3.) Reroute freight back to the 29th St Corridor, where TCW ran until 1998 or
- 4.) Route the SWLRT up to the MN&S

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in DEIS. And work with the DEIS to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, the Equity Elevator & Trading Co. oppose the freight rail relocation design recommendation in the DEIS based on information provided by TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

A handwritten signature in blue ink that reads "Rodney Winter". The signature is fluid and cursive, with a prominent initial "R".

Rodney Winter, General Manager

Equity Elevator & Trading Company



Farmers Co-operative Elevator Co.

1972 510th Street
P.O. Box 59
Hanley Falls, MN 56245-0059
507-768-3448

Cottonwood	507-423-6235
Echo	507-925-4126
Ghent	507-428-3255
Granite Falls	320-564-3834
Minneota	507-872-6134
Minnesota Falls	320-564-3835
Montevideo	320-269-6531
Taunton	507-872-6161

December 3, 2012

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

The Farmers Co-operative Elevator Company of Hanley Falls (FCE) depends on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. FCE understands that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from our locations at Montevideo, Granite Falls, Echo and Minnesota Falls.

It is imperative that FCE retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation.

Alternatives to your recommended design would be:

- 1.) Do engineering for the reroute that meets TC&W's engineering standards,
- 2.) Co-locate the SWLRT with the current freight route,
- 3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
- 4.) Route the SWLRT up the MN&S rail line

On behalf of our two thousand Patron/Owners, we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

The Farmers Co-operative Elevator Company of Hanley Falls along with our Patron/Owners oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Scott Dubbelde', is written over a white background.

Scott Dubbelde, General Manager

FARMERS UNION CO-OP OIL COMPANY

CENEX
MONTEVIDEO GRANITE FALLS



MONTEVIDEO, MINNESOTA 56265
Phone: (320) 269-8861
124 West Nichols Ave

GRANITE FALLS, MINNESOTA 56241
Agri Center: (320) 564-3833
C-Store: (320) 564-2525

December 3, 2012

Dear Hennepin County, Housing, Community Works & Transit – Attn: Southwest Transitway:

We, the Farmers Union Coop Oil Company depend on the Twins Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the Farmers Union Coop Oil Company understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We, the Farmers Union Coop Oil Company further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Farmers Union Coop Oil Company.

It is imperative that Farmers Union Coop Oil Company retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

- 1.) Do engineering for the reroute that meets TC&W's engineering standards,
- 2.) Co-locate the SWLRT with the current freight route,
- 3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
- 4.) Route the SWLRT up the MN&S rail line.

Therefore, we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

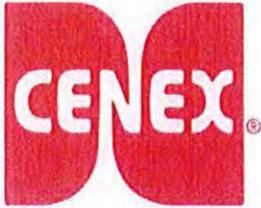
Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, the Farmers Union Coop Oil Company oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

A handwritten signature in black ink that reads "Glen C. Moe". The signature is written in a cursive style.

Glen C. Moe, General Manager
Farmers Union Coop Oil Company
124 W Nichols Ave
Montevideo, MN 56265



Farmers Cooperative Oil Company

P.O. Box 157
461 2nd Avenue West,
Echo, MN 56237-0157
Phone 507-925-4114 • Fax 507-925-4159

Belview C-Store
507-938-3069

Belview Electric
507-938-4133

Sacred Heart C-Store
320-765-2752

December 5, 2012

Dear Hennepin County, Housing, Community Works & Transit
Attn: Southwest Transitway:

We, the Farmers Coop Oil & Fertilizer depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the Farmers Coop Oil & Fertilizer understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We, the Farmers Coop Oil & Fertilizer further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Farmers Coop Oil & Fertilizer.

It is imperative that Farmers Coop Oil & Fertilizer retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

1. Do engineering for the reroute that meets TC&W's engineering standards.
2. Co-locate the SWLRT with the current freight route,
3. Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
4. Route the SWLRT up the MN&S rail line

Therefore, we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, the Farmers Coop Oil & Fertilizer oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC& W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

Jon Ahrens
Farmers Coop Oil & Fertilizer

JA/dk

FGDI

A Division of  AGREX
INC.

300 Highway 169 South, Suite 360
St Louis Park MN 55426-1119
952-852-2999 Phone, 952-852-2998 Fax

November 27, 2012

Dear Hennepin County, Housing, Community Works & Transit - Attn: Southwest Transitway:

FGDI depends on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). Based on information provided by the TC&W, the recommended freight rail relocation design as shown in the DEIS released October 12, 2012 will result in increased costs for TC&W to operate its trains.

It is very important that FGDI retain an economical freight rail transportation option as provided by the TC&W. The design recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your design would be:

1. Do engineering for the reroute that meets TC&W's engineering standards,
2. Co-locate the SWLRT with the current freight route,
3. Reroute freight back to the 29th Street corridor, where TC&W ran until 1998, or
4. Route the SWLRT up the MN&S rail line.

Rural Minnesota provides a significant amount of exports from the State of Minnesota and economical freight rail transportation is vital to allow rural Minnesota to compete in the global marketplace. Hennepin County and the MET Council should reject the freight rail design as recommended in the DEIS and arrive at an acceptable design.

We strongly urge Hennepin County and the MET Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Sincerely,

Bob Mortenson
Dwayne Meier
Dan Halverson
Beth Grashorn

FGDI A Division of Agrex Inc



Tech Service / Marketing Fax 320-562-2834
Phone 320-562-2413 • Toll Free 1-800-422-3649 • Fax 320-562-2125
www.formafeed.com

December 4, 2012

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

Dear Hennepin County, Housing, Community Works & Transit – Attn: Southwest Transitway:

Form-A-Feed, Inc is located in Stewart, MN and we rely on the Twin Cities & Western Railroad Company for economical freight rail transportation. We understand that the recommended freight rail relocation design as shown in the DEIS released October 12, 2012 will result in increased costs for TC & W to operate its trains to Stewart, MN. Several businesses in greater Minnesota rely on this railway to maintain a competitive edge in the market place and these changes will increase costs to our businesses.

It is important to Form-A-Feed to retain an economical freight rail transportation provided by TC & W. The design recommended in the DEIS will not help us maintain our competitiveness. After correspondence with TC & W we have alternatives to your recommended design:

- Do engineering for the reroute that meets TC & W's engineering standards
- Co-locate the SWLRT with the current freight rout
- Reroute freight back to the 29th St Corridor, where TC & W ran until 1998
- Route the SWLRT up the MN&S rail line

We recommend Hennepin County and the Met Council address TC & W's concerns over the design of the freight rail relocation and find a solution that is economical for all parties.

Rural Minnesota provides a significant amount of exports from the State of Minnesota and economical freight rail transportation is imperative to allow us to compete in the global marketplace. We oppose the freight rail relocation design recommendation and recommend that the freight rail issues be resolved to preserve an economical freight rail transportation options.

Sincerely,

A handwritten signature in black ink, appearing to read 'Larry Schuette', is written over a horizontal line.

Larry Schuette
General Manager, Form-A-Feed, Inc



December 3, 2012

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

We, the Glacial Plains Coop, depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the Glacial Plains Coop, understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We, the Glacial Plains Coop, further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Glacial Plains Coop.

It is imperative that Glacial Plains Coop retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

1. Do engineering for the reroute that meets TC&W's engineering standards,
2. Co-locate the SWLRT with the current freight route,
3. Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
4. Route the SWLRT up the MN&S rail line

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, the Glacial Plains Coop, oppose the freight rail relocation design recommendation in the DEIS based on the information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

Tom Traen

General Manager, Glacial Plains Cooperative

T 320-875-2811 ♦ F 320-875-2813 ♦ 543 Van Norman Ave. ♦ Murdock, MN 56271

Benson
(Station)
320-843-3999

(Energy)
320-842-5311

Benson
(Agronomy)
320-843-4820

Benson West
320-843-2563
320-843-3285

DeGraff
320-843-5364

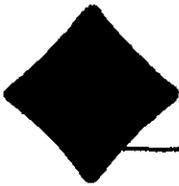
Kerkhoven
320-264-3831

Milan
320-734-4435

Murdock
(Agronomy)
320-875-2810

2021

Sunburg
320-366-3456



Glacial Plains Cooperative

Partners you can count on

www.glacialplains.com

November 27, 2012

Dear Hennepin County, Housing, Community Works & Transit:

Attention: Southwest Transitway

We at Glacial Plains Cooperative depend on the Twin Cities and Western Railroad Company (TC&W) for economical freight rail transportation. Glacial Plains Coop understands that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We also understand, based on information provided by TC&W, the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012, will result in increased costs for TW&W to operate trains to and from Glacial Plains Cooperative.

It is imperative that Glacial Plains Coop retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

1. Do engineering for the reroute that meets TC&W's engineering standards.
2. Co-locate the SWLRT with the current freight route.
3. Reroute freight back to the 29th Street Corridor, where TC&W ran until 1998.
4. Route the SWLRT up the MN&S rail line.

We recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State to Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design. Glacial Plains Cooperative depends on economical freight rail transportation.

Glacial Plains Cooperative opposes the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

Lois Lovehaug
Glacial Plains Cooperative

T 320-875-2811 ♦ F 320-875-2813 ♦ 543 Van Norman Ave. ♦ Murdock, MN 56271

Benson (Station)	(Energy) 320-842-5311	Benson (Agronomy)	Benson West 320-843-2563	DeGraff 320-843-5364	Kerkhoven 320-264-3831	Milan 320-734-4435	Murdock (Agronomy)	2022 Sunburg 320-366-3456
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GRANITE FALLS ENERGY, LLC

15045 HIGHWAY 23 SE • P.O. BOX 216 • GRANITE FALLS, MN • 56241-0216

PHONE: 320-564-3100 • FAX: 320-564-3190

11/26/2012

Dear Hennepin County, housing, Community Works and Transit- ATTN: Southwest Transitway:

Granite Falls Energy depends on the Twin Cities & Western Railroad Company for economical freight rail transportation. We at Granite Falls Energy understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the SWLRT. We further understand, based on information provided by the TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased cost for the TC&W to provide trains to and from Granite Falls Energy.

It is imperative that Granite Falls Energy retains an economical freight rail option which is provided by the TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

- 1) Do engineering for the reroute that meets TC&W's engineering standards,
- 2) Co-locate the SWLRT with the current freight route,
- 3) Reroute freight back to the 29th Street corridor, where TC&W ran until 1998, or
- 4) Route the SWLRT up to the MN&S rail line.

We recommend that Hennepin County and the Met Council address the TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Rural Minnesota in general, and Granite Falls Energy specifically, provide a significant amount of exports from the State of Minnesota and having economical freight rail transportation is imperative to allow us to compete in the global marketplace. Due to this we recommend that Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design.

Granite Falls Energy opposes the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

Eric M Baukol
Granite Falls Energy, LLC

[Date] 11/26/12

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

We, the Hanley Falls Farmers Elevator depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the Hanley Falls Farmers Elevator understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We the Hanley Falls Farmers Elevator further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Hanley Falls Farmers Elevator.

It is imperative that Hanley Falls Farmers Elevator retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

- 1.) Do engineering for the reroute that meets TC&W's engineering standards,
- 2.) Co-locate the SWLRT with the current freight route,
- 3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
- 4.) Route the SWLRT up the MN&S rail line

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, the Hanley Falls Farmers Elevator oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,



[Name]

Hanley Falls Farmers Elevator

[Date] 11-26-12

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

We, the Hanley Falls Farmers Elevator depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the Hanley Falls Farmers Elevator understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We the Hanley Falls Farmers Elevator further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Hanley Falls Farmers Elevator.

It is imperative that Hanley Falls Farmers Elevator retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

- 1.) Do engineering for the reroute that meets TC&W's engineering standards,
- 2.) Co-locate the SWLRT with the current freight route,
- 3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
- 4.) Route the SWLRT up the MN&S rail line

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, the Hanley Falls Farmers Elevator oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,



[Name]

Ben Hedtke
Hanley Falls Farmers Elevator



HEARTLAND CORN PRODUCTS

53331 State Hwy. 19 • P.O. Box A • Winthrop, MN 55396
Phone: 507-647-5000 • Fax: 507-647-5010

November 26, 2012

Hennepin County
Housing, Community Works & Transit
Attn: Southwest Transitway

Dear Southwest Transitway,

Heartland Corn Products ("Heartland"), a cooperative located in Sibley County, depends on Twin Cities & Western Railroad Company ("TC&W") for economical freight rail transportation. Heartland understands that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Heartland.

It is imperative that Heartland retains an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

- 1.) Do engineering for the reroute that meets TC&W's engineering standards,
- 2.) Co-locate the SWLRT with the current freight route,
- 3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
- 4.) Route the SWLRT up the MN&S rail line

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

Heartland opposes the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

Scott Blumhoefer
Vice President



L.G. EVERIST, INC.

ROCK SOLID SINCE 1876

300 S. PHILLIPS AVENUE, SUITE 200

P.O. BOX 5829

SIOUX FALLS, SD 57117-5829

PHONE 605-334-5000 • FAX 605-334-3656

December 4, 2012

Hennepin County, Housing, Community Works & Transit

Attn: Southwest Transitway

L.G. Everist, Inc. (LGE) depends on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. It is our understanding that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from LGE.

It is imperative that LGE retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

1. Do engineering for the reroute that meets TC&W's engineering standards,
2. Co-locate the SWLRT with the current freight route,
3. Reroute freight back to the 29th St. Corridor, where TC&W ran until 1998, or
4. Route the SWLRT up the MN&S rail line.

LGE is asking and recommending that Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design. LGE depends on economical freight rail transportation and opposes the freight rail relocation design recommended in the Southwest Transitway DEIS.

Sincerely,

Rob Everist
President and CEO



L.G. EVERIST, INC.

ROCK SOLID SINCE 1876

300 S. PHILLIPS AVENUE, SUITE 200

P.O. Box 5829

SIOUX FALLS, SD 57117-5829

PHONE 605-334-5000 • FAX 605-334-3656

December 4, 2012

Hennepin County, Housing, Community Works & Transit

Attn: Southwest Transitway

L.G. Everist, Inc. (LGE) depends on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. It is our understanding that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from LGE.

It is imperative that LGE retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

1. Do engineering for the reroute that meets TC&W's engineering standards,
2. Co-locate the SWLRT with the current freight route,
3. Reroute freight back to the 29th St. Corridor, where TC&W ran until 1998, or
4. Route the SWLRT up the MN&S rail line.

LGE is asking and recommending that Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design. LGE depends on economical freight rail transportation and opposes the freight rail relocation design recommended in the Southwest Transitway DEIS.

Sincerely,

Rick Everist
Chairman of the Board



THOMAS P. LOWE
Chairman

JAMES E. HURD
President

300 MORSE AVENUE • MAILING ADDRESS P.O. BOX 40 • EXCELSIOR, MN 55331 • TELEPHONE (952) 470-3600 • FAX (952) 470-3610

December 3, 2012

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

Lyman Lumber Company depends on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Lyman Lumber Company.

In the past 10 years, Lyman Lumber Company has received over 3800 rail cars and it is imperative that Lyman Lumber Company retain an economical freight rail transportation option which is provided by TC&W. Not having economical freight rail transportation would cause significant economic harm to our company. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

1. Do engineering for the reroute that meets TC&W's engineering standards,
2. Co-locate the SWLRT with the current freight route,
3. Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
4. Route the SWLRT up the MN&S rail line.

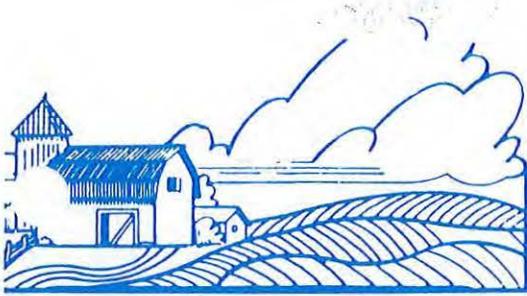
Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global market place, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

Lyman Lumber Company opposes the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

Dale Carlson
President
Lyman Lumber Company



Meadowland Farmers Coop

P.O. BOX 338
LAMBERTON, MINNESOTA 56152
OFFICE 752-7352

Serving the Community Since 1905

November 26, 2012

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

We, the Meadowland Farmers Coop depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the Meadowland Farmers Coop understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We the Meadowland Farmers Coop further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Meadowland Farmers Coop.

It is imperative that Meadowland Farmers Coop retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

- 1.) Do engineering for the reroute that meets TC&W's engineering standards,
- 2.) Co-locate the SWLRT with the current freight route,
- 3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
- 4.) Route the SWLRT up the MN&S rail line

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, the Meadowland Farmers Coop oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

Peter Valentin
Meadowland Farmers Coop



November 27, 2012

Dear Hennepin County, Housing, Community Works & Transit - ATTN: Southwest Transitway:

We at Midwest Asphalt Corporation depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight transportation. We also understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). Midwest Asphalt Corporation further understands, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Midwest Asphalt facilities.

It is imperative that Midwest Asphalt Corporation retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

- 1.) Do engineering for the reroute that meets TC&W's engineering standards,
- 2.) Co-locate the SWLRT with the current freight route,
- 3.) Reroute freight back to the 29th St. Corridor, where TC&W ran until 1998, or
- 4.) Route the SWLRT up the MN&S rail line

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

Midwest Asphalt Corporation opposes the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,
MIDWEST ASPHALT CORPORATION

Blair B. Bury,
President



December 7, 2012

To: Hennepin County Housing, Community Works & Transit
(Southwest Transitway)

The Minnesota Grain and Feed Association, which represents the interests of over 300 grain elevator, feed mill and farm supply firms operating in Minnesota, wishes to go on record in opposition to the rail freight relocation design recommendation contained in the Draft Environmental Impact Statement (DEIS). It is obvious that the DEIS recommendation will have a negative impact on the Twin City & Western Railroad (TC&W) and ultimately on the cost of freight transportation being incurred by the numerous grain elevator and farm supply firms located on the TC&W.

Several elevators on the line have invested millions in upgrades to improve their train loading efficiency. These elevators now have the capability to compete in the domestic and international movement of grain via the TC&W. The rerouting of freight traffic to accommodate the SWLRT system as currently proposed, will add unnecessary costs to the infrastructure and will certainly have an adverse impact on all rail users, in terms of increased operational costs by the railroad, reduced travel times and safety concerns with the design recommendations. Again, we question much of the content in the DEIS and suggest going back to the drawing board, to come up with a better solution than the one being proposed.

Fortunately the EIS is a draft, since it is obvious that more attention needs to be given to the impacts on the operating freight railroad and its many users, who provide hundreds of jobs, pay the bulk of the taxes in many communities along the line, offering market access for thousands of farmers and economic stability for the region. Thank you for your consideration of our views on the DEIS.

Sincerely,

A handwritten signature in blue ink that reads 'Bob Zelenka'. The signature is written in a cursive style.

Bob Zelenka
Executive Director

November 28, 2012
[Date]

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

We, the Minnesota Valley Regional Rail Coalition depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the Minnesota Valley Regional Rail Coalition understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We the further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from .

It is imperative that Minnesota Valley Regional Rail Coalition retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

- 1.) Do engineering for the reroute that meets TC&W's engineering standards,
- 2.) Co-locate the SWLRT with the current freight route,
- 3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
- 4.) Route the SWLRT up the MN&S rail line

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, the oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,



[Name] *Chair*

Minnesota Valley Regional Rail Coalition



The Mosaic Company
12120 Lynn Ave
Savage, MN 55378
www.mosaicco.com

December 3, 2012

Hennepin County Housing, Community Works & Transit
Attn: Southwest Transitway

To Whom it Concerns:

As one of the largest companies headquartered in Minnesota, The Mosaic Company, is dedicated to responsibly serving our customers around the world. Farmers in 40 countries depend on our crop nutrients to increase their yields and feed a rapidly growing global population. Likewise, we depend on strong business partners, including Twin Cities & Western Railroad (TC&W), to remain competitive. By working together to serve our customers in south central Minnesota, we also strengthen their communities and their local economies.

The Draft Environmental Impact Statement for the Southwest Light Rail Transit System indicates that the project, as it is currently contemplated, could imperil our ability to serve this area.

Mosaic supports the project and the myriad benefits it provides for businesses and commuters all over the metro area – and for the health of our environment. However, we are concerned about the proposed freight rail route relocation, because its design would likely result in slower service and higher costs due to the need for extra locomotives and fuel to navigate the proposed route. (The current recommended design adds a significant climb up a steep grade by freight rail standards, as well as tight track curvature.)

Alternatives to your recommended design could include:

- Engineer the re-route so that it meets TC&W's engineering standards;
- Co-locate the SWLRT with the current freight route;
- Re-route freight back to the 29th Street Corridor, where TC&W ran until 1998; or
- Route the SWLRT up the Minneapolis, Northfield & Southern rail line.

Mosaic ships tens of thousands of tons of fertilizer into south central Minnesota by rail every year. This is an important supply route for Mosaic and our customers.

We are confident that an alternative design can serve all parties – while remaining true to our shared desire to enhance Minnesota's economic opportunities and preserve the environment. We encourage you to revisit your freight rail route design, and offer our support in this endeavor.

Sincerely,

A handwritten signature in blue ink that reads "Lisa Brickey". The signature is fluid and cursive, written over the printed name and title.

Lisa Brickey
Warehouse Manager



December 4, 2012

Hennepin County Housing, Community Works & Transit Department
ATTN: Southwest Transitway
701 Fourth Avenue South, Suite 400
Minneapolis, MN 55415-1842

To Whom It May Concern:

We, RPMG Inc., depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, RPMG Inc., understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We RPMG Inc., further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from RPMG Inc.

It is imperative that RPMG Inc. retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

- 1.) Do engineering for the reroute that meets TC&W's engineering standards;
- 2.) Co-locate the SWLRT with the current freight route,
- 3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
- 4.) Route the SWLRT up the MN&S rail line

Therefore we recommend Hennepin County and the Metropolitan Council (Met Council) address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

Hennepin County Housing, Community Works & Transit Department

Letter of Opposition

Page 2

December 4, 2012

We, RPMG Inc., oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

A handwritten signature in black ink that reads "Douglas E. Punke". The signature is written in a cursive style with a large, sweeping initial 'D'.

Douglas E. Punke, CEO
RPMG Inc.

cc: Jason Wojahn, Director of Logistics, RPMG Inc.

DEP:amo



Seneca Foods Corporation

Hennepin County Housing

Community Works and Transit

Attn: Southwest Transit way:

The Seneca Foods Glencoe Facility relies on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. Seneca Foods understands that the Southwest Transit way Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transit way (SWLRT). Seneca Foods further understands, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Seneca Foods.

It is imperative that Seneca Foods retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

- 1) Do engineering for the reroute that meets TC&W's engineering standards,
- 2) Co-located the SWLFT with the current freight route,
- 3) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
- 4) Route the SWLRT up the MN&S rail line.

Therefore, we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

Seneca Foods Corporation opposes the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

A handwritten signature in black ink that reads "Andy Slinden". The signature is written in a cursive, flowing style.

Andy Slinden

Plant Manager - Glencoe



101 West 8th Street – Glencoe, Minnesota 55336
Phone (320) 864-3151 Fax (320) 864-5779



Seneca Foods Corporation

Vegetable Division

December 4, 2012

Hennepin County, Housing, Community Works and Transit

Attn: Southwest Transitway:

The Seneca Foods Arlington Facility relies on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. Seneca Foods understands that the Southwest Transit way Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transit way (SWLRT). Seneca Foods further understands, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Seneca Foods.

It is imperative that Seneca Foods retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

- 1) Do engineering for the reroute that meets TC&W's engineering standards,
- 2) Co-located the SWLFT with the current freight route,
- 3) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
- 4) Route the SWLRT up the MN&S rail line.

Therefore, we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

Seneca Foods Corporation opposes the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

A handwritten signature in black ink that reads "Rick Rose".

Rick Rose

Warehouse Manager

Seneca Plant

Arlington, Minnesota



Fairfax
PO Box E
Fairfax, MN 55332
507-426-8263

Gibbon
40 W. Park Drive
Gibbon, MN 55335
507-834-6534

Hector
PO Box 338
Hector, MN 55342
320-848-2273

Buffalo Lake
PO Box 99
Buffalo Lake, MN 55314
320-833-5321

Cosmos

Lake Lillian

Darwin

Stewart

Eden Valley

December 3, 2012

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

We, South Central Grain and Energy, depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, South Central Grain and Energy, understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We, South Central Grain and Energy, further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from South Central Grain and Energy.

It is imperative that South Central Grain and Energy retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

- 1.) Do engineering for the reroute that meets TC&W's engineering standards,
- 2.) Co-locate the SWLRT with the current freight route,
- 3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
- 4.) Route the SWLRT up the MN&S rail line

Therefore, we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota and, since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

South Central Grain and Energy is not opposed to the light rail project but we cannot have it happen at the expense of our farmer producers and South Central Grain and Energy. The current plan will cost our farmers millions and millions of dollars over the years.

We, South Central Grain and Energy, oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

A handwritten signature in black ink that reads "Eugene Lutteke". The signature is written in a cursive style with a large, prominent initial "E".

Eugene Lutteke
General Manager
South Central Grain and Energy



Southern Minnesota Beet Sugar Cooperative

P. O. Box 500, 83550 County Road 21, Renville, Minnesota 56284

November 27, 2012

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

My name is Kelvin Thompsen and I serve as President and CEO of Southern Minnesota Beet Sugar Cooperative (SMBSC). The cooperative is owned by 525 shareholders who produce 3.5 million tons of sugar beets from the nearly 120,000 acres in which they farm in West Central Minnesota. These same shareholders own the sugar factory, located in Renville, which processes their 3.5 million tons of sugar beets into more than 450,000 tons of pure white sugar and 300,000 tons of co-products including sugar beet pulp pellets, dried pulp shreds, pressed sugar beet pulp, betaine, raffinose and molasses. SMBSC employs 750 people and our annual payroll exceeds \$17 million annually. We estimate the total stimulus to the economy of West Central Minnesota which is generated by SMBSC is nearly three quarters of a billion dollars.

SMBSC and the 525 farm families depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation to ship a large portion of the 750,000 tons of finished product to our end use customers. SMBSC also relies heavily upon the TC&W Railroad Company for the inbound transportation of essential processing commodities such as coal, coke and lime rock required for the processing of sugar beets into pure, white sugar. SMBSC's inbound freight tonnage is nearly 300,000 tons. Economical rail transportation is key to SMBSC's sustainability today and for the future. SMBSC understands the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). SMBSC further understands, based on information provided by TC&W, the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from SMBSC's factory located in Renville, Minnesota.

It is imperative that SMBSC retain the economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

- 1.) Do engineering for the reroute that meets TC&W's engineering standards,
- 2.) Co-locate the SWLRT with the current freight route,
- 3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
- 4.) Route the SWLRT up the MN&S rail line

SMBSC respectfully recommends Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design.

SMBSC opposes the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W. SMBSC recommends the freight rail issues be resolved to preserve our economical freight rail transportation and the future sustainability of SMBSC and its 525 farm families.

Thank you for your consideration of this most important matter.

Sincerely,

A handwritten signature in blue ink that reads "Kelvin Thompsen". The signature is fluid and cursive, with the first name "Kelvin" and last name "Thompsen" clearly legible.

Kelvin Thompsen
President and CEO



36327 US HWY 71
Redwood Falls, MN 56283
Toll Free: 888-783-7728
Email step@redred.com Fax: 507-644-2184

11-26-2012

Dear Hennepin County, Housing, Community Works & Transit
ATTN: Southwest Transitway

We, at Step Saver Inc depend on the TCWR for economical freight rail transportation. We at Step Saver Inc understand that that the DEIS recommends a relocation of the freight rail route to accommodate the Southwest light Rail Transitway. Step Saver Inc also understands that based on information provided by the TCWR that was released by the DEIS on 10-12-2012, that this will result in increased costs for the TCWR to operate its trains to deliver product for Step Saver Inc.

It is imperative that that Step Saver Inc retain an economical freight rail transportation option which is now provided by the TCWR. The design provided and recommended by the DEIS in not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommendation would be:

- 1.) Do engineering for the reroute that meets TCWR engineering standards,
- 2.) Co-locate the SWLRT with the current freight route,
- 3.) Reroute freight back to the 29th St corridor, where TCWR ran until 1998, or
- 4.) Route the SWLRT up the MN&S rail line.

Step Saver Inc recommends Hennepin County and the met Council address TCWR concerns over the design of the freight rail relocation shown in the DEIS, and work with TCWR to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides significant amount of exports from the state of MN, and since having economical freight rail transportation is imperative to allow rural MN to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, at Step Saver Inc oppose the freight rail relocation design recommendation in the EDIS base on the information provided by the TCWR and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely

A handwritten signature in black ink, appearing to read "Chuck Steffl", is written over the word "Sincerely".

Chuck Steffl, President Step Saver Inc



WEST-CON

your farm ... your community ... your co-op

December 3, 2012

Hennepin County, Housing, Community Works & Transit
ATTN: Southwest Transitway

Western Consolidated Cooperative depends on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Western Consolidated Cooperative.

It is imperative that Western Consolidated Cooperative retain an economical freight rail transportation option, as provided by TC&W and the design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design might be:

- 1) Engineer a reroute that meets TC&W's engineering standards,
- 2) Co-locate the SWLRT with the current freight route,
- 3) Reroute freight back to the 29th St Corridor where TC&W ran until 1998, or
- 4) Route the SWLRT up the MN&S rail line

We recommend that Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Rural Minnesota organizations like ours provide a significant amount of exports from the State of Minnesota and maintaining economical freight rail transportation is imperative in allowing us to remain competitive in the global marketplace. At this time, we strongly recommend that the Hennepin County and the Met Council **REJECT** the freight rail design as recommended in the DEIS and arrive at an acceptable design.

We oppose the freight rail relocation design recommendation in the DEIS and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

Paul Mattson

Paul Mattson, Grain Division Manager
Western Consolidated Cooperative



WEST-CON

your farm ... your community ... your co-op

December 3, 2012

Hennepin County, Housing, Community Works & Transit
ATTN: Southwest Transitway

Western Consolidated Cooperative depends on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Western Consolidated Cooperative.

It is imperative that Western Consolidated Cooperative retain an economical freight rail transportation option, as provided by TC&W and the design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design might be:

- 1) Engineer a reroute that meets TC&W's engineering standards,
- 2) Co-locate the SWLRT with the current freight route,
- 3) Reroute freight back to the 29th St Corridor where TC&W ran until 1998, or
- 4) Route the SWLRT up the MN&S rail line

We recommend that Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Rural Minnesota organizations like ours provide a significant amount of exports from the State of Minnesota and maintaining economical freight rail transportation is imperative in allowing us to remain competitive in the global marketplace. At this time, we strongly recommend that the Hennepin County and the Met Council **REJECT** the freight rail design as recommended in the DEIS and arrive at an acceptable design.

We oppose the freight rail relocation design recommendation in the DEIS and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

Dean Isaacson

Dean Isaacson, General Manager
Western Consolidated Cooperative



Western Co-op Transport Association

BOX 327

MONTEVIDEO, MINNESOTA 56265

November 27, 2012

PHONE 320-269-5531

1-800-992-8817

Hennepin County, Housing, Community Works & Transit

Dear Southwest Transitway:

I've been following the Southwest Light Rail Transitway (SWLRT) with much interest. Our community is on Highway 212 in Western Minnesota, so I look forward to the day when we can jump on the light rail in Eden Prairie. Two of my sons are in business in Minneapolis and another attends the University of Minnesota, as my daughter did. There is much for you to consider - thus the reason for my letter.

I've seen that the SWLRT Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the SWLRT. Based on the information provided by Twin Cities & Western Railway (TC&W), the recommended freight rail relocation design as shown in the DEIS from October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Western Minnesota.

Western Co-op Transport Association (WCTA) is a cooperative owned by 124 local grain, agronomy and energy cooperatives. We provide service to our members with over 300 semi trucks and trailers. Many of our member/owners are also shippers on the TC&W for their business. Economical rail service is vital to their survival. Our rail structure is as important to our communities as having schools, roads and a hospital.

When the Milwaukee Road sold off its land and track, Montevideo and other communities in our region worked to save the rail service. We fought to prevent our track from being torn out or paved over. It is imperative Western Minnesota retain an economical freight rail transportation option which is provided by TC&W – the only rail service in our communities.

The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

1. Do engineering for the reroute that meets TC&W's engineering standards
2. Co-locate the SWLRT with the current freight route
3. Reroute freight back to the 29th St corridor, where TC&W ran until 1998
4. Route the SWLRT up the MN&S rail line

Therefore, we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Light rail improves the quality of life for riders by giving them another choice. It would be ironical that by forcing the DEIS relocation on TC&W as outlined, those of us in Western Minnesota will have less choice by taking away the most economical freight transportation we have.

Thank-you for your consideration on this and your hard work,

Respectfully,

Dennis Brandon, General Manager



Monday, December 03, 2012

Dear Hennepin County, Housing, Community Works & Transit- ATTN: Southwest Transitway:

We, the Wheaton-Dumont Coop Elevator depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the Wheaton-Dumont Coop Elevator understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We the Wheaton-Dumont Coop Elevator further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Wheaton-Dumont Coop Elevator.

It is imperative that Wheaton-Dumont Coop Elevator retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

- 1.) Do engineering for the reroute that meets TC&W's engineering standards,
- 2.) Co-locate the SWLRT with the current freight routes,
- 3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
- 4.) Route the SWLT up the MN&S rail line

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on the economical freight rail transportation.

We, the Wheaton-Dumont Coop Elevator oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

Philip Deal
Wheaton-Dumont Coop Elevator

B. 605-448-2261 • Campbell 218-630-5344 • Dumont 320-563-8020 • Dumont Ag 320-563-8822 • Hankinson 701-242-7543 • LaMars 701-474-5976
• Mantador 701-242-7022 • New Effington Ag 605-637-5241 • Sisseton Feed Store 605-698-3491 • Sisseton North 605-698-3221
• Sisseton South 605-698-3251 • Tenney 218-630-5556 • Wheaton 320-563-1130 • Wheaton Ag 320-563-8181



705 E. 4th Street; PO Box 461; Winthrop MN 55396
507-647-6600 or 866-998-3266
Fax: 507-647-6620

People....Pride....Purpose....
"Since 1915"

November 30, 2012

Dear Hennepin County, Housing, Community Works & Transit:

RE: SOUTHWEST TRANSITWAY

I am writing to you on behalf of the communities and members that own United Farmers Cooperative (UFC). We are a member owned cooperative that serves nearly 10,000 customers across a dozen communities in south central Minnesota. UFC has been in existence since 1915, providing necessary goods and services such as agricultural inputs, home heating and markets for grain.

In the past 20 years, UFC has invested over 60 million dollars of member owned capital in upgrading infrastructure to provide better access and markets for the farmers and consumers that we serve. Most of these facilities have been strategically located to effectively use rail service that is provided by Twin Cities & Western Railroad Company (TC&W). Just this past year, UFC and its members invested nearly 30 million dollars to build a world class grain handling facility near Brownton MN. This facility will significantly reduce the metro truck traffic while at the same time greatly enhancing marketing options for Minnesota's agricultural production.

UFC depends on the TC&W for economical freight rail transportation. UFC understands that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). UFC further understands, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from UFC. These costs are not only monetary in nature but operationally challenging as well.

We fully understand and support the logic and efficiencies that you are hoping to gain on further expansion of the light railway. It follows the same logic that we have applied in locating our facilities along the rail. It is both economically and environmentally sound as well as significantly more efficient. However, we do not believe that it makes sense to address the transportation needs for the Twin Cities and metro area's at the expense of adversely effecting what we have built for the last several decades in rural Minnesota. In UFC's case, we even helped invest in rehabilitation of the railroad tracks known as the Minnesota Prairie Line. The access to competitive and reliable rail has meant great economic development in our small committee and has added many jobs in addition to the economic gains for our Minnesota farmers.

It is our understanding that TC&W has encouraged you to look at several alternatives that would be less intrusive on the existing freight business and that several alternatives exist that would be less costly and more conducive to serving the needs of all parties in this situation. We are asking that Hennepin County and the Met Council meet with TC&W and work out a more mutually beneficial plan. I have spent considerable time looking at these options and I really believe a compromise that is fair and mutually respectful can be reached.

We would be happy to participate in these discussions if we can be of any assistance or relevance in this matter. The current proposal would put considerable economic and operational obstacles in place and needs to be reviewed and adjusted to be fair to all those that are affected. We hope that you will consider everyone's needs in this matter and work together for the solution.

Sincerely,

Jeff J. Nielsen
General Manager/CEO

OUR PURPOSE

To supply our customers with technology, products, and services in a manner that is extraordinary enough to add value to their lives.



705 E. 4th Street; PO Box 461; Winthrop MN 55396
507-647-6600 or 866-998-3266
Fax: 507-647-6620

People....Pride....Purpose....
"Since 1915"

November 30, 2012

Dear Hennepin County, Housing, Community Works & Transit:

RE: SOUTHWEST TRANSITWAY

I am writing to you today on behalf of the United Farmers Cooperative. We serve nearly 1300 agronomy customers across south central Minnesota.

In 2008 we invested 7 million dollars in building a state of the art fertilizer hub in Winthrop Minnesota, being Winthrop was in the center of our trade territory is was a great place to build being the TC&W rail line runs through town. As we were researching the perfect location for our plant we looked at options to build off rail lines to depend solely on truck service but after much research and finding out what the freight rates would be coming out of the Twin Cities we then began construction.

We understand that the Southwest Transitway Environmental Impact Statement recommends a relocation of the freight rail route to help the Southwest Light Rail Transitway. But we have invested heavily because of the rail line in Winthrop and depend on the TC&W to operate its trains to and from us. These plans being proposed will directly effect TC&W with a cost increase that will have to be passed down to UFC and its customers.

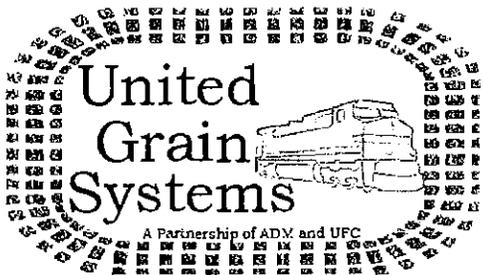
We fully understand what it is like to be looking at ways to improve efficiencies we do it every day. But I do not believe it makes sense to try and change the needs of the metro at the expense of all of us that have already spent large amount of money prior to your plans.

As we understand there are a few options that look to have some compromise, that would not directly effect the freight rates leaving the metro. Please meet with the TC&W to work the issues out so both parties can meet a mutual beneficial plan.

Any questions on what role UFC plays in supporting the agricultural business in South Central Minnesota please give us a call at 1-507-647-6600

Sincerely,

Butch Altman
Agronomy Manager



705 E. 4th Street; PO Box 461; Winthrop MN 55396
507-647-6601 or 866-792-5128
Fax: 507-647-6621

November 30, 2012

Dear Hennepin County, Housing, Community Works & Transit

Re: Southwest Transitway

I am writing on behalf of United Grain Systems, LLC. Our trade territory stretches east/west from Bird Island to the Twin Cities and north/south from St Cloud to New Ulm. We have six grain elevators and about 4,000 customers. Because of our location, our choices of rail service are limited to the TC&W Railroad.

In September of this year we opened a new \$30 million state of the art shuttle loading rail facility on the TC&W rail line outside of Brownston, MN. We did this for several reasons. The first being "the market" is telling us to do this. Second, it allows us to connect to markets we were previously not able to access. Third, we have been encouraged by MNDOT to do everything we can to get truck traffic out of the Twin Cities. This project offered us the efficiencies of moving bulk grain commodities and allowed us to decrease truck congestion and decrease emissions. We thought this was a winning situation for everyone involved.

We never dreamt that an extension of Light Rail would or could affect our investment. We are not against Light Rail, but those that are making decisions for that project need to be aware that those decisions are affecting businesses and people far from the Twin Cities. According to the TC&W Railroad, decisions made by Hennepin County and the Metropolitan Council will adversely affect our company and customers. They say this will result in increased costs which will be passed down to us shippers, which in turn we pass onto our farmer customers.

We do not intimately know the details of the track issues involved, but we know that there are reasonable alternatives offered to you by the TC&W Railroad. We urge you to seriously consider those recommendations and work with the TC&W to arrive at a solution that preserves continued economical freight rail transportation.

Sincerely,

James S Johnson
Director of Grain Marketing
United Grain Systems, LLC



Councilmember Wills introduced the following resolution and moved for its adoption:

RESOLUTION 78-2012

**A RESOLUTION OPPOSING THE FREIGHT RAIL RELOCATION DESIGN
RECOMMENDATION IN THE DEIS TO ACCOMMODATE THE SOUTHWEST
LIGHT RAIL TRANSITWAY (SWLRT)**

WHEREAS, the City of Arlington is served by the Minnesota Valley Regional Rail Authority's (MVRRA) rail line, which is operated by Twin Cities & Western Railroad (TC&W); and

WHEREAS, the City of Arlington recognizes the growing importance of rail traffic to ease congestion on our state and local highways; and

WHEREAS, MVRRA rail line runs through Arlington and provides rail service to one of Arlington's largest employers, Seneca Foods; and

WHEREAS, Arlington's new Industrial Park accesses the MVRRA rail line; and

WHEREAS, the City of Arlington understands that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT); and

WHEREAS, we further understand, based on information provided to us by TC&W and concern expressed to us by Seneca Foods, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains through the City of Arlington; and

WHEREAS, any increased costs to freight rail will have a negative economic impact on Arlington businesses and any other business that decides to relocate in Arlington along the MVRRA rail line; and

WHEREAS, the City of Arlington supports the alternatives to the recommended design as presented by TC&W and believes those recommended changes provide for more competitive freight rail transportation through the City of Arlington.

NOW, THEREFORE BE IT RESOLVED, by the City Council of Arlington that the City Council hereby recommends to Hennepin County and the Met Council that they address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work

with the TC&W to arrive at a freight rail solution that preserves the existing economical freight rail transportation through the City of Arlington.

FURTHERMORE BE IT RESOLVED, since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economic freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we hereby recommend to Hennepin County and the Met Council that you reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as our community depends on economical freight rail transportation.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember Ruehling and upon poll being taken thereon the following voted in favor thereof: Pederson, Ruehling, Pichelmann, Wills, Reetz; and the following voted against the same: None; and the following abstained from voting: None; and the following were absent: None.

The foregoing resolution was adopted by the City Council of the City of Arlington this 3rd day of December, 2012.

Signed: _____


Mayor

Attested: _____

City Administrator

Whereupon said resolution was declared duly passed and adopted and was signed by the Mayor whose signature was attested by the City Administrator.

City of Bird Island
660 Birch Avenue, PO Box 130
Bird Island, MN 55310
Phone (320) 365-3371 Fax (320) 365-4611
birdislandcity@mchsi.com

November 29, 2012

Dear Hennepin County, Housing, Community Work & Transit-ATTN: Southwest Transitway:

We, the City of Bird Island depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the City of Bird Island understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We the City of Bird Island further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from the City of Bird Island.

It is imperative that the City of Bird Island retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

- 41.) Do engineering for the reroute that meets TC&W's engineering standards,
- 42.) Co-locate the SWLRT with the current freight route,
- 43.) Reroute freight back to the 29th St. Corridor, where TC&W ran until 1998, or
- 44.) Route the SWLRT up the MN&S rail line

Therefore, we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, the City of Bird Island oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

Deb Lingl, Administrator
City of Bird Island

City of Buffalo Lake

November 29, 2012

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

We, the City of Buffalo Lake depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the City of Buffalo Lake understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We the City of Buffalo Lake further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from the City of Buffalo Lake.

It is imperative that the City of Buffalo Lake retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

- 33.) Do engineering for the reroute that meets TC&W's engineering standards,
- 34.) Co-locate the SWLRT with the current freight route,
- 35.) Reroute freight back to the 29th St. Corridor, where TC&W ran until 1998, or
- 36.) Route the SWLRT up the MN&S rail line

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

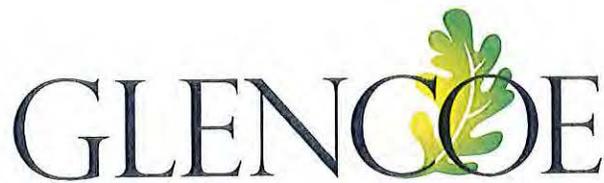
We, the City of Buffalo Lake oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,



Joyce Nyhus, Mayor
City of Buffalo Lake

In accordance with Federal law, The City of Buffalo Lake is prohibited from discriminating on the basis of race, color, national origin, sex, age or disability.



SMALL CITY & BIG FUTURE

GLENCOE AREA CHAMBER OF COMMERCE

1107 11th Street East, Suite 104, Glencoe, MN 55336
Phone: (320) 864-3650 • Fax: (320) 864-6405 • www.glencoe.mn.org

December 12, 2012

Dear Hennepin County, Housing, Community Works & Transit - ATTN: Southwest Transitway,

We, the members of the Glencoe Area Chamber of Commerce (GACC), represent Glencoe's business community. We understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We, GACC, further understand, based on information provided by Twin Cities & Western Railroad Company (TC&W), that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from the businesses they serve. It is imperative that TC&W customers retain an economical freight rail transportation option which is provided by TC&W.

The design as recommended in the DEIS is not acceptable to maintain the region's competitive freight rail transportation. Alternatives to your recommended design would be:

- 1.) Do engineering for the reroute that meets TC&W's engineering standards,
- 2.) Co-locate the SWLRT with the current freight route,
- 3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
- 4.) Route the SWLRT up the MN&S rail line

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation option.

Sincerely,

Laurie Gauer, Chair
Board of Directors, Glencoe Area Chamber of Commerce



SMALL CITY & BIG FUTURE

City of Glencoe ♦ 1107 11th Street East, Suite 107 ♦ Glencoe, Minnesota 55336
Phone (320) 864-5586

RESOLUTION NO. (2012-22)

**A RESOLUTION OF SUPPORT FOR TWIN CITIES & WESTERN (TC & W)
RAILROAD AND OPPOSITION TO THE PROPOSED FRIEIGHT RAIL
RELOCATION DESIGN**

WHEREAS, TC & W Railroad is located in the City of Glencoe and the City is dependent on TC & W RR to provide economical freight transportation for its customers; and,

WHEREAS, the City has learned that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). The recommended rail reroute design adds a significant climb by freight rail standards and tight track curvature. TC & W RR believes the design will require extra locomotives, fuel, track maintenance and additional time to operate the same trains it currently operates; and,

WHEREAS, the City wants TC & W RR to be a viable freight rail transportation option for its citizens and customers. The City is concerned that the recommended freight rail reroute design will negatively impact the shippers and communities that TC & W RR serves and the increased costs to TC & W RR will be passed on to its customers in Glencoe; and,

WHEREAS, the City asks Hennepin County and the Met Council to consider other design alternatives which would not increase TC & W RR's operating costs. These alternatives include:

- 1.) Conduct engineering for the reroute that meets TC&W's engineering standards,
- 2.) Co-locate the SWLRT with the current freight route,
- 3.) Reroute freight to the 29th St Corridor, where TC&W conducted business before 1998, or
- 4.) Route the SWLRT to the MN&S rail line; and,

WHEREAS, the City believes that design alternatives can work for both Southwest Light Rail Transitway and TC & W RR's freight rail operations; and,

WHEREAS, the City is aware that TC & W RR's mission statement is to grow the economies of the areas it serves, and the DEIS recommendations pose a serious impediment to growing the economy of south central Minnesota. Due to the fact that rural Minnesota provides a significant amount of exports from the State of Minnesota, and having economical freight rail transportation is imperative to allowing rural Minnesota to compete in the global marketplace, the City requests Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and mutually agree upon an acceptable design. Rural Minnesota is dependent upon economical freight rail transportation.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GLENCOE:

- 1) That the City of Glencoe requests Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS; and,
- 2) That a Hennepin County and the Met Council work with TC & W R Railroa to arrive at a freight rail solution that is mutually agreeable and that preserves the existing economical freight rail transportation.

Adopted this 17th day of December, 2012.

By Randy Wilson
Randy Wilson, Mayor

Attest:

By MDL

Mark D. Larson, City Administrator

P.O. Box 457
Hector, MN 55342-0457
Voice: 320-848-2122
Fax: 320-848-6582



November 27, 2012

Dear Hennepin County, Housing, Community Works & Transit –ATTN: Southwest Transitway:

We, the City of Hector depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the City of Hector understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We, the City of Hector further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from the City of Hector.

It is imperative that the City of Hector retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

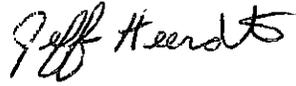
- 37.) Do engineering for the reroute that meets TC&W's engineering standards,
- 38.) Co-locate the SWLRT with the current freight route,
- 39.) Reroute freight back to the 29th St. Corridor, where TC&W ran until 1998, or
- 40.) Route the SWLRT up the MN&S rail line.

Therefore we recommend Hennepin County and the MET Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, the City of Hector oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

A handwritten signature in black ink that reads "Jeff Heerd". The signature is written in a cursive style with a large, stylized initial "J".

Jeff Heerd

Mayor

City of Hector

City of Milan
City of Milan

244 North 2nd Street
PO Box 162
Milan, MN 56262

November 30, 2012

ATTENTION: Southwest Transitway

Dear Hennepin County, Housing, Community Works, & Transit:

The City of Milan and its adjacent communities and counties source of revenue is the creation, maintenance, sale, and TRANSPORTATION of agricultural products. These products are primarily row crops and grains. The vast majority of these crops are sold and TRANSPORTED to and processed to major manufacturing hubs; metro areas.

Milan's 'economic engine' is heavily dependent on inexpensive (cheap) TRANSPORTATION from acquiring the inputs to selling and TRANSPORTING the crop. The presently proposed relocation of TCW's track structure for the Southwest Transitway System places onerous and unbearable costs on TCW and ultimately the Milan area farmers, businesses, and citizens. The City of Milan urges that the present draft and proposal be readdressed to find a solution more economically favorable to TCW, its customers, and the people of west central Minnesota.

Rural, Greater Minnesota, recognizes, understands, and endorses the concept of mass transit for the Metro area. We only request that the MOST ECONOMICAL design for TCW and west central Minnesota be adopted. To benefit the Metro area at the expense of the rural population is untenable. Both sides have to cooperate for the benefit of all of Minnesota. Please consider our requests, needs and concerns when the final route is chosen.

MILAN CITY COUNCIL

Mayor Ted Ziemann



"This institution is an equal opportunity provider."



Economic Development Authority

103 Canton Ave., P.O. Box 517 Montevideo, Minnesota 56265 Telephone: 320 / 269-6575 Fax: 320 / 269-9340

November 26, 2012

Dear Hennepin County, Housing, Community Works & Transit - ATTN: Southwest Transitway:

We, the City of Montevideo Economic Development Authority, depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the City of Montevideo Economic Development Authority, understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We, the City of Montevideo Economic Development Authority, further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from the City of Montevideo Economic Development Authority.

It is imperative that the City of Montevideo Economic Development Authority retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

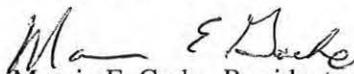
- 65.) Do engineering for the reroute that meets TC&W's engineering standards;
- 66.) Co-locate the SWLRT with the current freight route;
- 67.) Reroute freight back to the 29th Street Corridor, where TC&W ran until 1998; or,
- 68.) Route the SWLRT up the MN&S rail line.

Therefore, we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, the City of Montevideo Economic Development Authority, oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,


Marvin E. Garbe, President
MEG/gl

CITY OF



★ All-America City ★

103 Canton Ave., P.O. Box 517 Montevideo, Minnesota 56265 Telephone: 320 / 269-6575 Fax: 320 / 269-9340

November 26, 2012

Dear Hennepin County, Housing, Community Works & Transit - ATTN: Southwest Transitway:

We, the City of Montevideo, depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the City of Montevideo, understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We, the City of Montevideo, further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from the City of Montevideo.

It is imperative that the City of Montevideo retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

- 65.) Do engineering for the reroute that meets TC&W's engineering standards;
- 66.) Co-locate the SWLRT with the current freight route;
- 67.) Reroute freight back to the 29th Street Corridor, where TC&W ran until 1998; or,
- 68.) Route the SWLRT up the MN&S rail line.

Therefore, we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, the City of Montevideo, oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

Steven C. Jones, City Manager
SCJ/gl

Equal Opportunity Provider & Employer



2063

MORTON

“The Oldest Story in North America”

221 West Second Street – P.O. Box 127 – Morton, MN 56270-0127

Phone: (507) 697-6912 Fax: (507) 697-6118

E-Mail: mortoncithall@mchsi.com

This institution is an equal opportunity provider

TDD/TTY: 651-602-7830

November 27, 2012

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

The City of Morton depends on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from the City of Morton.

It is imperative that the City of Morton retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

- 1.) Do engineering for the reroute that meets TC&W's engineering standards,
- 2.) Co-locate the SWLRT with the current freight route,
- 3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
- 4.) Route the SWLRT up the MN&S rail line

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation. Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

The City of Morton opposes the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,



Carl Colwell, Mayor
Morton City Council



November 30, 2012

Hennepin County
Housing, Community Works and Transit
701 Fourth Avenue South, Suite 400
Minneapolis, MN 55415-1842

RE: Southwest Transitway

Dear Hennepin County, Housing, Community Works and Transit:

The City of Norwood Young America depends on the Twin Cities & Western Railroad Company (TC&W) for economical freight transportation. The City of Norwood Young America understands that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). The City of Norwood Young America further understands, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012, will result in increased costs for TC&W to operate its trains to and from the community of Norwood Young America.

It is imperative that the city of Norwood Young America retain an economical freight rail transportation option, which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

- 1.) Do engineering for the reroute that meets TC&W's engineering standards.
- 2.) Co-located the SWLRT with the current freight route.
- 3.) Reroute freight back to the 29th St. Corridor, where TC&W ran until 1998.
- 4.) Route the SWLRT up the MN&S rail line.

We recommend that Hennepin County and the Met council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economic freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend that Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

The City of Norwood Young America opposes the freight rail relocation design recommendation in the DEIS based on information provided by TC&W, and recommends that the freight rail issues be resolved to preserve our economical freight rail transportation options.

If you have any questions regarding this letter, please feel free to contact me at tsimmons@cityofnya.com, or 952-467-1800.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Simmons", with a long horizontal line extending to the right.

Tom Simmons, City Administrator
City of Norwood Young America



Hennepin County
Housing, Community Works & Transit
701 Fourth Avenue South, Suite 400
Minneapolis, MN 55415-1842

December 3, 2012

Re: Southwest Transitway

Dear Hennepin County Housing, Community Works & Transit:

On behalf of the Olivia Mayor and City Council, we would like to go on record in regards to the recommended relocation of the freight rail route of Twin Cities & Western Railroad (TC&W) to accommodate the Southwest Light Rail Transitway. Our agriculture-based economy depends on economical freight rail transportation and the Olivia City Council urges Hennepin County and the Metropolitan Council to address TC&W's concerns over the proposed freight rail relocation plans being considered.

Increased freight rail costs associated with such plans will no doubt have a negative impact on our local economy. My City Council asks that the stakeholders in this discussion seriously consider alternative proposals which will better achieve the goal of expanded light rail transit while still maintaining competitive and economical freight rail for Olivia and the numerous other counties, cities and townships who are served by TC&W.

The position of the Olivia City Council is one of opposition to the current freight rail relocation design recommendation in the Southwest Transitway Draft Environmental Impact Statement; and they recommend that the issues related to freight rail be resolved so to preserve economical freight rail transit for our region. The current relocation plans would result in increased operational costs for TC&W which in turn would negatively impact our regional economy. The City of Olivia requests that Hennepin County and the Metropolitan Council consider alternatives to the relocation design currently being proposed.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Coughlin", is written over a faint, larger version of the same signature.

Dan Coughlin
Olivia City Administrator

CITY OF PLATO

**P.O. Box 7
Plato, MN 55370**



December 11, 2012

Hennepin County, Housing, Community Works & Transit
ATTN: Southwest Transitway

We, the City of Plato, depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the City of Plato, understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We, the City of Plato, further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012, will result in increased costs for TC&W to operate its trains to and from the City of Plato.

It is imperative that the City of Plato retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

- 17.) Do engineering for the reroute that meets TC&W's engineering standards,
- 18.) Co-locate the SWLRT with the current freight route,
- 19.) Reroute freight back to the 29th Street Corridor, where TC&W ran until 1998, or
- 20.) Route the SWLRT up the MN&S rail line.

Therefore, we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, the City of Plato, oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Regards,
Plato City Council



**Phone (320)238-2432
Fax (320) 238-2542**

**website: www.cityofplato.com
email: cityofplato@embarqmail.com**

City of Stewart
551 Prior Street
PO Box 195
Stewart, MN 55385
Phone & Fax – 320-562-2518
TDD - 711

November 27, 2012

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

We, the City of Stewart depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the City of Stewart understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We the City of Stewart further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from City of Stewart.

It is imperative that City of Stewart retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

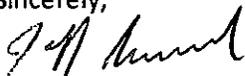
- 1.) Do engineering for the reroute that meets TC&W's engineering standards,
- 2.) Co-locate the SWLRT with the current freight route,
- 3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
- 4.) Route the SWLRT up the MN&S rail line

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

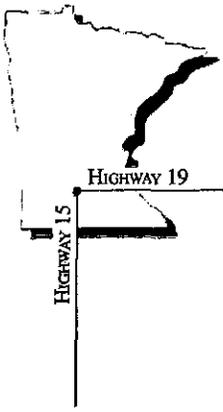
We, the City of Stewart oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,



Jeff Erkenbrack – Mayor
City of Stewart

An equal opportunity provider



CITY OF WINTHROP

INCORPORATED IN 1881

November 27th, 2012

MAYOR
DAVID TREBELHORN

CITY COUNCIL
PETER MACHAIEK
LYLE MUTH
COLLEEN DIETZ
ROB EDWARDS
ED PELLETIER

**CITY ADMINISTRATOR/
EDA DIRECTOR**
MARK ERICKSON

CITY CLERK
JENNY HAZELTON

MEMBER OF:
LMC
MASC
MMUA
MMPA

Hennepin County, Housing, Community Works & Transit
ATTN: Southwest Transitway

To whom it may concern:

During the past 18 years, Heartland Corn Products, United Farmers Cooperative and Land O Lakes Cooperative have invested tens of millions of dollars in Winthrop because of its proximity to affordable rail service. In 2009 the City of Winthrop invested nearly \$2 million in a rail-assisted industrial park.

We depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation to and from our community.

It has been brought to our attention the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends relocating the freight rail route to accommodate the Southwest Light Rail Transitway (SRTL).

We further understand the proposed rail relocation will result in increased operational costs for TC&W which in turn will mean increased shipping costs for Winthrop businesses that use the rail.

While we appreciate and agree with the need to advance the idea of passenger rail traffic, it cannot be done at the expense of rural businesses.

Our local businesses must retain access to economical rail transportation provided by TC&W. We have been told the design as recommended in the DEIS will increase operational costs for TC&W.

We strongly urge you to look at alternatives to the current design that would include the following options:

1. Do engineering for the reroute that meets TC&W's engineering standards;
2. Co-locate the SWLRT with the current freight route;
3. Reroute freight back to the 29th Street corridor where TC&W ran until 1998, or
4. Route the SWLRT up the MN&S rail line.

Through this letter we are asking Hennepin County and the Met Council to address TC&W's design concerns and work with them to find a solution that allows our businesses and city to continue to benefit from the investment they have made while allowing you to responsibly meet your future transportation needs.

Rural Minnesota products figure prominently in the overall export market for the state of Minnesota. It is essential we have economical freight rail transportation solutions so we can continue to compete in the global market.

Based on information provided by TC&W, the City of Winthrop opposes the freight rail relocation design recommendation in the DEIS and asks Hennepin County and the Met Council to also reject the design and work will all parties to arrive at a solution that is acceptable to everyone.

Sincerely,

A handwritten signature in black ink, appearing to read "Dave Trebelhorn". The signature is fluid and cursive, with a long, sweeping line extending from the end of the name.

Dave Trebelhorn, Mayor
City of Winthrop



BIG STONE COUNTY
AUDITOR'S OFFICE

DATE: 12/7/12
MEMO TO: Mark Wegner
MEMO FROM: Michelle Knutson
RE: Letter of Support

Please see the enclosed Letter for your official response to the DEIS. The Board chose to write their own letter versus using the sample one you provided.

If you have any questions, please let me know.



Big Stone County Board of Commissioners
20 2nd Street SE - Ortonville, MN 56278
Phone/Fax (320)-839-6372

December 6, 2012

District 1
Walter Wulff
65292 270th St
Chokio, MN 56221

District 2
Wade Athey
29161 800th Ave
Graceville, MN 56240

District 3
Brent Olson
34596 690th Ave
Ortonville, MN 56278

District 4
Roger Sandberg
539 4th St NW
Ortonville, MN 56278

District 5
Joseph Berning
736 Grace St
Ortonville, MN 56278

Dear Hennepin County, Housing, Community Works & Transit – ATTN:
Southwest Transitway:

We have watched with interest the discussion around relocation of the freight rail route to accommodate the Southwest Light Rail Transitway. While we do not have expertise to advise you on the changes you propose, we have deep concerns that the parties involved might not realize that changes proposed in the metropolitan counties have a profound effect on rural businesses and citizens far removed from your area.

Here in Big Stone County we have a number of businesses that rely on TC&W for transportation of goods. Any change in rates or service could make the difference between profit or loss for these businesses in what is already a fragile economy. We respectfully request that those factors be included in your decision making process, in order to serve the interests of all the citizens of the State of Minnesota.

Sincerely,
Big Stone County Board of Commissioners

Walter W. Wulff
Chairman



Tom Workman
Office of County Commissioner
Carver County Government Center
Human Services Building
602 East Fourth Street
Chaska, MN 55318-1202
Phone: 952 361-1510
Fax: 952 361-1581

November 27, 2012

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

Carver County depends on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. I understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). I also further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Carver County.

It is imperative that Carver County retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

- 1.) Do engineering for the reroute that meets TC&W's engineering standards,
- 2.) Co-locate the SWLRT with the current freight route,
- 3.) Route the SWLRT up the MN&S rail line

Therefore I recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

As a Carver County Commissioner and as a member of the Minnesota Valley Regional Rail Authority, I oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

Tom Workman
Carver County Commissioner

GRANT COUNTY



SOUTH DAKOTA

OFFICE OF COUNTY COMMISSIONERS
210 East 5th Avenue
Milbank, SD 57252-2499
Phone: 605-432-6711
Fax: 605-432-9004

December 21, 2012

Dear Hennepin County, Housing, Community Works & Transit – Attn: Southwest Transitway:

Grant County is pleased Twin Cities & Western Railroad Company (TC&W) has taken over the small rail line in our county and is planning expanded growth of this line for economical freight rail transportation.

The Grant County commission understands the Southwest Transitway Draft Environmental Impact Statement (DEIS) has recommended a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). Our county commission further understands, based on information provided by TC&W, the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Grant County.

It is imperative Grant County retains an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain the competitive freight rail transportation. Alternatives to your recommended design would be:

- 1). Do engineering for the reroute that meets TC&W's engineering standards,
- 2). Co-locate the SWLRT with the current freight route,
- 3). Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
- 4). Route the SWLRT up the MN&S rail line

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Due to the fact rural Minnesota provides a significant amount of exports from the State of Minnesota and having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we would like to recommend the Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design for economical freight rail transportation.

The Grant County Commission respectfully requests the Hennepin County Commission and the Met Council to note our opposition to the freight rail design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options. Thank you for your consideration.

Sincerely,

Doug Stengel
Commission Chairman,
Grant County, SD



County of McLeod

830 11th Street East
Glencoe, Minnesota 55336
FAX (320) 864-3410

COMMISSIONER RAY BAYERL

1st District
Phone (320) 485-2181
20778 Cable Avenue
Lester Prairie, MN 55354
Ray.Bayerl@co.mcleod.mn.us

COMMISSIONER KERMIT D. TERLINDEN

2nd District
Phone (320) 864-3738
1112 14th Street East
Glencoe, MN 55336
Kermit.Terlinden@co.mcleod.mn.us

COMMISSIONER PAUL WRIGHT

3rd District
Phone (320) 587-7332
15215 County Road 7
Hutchinson, MN 55350
Paul.Wright@co.mcleod.mn.us

COMMISSIONER SHELDON A. NIES

4th District
Phone (320) 587-5117
1118 Jefferson Street South
Hutchinson, MN 55350
Sheldon.Nies@co.mcleod.mn.us

COMMISSIONER BEV WANGERIN

5th District
Phone (320) 587-6869 817 Colorado
Street NW Hutchinson, MN 55350
Bev.Wangerin@co.mcleod.mn.us

COUNTY ADMINISTRATOR

PATRICK T. MELVIN
Phone (320) 864-1363
830 11th Street East, Suite 110
Glencoe, MN 55336
Pat.Melvin@co.mcleod.mn.us

12/3/12

Dear Hennepin County, Housing, Community Works & Transit - ATTN: Southwest Transitway:

We, the McLeod County depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the McLeod County understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We the McLeod County further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from McLeod County.

It is imperative that McLeod County retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

- 85.) Do engineering for the reroute that meets TC&W's engineering standards,
- 86.) Co-locate the SWLRT with the current freight route,
- 87.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
- 88.) Route the SWLRT up the MN&S rail line

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, the McLeod County oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

A handwritten signature in black ink that reads "Beverly Wangerin". The signature is written in a cursive style with a large, sweeping initial "B".

Beverly Wangerin
McLeod County

Minnesota Valley Regional Rail Authority



200 S Mill Street
PO Box 481
Redwood Falls, MN
56283

Phone: 507-637-4004
Fax: 507-637-4082
E-mail: julie@redwoodfalls.org

Serving the communities and counties of Carver, Sibley, Renville,
Redwood, and Yellow Medicine in Minnesota

December 18, 2012

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

We, the Minnesota Valley Regional Rail Authority, depend on the Twin Cities & Western Railroad Company (TC&W) as our operator for the Minnesota Prairie Line, for economical freight rail transportation. We, the Minnesota Valley Regional Rail Authority, understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We the Minnesota Valley Regional Rail Authority, further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from the 16 communities they serve in Carver, Sibley, Redwood, Renville, and Yellow Medicine Counties!

It is imperative that our shippers along our MVRRA/MPL line retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

- 1.) Do engineering for the reroute that meets TC&W's engineering standards,
- 2.) Co-locate the SWLRT with the current freight route,
- 3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
- 4.) Route the SWLRT up the MN&S rail line

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design

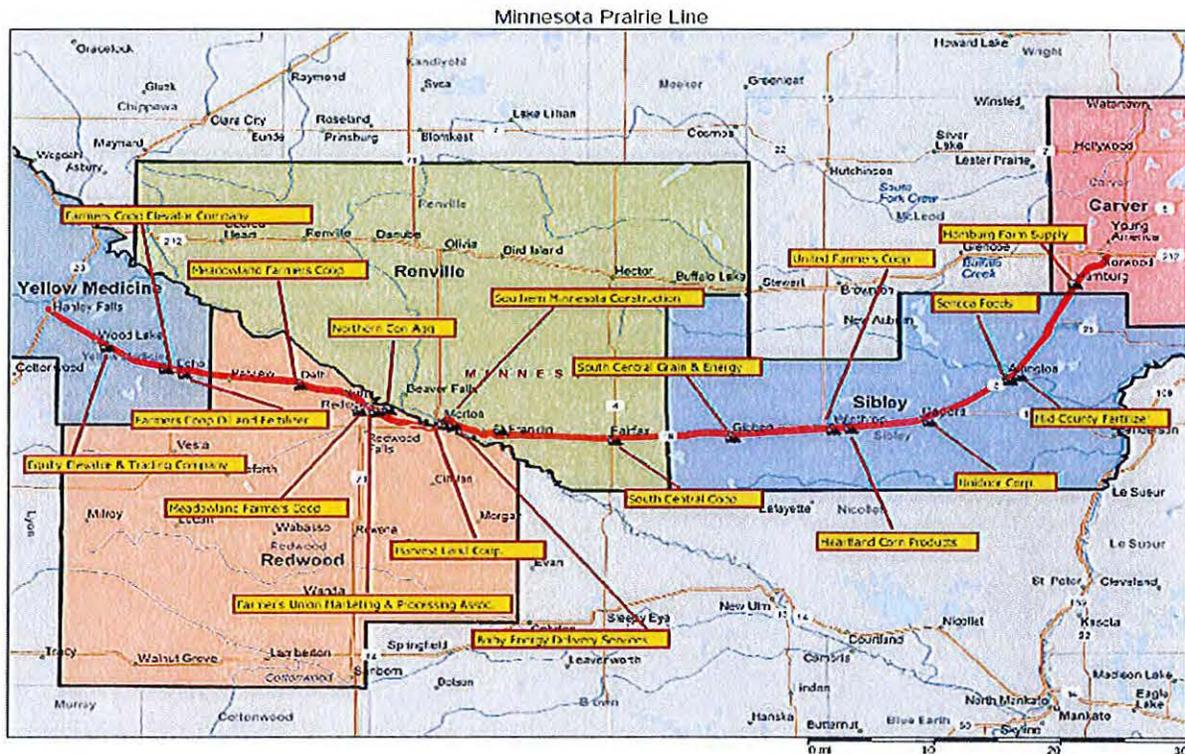
as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, the Minnesota Valley Regional Rail Authority, oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options. Collectively, we represent 5 counties, 16 communities, and thousands of ag producers and businesses who depend on freight rail transportation to deliver their goods and services to global markets and have been shipping via rail for years! We would be happy to discuss your proposal in further detail and its impacts to our rail line and our operator!

Sincerely,

Bob Fox
Bob Fox, Chair
Minnesota Valley Regional Rail Authority

Julie Rath
Julie Rath
MVRRA Administrator





200 S MILL STREET PO BOX 481
REDWOD FALLS, MN 56283
WWW.RADC.ORG
JULIE@REDWOODFALLS.ORG
507-637-4004

December 18, 2012

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

We, the Redwood Area Development Corporation and the shippers in our county communities, depend on the Minnesota Prairie Line operated by Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the Redwood Area Development Corporation, understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We the Redwood Area Development Corporation, further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from «Company».

It is imperative that our county businesses can rely on MPL/TC&W as an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

- 1.) Do engineering for the reroute that meets TC&W's engineering standards,
- 2.) Co-locate the SWLRT with the current freight route,
- 3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
- 4.) Route the SWLRT up the MN&S rail line

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, the Redwood Area Development Corporation, oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

A handwritten signature in black ink that reads 'Julie Rath'.

Julie Rath, Economic Development Specialist
Redwood Area Development Corporation/Redwood County EDA

Mission Statement: Our primary focus is community and economic development for member communities including Job creation and strengthening or expanding existing businesses in the Redwood Area.



REDWOOD COUNTY BOARD OF COMMISSIONERS

P.O. Box 130 • Redwood Falls, Minnesota 56283
Phone: 507.637.4016 • Fax: 507.637.4017
Website: www.co.redwood.mn.us

November 27, 2012

Dear Hennepin County, Housing, Community Works & Transit - ATTN: Southwest Transitway:

We, the Redwood County depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the Redwood County understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We the Redwood County further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Redwood County.

It is imperative that Redwood County retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

- 117.) Do engineering for the reroute that meets TC&W's engineering standards,
- 118.) Co-locate the SWLRT with the current freight route,
- 119.) Reroute *freight* back to the 29th St Corridor, where TC&W ran until 1998, or
- 120.) Route the SWLRT up the MN&S rail line

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design *as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.*

We, the Redwood County oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

Lon Walling

Board Chair
Redwood County

1 st District LON WALLING 27784 Co. Hwy 5 Milroy, MN 56263 507-747-2175 lon_w@co.redwood.mn.us	2 nd District JOHN SCHUELLER 29157 250 th Street Wabasso MN 56293 507-342-5621 john_s@co.redwood.mn.us	3 rd District AL KOKESCH 33650 Co. Hwy 2 Morton MN 56270 507-697-6477 al_k@co.redwood.mn.us	4 th District PRISCILLA KLABUNDE 400 Teakwood Dr. Redwood Falls, MN 56283 507-637-3817 priscilla_k@co.redwood.mn.us	5 th District SHARON HOLLATZ 393 Laser Trail Redwood Falls, MN 56283 507-641-2999 sharon_h@co.redwood.mn.us
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Upper Minnesota Valley
REGIONAL DEVELOPMENT COMMISSION
Helping Communities Prosper

323 W Schlieman Ave. Appleton, MN 56208-1299 320.289.1981 (office) 320.289.1983 (fax) www.umvrdc.org

Tuesday, November 27, 2012

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

Dear Hennepin County Housing, Community Works & Transit;

The Upper Minnesota Valley Regional Development Commission's five county region is served by the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. Ours and other rural Minnesota regions provide a significant amount of exports for the State of Minnesota and having economical freight rail transportation is critical to allow rural Minnesota to compete in the global marketplace. It is also indispensable to have a freight carrier with local roots to work with on rail related issues.

We understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). The movement of freight and people is an important community and economic development issue for our region and the entire state. Based on information provided by TC&W, we understand that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from our region. It is vital that the area served by the TC&W retain an economical freight rail transportation option. The proposed design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation.

Alternatives to your recommended design would be:

- 1.) Do engineering for the reroute that meets TC&W's engineering standards,
- 2.) Co-locate the SWLRT with the current freight route,
- 3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
- 4.) Route the SWLRT up the MN&S rail line

We recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our region's existing economical freight rail transportation.

Sincerely,

Gary Hendrickx, Chairman

SERVICE • STEWARDSHIP • SHARED RESPONSIBILITY

RENVILLE COUNTY



Bob Fox, Chair
Renville County Board of Commissioners
Renville County Government Services Center
Suite 315
105 South 5th Street
Olivia, MN 56277-1484

Phone: 320-523-3710
Fax: 320-523-3748

Affirmative Action - Equal Opportunity Employer

November 27, 2012

Hennepin County Housing, Community Works & Transit
ATTN: Southwest Transitway

We, Renville County, depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, Renville County understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We, Renville County, further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Renville County.

It is imperative that Renville County retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

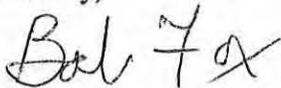
- 89.) Do engineering for the reroute that meets TC&W's engineering standards;
- 90.) Co-locate the SWLRT with the current freight route;
- 91.) Reroute freight back to the 29th St. Corridor, where TC&W ran until 1998; or
- 92. Route the SWLRT up the MN&S rail line

Therefore, we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, Renville County, oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,



Bob Fox, Chair
Renville County Board of Commissioners



Renville County Courthouse
500 East DePue Avenue
Olivia, MN 56277

Phone: 320-523-3656
Fax: 320-523-3812
Website: www.renville.com

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- **Hector**
- **Bird Island**
- **Olivia**
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- **Franklin**
- **Fairfax**

November 29, 2012

Dear Hennepin County, Housing, Community Works and Transit –ATTN:
Southwest Transitway

This letter is being sent to you to let you know that we support and value the services provided by the Twin Cities and Western Railroad Company and to request your consideration of an alternative route more feasible to both the SWLRT and TCW. Economical freight rail transportation is important to the long term economic growth not only of Renville County but also the state and region.

We know that the development of the Southwest Light Rail Transitway (SWLRT) is important for many reasons which you are most versed and we support the development. However, the proposed location of the route causes concerns as we understand it will result in increased costs to the Twin Cities and Western Railroad which results in increased costs to shippers along the line and also affects our efforts to assist industrial development along the TCW line, a main transportation route running through the communities of Buffalo Lake, Hector, Bird Island, Olivia, Danube, Renville, and Sacred Heart in Renville County.

At this time, we request that you do engineering for the reroute that meets TC&W's engineering standards, co-locate the SWLRT with the current freight route, reroute freight back to the 29th St. Corridor, where TC&W ran until 1998 or route the SWLRT up the MN&S rail line.



Printed with soy ink on recycled paper,
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Come Home to Renville County ... where business, agriculture, and opportunity go hand in hand! 2085

We recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design as we depend on economical freight rail for the economic development of our county.

We believe by working together we can resolve this issue to the satisfaction of all parties. Please contact me at any time.

Sincerely,

A handwritten signature in black ink, appearing to read "Christina Hettig". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Christina Hettig

Executive Director

ROBERTS COUNTY COMMISSIONERS
411 2ND AVENUE EAST
SISSETON, SOUTH DAKOTA 57262
605-698-7336

December 4, 2012

Dear Hennepin County, Housing, Community Works & Transit
Attn: Southwest Transitway:

We, Roberts County depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, Roberts County understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We, Roberts County further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Roberts County.

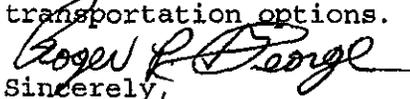
It is imperative that Roberts County retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

- 105) Do engineering for the reroute that meets TC&W's engineering standards,
- 106) Co-locate the SWLRT with the current freight route,
- 107) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
- 108) Route the SWLRT up the MN&S rail line

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, Roberts County oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.


Sincerely,

Roberts County Commissioners

ROBERTS COUNTY COMMISSIONERS
411 2ND AVENUE EAST
SISSETON, SOUTH DAKOTA 57262
605-698-7336

December 4, 2012

Dear Hennepin County, Housing, Community Works & Transit
Attn: Southwest Transitway:

We, Roberts County depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, Roberts County understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We, Roberts County further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Roberts County.

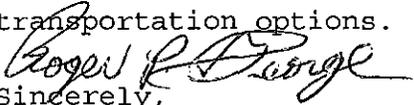
It is imperative that Roberts County retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

- 105) Do engineering for the reroute that meets TC&W's engineering standards,
- 106) Co-locate the SWLRT with the current freight route,
- 107) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
- 108) Route the SWLRT up the MN&S rail line

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, Roberts County oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.


Sincerely,
Roberts County Commissioners

MinnRail, Inc.

Dear Hennepin County, Housing, Community Works & Transit
Attention: Southwest Transitway

I am writing to you as President of the Shipper's Association, (MinnRail, Inc.), of the Minnesota Prairie Line Railroad. We are a group of businesses that joined together over 25 years ago to support the Minnesota Valley Regional Rail Authority, (MVRRA), in rehabbing this line. We were required to raise \$600,000, (10%), in order for MNDOT to loan the Authority money to bring the track back to a minimally "useable" condition.

MNDOT supports this line for 3 reasons. The first is they support rail and know it is an efficient means of transportation, especially with bulk commodities. Secondly, their hope is this rail will take some of the truck traffic off of our rural highways and therefore require less maintenance. And last, but maybe not least, any diversion of truck traffic from Twin Cities roads is of high priority for MNDOT.

The west end of our line in Hanley Falls is essentially a dead end, not connected to any other rail line. The east end of our line connects with the TC&W Railroad at Norwood Young America. Obviously we rely on the TC&W for access to our line and therefore are directly affected by your decisions on the Light Rail Line.

The Minnesota Prairie Line is owned by the five counties it runs through; Carver, Sibley, Renville, Redwood Falls, and Yellow Medicine. I stated above that the line was originally rehabbed to a minimal condition. Over the last 10 years the objective of the Authority and the Shipper's has been to replace the old "light" rail with standard heavy duty rail in order to haul normal freight weights and increase the speed from 8 mph to 25 mph. Today the upgrade has been completed to Highway 15 on the west side of Winthrop.

The funding for this upgrade has come from state bonding bills and federal grants. It has been supported by legislators from both sides of the aisle as they have seen supporting this rail line as a means to help development, encourage growth, and get trucks off roads.

When the rehab was initially started, there was minimal rail use on it as who would invest in rail facilities if they did not know the rail line would even exist? However, the Shipper's and the MVRRA had a shared vision of success and accumulated the necessary funds to do the original work.

Since that start, several companies have invested and made use of the existing rail even with its limitations. As I said earlier, the upgraded line has now reached Winthrop and businesses that have invested on that portion of the line are being rewarded with the benefits of good, efficient rail service.

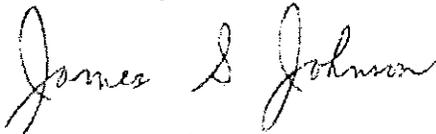
Today there is less activity on this line the further west you go, but with the success we have had, businesses and communities west of Winthrop are starting to get excited with the expectation that the upgrade will eventually make it to them and ultimately to Hanley Falls. Several companies are now considering investing on this line with that expectation. The western counties see it as a real resource to help grow their towns and counties.

The MVRRA, the 5 counties, all of the communities on the line, businesses that use the line, and their customers all have a vested interest in this line and a vision of having good rail service. We have seen great progress and anticipate successful completion someday.

Obviously we are concerned about any negative effects due to the Light Rail project. Based on information provided by TC&W, our understanding is that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs to operate trains. We also know they have supplied you with logical and practical alternatives. As Shipper's, we are very concerned about our investments in rail transportation and our continued competitiveness if rail freight expenses are adversely affected.

As the TC&W is the operator on our line and our link to the world, we support their recommendations. We believe a fair resolution can be found and trust that you will work for that goal. Our purpose is to make you aware that this is not just a "metro" decision and your decisions affect many more people and companies than you think. We ask that you carefully consider the proposals submitted by the TC&W.

Sincerely,

A handwritten signature in cursive script that reads "James S. Johnson".

James S Johnson
President, MinnRail Inc.

Director of Merchandising
United Grain Systems, LLC
Winthrop, MN



SEDCO

Sibley County Economic Development Commission

Timothy Dolan, Director

Phone: 507-237-4106

Toll Free: 866-766-5499

Fax: 507-237-4099

<http://www.co.sibley.mn.us/>

November 26, 2012

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

We, the Sibley County Economic Development Commission (SEDCO), depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We at SEDCO understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We at SEDCO further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS release on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from all points in the Sibley County service area.

It is imperative that the Sibley County service area retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

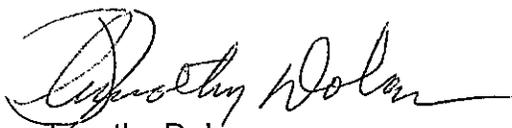
1. Do engineering for the reroute that meets TC&W engineering standards
2. Co-locate the SWLRT with the current freight route
3. Reroute freight back to the 29th St. Corridor, where TC&W ran until 1998, or
4. Route the SWLRT up the MN&S rail line

Therefore, we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We at SEDCO oppose the freight rail design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical rail transportation options.

Sincerely,



Timothy Dolan
SEDCO Director

Office of the
Sibley
County
Auditor



Lisa Pfarr

Sibley County Auditor
400 Court Avenue
P.O. Box 171
Gaylord, MN 55334-0171
Phone 507-237-4070
Fax No. 507-237-4073
pfarrl@co.sibley.mn.us

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Administrative Assistant
Corissa@co.sibley.mn.us

Kelly Carson
License/Account Technician
KellyC@co.sibley.mn.us

Jodi Coleman
License/Account Technician
JodiC@co.sibley.mn.us

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SaraG@co.sibley.mn.us

Logan Lauritsen
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LoganL@co.sibley.mn.us

Charlene Pelletier
Property Tax Supervisor
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Aaron Scharpe
Accountant
AaronS@co.sibley.mn.us

Division E-mails:

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Elections@co.sibley.mn.us
Finance@co.sibley.mn.us
PropertyTax@co.sibley.mn.us

To: Mark Wegner
President
Twin Cities & Western Railroad

From: Lisa Pfarr, Sibley County Auditor

Date: November 27, 2012

RE: Letter of Support

Enclosed you will find a letter of support in regard to your position concerning the proposed freight rail route changes as a result of the Southwest Transitway project.

If you have any further questions, please feel free to contact Deputy Auditor Logan Lauritsen at 507-237-4070 or loganl@co.sibley.mn.us.

Thank you,

LP/IKI

Enclosure

**Sibley County
Board of
Commissioners**



District 1:

Jim Nytes

JimN@co.sibley.mn.us

District 2:

Bill Pinske

BillP@co.sibley.mn.us

District 3:

Swanson

Jlms@co.sibley.mn.us

District 4:

Joy Cohrs

JoyC@co.sibley.mn.us

District 5:

Harold Pettis

HaroldP@co.sibley.mn.us

Sibley County
Board of Commissioners
Courthouse
400 Court Avenue
P.O. Box 171
Gaylord, MN 55334-0171
Phone (507) 237-4070
Fax (507) 237-4073

November 27, 2012

Hennepin County, Housing, Community Works & Transit
Attn: Southwest Transitway

To whom it may concern:

We, the Sibley County Commissioners, depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the Sibley County Commissioners, understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We, the Sibley County Commissioners, further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Sibley County.

It is imperative that Sibley County retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

1. Do engineering for the reroute that meets TC&W's engineering standards
2. Co-locate the SWLRT with the current freight route
3. Reroute freight back to the 29th Street Corridor, where TC&W ran until 1998
4. Route the SWLRT up the MN&S rail line

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

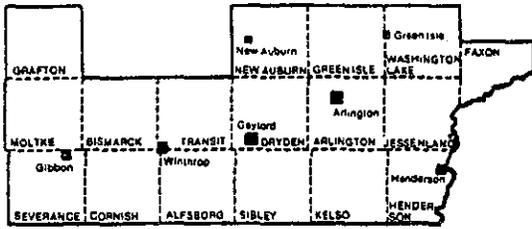
Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, the Sibley County Commissioners, oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

A handwritten signature in black ink, appearing to read "Harold Pettis". The signature is fluid and cursive, written over a faint, illegible background.

Harold Pettis
Sibley County Commissioner Board Chair



OFFICE OF THE
Sibley County Attorney

307 N. PLEASANT AVE.
POST OFFICE BOX H
WINTHROP, MN 55396-0406

Tel: (507) 647-5377
Fax: (507) 647-5376

DAVID E. SCHAUER, County Attorney

DONALD E. LANNOYE, Assistant County Attorney

BRYCE A. D. EHRMAN, Assistant County Attorney

November 27, 2012

Hennepin County
Housing, Community Works & Transit

Metropolitan Council

RE: Southwest Light Rail Transitway

Dear Board Members and Council Members:

Sibley County is a member of the Minnesota Valley Regional Rail Authority (MVRRA). The member counties are Carver, Sibley, Renville, Redwood and Yellow Medicine. In the early 1980's MVRRA acquired the short line railroad that runs from Norwood Young America (in Carver County) to Hanley Falls (in Yellow Medicine County). Minnesota Prairie Line (MPL), a wholly owned subsidiary of Twins Cities & Western Railroad Company (TC&W), operates the rail line.

MVRRA depends on TC&W for economical freight rail transportation to serve shippers in the five counties. The Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). Based on information provided by TC&W, the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Sibley County and beyond.

It is imperative that we retain an economical freight rail transportation option, which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain competitive freight rail transportation. Alternatives to the recommended design would include:

- 1.) Do engineering for the reroute that meets TC&W's engineering standards,
- 2.) Co-locate the SWLRT with the current freight route,
- 3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
- 4.) Route the SWLRT up the MN&S rail line

Sibley County recommends Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves existing economical freight rail transportation.

Rural Minnesota provides a significant amount of exports from the State of Minnesota and having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace. Sibley County recommends Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design.

Just as moving "people" is important to Hennepin County and the Metropolitan Council, the economical movement of "freight" is important to Sibley County and MVRRA. As government entities we need to work together to advance the interests of all the government entities.

Sincerely,

SIBLEY COUNTY ATTORNEY'S OFFICE

A handwritten signature in black ink, appearing to read "David E. Schauer", written in a cursive style.

David E. Schauer
Sibley County Attorney



RICHARD W. NORMAN
County Coordinator

COUNTY OF WRIGHT

10 2nd Street NW, RM 235
Buffalo, Minnesota 55313-1188
www.co.wright.mn.us

Tel: (763) 682-7378
1-800-362-3667
Fax: (763) 682-6178

November 30, 2012

COMMISSIONERS

ROSE THELEN
First District
PAT SAWATZKE
Second District
JACK RUSSEK
Third District
ELMER EICHELBERG
Fourth District
DICK MATTSON
Fifth District

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

We, the Wright County depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the Wright County understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We, the Wright County further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Wright County.

It is imperative that Wright County retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

- 129.) Do engineering for the reroute that meets TC&W's engineering standards,
- 130.) Co-locate the SWLRT with the current freight route,
- 131.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
- 132.) Route the SWLRT up the MN&S rail line

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, the Wright County oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

Dick Mattson, District 5
Wright County



Ryan Krosch
Yellow Medicine County Administrator
415 9th Avenue, Suite 102
Granite Falls, MN 56241

Telephone: (320) 564-5841 Fax: (320) 564-3670
Email: ryan.krosch@co.ym.mn.gov
Website: www.co.ym.mn.gov

Equal Opportunity Employer

Dear Hennepin County, Housing, Community Works & Transit – Attn: Southwest Transitway:

We, the Yellow Medicine County Commissioner depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the Yellow Medicine County Commissioner understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We the Yellow Medicine County Commissioner further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Yellow Medicine County.

It is imperative that Yellow Medicine County retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

- 1.) Do engineering for the reroute that meets TC&W's engineering standards,
- 2.) Co-locate the SWLRT with the current freight route,
- 3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
- 4.) Route the SWLRT up the MN&S rail line

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since Rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, the Yellow Medicine County Commissioner oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

Yellow Medicine County Commissioner



Robert Corrick
<robertcorrick@mentorplanet.com>

12/28/2012 08:59 AM

To swcorridor@co.hennepin.mn.us

cc

bcc

Subject Robert Corrick's Comments on SW DEIS

Robert Corrick

2816 West Lake of the Isles Parkway

Minneapolis, MN 55416

612.927.5599/robertcorrick@mentorplanet.com

December 28, 2012

To: Metropolitan Council, Metro Transit, and Hennepin County

I have the following comments about the Southwest Transitway Draft Environmental Impact Statement (the "DEIS"):

1) **Fly-over Bridge at Cedar Lake Parkway:** I strongly oppose any railroad bridge at this intersection. The fly-over bridge proposed in the DEIS, would have extremely adverse effects on the surrounding neighborhood, users of the Kenilworth Trail, and the Grand Rounds. Adverse affects would include:

E8

- - Noise on the elevated bridge.
- - Potential shadowing on residences to the north,
- - Effects of a massive unaesthetic structure on nearby residences, the neighborhood and users of the Kenilworth Trail and Grand Rounds.

The LRT should pass under Cedar Lake Parkway, preferably through a shallow tunnel, with Cedar Lake Parkway slightly elevated and slightly re-routed to the west. The analysis of an underpass by Steve Durrant of Alta planning (dated November 26, 2012) represents a very intelligent presentation of underpass solutions.

E8

I also oppose an at-grade rail crossing (also proposed in the DEIS), which would make the intersection even more dangerous for cyclists and pedestrians, and cause significant traffic jams. An underpass would reduce noise for the very close residences and provide a more attractive ambience for users of the trails and parks.

2) **West Lake Street/Minnetonka Blvd. Bridge:** This bridge was designed for freight rail. The bridge is too narrow and high to encourage drop off or pick up at the LRT station. It seems that a new bridge and further analysis of pedestrian/bicycle connectivity and auto traffic is required. This location is part of one of the busiest traffic intersections in the State. More planning is needed to address this complicated problem.

I2

3) **Kenilworth Trail:** Significant mitigation of the Kenilworth Trail is recommended including landscaping,, sound barriers, possible relocation of the LRT rails to the center of the corridor, and lowering of the tracks with berms to further reduces noise.

E2

4) **No Co-Location:** I strongly oppose co-location. The freight rail should be relocated through St. Louis Park as proposed. The Kenilworth Corridor is too narrow to accommodate LRT, freight rail, bike-ped trails and the Grand Rounds. Freight rail in the corridor will discourage transit-oriented development, one of the primary objectives of the Southwest Transitway. Other neighborhoods should share the burden of LRT, not just the CIDNA.

D

Respectfully submitted,

Robert Corrick



"Klemmensen, Todd"
<Todd.Klemmensen@mts.com>

12/28/2012 11:24 AM

To "swcorridor@co.hennepin.mn.us"
<swcorridor@co.hennepin.mn.us>
cc "Mahon, Steve" <Steve.Mahon@mts.com>, "Rivers, Alan"
<Alan.Rivers@mts.com>, "Adele.Hall@co.hennepin.mn.us"
<Adele.Hall@co.hennepin.mn.us>, "Powell, Catherine"
bcc

Subject MTS Systems Corporation - Written Comments to Draft EIS

Dear Sir or Madam,

Attached please find the MTS Systems Corporation written comments related to the proposed Southwest Light Rail Transit line – Draft EIS. Please contact me at your convenience with any questions. Thank you.

Todd Klemmensen

Todd Klemmensen
Director of Contracts & Senior Counsel
952-937-4030 (o)
952-258-9704 (m)
Todd.Klemmensen@mts.com

MTS Systems Corporation
14000 Technology Drive
Eden Prairie, MN 55344-2290 USA
www.mts.com

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MTS Systems Corporation
1400 Technology Drive
Eden Prairie, MN 55344-2290
Telephone 952-937-4000
Fax 952-937-4515
Info@mts.com
www.mts.com

28 December 2012

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

Re: Southwest Light Rail Transit Project
Written Comments to Draft Environment Impact Statement (DEIS)

Dear Sir or Madam:

MTS Systems Corporation is an innovative, technology company headquartered in Eden Prairie, MN at 1400 Technology Drive. MTS has been a member of the business community in Eden Prairie since its beginnings in 1966. Although our company operates in numerous global locations with over 2100 employees, the Eden Prairie facility houses our Corporate headquarters and the MTS Systems Corporation, Test Division main office providing over 500 jobs to this area.

This letter includes MTS comments to the proposed Southwest Light Rail Transit Project – DEIS and provides input related to the proposed location of the rail line adjacent to the MTS Eden Prairie facility.

F0

1. Impacts from MTS Testing to the Train and the Train Infrastructure. MTS is concerned that some of its own vibration testing on large systems could impact the infrastructure of the rail line and add safety risk to the Southwest Light Rail Transit Project. This risk is unknown at this time; however, MTS strongly recommends this factor be explored by the Project.
2. Potential Vibration. MTS is concerned that the vibration caused by the train could impact the precision test measurement conducted within its facility. This is especially a concern because MTS currently plans to modify its existing warehouse to accommodate large equipment checkout, a process which utilizes precision measurement during equipment test and final checkout. The planned location of the large equipment checkout is at a point closest to the proposed rail line and will see the most vibration impact. In addition, precision testing and measurement occurs throughout the building on both floors during both lab work and component manufacturing. These operations may be impacted by train vibration.
3. Potential Electronic Magnetic Interference (EMI) on System Checkout. There is concern that EMI will impact our measuring equipment and affect the data MTS collects.
4. Grade and Service Road on North Side of the Building. The proposed location of the rail line will impact the grade and the service road on the north side of the building which will require additional MTS infrastructure (foundation improvements) and/or eliminate the ability to use the service road.

O6

O6

N11

F0

5. Truck Access Limitations. The proposed track location will restrict and possibly eliminate the truck access for shipping and receiving – including door access and turnaround space.
6. Associated Infrastructure Use. It is unclear at this time how much overall space the rail line will utilize in terms of grading, rail bed, track, light poles, etc.; and it is possible that this could completely eliminate the use of the MTS service and trucking road.

M2

These are the initial comments and concerns submitted by MTS. If any additional items are identified in the future, MTS will provide supplemental information. If you have any questions related to the items noted above, please contact Todd Klemmensen, Director of Contract & Senior Counsel, at your convenience at 952-937-4030. Thank you for your consideration of these comments.

Sincerely,



Todd Klemmensen
Director of Contracts & Senior Counsel



Linda J Mack
<ljmack@earthlink.net>

12/28/2012 01:12 PM

Please respond to
Linda J Mack
<ljmack@earthlink.net>

To swcorridor@co.hennepin.mn.us

cc

bcc

Subject Response to Southwest Corridor DEIS

We would like to add our voices to those calling for mitigation of the significant impacts of a light rail transit line on the Kenilworth Corridor. We support the comments made by the Kenwood Isles Area Association and would like to emphasize a couple of concerns:

NOISE: Many of us who live in this area cherish the chance to live in an urban neighborhood that is quiet and close to nature. We fear that those qualities will be greatly impaired--if not destroyed--by the presence of the light rail line. So we would humbly request whatever mitigation is possible to reduce the noise impact. (Chapter 4, pages 4-84.) Because of the close proximity to both homes and park areas along the corridor, please explore the option of trenching and/or berming the tracks, landscaping with trees and shrubbery where possible, and operating procedures that reduce noise.

O1
E4

SAFETY and VISUAL IMPACT at CEDAR LAKE PARKWAY: We are deeply concerned about the colliding vehicular uses at this point on the Kenilworth Corridor. Currently, with bikes and pedestrians using the trail, trains occasionally stopping traffic, and cars with reduced sight-lines coming west up the hill, it is extremely unsafe. It is hard to imagine how unsafe this intersection will be with more than 200 trains stopping traffic periodically. A huge concrete flyover bridge, however, is not the way to solve this problem. (Chapter 3, Pages 3-115.) Given the proximity to Cedar Lake and the historic Minneapolis Grand Rounds, such a bridge is totally unacceptable. Please explore the possibility of tunneling or trenching the train through this area, if this route indeed has to be chosen.

E7

RELOCATION OF FREIGHT LINES: We support the City of Minneapolis in its position to relocate freight rail if light rail is to go through the Kenilworth Corridor. The idea of tearing down 60 houses to make way for both forms of rail seems absurd, given high property values and the stated desire to have more residences near the light rail line.

D

BRIDGE OVER THE KENILWORTH LAGOON: It looks likely that the current railroad and trail bridge over Kenilworth Lagoon would need to be widened. It is important to keep in mind that the Minneapolis Chain of Lakes is eligible for the National Register of Historic Places and that new infrastructure such as the bridge must be sensitive to this historic context. Also, directly beneath this bridge are springs that bring fresh water to the city's lakes. This delicate ecology should be protected both during and after construction. (Chapter 4, pages 4-19.)

E8

S3,S4

LIGHT POLLUTION: This issue has not been adequately addressed in the DEIS.

N6,
N2

Linda and Warren Mack
2539 Thomas Av. S
Minneapolis, MN 55405
612-374-4199
ljmack@earthlink.net



Tara Beard
<tbeard@HOPKINSmn.com>

12/28/2012 01:19 PM

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

cc Kersten Elverum <kelverum@hopkinsmn.com>, Mike
Mornson <mmornson@HOPKINSmn.com>, Steve Stadler
<SJStadler@HOPKINSmn.com>, John Bradford

bcc

Subject City of Hopkins DEIS comments for SWLRT

Please see the attached documents which comprise the city of Hopkins' comments on the DEIS for SWLRT.

Sincerely,

Tara Beard, AICP
Community Development Coordinator

City of Hopkins
1010 1st St S
Hopkins MN 55343

Ph. 952-548-6343
Fax 952-935-1834

tbeard@hopkinsmn.com
www.hopkinsmn.com
www.thinkhopkins.com

City of Hopkins Comments on the SW LRT DEIS

December 28, 2012

General Comments:

- There is no mention of the new Nine Mile Creek Regional Trail project that Three Rivers Park District has begun in Hopkins. This new trail will run from the existing Minnesota River Bluffs Regional Trail at 11th Ave S and then run south along the east side of 11th Avenue S continuing to the southeast into Edina and ultimately to the Minnesota River Valley area. This regional trail will be impacted by the LRT grade crossing at 11th Ave S. P9
- It is imperative that the existing bike trail in the HCRRRA property (Cedar Lake LRT) remain alongside Light Rail. P9
- Visual impacts on Westside Village is a concern in spite of the characterization of the windows in the development being of relatively small size. N2
- The audiology clinic at 10417 Excelsior Boulevard should be considered a Category 1 noise sensitive land use similar to a recording studio. See also City of Hopkins DEIS scoping comments letter dated November 7, 2008, included as an exhibit to this DEIS. O6
- There is an apartment building at the northwest corner of 11th Ave S/Excelsior Boulevard intersection that is 600' from the 11th Ave S crossing and will be impacted by the bell/horn noise. M3
O6
- The bike trail is a very popular commuter “highway” and connects many major destinations and trail connections. The crossing of the existing bike trail at Excelsior is disruptive and difficult already – the raised rail track is a phenomenal opportunity to raise the bike trail over Excelsior and should be strongly considered, even if supplemental funds need to be found. The increased traffic at the intersection of Jackson and Excelsior due to Park & Ride facilities and TOD is another reason to reduce multi-modal congestion of bike trail crossing at grade. P9
S3,
S4
- The Depot at the SE corner of Excelsior Boulevard and Highway 169 is both a historic structure and an important community facility. Every effort should be made to minimize the impacts on sight lines, and of noise, vibration and site intrusion. N2 O6
M3

Clarifications:

- There are 76 units of Public Housing in Hopkins in addition to other subsidized housing. U
- Marketplace & Main incorrectly labeled as being in Segment 3; it is in Segment 4.
- The statement is made that minority populations are found in the Knollwood area of Hopkins. As a point of clarification, this should read the Blake Road area of Hopkins. The Knollwood commercial area is in St. Louis Park and the Knollwood neighborhood of Hopkins does not have a concentration of minority populations. M5
- 8th Avenue South is incorrectly labeled as 8th Street.
- A developer was selected to build 163 apartments including 4,000 SF of flex space in the NW quadrant of 8th Ave S and 1st St S. U
- The City of Hopkins has received a \$125,000 design grant for 8th Ave and is hosting an Art Summit in January 2013 to conceptualize the use of art to create a pedestrian-seductive, destination corridor between the Downtown Station and Mainstreet.
- The City of Hopkins has implemented small-area-plan recommendations for the Blake Road Corridor to improve streetscape and the pedestrian environment around the Blake Station. This has included sidewalk construction (2009) and design work (2012).
- The City of Hopkins is expanding Cottageville Park into a regional amenity (Blake Station), including connections to regional trails and transit. U
- Neighborhood associations DO exist for organic neighborhoods (The Avenues, Presidential, Interlachen, all of which are within Station areas), not just specific housing developments.
- Single family detached housing SOUTH of Excelsior occurs EAST of 169, but not WEST of 169. U
- There is no mention of multi-family housing when several developments are adjacent or near to the line including Westside Village Apartments, Creekwood Estates, Town Terrace, Sonoma, The Loon Apartments, Hopkins Plaza Apartments and Royal Apartments.

Comments by Station Area:

Blake Station

The City recognizes that traffic analysis indicates a need for park and ride spaces at the Blake Road station, and that the resulting ridership is important to the success of the project. However, the community within the station area will not benefit from a stand-alone park and ride and staff is concerned with the tremendous traffic impacts of park and ride users on existing roads and intersections, especially if it is sited at the current proposed location, 43 Hoops. The City anticipates a great deal of walk-up ridership from the station area neighborhoods and would like to see additional ridership created with transit-oriented development rather than parking stalls that will be largely empty on evenings and weekends. For these reasons it is the City of Hopkins' position that if a park and ride is developed at the Blake Road Station it should be as a joint development, where Park and Ride needs and redevelopment parking needs can be shared and consolidated. We believe this is a more cost effective approach than a stand alone park and ride ramp. Additionally, the Blake Road Station area is particularly ripe for redevelopment that supports transit. Finally, any park and ride spaces provided should be structured to maximize land available for TOD.

P4

I2

Such a development should be sited between the transitway and Excelsior Blvd, along the west side of Blake Road for reasons detailed below.

I2

The City of Hopkins is concerned that any park and ride facility on the 43 Hoops location for the Blake Station will have significant negative impacts on traffic at several locations.

M1

- The Highway 7/Blake Road (CSAH 20) intersection is 2,000 feet north of the Blake Road Station and currently operates at level of service "E" and "F" for several peak hour traffic movements. The Cargill headquarters buildings located at the NE quadrant of Highway 169/Excelsior Boulevard imposes additional traffic load on this intersection. Additionally, Blake Road is the primary access road to the station. The traffic demand created by the future Blake Road transit station will further exacerbate the current capacity problem at this intersection. Unless this is investigated and traffic mitigations recommended, those travelling to the Blake Road station will be forced to consider alternate routes creating problems with traffic on local residential streets in the area.
- The Excelsior Boulevard/Milwaukee Street/Jackson Avenue will also be significantly impacted as cars navigate from Hwy 169 to Excelsior Boulevard, turning left at Jackson or St. Louis Streets to 2nd Street NE to the station.

P4

I2

P4

- This intersection is just east of the Highway 169 ramp and serves local traffic including the 3,300 Cargill employees at their new headquarters campus. This complex, skewed angle signalized intersection was designed for a redevelopment such as the Cargill campus. However, the Cargill employee traffic turns left at Jackson to enter the facility and the dual left turn lanes on

Excelsior Boulevard back up nearly to Hwy 169 during the AM peak. High thru-traffic volume makes it an extremely congested traffic area.

- Currently, the only direct access route to the Blake Road Station from the west and from Highway 169 is through the left turn movement at this intersection. The additional peak hour traffic created by the new Blake Road transit station, as presently located, will worsen the current congestion and increase the likelihood of traffic queues extending back into the Hwy 169 ramp intersection.
- Station users would be forced to find other routes using local residential streets. Or, equally undesirable, they will go to the west from Highway 169 and attempt to use the Downtown Station where, by design, parking will be extremely limited at this local, pedestrian-oriented and multi-modal station.
- The DEIS should address this concern with the current Blake Station siting and access. One alternative to the current siting regarding access would be a new signalized intersection on Excelsior Boulevard at Tyler Avenue. The City and County's Hopkins Station Area Planning Final Report, October 2007 identifies the need for this new access from Excelsior Boulevard to the Blake Road station.
- An alternative station site between the Blake Road platform and Excelsior Boulevard would mitigate many of these concerns as well as providing maximal TOD opportunities highlighted above.
 - Southern location would promote traffic away from Hwy 7 to Excelsior Boulevard from Hwy 169.
 - Eastbound left turns from Excelsior Boulevard to Jackson Avenue would be eliminated.
 - A signalized entrance on Excelsior Boulevard and Blake Road would enhance vehicle access to this station.
 - These measures would significantly reduce cut through traffic on local streets west of the station.

I2

P4

I2

Downtown Hopkins Station

The land around the Downtown Hopkins station is extremely valuable and the City of Hopkins is concerned that commuter parking will not add to the economic viability of the historic downtown. A parking facility will take land that could be used to create a strong connection to the downtown via redevelopment. Any parking associated with the SW LRT should be carefully planned in consultation with the City of Hopkins to prevent adverse impacts. A Park and Ride at the Downtown Hopkins should only be considered as shared parking and located north of 8th Avenue and 1st Street South, so as to support the City of Hopkins' vision for 8th Avenue as a pedestrian link, and the Downtown Hopkins Station as a destination station.

I2

I2

In addition to the exploration of historic tax credits for Hopkins downtown, the City of Hopkins feels strongly that other mitigation measures are necessary to assure that the significant investment in the SW LRT infrastructure two blocks south of our historic downtown does not detract from the downtown's viability. Suggested measures include strong bike and pedestrian connections along 8th Avenue to Mainstreet, increased visibility and wayfinding, public art that spills out of the immediate station area, and a circulator bus/trolley.

M3

P9

In order for the City of Hopkins' vision for the Downtown Hopkins Station to be realized, the pedestrian and bicyclist need to feel safe navigating the station area and Excelsior Boulevard crossing. Because of this priority, bus and automobile access should be carefully designed as to not interfere with pedestrian and bike movements.

P9

R2

Shady Oak Station

The proposed location of the Shady Oak Station platform is currently landlocked. The assumption is that 17th Avenue will be extended south as part of the project in order to access the station. The City of Hopkins feels that additional access points are needed in order to accommodate the demand at this station. Secondary access points from 47th Street West and 5th Street/K-Tel Drive should be included in the project.

I2

P4

A significant number of residential units exist in the Westbrooke neighborhood of Hopkins. Access, both for pedestrians and vehicles, should be provided for a south of the line link from this area of Hopkins to the Shady Oak Station.

I2

P9

The park and ride location and type of facility need to be carefully planned to address traffic, access and development potential. The City of Hopkins' expectation is that the parking will be structured and sited in such a way as to create development opportunities at the station area.

I2

P10

The sizing of the park and ride (number of parking spaces) has varied from 250 to 350 spaces. Due to its location on the line the Shady Oak Station will serve Park & Ride needs from a large region to the northwest, including large parts of Minnetonka and other Lake Minnetonka communities. Improvements to Shady Oak Road (both completed and planned) further encourage Park and Ride transit users to access this station. For these reasons we anticipate a higher need for Park and Ride spaces at the Shady Oak Station. The City of Hopkins would like to explore the option of absorbing parking spaces planned for the Downtown Hopkins station at Shady Oak, which is in close proximity .

I2

P10

Ms. Katie Walker, AICP
Transit Project Manager
Housing, Community Works & Transit
Hennepin County

November 7, 2008

RE: City of Hopkins Southwest Transitway DEIS Scoping Comments

Dear Ms. Walker:

The City of Hopkins supports the Southwest Transitway project, including the three proposed stations and the anticipated alignment along the existing HCRRA right-of-way. The City looks forward to the new commuting and regional travel options that the SW Transitway will provide for its residents. Also, we're excited about the potential for commercial and residential re-development within the station areas. Additionally, we anticipate opportunities to attract individuals and families from the proposed downtown station into our historic Central Business District for dining, shopping or entertainment. Of course, besides the many opportunities, this transit project will also bring challenges. Accordingly, the City would like the project DEIS to specifically address the following impacts which we believe qualify for mitigation actions and funding.

- The proposed Blake Road station and its 300-stall parking facility will create additional peak hour traffic through the existing Excelsior Boulevard (CSAH 3)/Milwaukee Street intersection. This intersection is just east of the Highway 169 ramp and serves local traffic including the projected 3,300 Cargill employees at their new headquarters campus (completion scheduled in March 2010). This complex, skewed angle signalized intersection was designed for a redevelopment such as the Cargill campus. However, the proximity to the Highway 169 ramps, projected Cargill employee traffic and Excelsior Boulevard thru-traffic will surely make it an extremely congested traffic area. Currently, the only direct access route to the Blake Road Station from the west and Highway 169 is through this intersection. The City feels that the additional peak hour traffic created by the new Blake Road transit station will be enough to divert transit users away from this congested area. Instead, they will find other routes using local residential streets. Or, equally undesirable, they will go to the west from Highway 169 and attempt to use the Downtown Station area causing parking problems - by design, parking will be extremely limited at this local, pedestrian-oriented and multi-modal station. The DEIS should address an alternative access to the Blake Station such as a new signalized intersection on Excelsior Boulevard at Tyler Avenue. The City and County's Hopkins Station Area Planning Final Report, October 2007 identifies the need for this new access from Excelsior Boulevard to the Blake

12

P4

- Road Station. We request that the scope of the DEIS include investigating this traffic concern for potential mitigation. I2

- One of the unique, positive aspects of Hopkins is the confluence of several regional trails and the ease of access to them. There is no other inner-ring suburb that can make a similar claim. In addition to the many existing regional trails within Hopkins, Three Rivers Park District intends to construct, within Hopkins, the first phase of a new regional trail named the "Nine Mile Creek Regional Trail". This trail will run from the existing SW Corridor regional trail at 11th Avenue to the southeast into Edina and ultimately to the Minnesota River Valley area. As a relatively small city, we intend to build on this strength we have in the regional trail system by improving access and popularity of Hopkins as a great place to get onto the trail or to get off the trail and enjoy the city's attractions. As such, the trails represent a target for a significant economic thrust for the city in the coming years. The proposed Southwest Transitway will, no doubt, impact the current trail system that is located on the HCRRA right of way. We understand that the intent is to retain the existing trails in conjunction with the new transitway. However, any transitway impact to the trails that negatively affects either the continuity of the various regional trails or the efficacy of the current trail access sites will reduce the recreational draw of the trail. Thus, diminishing the City's ability to tap into it as a source of economic vitality. The City requests that the DEIS identify the uniqueness of the trail system to Hopkins as a significant socio-economic factor in the City's future. Further, we request that any loss of access such as the Depot site as a trailhead facility be mitigated with enhancements to improve trail access at the Downtown Station or via a new trailhead facility at a different, nearby location. P9 M2

- The Blake Road Station will add significant new pedestrian travel demand within the station area. Particularly, there will be demand from the 265-unit Westside Village Apartments and from upcoming redevelopment of the 15 acre Hopkins Cold Storage site, both of which are located just across Blake Road to the east of the proposed transit station. This pedestrian demand will create a major safety problem unless it is investigated through the DEIS process and mitigated by creating a safe crossing/s of Blake Road. I2 P9 R2

- Although some distance (about 2,000') from the proposed Blake Road Station, the Highway 7/Blake Road intersection currently operates at level of service "E" and "F" for several peak hour traffic movements. The new Cargill headquarters project located at the NE quadrant of Highway 169/Excelsior Boulevard will impose even greater traffic on the intersection. Blake road is the only north/south major roadway anywhere near the Blake Road station. Needless to say, the traffic demand created by the future Blake Road transit station will further exacerbate the current capacity problem at this intersection. Unless this is investigated and traffic mitigations recommended, those P4

travelling to the Blake Road station will be forced to consider alternate routes creating problems with traffic on local residential streets in the area.

- There is concern regarding vibration and noise impacts to a business within the commercial office building located very near the proposed tracks at 10417 Excelsior Boulevard. One of the tenants in this building is an audiologist who routinely conducts sensitive hearing tests.

O6

M3

- Hopkins has a vibrant, historic downtown that relies on automobile traffic off of Excelsior Boulevard. Without a strong pedestrian connection from the 8th Avenue (Downtown) LRT station to Mainstreet (3 block distance) it is believed the LRT will have a negative economic impact on the downtown as automobile traffic should decrease with the option of LRT.

P9

M2

If you have questions you may direct them to Steve Stadler, Public Works Director at 952-548-6350 or email at [sstadler@hopkinsmn.com](mailto:ssadler@hopkinsmn.com).

Sincerely,

Rick Getschow
City Manager



Nate Paul
 <nathanrpaul@hotmail.com>
 12/28/2012 01:45 PM

To <swcorridor@co.hennepin.mn.us>
 cc
 bcc
 Subject Comments on the 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 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.

The County will need to determine mitigation for the many homeowners who will see a drastic property value decrease especially those that will have such extreme impacts and might make their homes uninhabitable and potentially worthless for resale. Please finalize a plan for financial mitigation that is not limited to anything less then taking properties for fair market value that are along the line. This would be at first glance dozens and dozens of properties. We are already feeling the effects on our property values because of the material fact of the reroute that we would have to disclose if ever considering putting our home on the market. Please do what is best for these homeowners and don;t overlook the financial problems you will be causing them.

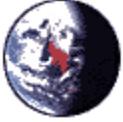
Name: _____ Nathan Paul _____

Address: _____ 3266 Blackstone Ave. South _____

City/State/zip: _____ St. Louis Park, MN 55416 _____

Telephone: _____ 612-747-1841 _____

E-Mail: _____ nathanrpaul@hotmail.com _____



JSrunfun@aol.com
12/28/2012 02:02 PM

To swcorridor@co.hennepin.mn.us
cc
bcc
Subject KEEP 'EM IN KENILWORTH

TO WHOM IT MAY CONCERN: PLEASE DON'T MAKE A VERY STUPID MISTAKE BY SENDING TRAINS THRU ST. LOUIS PARK IT IS COST SENSISBLE TO SEND THEM DOWN THE KENILWORTH RAIL LINE AND AVOID THE VERY POTENTIAL AND DANGEROUS RE-ROUTE THUR THE PARK. I HAVE LIVED IN THE IMMEDIATE AREA BOTH ON THE KENILWORTH LINE AT 21ST AND SHERIDAN AVE. SO. AND NOW ON THE BSNF ON CEDAR LK. RD. FOR WELL OVER 40 YEARS. THEIR IS NO WAY THAT RUNNING IT DOWN THE KENILWORTH ROUTE WOULD UPSET THE PEOPLE OF KENWOOD. FIRST OF ALL THEY WILL BE A LOT QUIETER THAN NORMAL RAIL. SECOND OF ALL IT INVOLVES A LOT LESS COST AND AGGRAVATION FOR OTHERS. ITS ALREADY THERE!!!!!!!!!!!!!!!!!!!! DUH!!!!!!!!!!!!!!!!!!!! FOR ALL THE WRANGLING AND WASTE OF TIME THIS HAS CAUSED EVERYBODY, THEIR COULD HAVE BEEN A SW LIGHT RAIL ALREADY IN PLACE!!!!!!!!!!!!!!!!!!!! CUT TO THE CHASE AND DO THE RIGHT THING ALREADY!!!!!!!!!!!!!!!!!!!! NO RE-ROUTE!!!!!!!!!!!!!!!!!!!! CORDIALLY, JERRY STAMM AT JSrunfun@aol.com

C



"Karen Lee Rosar"
<karen.rosar@comcast.net>

12/28/2012 02:27 PM

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

cc

bcc

Subject SWLRT DEIS Comments

Greetings

I am a neighbor living in the North Loop neighborhood of Minneapolis. I would like to personally endorse the North Loop Neighborhood Association's (NLNA) submission for DEIS comments. Attached are the NLNA DEIS comments as submitted by the NLNA.

Thank you,

Karen Lee Rosar

111 4th Ave N #013

Minneapolis, MN 55401

612-220-5390

karen.rosar@comcast.net

**See Comment #151 for
Theme Delineations**



Motion of Support – SWLRT DEIS Comments

RE: Southwest Transitway Draft Environmental Impact Statement

The following comments were approved by the North Loop Neighborhood Association board on November 28, 2012.

2.1.3

Issue: As it relates to the Locally Preferred Alternative for the Royalston station concerning safety, access, accessibility, visual sightlines, and cross-access. There should be an at-grade platform and access at the Royalston Station path across 7th Street and Hwy 55.

Outcome: To have improved access to the railway transit line, providing clear and direct pedestrian connections. Connections shall include Minneapolis Farmers' Market, the Upper North Loop, the Sports District (Target Center and Twins ballpark Target Field), and the Minneapolis downtown Central Business District.

Outcome: To provide safe access between these areas to the railway transit line.

Outcome: Grade separated facilities have created pedestrian, automobile, and bicycle barriers in the neighborhood for years. Safety plans shall include keeping LRT vehicles at grade with other modes of transportation in an effort to maintain safe and functional viewing corridors, sightlines, visual cues, and connections.

Outcome: Balance short-term impacts to automobile traffic with long-term adverse impacts to development, community, street grid, and visual connections from railway overpasses/bridges/tunnels.

Proposal: Provide street grade LRT at the Royalston alignment as it crosses 7th Street, not within a tunnel or elevated on a bridge. This is in support of the City of Minneapolis' North Loop Small Area Plan, as adopted in the City's Zoning policy. (Refer to attached renderings for an at-grade crossing specifically drafted for this location.)

Advantages: Development opportunities increase for the station area due to the limited need for elevation changes, allowing for access to the existing Minneapolis Public Works facility site. Additional development is improved by allowing close-by access and near ROW locations for buildings, pathways, and circulation space. Cost savings would be

realized and recaptured by eliminating the tunneling cost for underground, or semi-underground trenching and elimination of bridge and trestles. Visibility also improves ridership by increasing sightlines to the station itself by non-area residents accessing the site. The Royalston Station is indicated as an overflow station for the Twins ballpark Target Field. Interrupting the visual cues and sightlines from one to the other adversely will affect ridership levels with these blocking obstructions.

2.1.3

Issue: The locally preferred alternative routes the Royalston Station along Royalston Avenue. The route should be aligned on Border Avenue.

Outcome: The street grid should be made continuous as outline in the North Loop Small Area Plan. Healing the street grid will improve access to the Transitway and the station. The border Alignment aids this positive street grid access. (Refer to attachment for illustration.) Holden Avenue is proposed to be closed on 6-20 (6.2.2.2) affecting the street grid.

Outcome: Alignment on Border Avenue will provide clear enhanced connections for pedestrians directly to the Minneapolis Farmers' Market, the Upper North Loop, the Twins ballpark Target Field, and to the existing bus routes along Hwy 55 and 7th Street.

Outcome: Grade separation from the Minneapolis Farmers' Market to the planned Royalston Station would require a vertical transportation to get pedestrians and bicyclists up and down the 30 feet of elevation change. Minimize cut and fill, embankments, and elevation change for the railway.

Outcome: Provide safe and functional pedestrian, automobile, and bicyclist access which serve stakeholders and users in its fullest capacity.

Outcome: Provide direct access to the Minneapolis Farmers' Market and area residents. Current design would require a multiple block walk by pedestrians accessing a Royalston Station.

Outcome: Provide for enhanced TOD and redevelopment of the area around the Border Avenue Station.

Outcome: Provide enhanced visibility to the line, surrounding areas, and positive view corridors.

<p>Proposal: Provide route along Border Avenue alignment as shown in the attachment.</p>

Advantages: No vertical transportation access would be required for the block long path, as required by a Royalston Station alignment, via Border Avenue, recapturing these costs would be positive to the Transitway. Holden Avenue could be preserved with a Border Avenue alignment, greatly increasing street grid connectivity. Bicyclists benefit from a Border Avenue alignment and Station due to a more direct connection, visibility, and safe ROW connections to the Cedar Lake Trail system. Private land ownership exists in the area that would be required to make a pathway for the Royalston Station to the Farmers' Market. Again, a Border Avenue alignment would eliminate the need for

these private land acquisitions. Costly elevation changes are avoided by utilizing a Border Avenue alignment. The Border Avenue Station would be located very near the Farmers' Market, a major destination and source for ridership. There are more development opportunities along both sides of the Border Avenue Station option. Pedestrian access is more direct to existing bus routes on 7th street and 5th Avenue with a Border Avenue Station. The Royalston Station may require an overpass, bridge, tunnel, or trenching, these costs would be eliminated by a Border Avenue Station; thus, recapturing these costs, providing enhanced views to the railway line for pedestrian safety, and benefits from visibility also allows for greater ridership. Additional residential access is gained by the Border alignment as it allows for direct access to the neighboring transitional shelter housing populations and access to shelter meals. Crossover bridge savings would also be recaptured as the Border Avenue Station would eliminate this bridge at Glenwood Avenue.

2.3.3.9

Issue: The Operations & Maintenance Facility (OMF) identified four options, one of which is to be located in the North Loop Neighborhood and does not fulfill criteria used in the site selection process as described in Appendix H.

Outcome: Preferred location near one end of the line: The North Loop is home to the Interchange, a regional transportation hub that currently connects Hiawatha LRT with the Northstar Commuter Rail. In 2014 it will connect Central Corridor LRT to St. Paul. Southwest LRT will interline with Central Corridor LRT so consequently the identified OMF is mid-line.

Outcome: Compatibility with adjacent current and planned land uses as found in the North Loop Small Area Plan projects large-scale 10-story developments that are transit-oriented. This location for the OMF would have a negative impact on residential density in order to support the regional transportation system.

Outcome: Land zoned in this area is incorrectly identified in the DEIS as being industrial/light industrial. In fact the area is zoned B4S Downtown Services district and not industrial in nature. An OMF would be a barrier to TOD opportunities.

Proposal: To locate the OMF outside the North Loop.

Advantage: The majority of the land needed for the proposed OMF at this site is private. Costly acquisitions can be avoided by siting the facility at one of the other proposed locations. TOD opportunities would be increased by siting a mix of residential, office, and commercial uses rather than an OMF.

Chapter 3

Issue: The DEIS does not include any mention of the Minneapolis Zoning related to the North Loop Small Area Plan.

Outcome: This zoning regulation and policy has impacts along the area of the Royalston Station, the mid-line connection to the Central Corridor, the Interchange facility, and the pathway for the railway transit to Van White Station.

Proposal: List this document as supporting evidence within the DEIS. Apply its

goals, zoning regulations, land use, transit recommendations, and development issues to the Southwest Transitway.

Advantage: This document supports many desirable outcomes for development, transit-oriented development, safety, and access.

3.2

Issue: The Minneapolis Farmers' Market as a regional destination and potential use for the railway transit line.

Outcome: Recognize this vital regional resource within the Environmental Impact Statement.

Proposal: Include the impact to the land use and economics of the railway taking into account the business of the Farmers' Market.

Advantage: Ridership should have increases shown on market days, thus an increase in fares. This is a vital area amenity and Citywide resource.

Chapter 4, 4-83, 4-97

Issue: No noise sensitive areas were indicated near the Royalston Station.

Outcome: To reduce impact to neighboring residential areas.

Outcome: Be sensitive to area residents by limiting LRT vehicle noise which will also impact future residential developments. The North Loop area is the fastest growing neighborhood by population in the City of Minneapolis as 2010 census data shows. This area will continue to be an area for residential population growth moving forward, especially as Minneapolis is calling for a doubling of population by 2025.

Proposal: Limit LRT vehicles to 20mph design speed and reduce idling LRT vehicles. Remove bridges and tunnels as pathways for LRT vehicles.

Advantage: This will keep noise to a minimum and reduce the noise impact to the area. The removal of bridges and tunnels will limit the reverberation and sound impact wave formations that are increased due to closed-in hardscape areas that occur in both tunnels and bridge embankments/structures.

6.2.2.2

Issue: The closing of the Royalston Avenue and 5th Ave N intersection is mentioned. This would have gravely negative consequences to the area's street grid, access to local businesses, and development opportunities. The existing Royalston businesses are industrial that require frequent, direct, and unfettered access from semi-trucks.

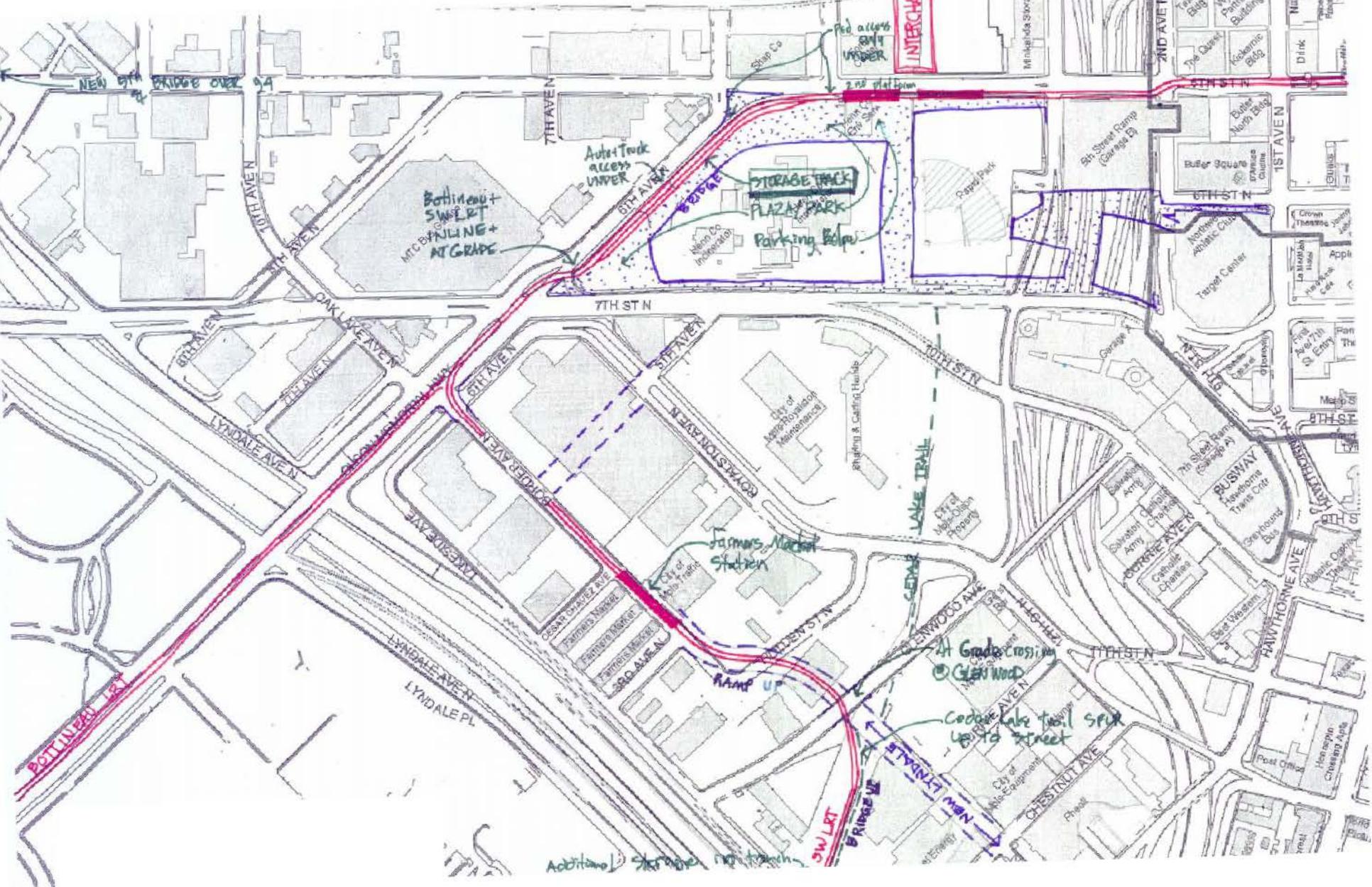
Proposal: Continue to allow for access from Royalston Avenue to 5th Ave N, by way of an at-grade crossing if needed.

Appendix F, part 1, page 61

Issue: Royalston Station and railway path is planned as a tunnel. Due to the location of the Interchange facility, it no longer is possible to create the tunnel.



6th Ave Streetscape: At-Grade LRT with Integrated Pedestrian Route





<brad@grnway.biz>
12/28/2012 02:45 PM

To swcorridor@co.hennepin.mn.us
cc "Jack Pfaff" <jpfaff60@msn.com>
bcc
Subject Southwest Transitway's West Lake Station

To Whom it may concern,
Please see the attached comment letter regarding the DEIS for the West Lake Station.
Sincerely,

Brad Pfaff CCIM

Greenway Commercial Properties
Calhoun Village
3266 W. Lake Street
Minneapolis, MN 55416

(612) 419-5311
(612) 354-2643 fax
brad@grnway.biz



December 27, 2012

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

Re: Southwest Transitway's DEIS, West Lake Station

To Whom it may concern,

My partners and I own the Calhoun Village Shopping Center at 3266 W. Lake Street. Located at the intersection of Market Plaza Drive and W. Lake Street, just North of Excelsior Blvd. Calhoun Village is adjacent and contiguous to the proposed location of the Southwest Transitway's West Lake Station, near the Lake Street bridge. I want to mention the tremendous development opportunity within the Calhoun Village Property. There is the opportunity of building apartments on our back lot behind Barnes and Noble with an underground parking ramp. There is also vacant land behind our center and contiguous to the land underneath the Lake Street bridge. Thirdly, there is the possibility of building condominiums or apartments above our existing shopping center. I believe this development potential should be considered in determining the exact location of the West Lake Station. There has been discussion of locating the station further to the south and west of the Lake Street bridge. I believe the station should be located closer to Calhoun Village.

As mentioned in the comments from Businesses at The Edge of Lake Calhoun, I share their concerns regarding parking and the accommodation of vehicular traffic during and after the construction of the West Lake Station. We already have parking problems at Calhoun Village and have had to tow many cars, due to people parking in our lot and riding, walking or rollerblading around the lakes or the Greenway Corridor. Ingress and egress to and from Calhoun Village at the intersection of Market Plaza Drive and W. Lake Street can be very challenging during peak traffic hours. I am hopeful that the Southwest Transitway's West Lake Station can be designed and engineered such that the ridership will come from walkers, bikers, roller bladders and buses, in order to minimize the the problems associated with more vehicular traffic to the immediate area.

Sincerely,

Brad Pfaff

A

I2

P4
P10



Joel Abrahamson
<joel.abrahamson@gmail.com>

12/28/2012 02:48 PM

To swcorridor@co.hennepin.mn.us

cc

bcc

Subject DEIS comments for Southwest Light Rail Transit

Dear LRT planners,

My wife, Dorea Ruggles, and I would like to submit our comments for the SW LRT DEIS (attached). We work with the ISALAH coalition of faith communities for economic and environmental justice and support its recommendations for the project. We look forward to the expansion of light rail in the Twin Cities metro area and appreciate the opportunity to give feedback on its development.



Sincerely,

Joel Abrahamson, PhD

Name: Joel Abrahamson

Address: 2109 22nd Ave S, Mpls, MN 55404

Phone: 785-727-0376

Southwest LRT DEIS Comments

I respectfully submit these comments on the Southwest LRT DEIS.

I support the 3A alignment for the Southwest LRT because of its great potential to connect environmental justice communities to opportunities in the form of jobs, education, cultural resources and other regional amenities. The 3A alignment will also be a catalyst for important redevelopment efforts in the Bassett Creek Valley, bringing jobs and affordable housing to an area of need.

A

M5

Following are comments specific to sections in the DEIS.

Section 1.4 Project Goals and Objectives

I support SW LRT goals 1, 2 and 5, economic development and cost-effective, efficient travel options.

The 3A alignment for SW LRT is an essential piece of the Bassett Creek Valley (BCV) Master Plan. The Van White and Penn Ave. stations are key connection points between economically depressed North Minneapolis and employment opportunities in the southwest Minneapolis suburbs. In addition, many students from North Minneapolis travel to schools along the route and the LRT service would greatly reduce travel time for them.

I2

The Van White station is the center of the BCV Master Plan. The BCV Master Plan and the SW LRT will work in concert, bringing economic opportunity while boosting ridership.

Section 3.1.2.4 Segment A [LRT 1A, LRT 3A (LPA), and LRT 3A-1 (co-location alternative)]

Land Use

The rezoning of Bassett Creek Valley was approved February 2008 by the city of Minneapolis. This rezoning should be mentioned in this section.

M1

Section 6. 3.1.3 Land Use Plans

I share the Harrison Neighborhood Association's concerns with the Van White station planning.

- The planning document clearly advocates for the siting of diesel commuter rail layover at Van White Station. The final document misrepresents the formal Minneapolis city council position on the sale of Linden Yards East. The city directed city staff to explore joint development strategies at Linden Yards East and report back to city council.

H2

- The Van White Station Area Plans illustrations are misleading for policy maker by representing a platform (plinth) that could accommodate development above and rail below. This is misleading because the feasibility work has not been completed and there has been no environmental assessment of siting a rail layover/maintenance facility at the Van White Station.

H2

- The Van White Station Area plan does not adequately assess Harrison neighborhood property owners, renters and business owners. The Bassett Creek Valley is home to over 170 businesses and over 150 homes all of which are in the ½ mile radius of the Van White Station. Increasing the accessibility to the Van White Station is critically important to provide these environmental justice communities access to jobs along the Southwest LRT.

I2

3.1.5.1 Effects to Land Use and Socioeconomics; Segment A

The description is inadequate and should include mention of the Bassett Creek Valley project area. The Van White station is central to the Bassett Creek Valley project. Because of its significant size and city of Minneapolis site control, this project area deserves mention in this section.

M1

Section 5.1 Economic Conditions

The Metropolitan Council highlighted job linkage to North Minneapolis through the SW LRT corridor in a SW LRT funding application to the Minnesota Department of Employment and Economic Development. This point should be included in the description of the effects on the local economy.

M2

Section 6.1.1 Methodology

Ridership at the Van White station is underreported. It does not account for the Bassett Creek Valley Master Plan. The ridership model should use the City of Minneapolis comprehensive plan adopted 10/2/09 which includes Bassett Creek Valley Master Plan.

P2

Section 9.4 Reasonably Foreseeable Future Actions

A rail layover/maintenance facility in Linden Yards East will have an impact on economic development at the Van White Station. Repeated requests for an environmental assessment of such a facility have gone unanswered by local agencies.

L4

Community members have repeatedly been told that the rail layover/maintenance facility cannot be considered as part of the SW LRT EIS analysis, yet this facility could seriously compromise ridership and the effectiveness of economic development and improved land use around the SW LRT project.

Additional Comments

As a resident of the Seward neighborhood, I greatly appreciate the benefits of the Franklin Ave LRT station. It increases accessibility of homes and businesses here, which improves the equitable, environmentally sound development of our neighborhood. I would like the Van White neighborhood community to see the same benefits.

I2

Name: **Dorea Ruggles**

Address: **2109 22nd Ave S, Minneapolis, MN 55404**

Phone: **617-233-1837**

Southwest LRT DEIS Comments

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M5

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I2

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I2

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M1

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M2

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P2

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L4

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Additional Comments



"Katherine Low"
 <lowmn@comcast.net>
 12/28/2012 03:23 PM

To <swcorridor@co.hennepin.mn.us>
 cc
 bcc
 Subject DEIS comments

The LPA for the SWLRT would pass through heavily used, treasured parkland as well as an historic neighborhood of single family homes. The route designated as 3C would have been a much more desirable route for the long term. If the SWLRT is built on the LPA, it will inevitably degrade trail and park users' and neighborhood residents' experience, so all efforts must be made to preserve the environment to the maximum possible extent. Further, have we learned nothing from the unfortunate experience of years past when highways were laid down through vibrant urban neighborhoods, permanently destroying their character and cohesiveness? If a stop is installed at 21st street, all efforts must be made to reduce noise, vibrations, visual blight and traffic in the surrounding neighborhood. I endorse the response of the neighborhood association (Kenwood Isles Area Association) on all of these issues and wish to further comment on the traffic issues related to the 21st Street station.

E0

I2

P4

6.2.2.4 Transit Station Access, page 6-41-42

There must not be a surface parking lot at the 21st street station. The noise, traffic and visual blight would further degrade the environment, and such lots are contrary to the City's policy. I don't have the expertise to predict whether there would be sufficient use of the 21st street station to justify its existence, but the analysis should NOT rely on an assumption that there will be a parking lot there. Regarding people getting dropped off and picked up at the station, a more complete analysis of the traffic impacts of this station on the Kenwood neighborhood MUST be conducted. Neighborhood cohesiveness and pedestrian safety would be imperiled by an increase in traffic from people from all over being driven to and from the 21st St. Station. The convenience of those using the LRT must not come at the expense of the livability of this Minneapolis neighborhood through which the trains will pass. Neighborhood input must be sought and complied with to ensure that traffic calming measures are implemented to maintain the walkability and quality of life in the neighborhoods.

I2

P4

P9

6.2.2.3 Operational Impacts at Intersections

Segment A (LRT 3A-1 Co-location Alternative), page 6-39

An at-grade crossing or tunneling/trenching would be preferable to an unsightly, hulking bridge over Cedar Lake Parkway. While an at-grade crossing would inconvenience local residents, it is my belief that other drivers would avoid the area because of the backup of traffic waiting for trains to cross, so that the impact would be naturally mitigated. Co-location of freight and rail should not be considered and is infeasible for residents and trail/park users.

E8

D

5.2.5.1 Mitigation for Land Use Plan Consistency, page 5-21

The unfortunate choice of the LPA would have the trains going through the quiet residential neighborhood of Kenwood and the park area. Land use changes typically appropriate for LRT do not apply here. Although I support urban density as a desirable goal, this is not an area where this goal is achievable, and as such, the LPA was not an optimal route. Therefore NO land use changes should be made in the area of the 21st St. Station.

M1

Sincerely,

Katherine Low
2001 W. Franklin Avenue
Minneapolis, MN 55405



"Jonathan Vlaming"
<JVlaming@threeriversparkdi
strict.org>

12/28/2012 04:36 PM

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

cc

bcc

Subject Three Rivers Park District comments on the Southwest
Transitway DEIS

Attached is a PDF version of Three Rivers' comments on the DEIS. I will also mail you a hard copy.

Jonathan Vlaming
Associate Superintendent -
Planning, Design and Technology
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December 28, 2012

Three Rivers
Park District
Board of
Commissioners

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

Sara Wyatt
District 1

RE: Three Rivers Park District Staff Comments on the Southwest Transitway Draft Environmental Impact Statement (DEIS)

Marilynn Corcoran,
District 2

Three Rivers Park District staff appreciates the opportunity to comment on the technical aspects of the DEIS.

Joan Peters
District 3

Please note that this review takes no formal position on a preferred alignment. If the project requires a statement of preferred alignments from Three Rivers Park District, LRT project managers will need to submit and present a formal request to the Three Rivers Board of Commissioners for their consideration.

Dale Woodbeck,
Vice Chair
District 4

Why Three Rivers is involved in this review:

Three Rivers Park District operates regional parks and trails within suburban Hennepin County (all of Hennepin County except the City of Minneapolis). Three Rivers is one of ten regional park implementing agencies and is a component of the Metropolitan Council's Regional Park System. Three Rivers' parks and trails are heavily used, providing service to nearly ten million visitors each year.

John Gibbs
District 5

As proposed in the DEIS, the LRT will affect the following regional trails operated by Three Rivers:

P9

Larry Blackstad, Chair
Appointed

Cedar Lake LRT Regional Trail

- Impacted by Segment 4
- This regional trail begins at 11th Ave in Hopkins at the intersection of the Nine Mile Creek Regional Trail, which heads south on 11th Ave, and the Minnesota River Bluffs LRT Regional Trail, which heads southwest on the Hennepin County Regional Rail Authority (HCRRRA) corridor. The Cedar Lake LRT Regional Trail heads northeast on the HCRRRA corridor to the border of Minneapolis, where the trail is then named the Kenilworth Regional Trail. Use of the Cedar Lake LRT Regional Trail is significant, with the most recent (2011) Metropolitan Council estimate of 500,000 annual visits. The most recent trail user survey (2009) conducted by Three Rivers staff estimates that 22 percent of all trail visits, or about 110,066 annual visits, are for commuting purposes. Since 2009 there appears to have been a significant

Barbara Kinsey
Appointed

Cris Gears
Superintendent

increase in use of regional trails for commuting throughout the metropolitan area. Consequently, the 22 percent estimate is likely conservative.

Minnesota River Bluffs LRT Regional Trail

- Impacted by Segments 1, 3 and 4
- This regional trail begins at 11th Ave S in Hopkins and heads southwest along the HCRRA corridor into Carver County. The trail has an annual use estimate of about 310,000 visits, of which 12 percent, or 37,212 annual visits, are for commuting purposes.

North Cedar Lake Regional Trail

- Impacted by Segment FFR
- This regional trail begins at the Hopkins Depot (located along the Cedar Lake LRT Regional Trail) and continues to the northeast through St. Louis Park on land owned by the City of St. Louis Park. As the trail passes into Minneapolis at Highway 100, the trail then becomes the Cedar Lake Regional Trail. The Metropolitan Council estimates 495,000 visits to this trail in 2011. Three Rivers estimates that about 19 percent, or 94,183 annual visits, are for commuting purposes. While this trail is not directly on any of the proposed LRT routes, it is impacted by the proposed heavy rail reroute.

Corrections:

General:

- Throughout the DEIS there is a lack of consistency in the identification of the regional trails that are impacted by the various alternatives. References include "multi-purpose trail", "commuter trail", "interim trail" etc. Three Rivers' Regional Trails, as well as the Minneapolis Regional Trails are recognized components of the Metropolitan Council's Regional Parks Policy Plan and the Council's Transportation Policy Plan. **The DEIS should correctly identify these trails as what they are – Regional Trails which are regionally significant and permanent components of the regional parks system and the multi-modal transportation system.**

P9

U

Chapter 6—Transportation Effects:

- Pages 6-52 & 6-53 refer to trail use estimates, and Table 6.3-3 provides two-hour snapshots of use. The DEIS trail use estimates do not provide an accurate picture of actual trail use. The Metropolitan Council conducts and publishes an annual use estimate for each park and trail within the regional system. In addition, Three Rivers has its own Research and Evaluation unit that provides more in-depth insights into use, by type of use, purpose of trip and time of use. The table below provides a much more accurate estimate of actual use of Three River's Regional Trails. The accompanying graph shows potential future annual use of each trail, based on an assumption that annual use will grow at the average rate of growth for that trail seen over the last five years. In addition, the DEIS indicates that the LRT will likely increase use of the regional trails as well (page 9-38, section 9.6.26.2).
- Over the past twelve months, Three Rivers has been conducting a pilot study that uses infrared trail counters at select points along the Cedar Lake LRT and

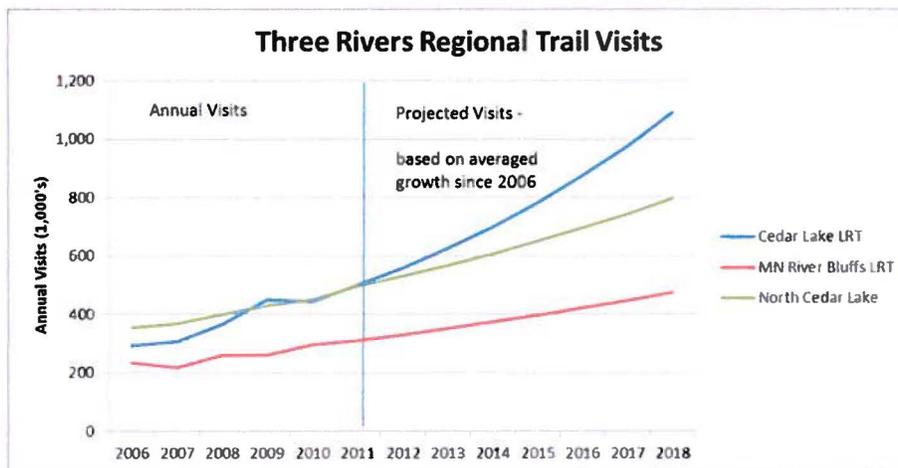
P8

Minnesota River Bluffs Regional Trails. The initial data indicates that weekday peak trail use occurs between 7 and 10 AM, and between 3 and 6 PM, with the most significant peak in the 3 to 6 PM slot. Weekend use is more normally distributed, peaking in early afternoon. If this type of data is helpful, please contact me.

Regional Trail	2011 Total Visits ¹	% Bicycles ²	% Commuters ²	Commuter Trips ²
Cedar Lake LRT	500,300	90 %	22 %	110,066
MN River Bluffs LRT	310,100	81 %	12 %	37,212
North Cedar Lake	495,700	83 %	19 %	94,183
TOTAL	1,306,100	85%	18%	241,461

¹ Source: Metropolitan Council

² Source: Three Rivers 2009 Regional Trail Visitor Study



Concerns:

- Capital Costs, Operations and Maintenance (O&M) Costs, and funding source(s) for regional trails impacted by the LRT project are not adequately addressed.**

TO

Chapter 8 of the DEIS provides a broad Financial Analysis of the project and alternatives. The DEIS does not identify the Capital costs for Regional Trail reconstruction, the proposed Regional Trail bridge on the North Cedar Lake Regional Trail that would be required to cross the MN&S spur, the Operating and Maintenance costs of Regional Trails now associated with the LRT, or the potential funding sources to pay for these costs.

Appendix F: Legend for the Plan (page 5), indicates that *“The grading for the trails shown will be included in the project cost, however the surfacing for the trails will not be included with the project costs. Trail surfacing must be performed at the expense of others”*.

Three Rivers has invested significant capital and annual O&M costs into developing, maintaining and operating its three Regional Trails impacted by the LRT project. Those trails are enjoyed by over 1.3 million visitors each year, and the trails themselves act as a significant non-motorized component of the multi-modal transportation network.

T0

Design, Capital, and O&M costs of Regional Trail relocation, reconstruction, bridges, corridor beautification, O&M and any unanticipated costs must be borne by the LRT project budget.

2. North Cedar Lake Regional Trail/MN&S Spur Bridge implementation and ownership is not adequately addressed.

T0

As proposed in the DEIS Appendix F: MN&S Freight Rail Study, the North Cedar Lake Regional Trail will cross the new rail line via a trail bridge. It is unclear how this bridge will be funded. In addition, operation and maintenance of bridges can have significant ongoing costs. As part of the planning process for the LRT project, the ownership, maintenance and funding responsibilities for the trail bridge over the new spur connector track must be resolved. Three Rivers staff indicates a preference for the bridge design, development, operation and ownership to be part of the LRT project.

T0

L3

3. Three Rivers would welcome the opportunity to participate in the design process to help address critical design issues, such as crossings, station relationships to trails, trail corridor beautification (mitigation of visual impacts), and other design elements that affect regional trail visitors.

L3

As the LRT project progresses, Three Rivers staff requests representation in technical advisory committees and other appropriate committees involved in the design of safe trail crossings, integration of regional trails with LRT stations, LRT/trail corridor beautification to mitigate visual impacts, and other design elements that would affect regional trail visitors.

L3

Thank you for the opportunity to provide corrections and comments. I look forward to working with you on this project.

Respectfully,

Jonathan Vlaming
Associate Superintendent
Planning, Design & Technology
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JV/jjs