

Southwest Transitway DEIS Comments

Comments Received from Agencies and Other Public Entities

Part 4 of 4

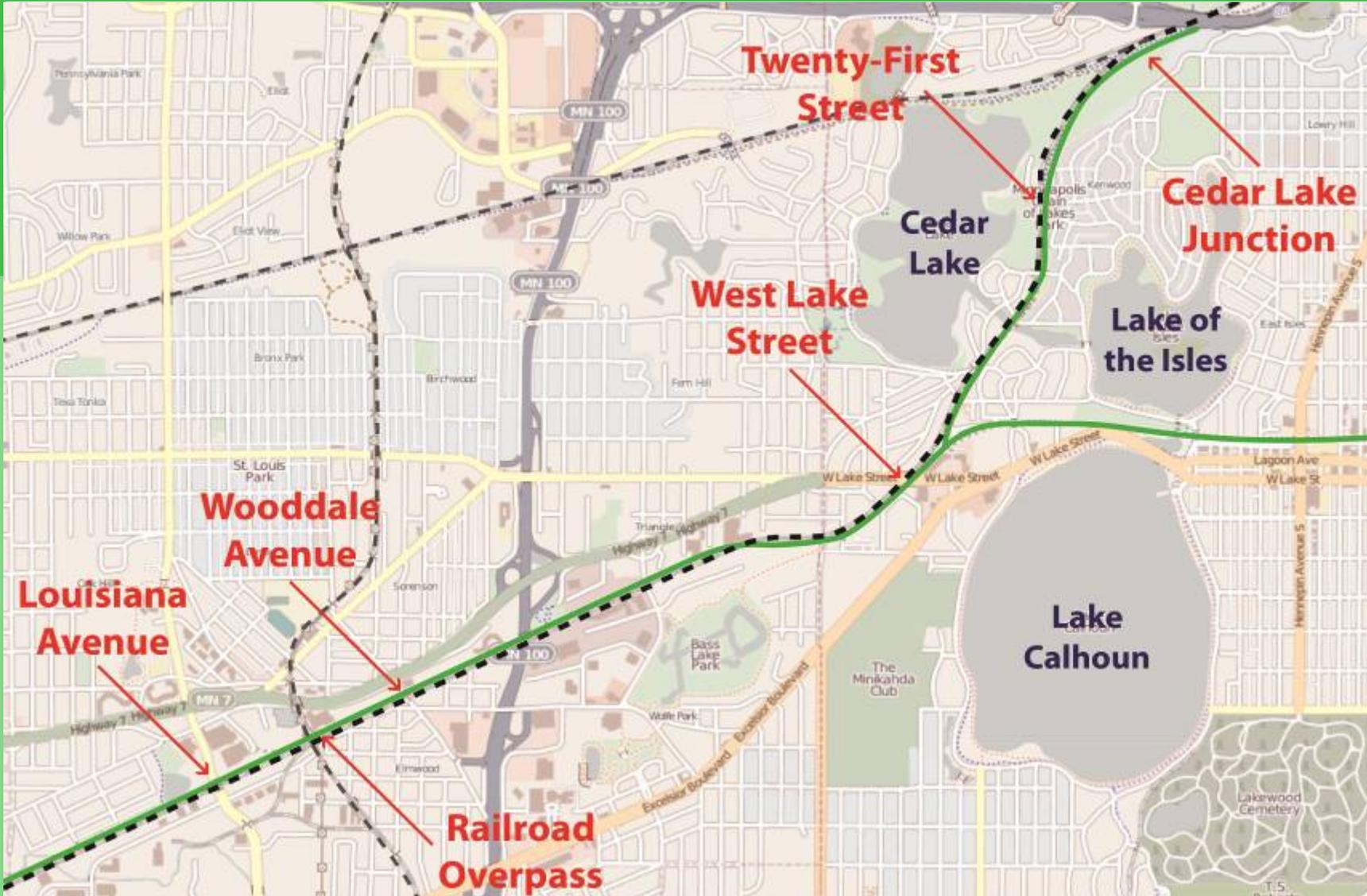
*Kenilworth Corridor:
Analysis of Freight Rail / LRT / Commuter
Bicycle Trail Coexistence*

Prepared for:
Hennepin County
Regional Rail Authority



Prepared By:
R.L. BANKS & ASSOCIATES, INC. 

Study 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
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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

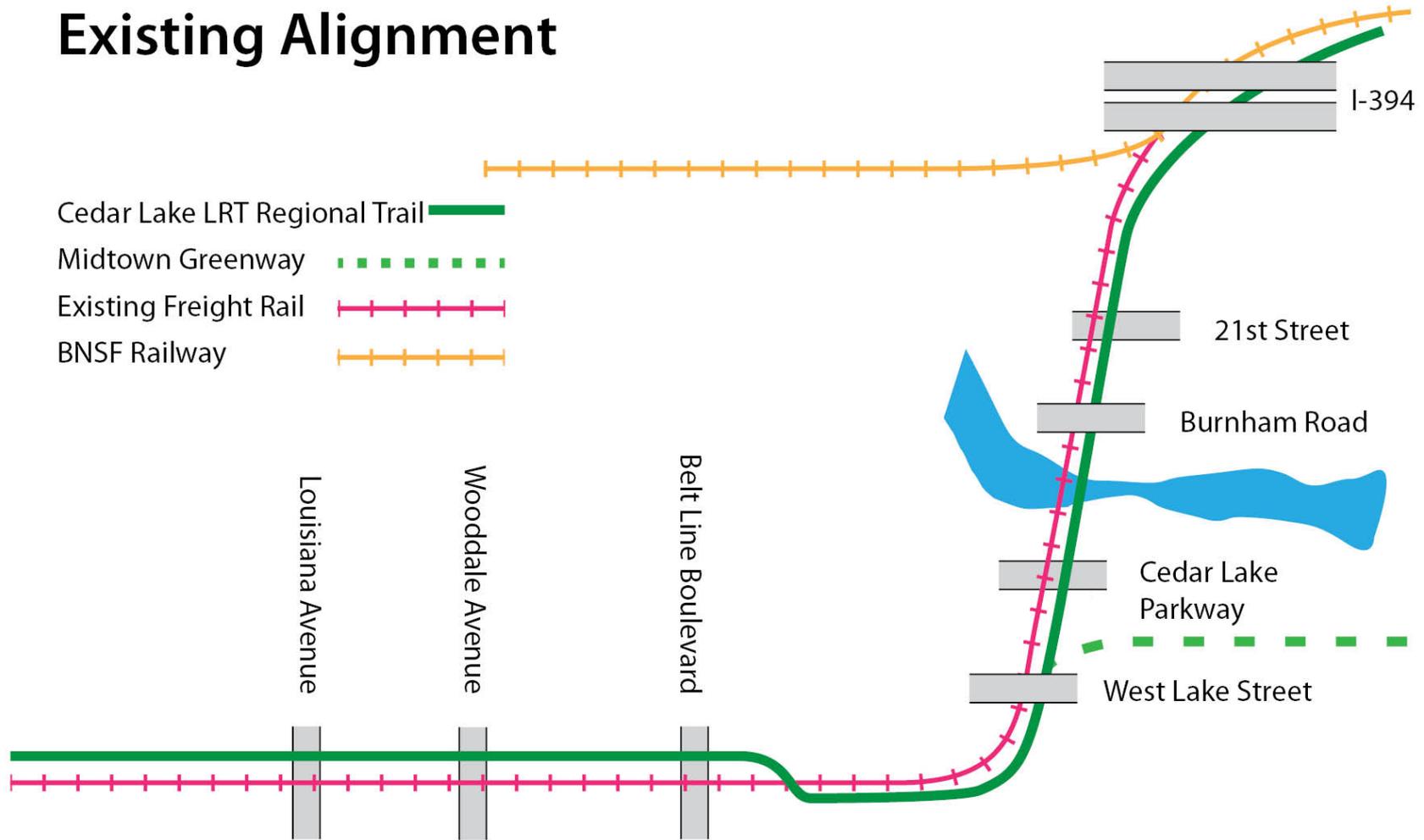
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Existing Alignments in Corridor

Existing Alignment

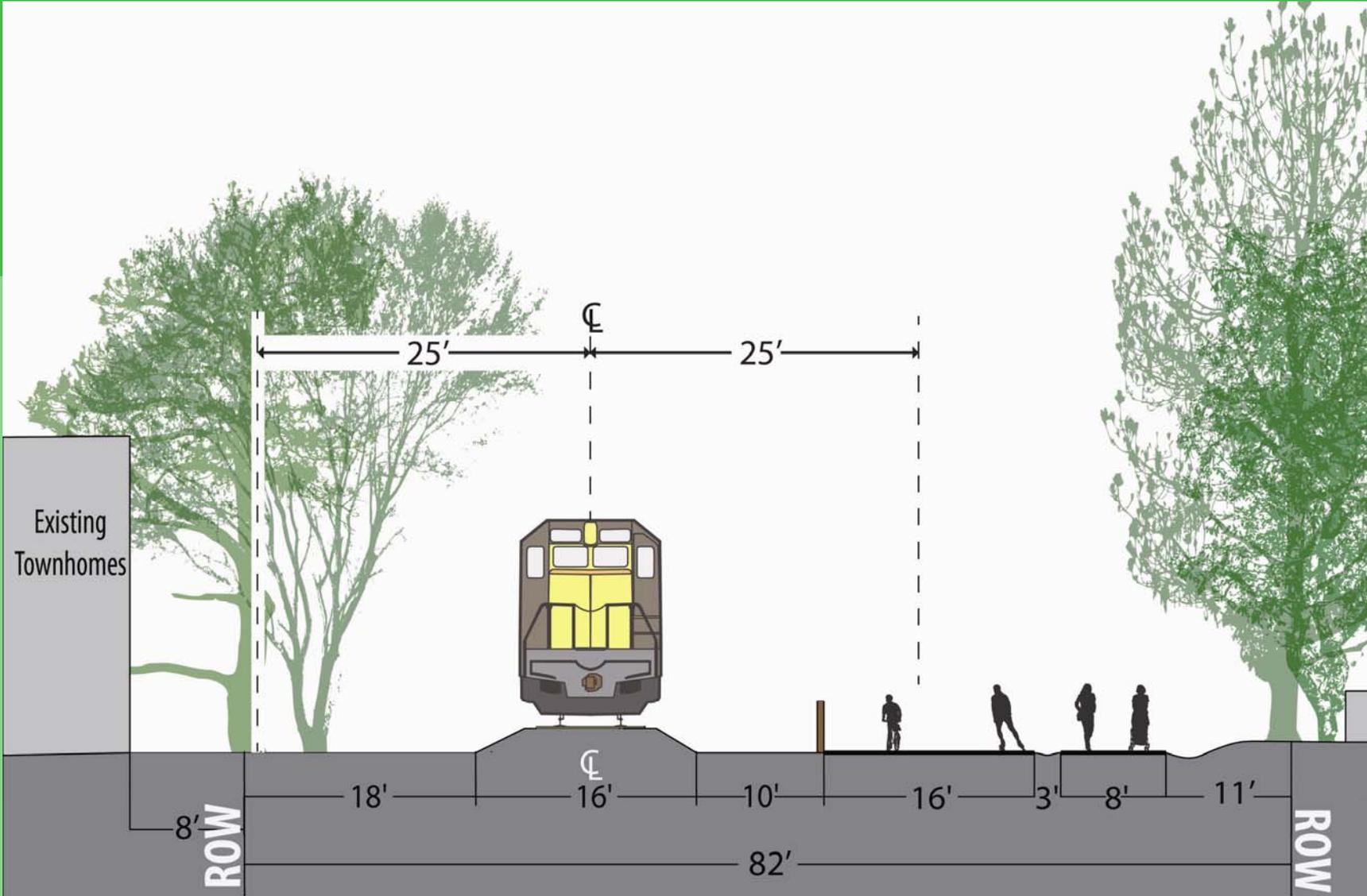
- Cedar Lake LRT Regional Trail
- Midtown Greenway
- Existing Freight Rail
- BNSF Railway



Kenilworth Corridor



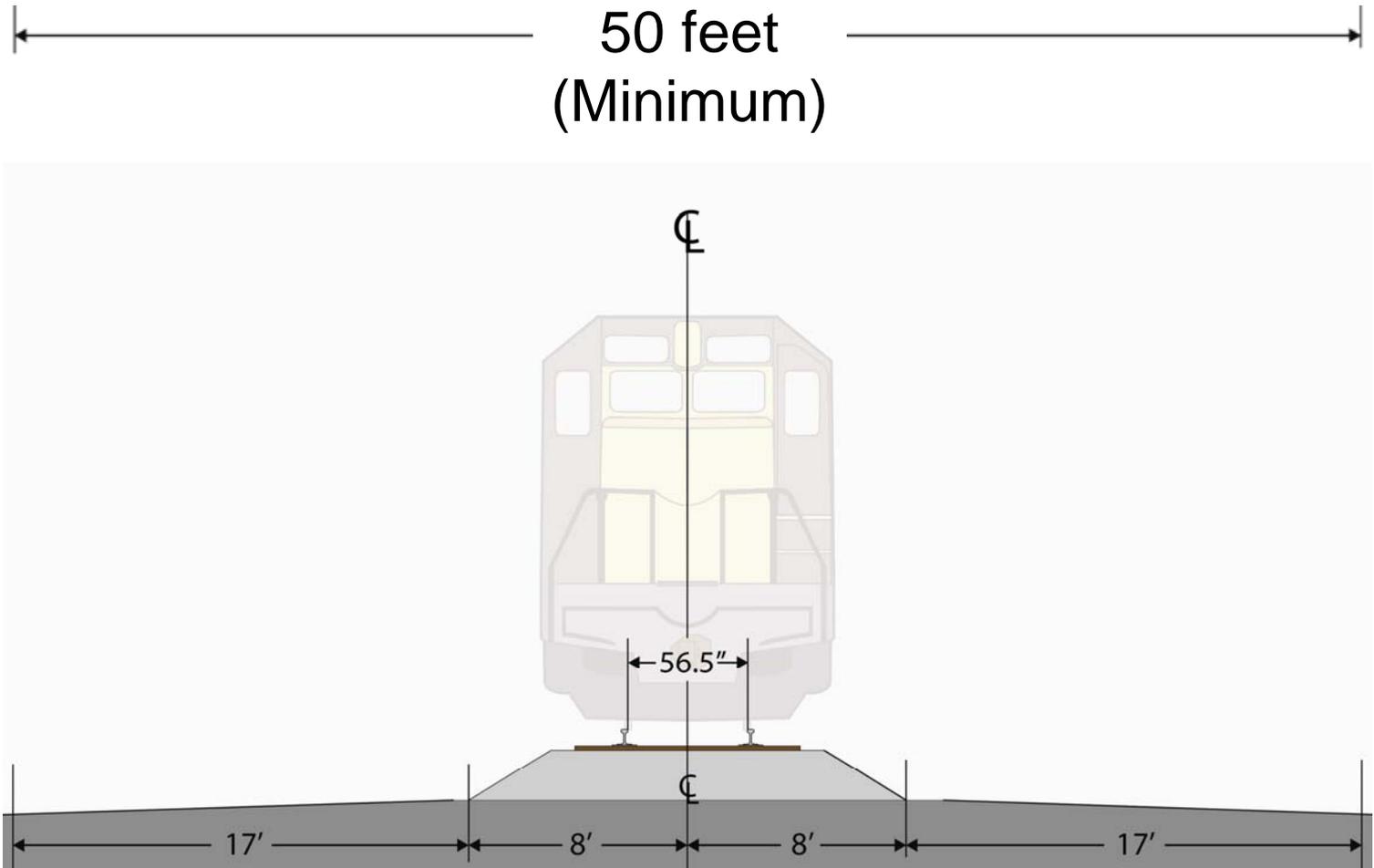
Existing Alignments in Corridor



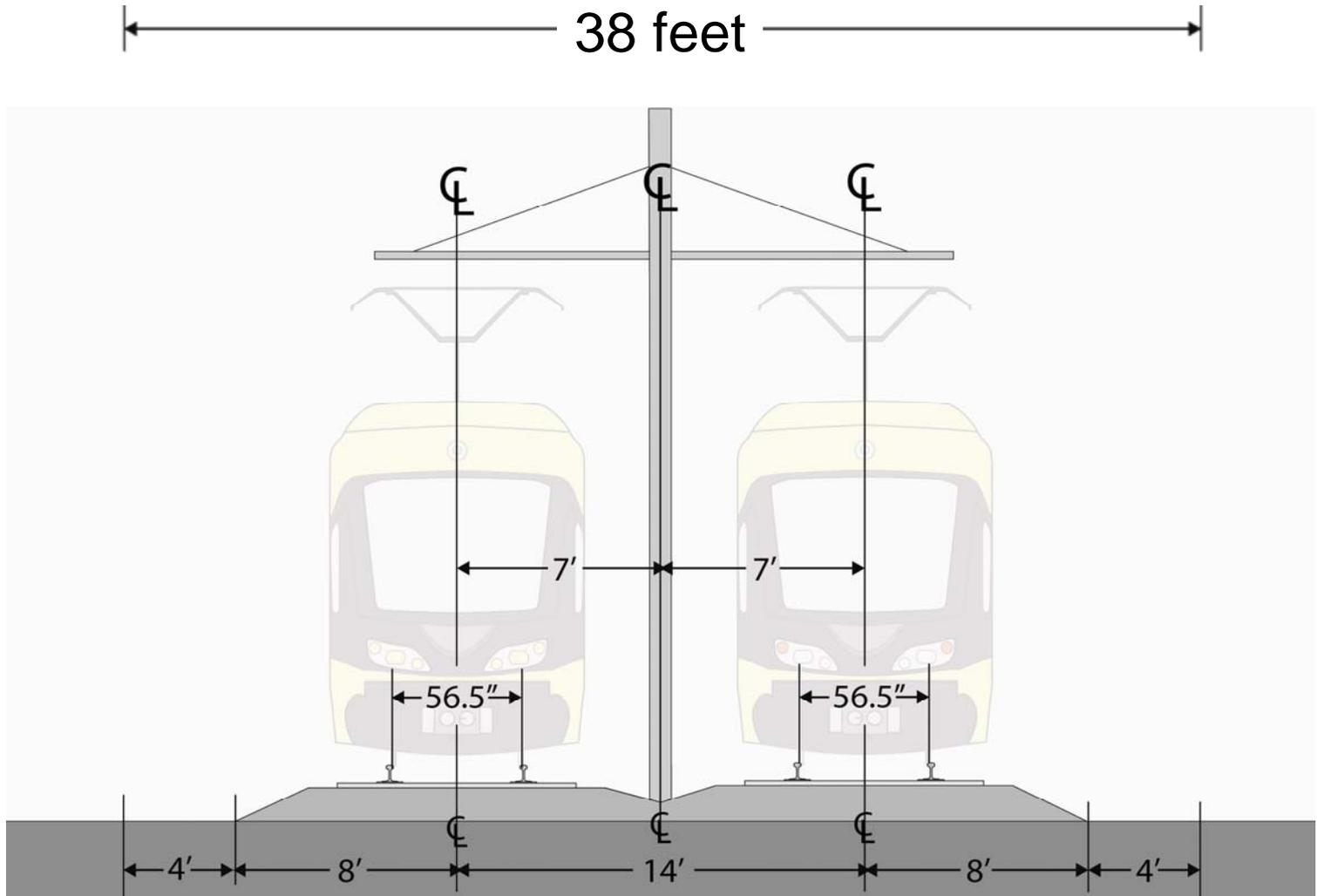
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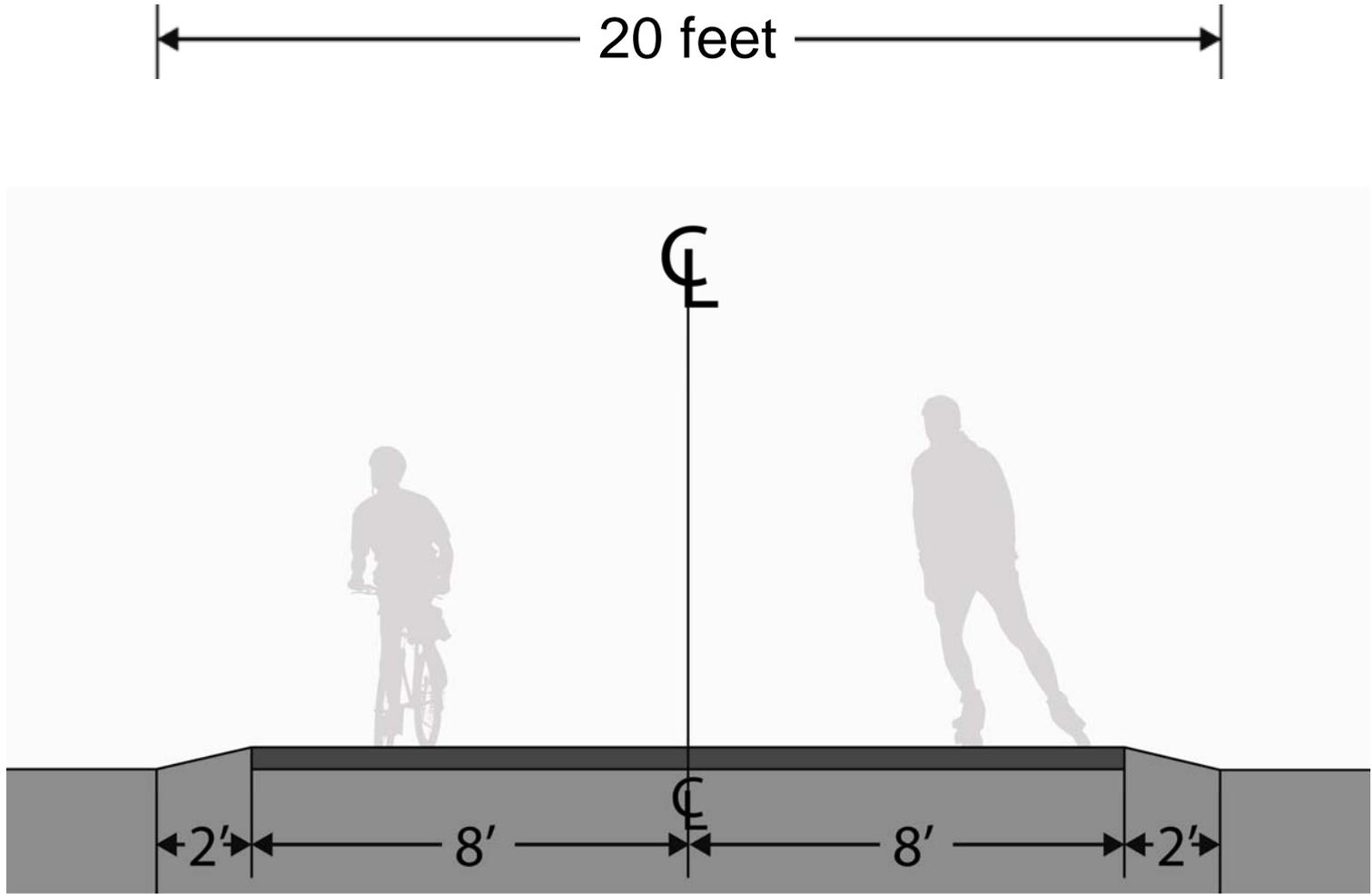
Freight Rail Cross Section



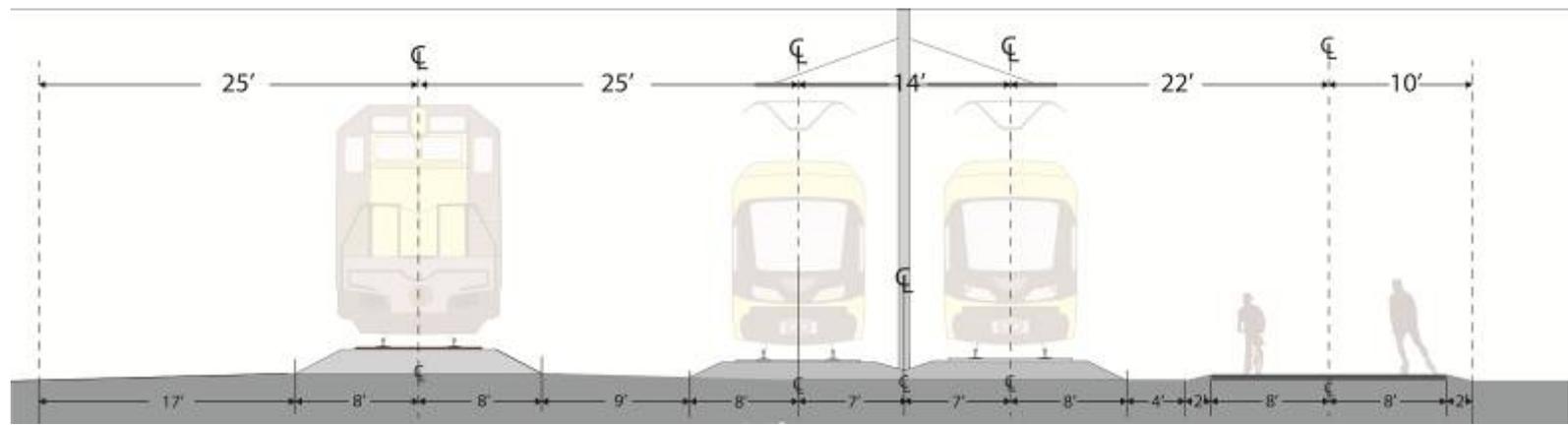
LRT Cross Section



Bicycle Trail Cross-section



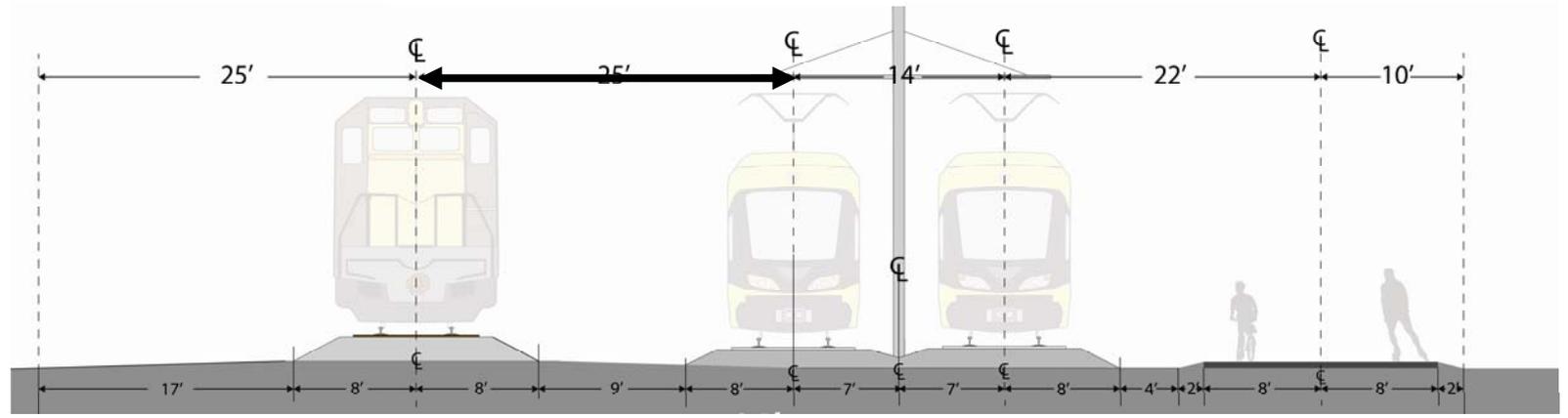
Total Width Required



Total Width Required

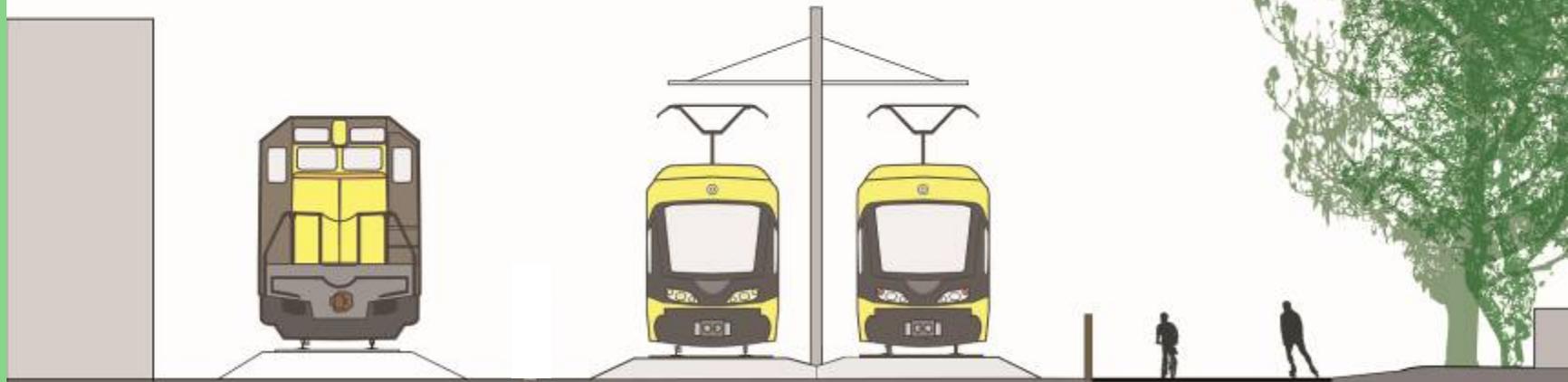


25 feet, minimum



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.

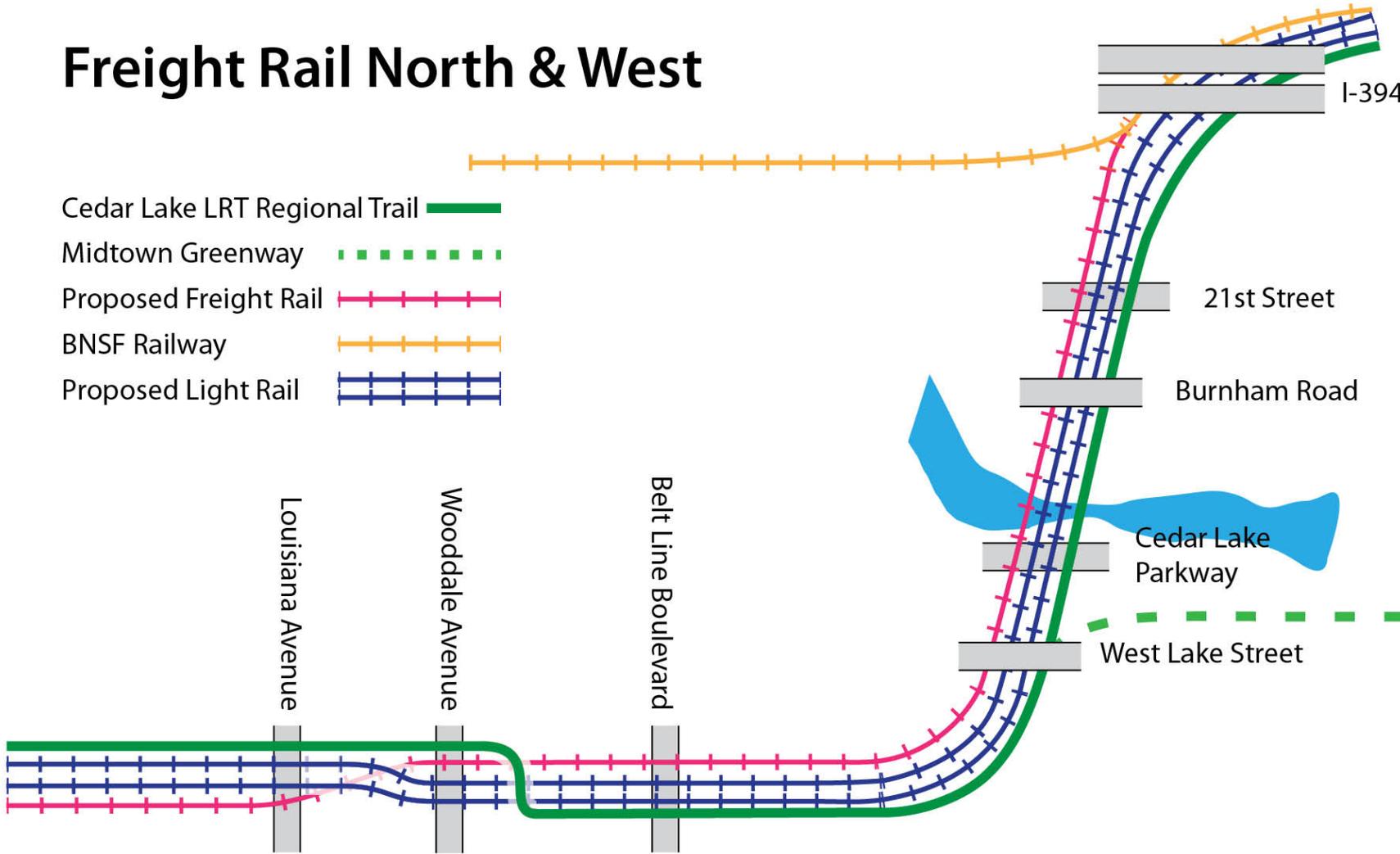


Looking North

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



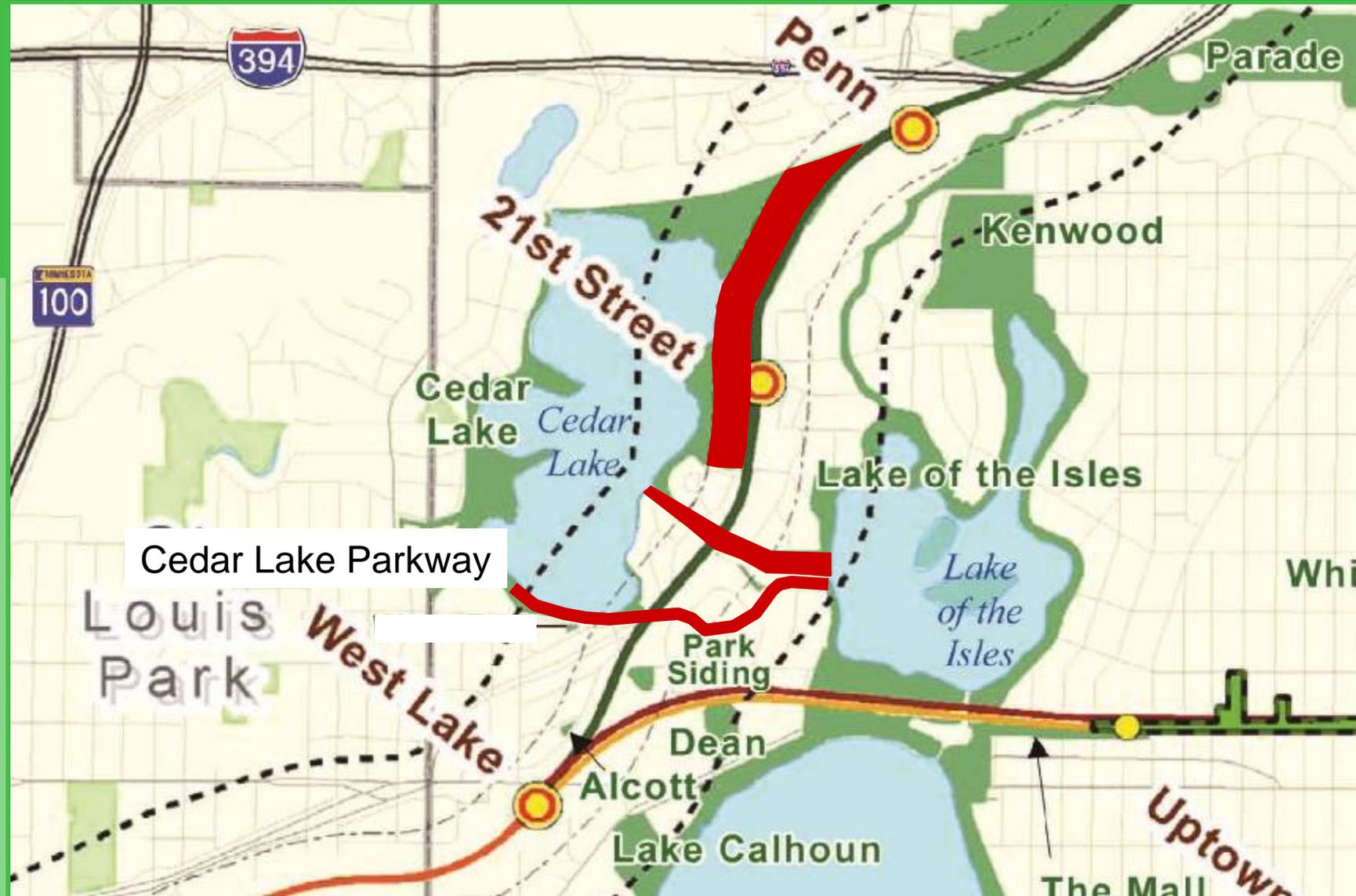
Potential Environmental Risk

- 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



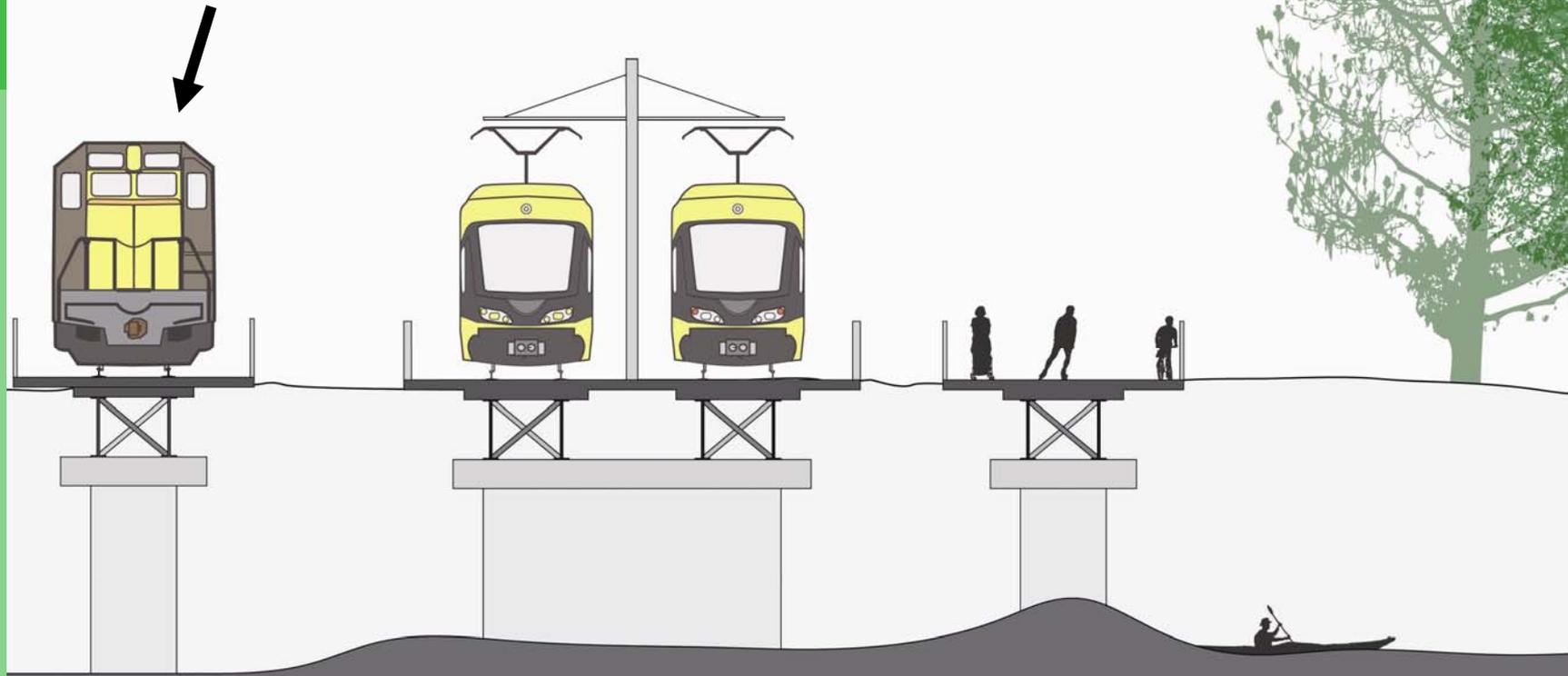
Cedar-Isles Channel

- 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

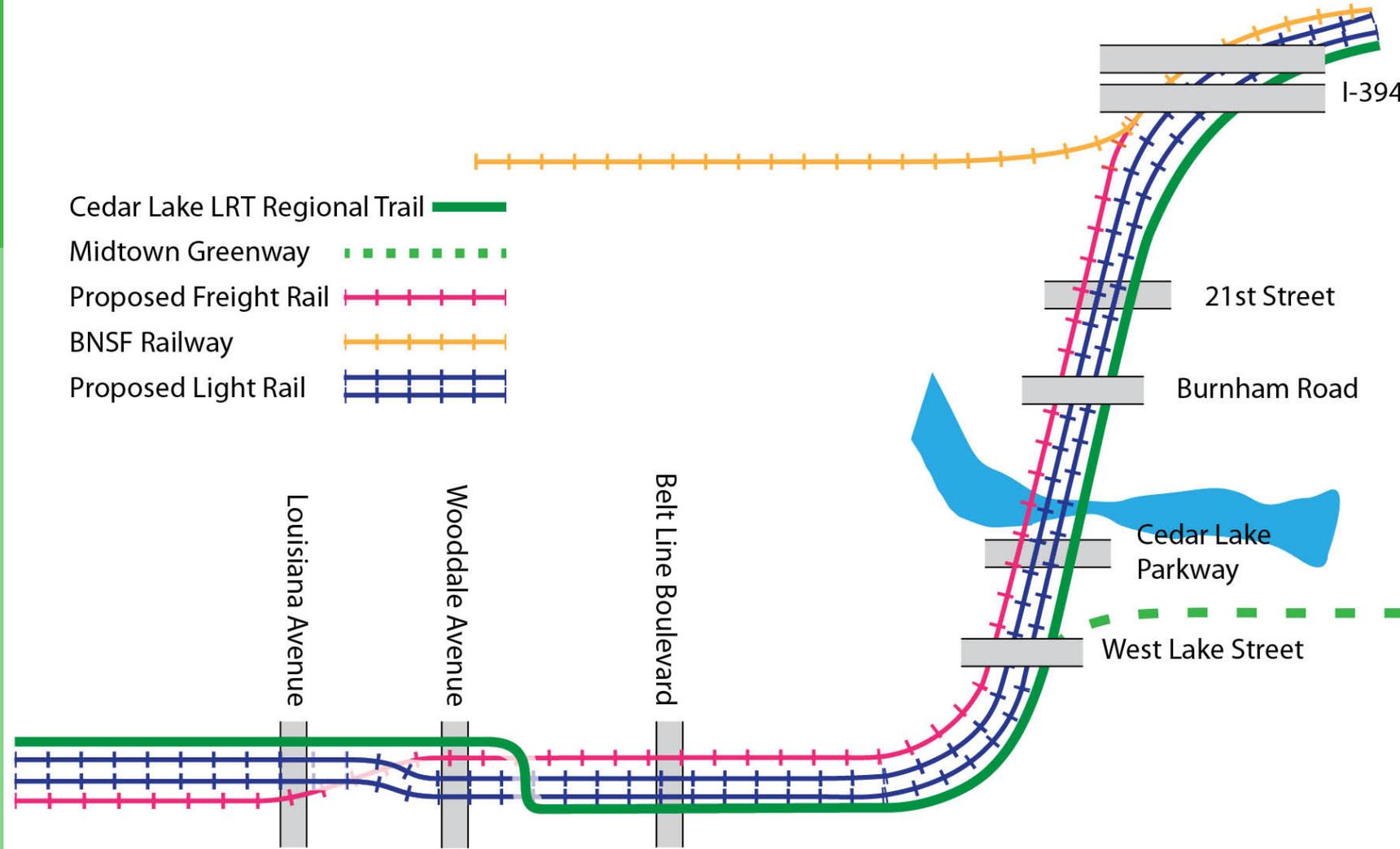


Looking North

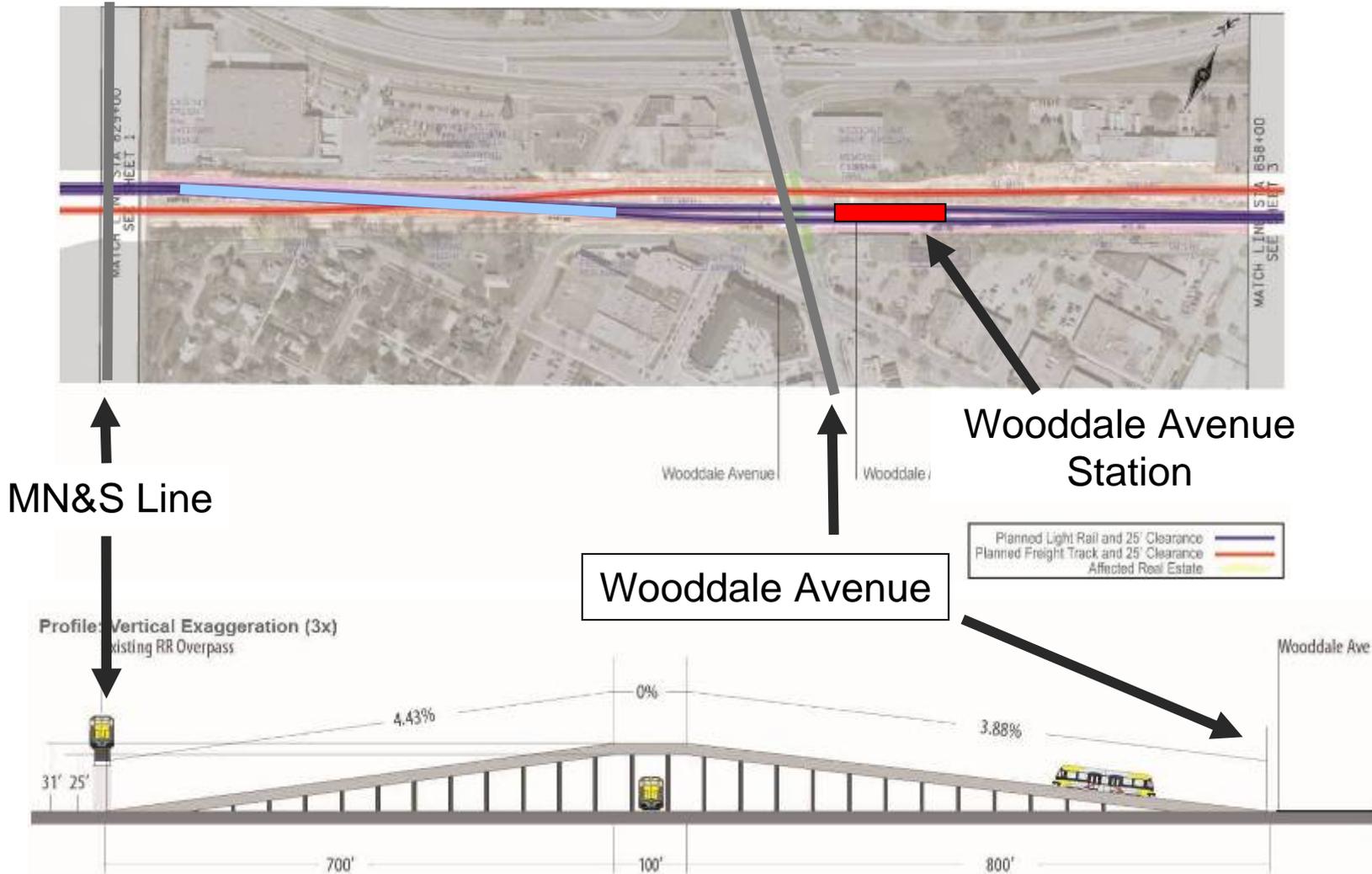
Cedar Lake Parkway



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

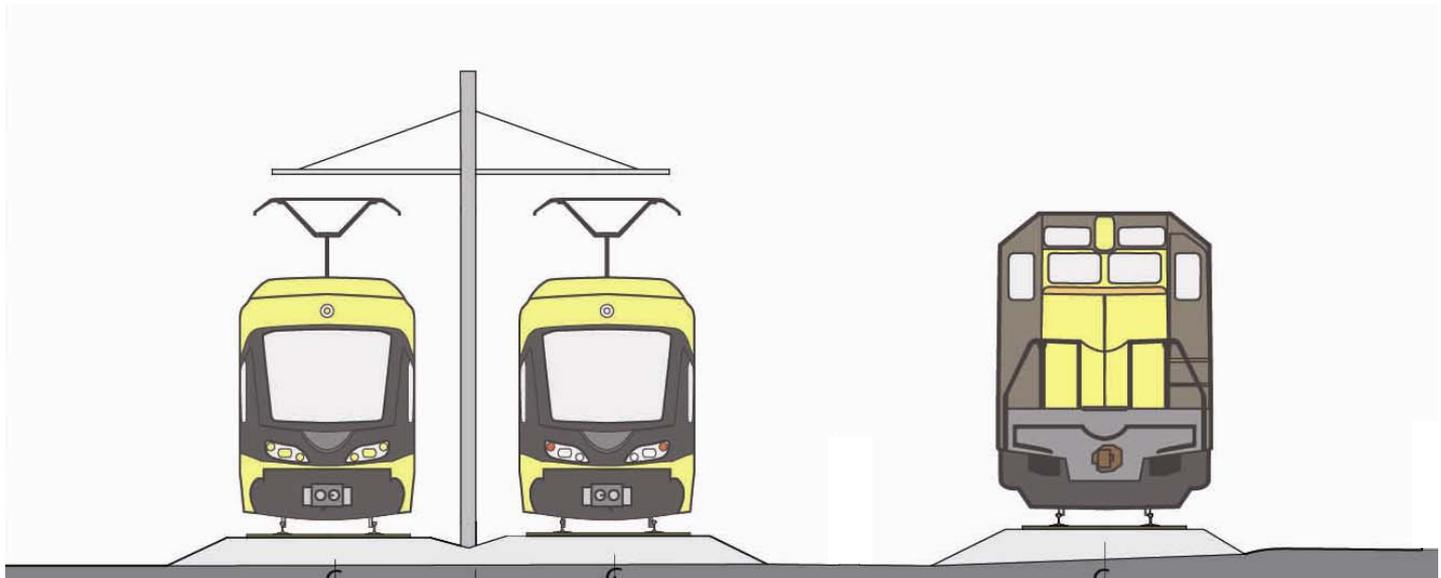
- Transportation system impacts –
 - Functionality of Commuter Bicycle trail maintained.
- Property acquisition –
 - 33-57 housing units acquired.
 - Disruption of townhouse development.
- Environmental Issues –
 - Likely parkland (4f) impacts to:
 - Park Board property
 - Potential parkland (4f) impacts to:
 - Cedar-Isles channel
 - Cedar Lake Parkway

Presentation Outline

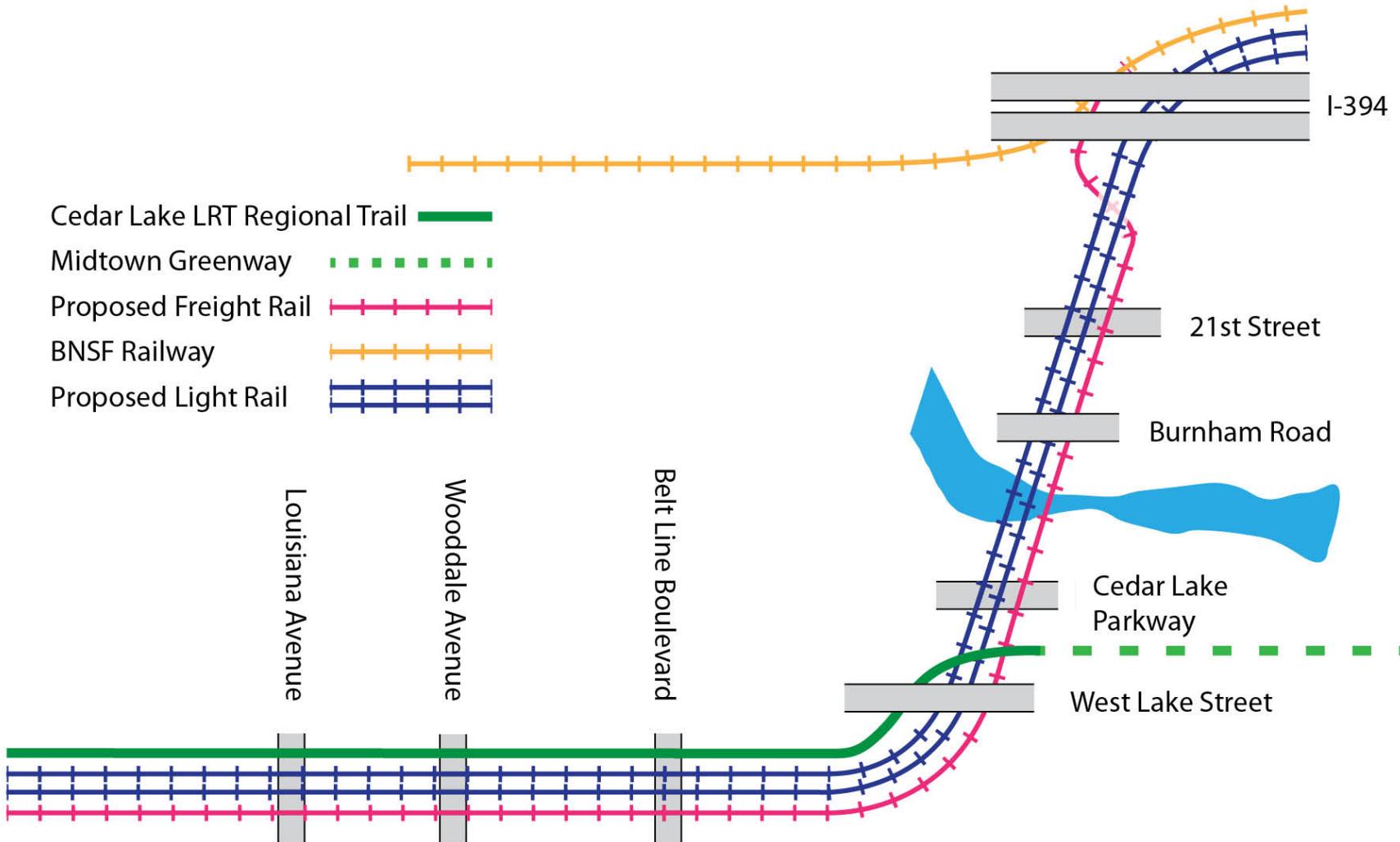
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Scenario #2 – Trail Relocated

- **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

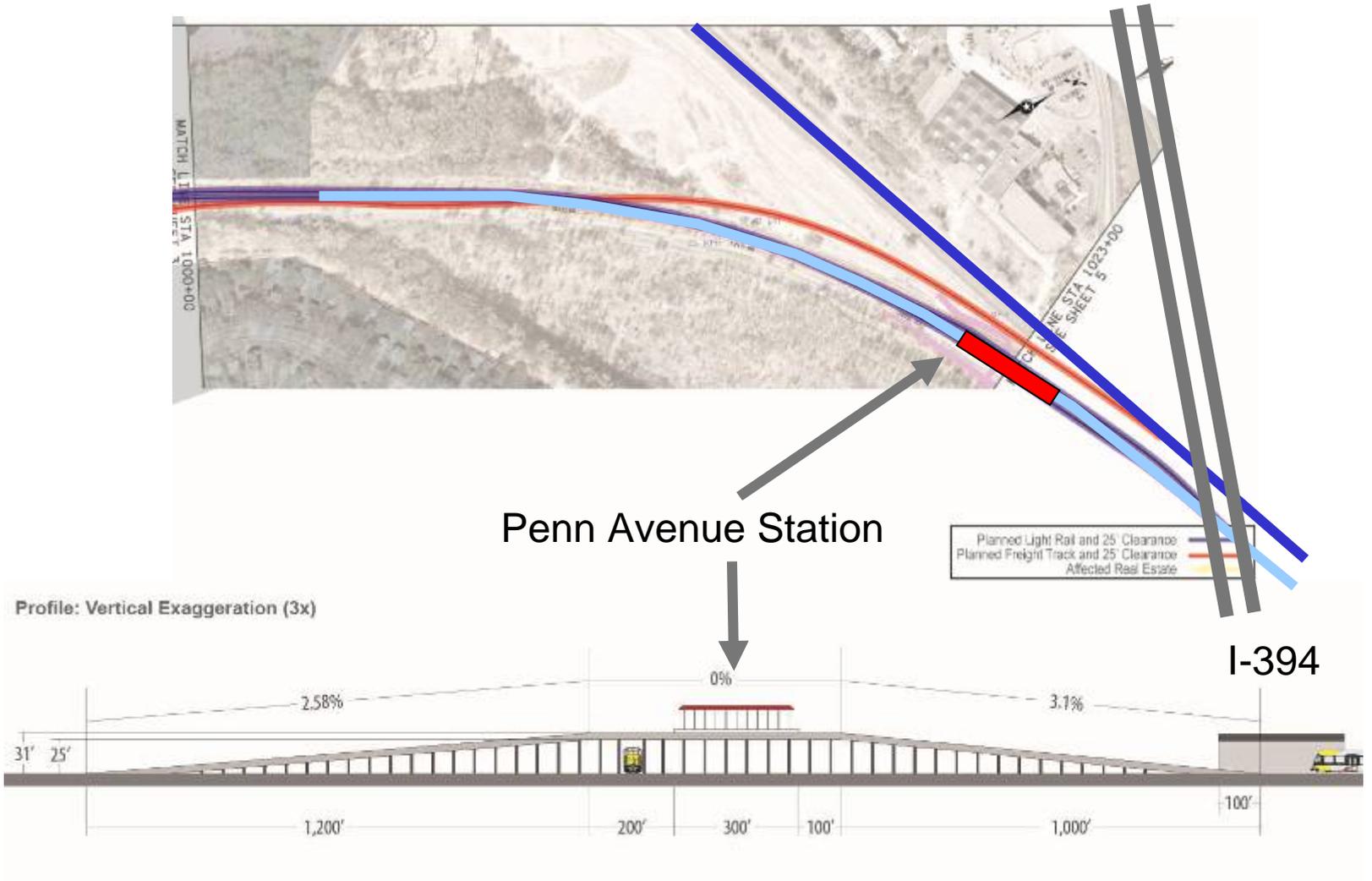




• 117 Total Housing Units

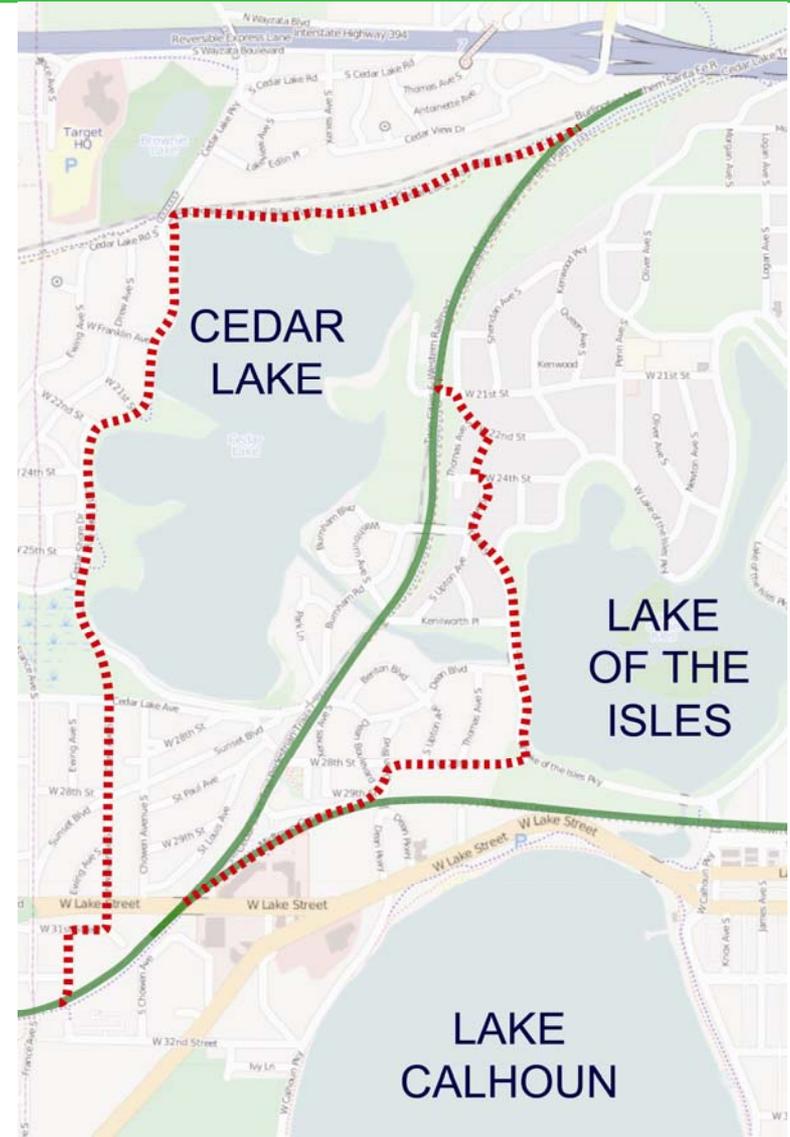
Potential Property Impacts

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

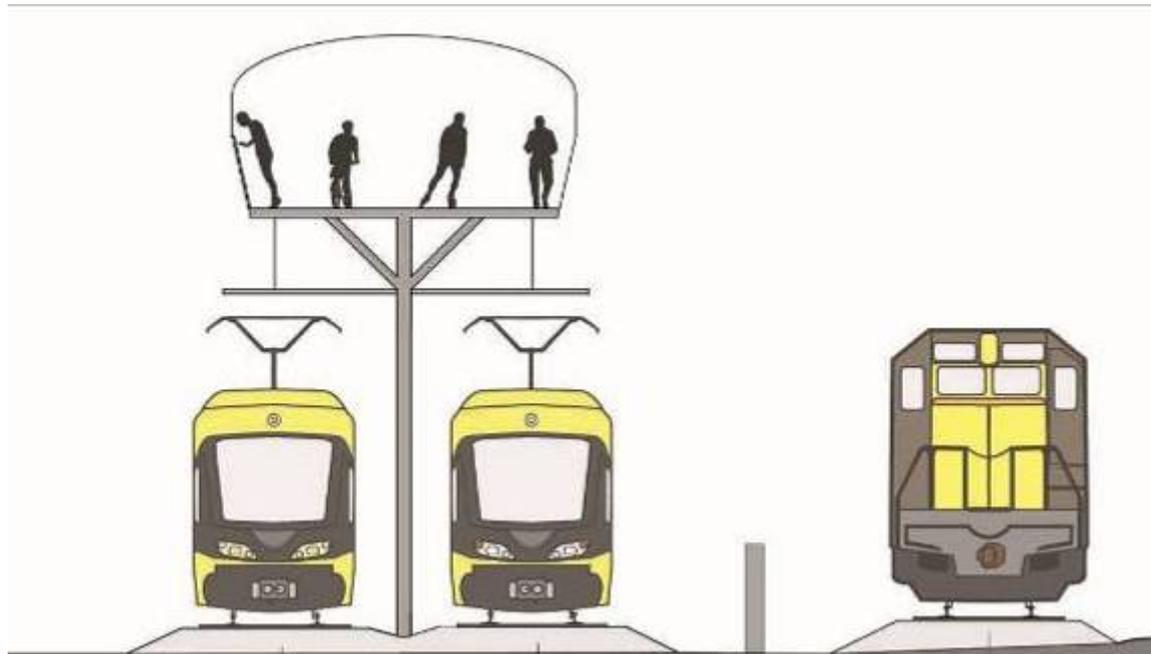
- Transportation system impacts –
 - Commuter bicycle trail is removed from corridor.
- Property acquisition –
 - 117 Housing Units acquired
- Environmental Issues –
 - Potential parkland (4f) impacts to:
 - Park Board property
 - Cedar-Isles channel
 - Cedar Lake Parkway

Presentation Outline

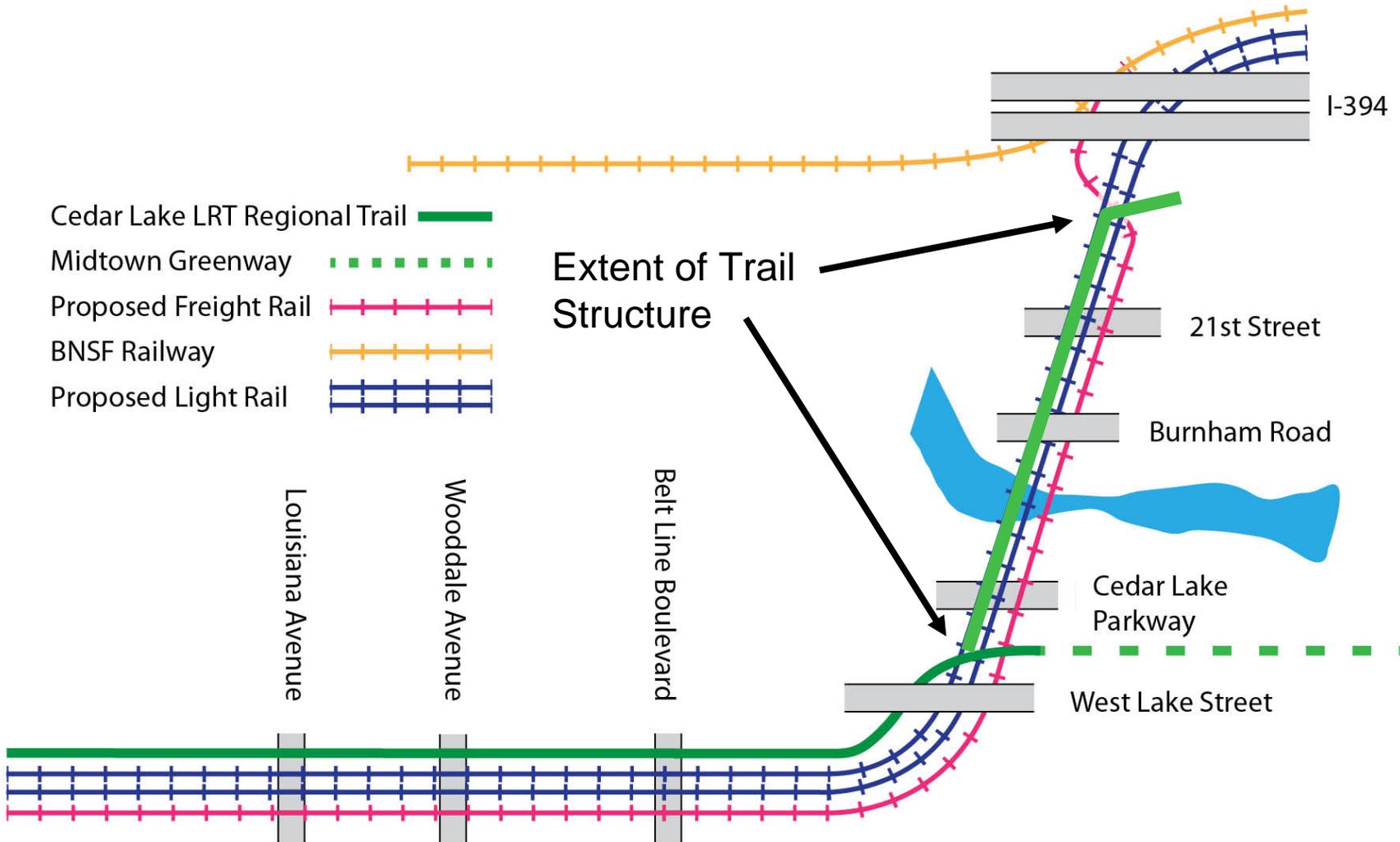
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Scenario #3 – Trail Over LRT

- **Trail on structure**
 - Bicycle Trail – Placed on structure through the corridor
 - Light Rail Transit – Constructed at-grade
 - Freight Railroad – Constructed at-grade



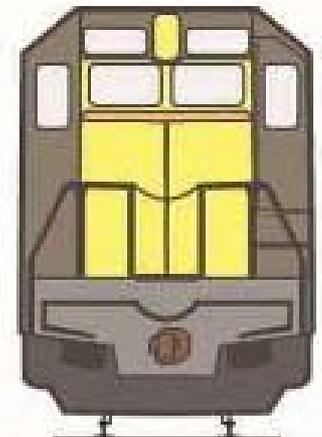
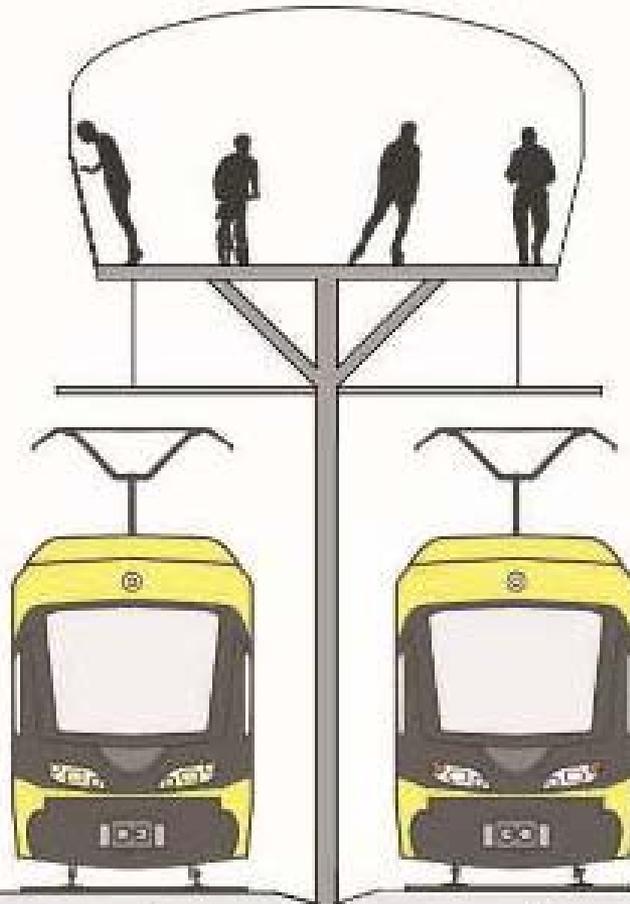
Scenario #3 – Trail Over LRT



Scenario #3 – Trail Over LRT

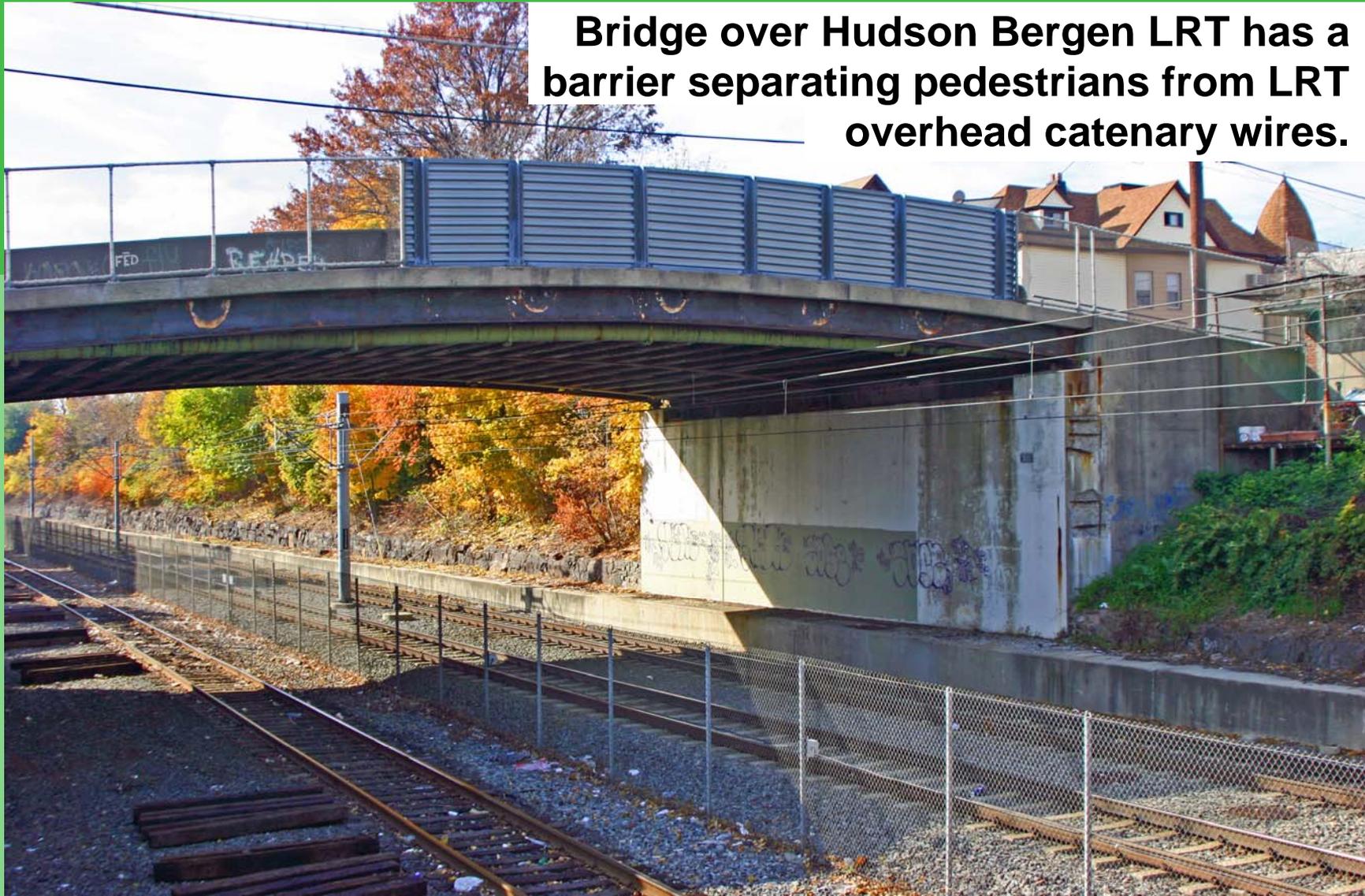
Bicycle bridge could be integrated with LRT OCS poles.

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



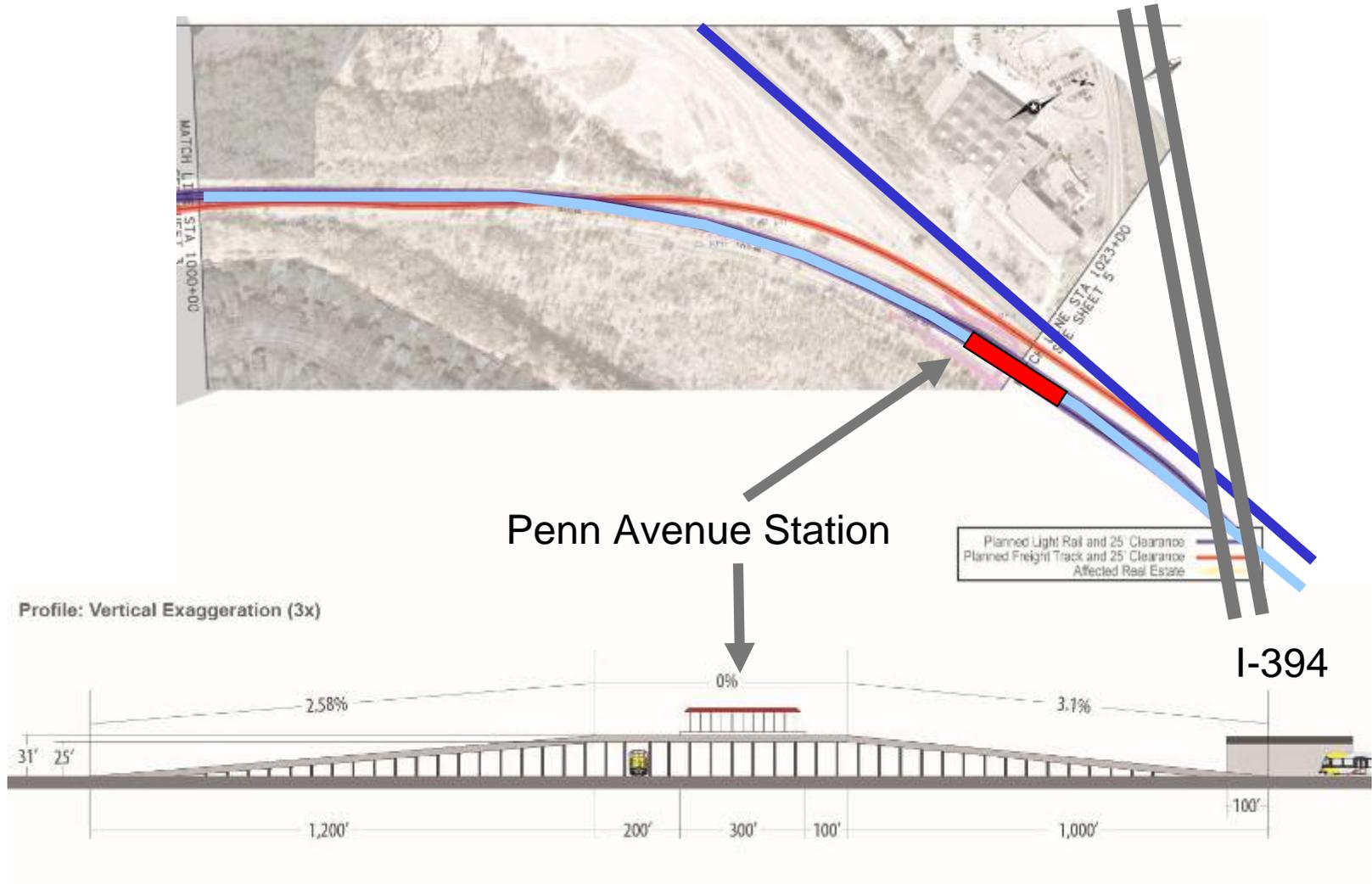
Bridge over freight tracks at Kansas City rail passenger station has a barrier to protect trains from vandalism.

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**

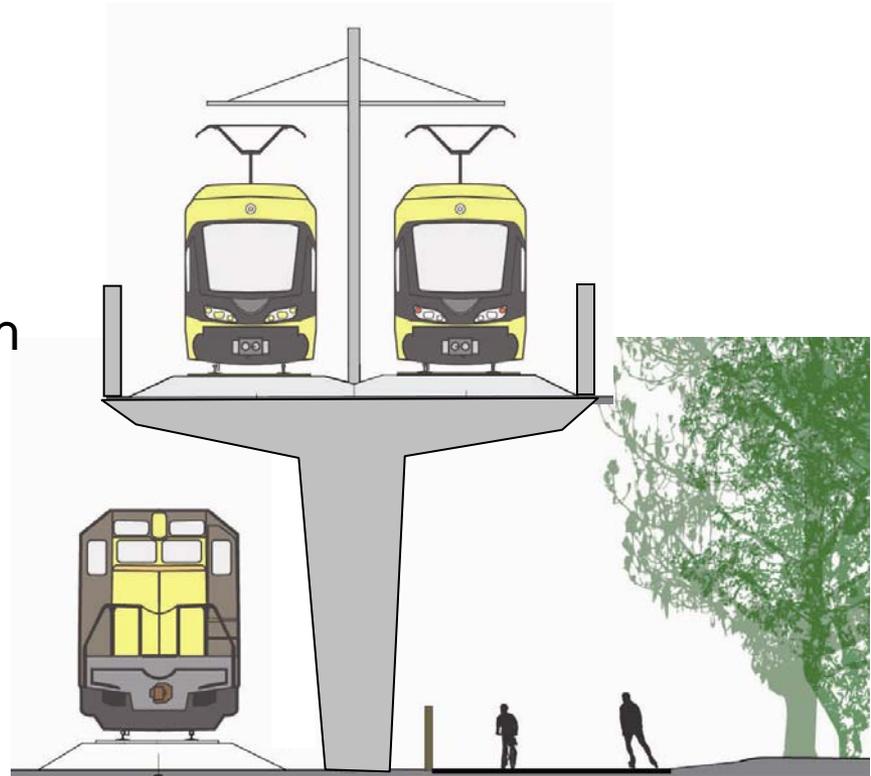
- Environmental Issues –
 - Potential parkland (4f) impacts to:
 - **Park Board property**
 - **Cedar-Isles channel**
 - **Cedar Lake Parkway**

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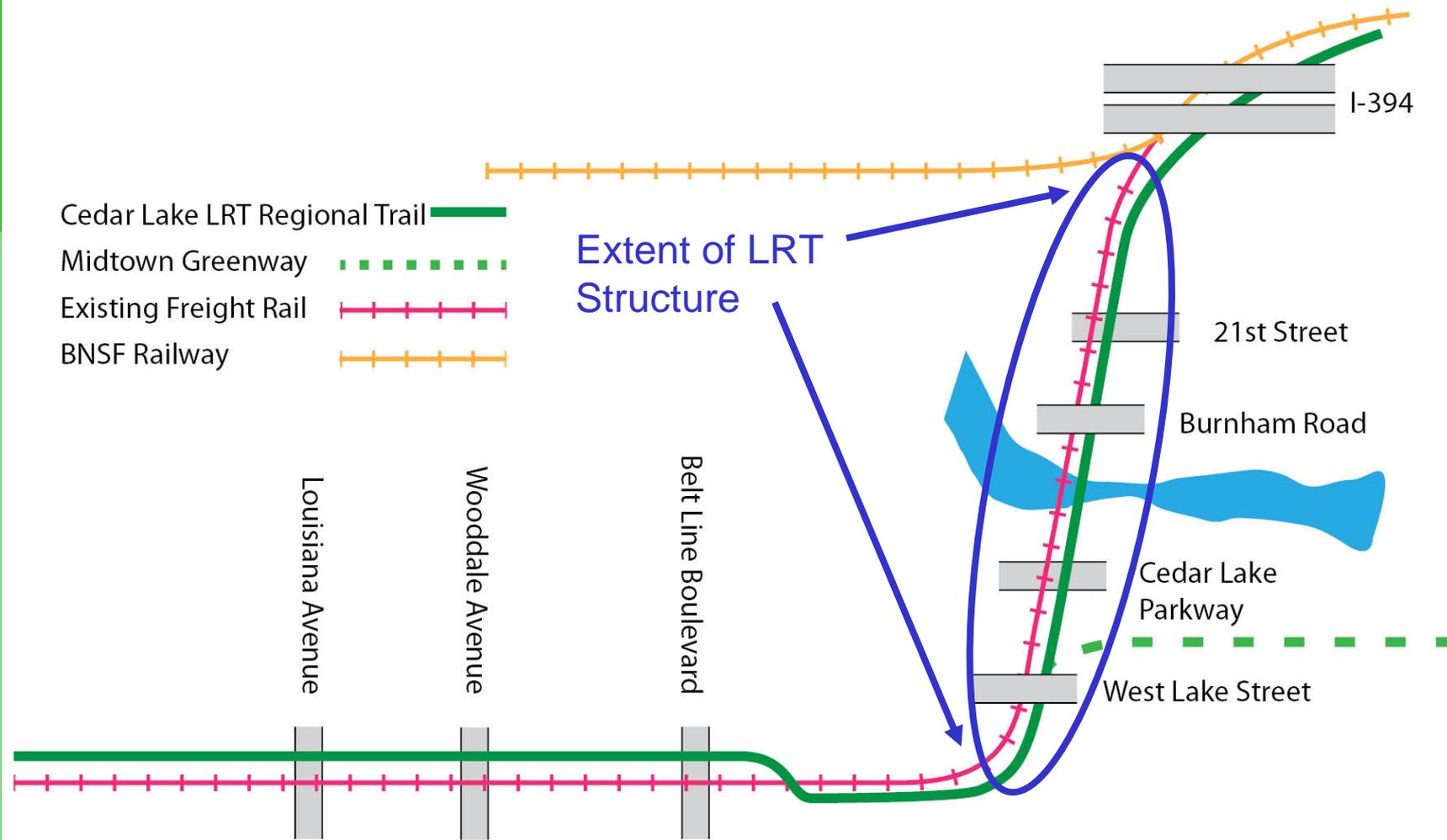
Scenario # 4 – LRT on Structure

- **LRT on structure**
 - Freight Railroad – Remains
 - Bicycle Trail – Remains
 - Light Rail Transit – Constructed through corridor on aerial structure.



Looking North

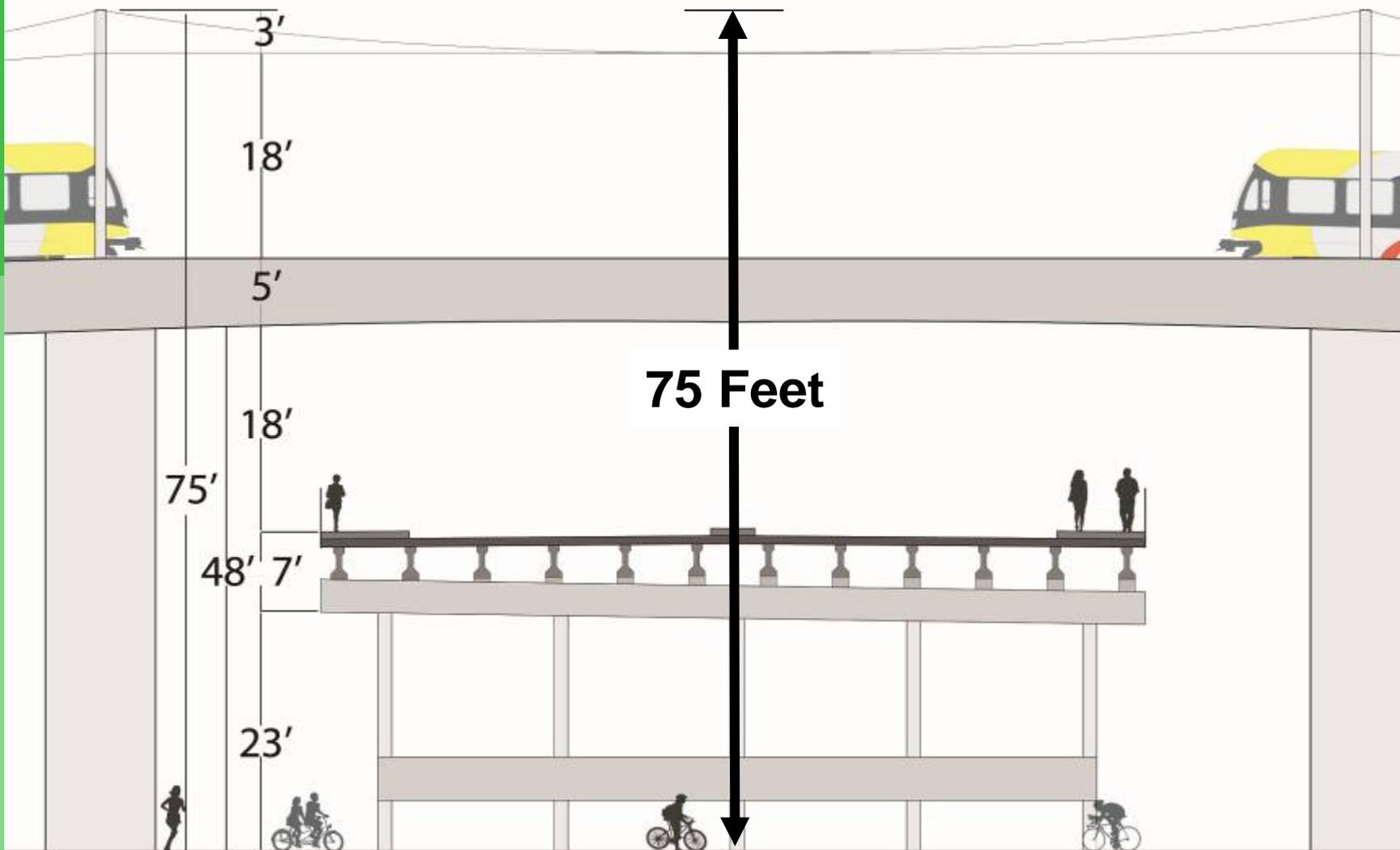
Scenario # 4 – LRT on Structure



Scenario # 4 – LRT on Structure

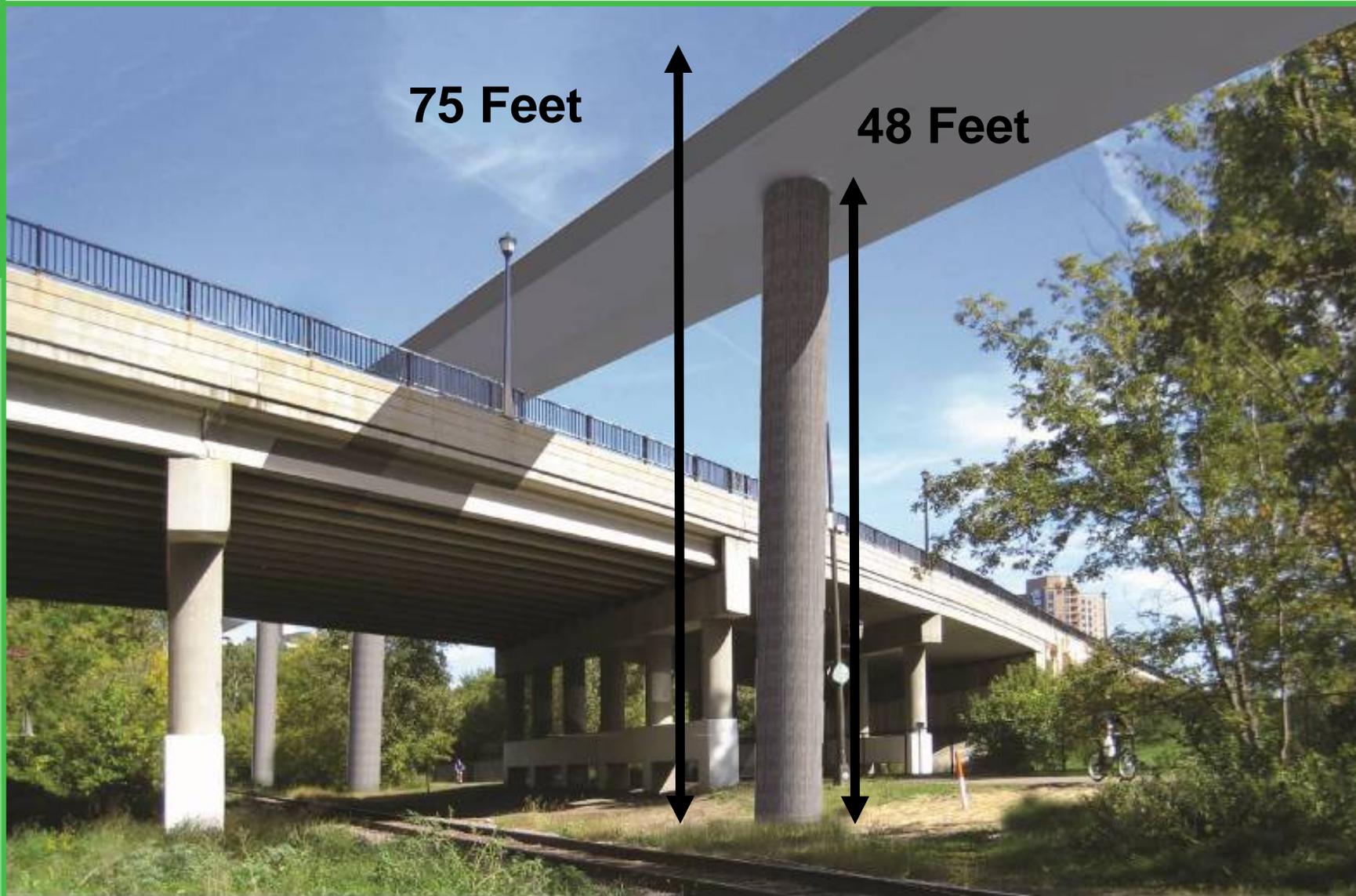
- There is insufficient room north of the West Lake Street Bridge for LRT to rise from ground level to full height before reaching the narrow part of the corridor.
- An aerial structure for LRT would need to be at full height before crossing the West Lake Street Bridge.

Scenario # 4 – LRT on Structure



Looking West

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

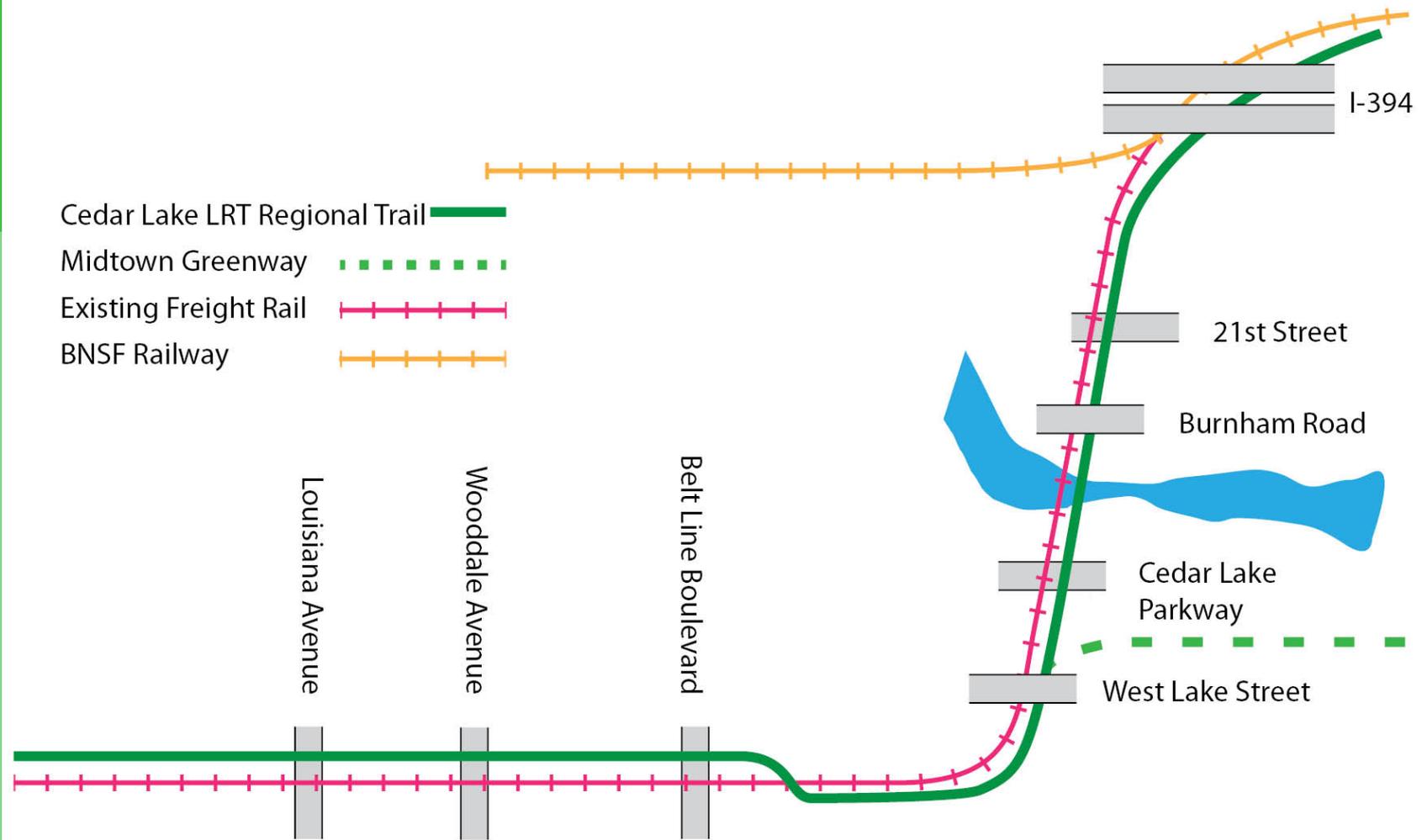
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Scenario # 5 – LRT in Tunnel

- **LRT in tunnel**
 - Bicycle Trail – Remains
 - Light Rail Transit – Constructed through corridor with portions in tunnel
 - Freight Railroad – Constructed at-grade

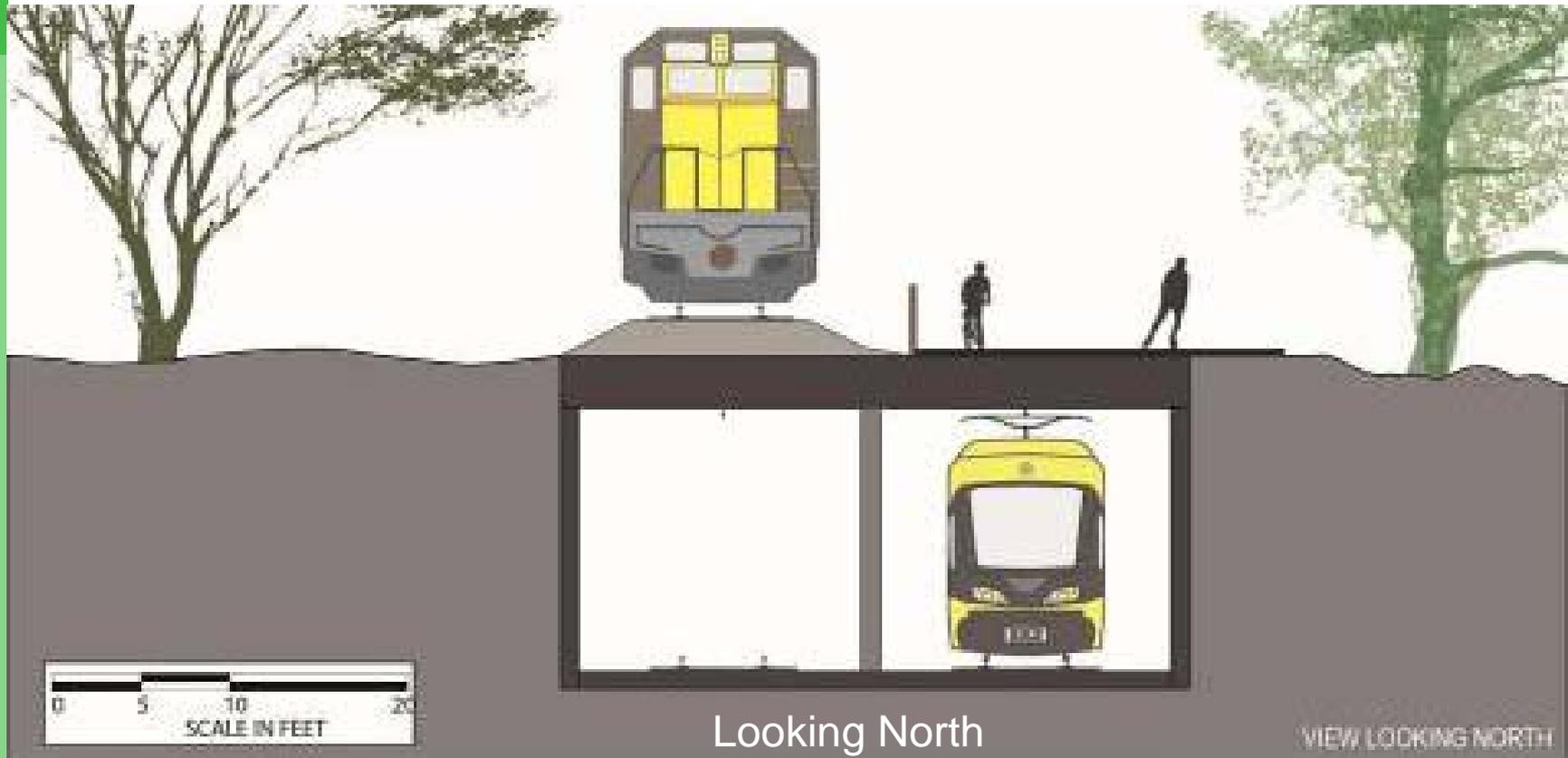


Scenario # 5 – LRT in Tunnel



Scenario # 5 – LRT in Tunnel

- Cut and Cover alternative impractical because of the weight of freight trains.



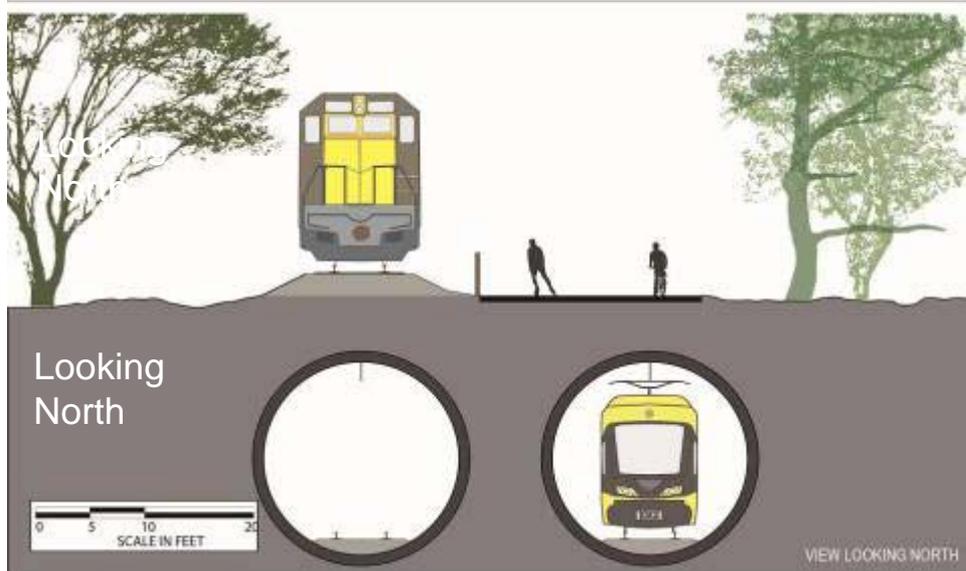
Scenario # 5 – LRT in Tunnel

- 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.

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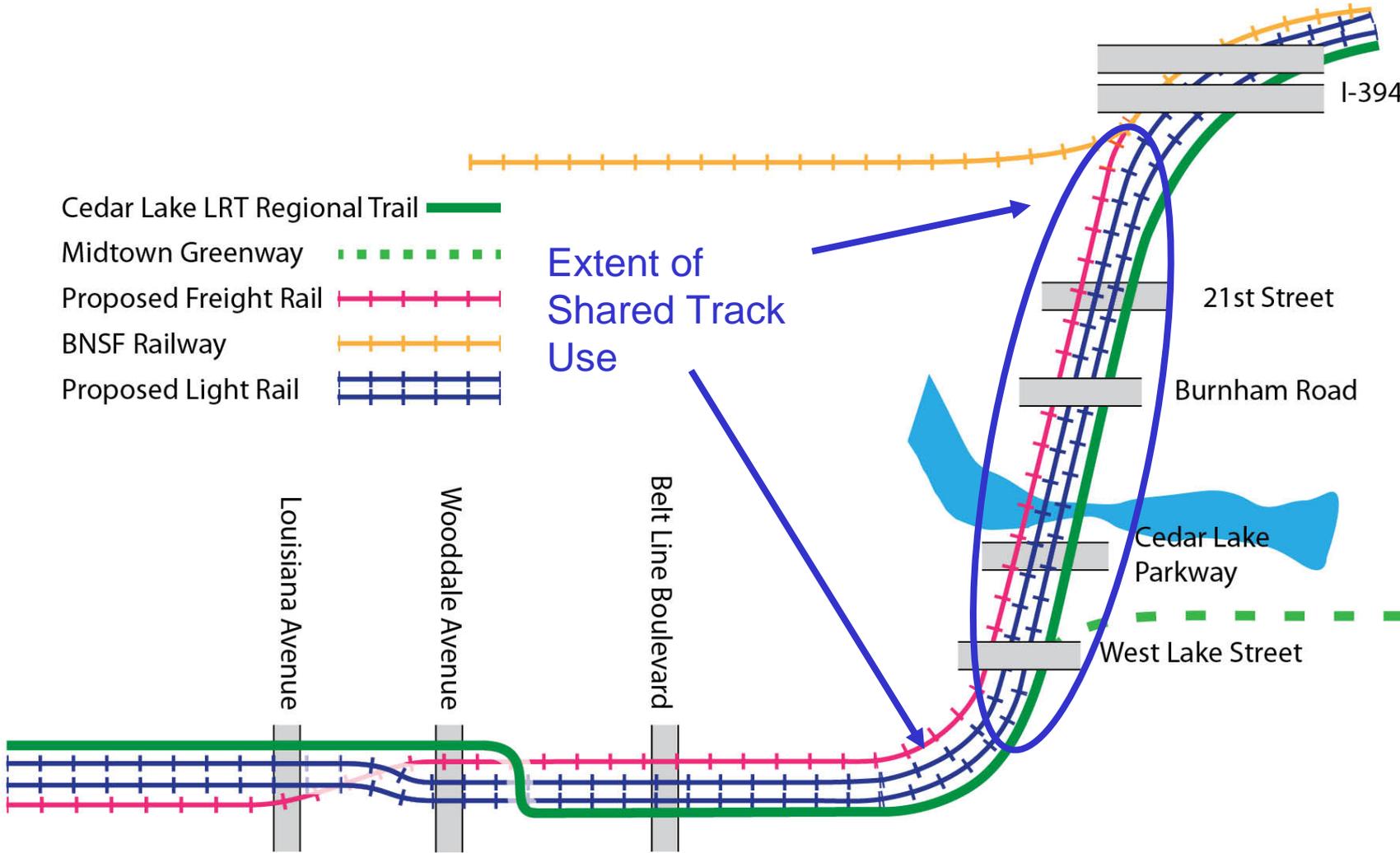
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Scenario # 6 – Shared Track Use

- **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

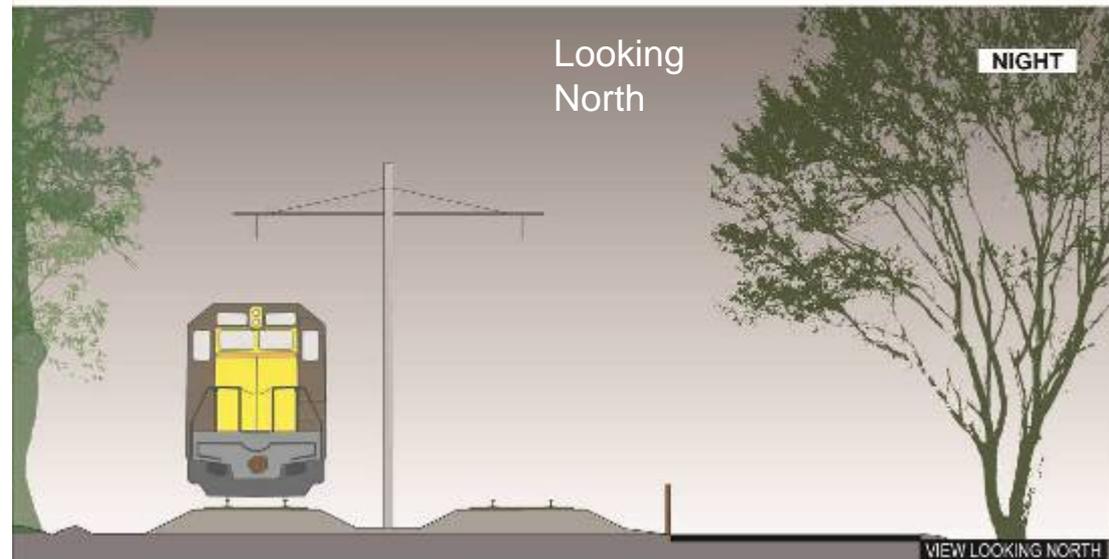


Scenario # 6 – Shared Track Use



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.

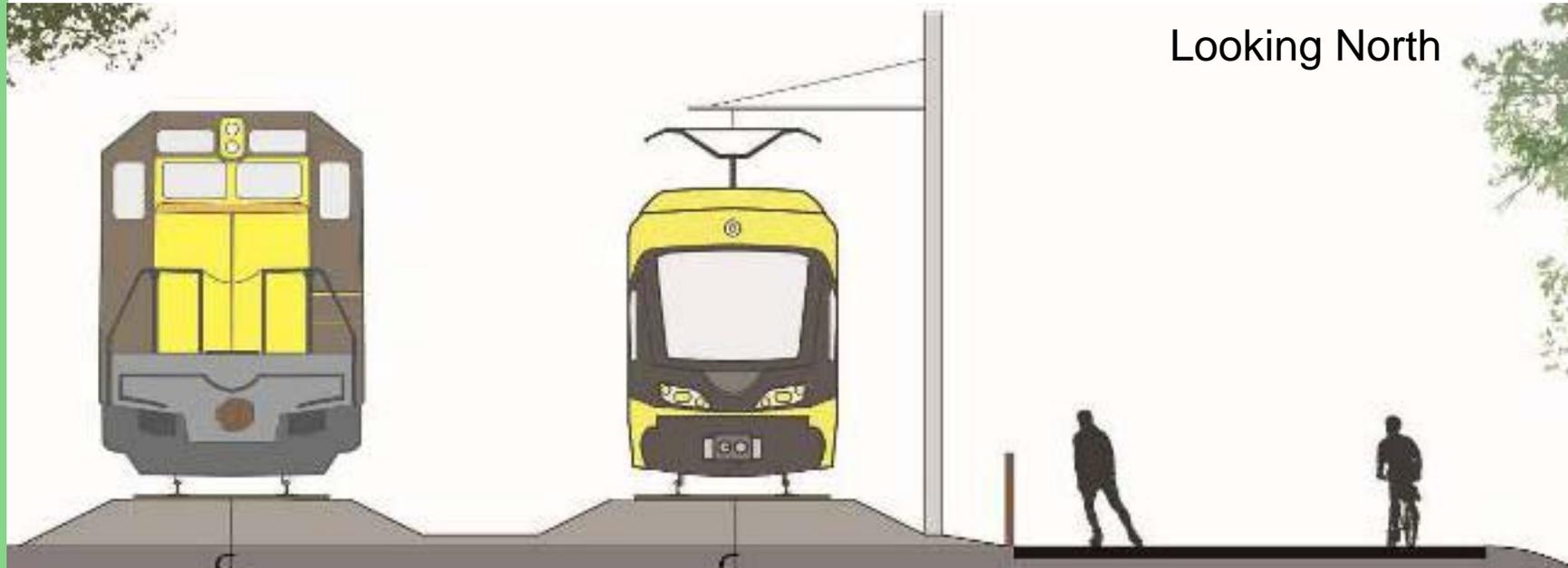
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 - Potential parkland (4f) impacts to:
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 - Cedar-Isles channel
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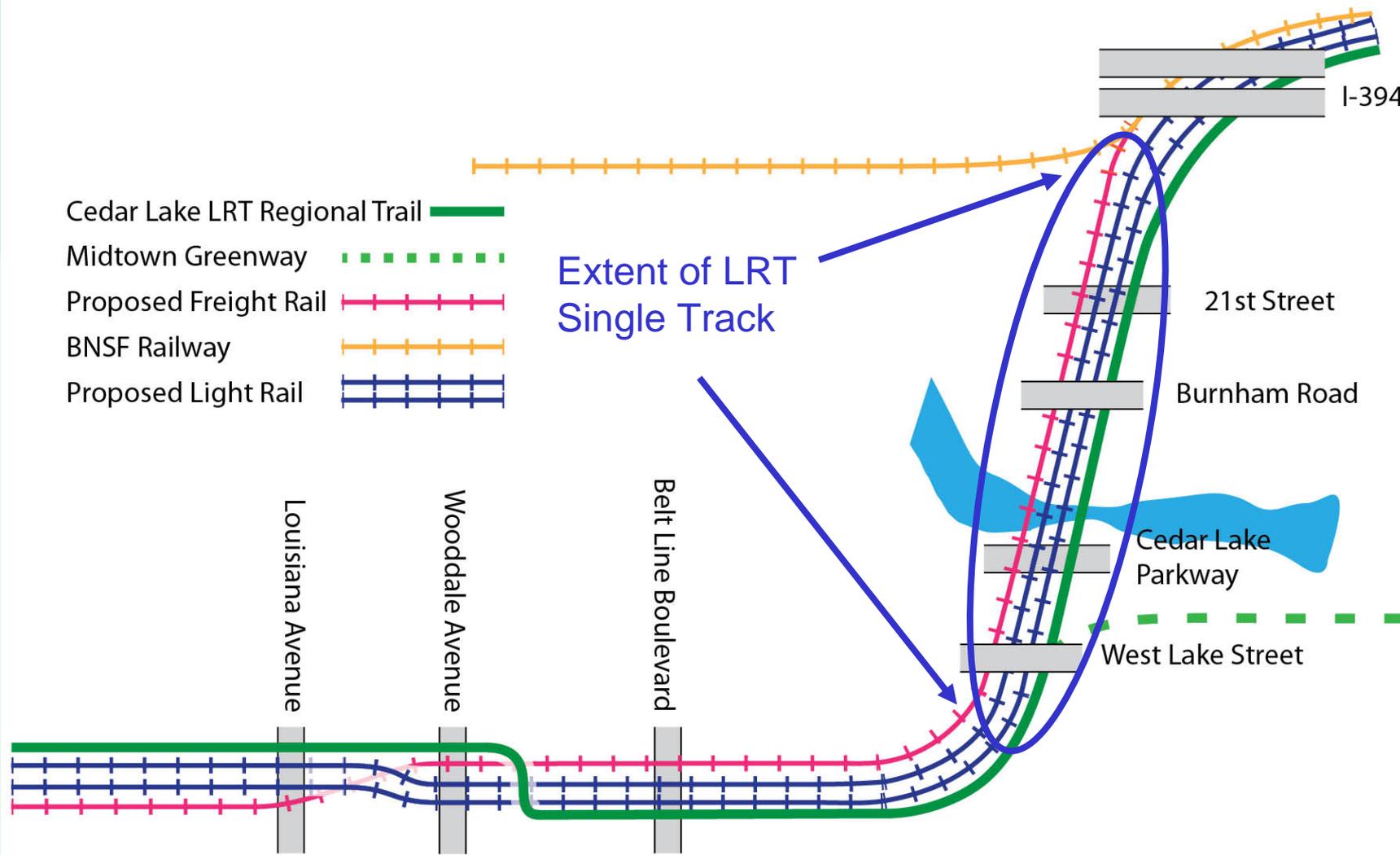
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Scenario # 7 – LRT Single Track

- **LRT single track**
 - Bicycle Trail – Remains
 - Light Rail Transit – Constructed at-grade but with only one track
 - Freight Railroad – Constructed at-grade

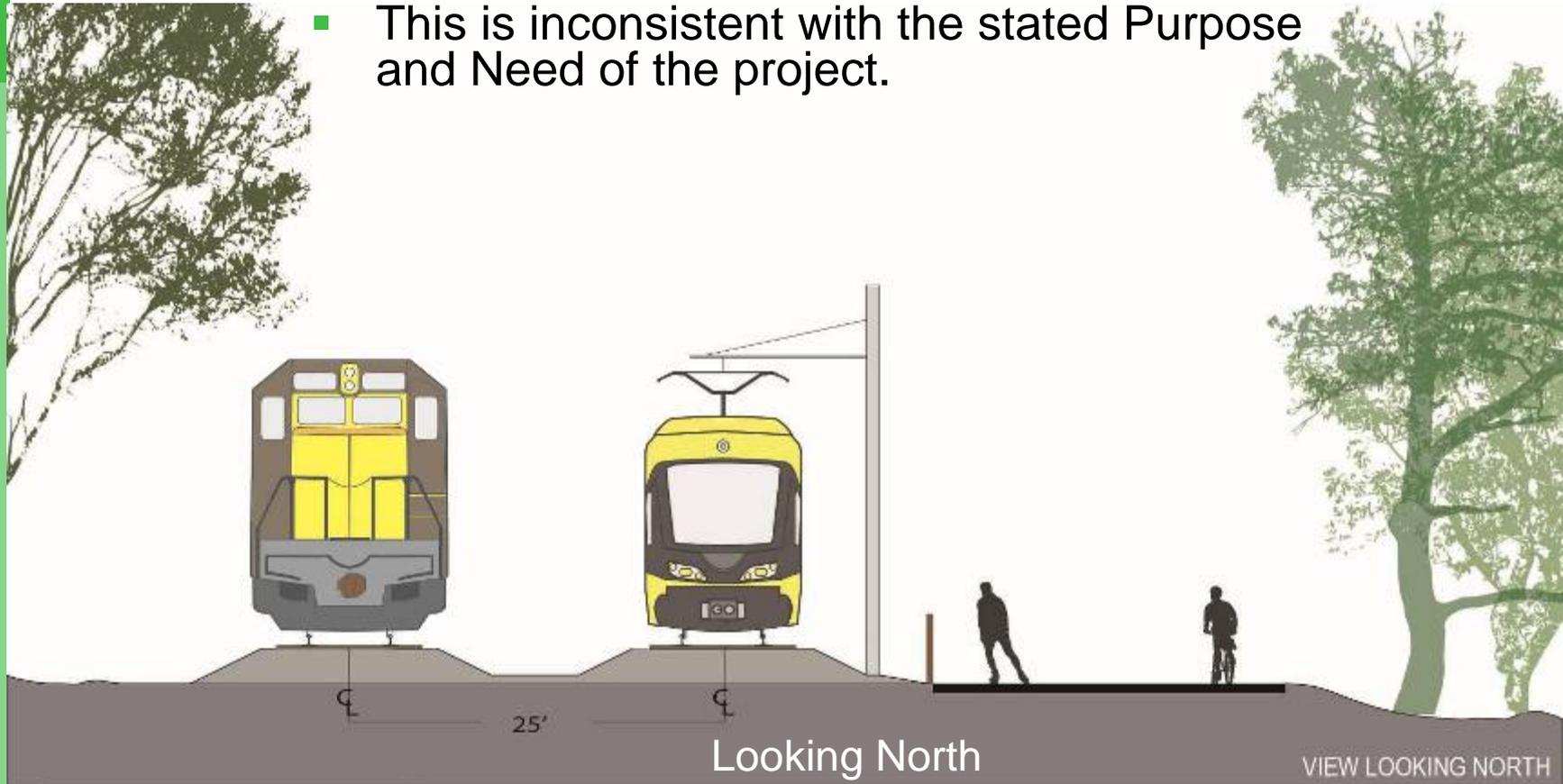


Scenario # 7 – LRT Single Track



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
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Summary

	<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6</i>	<i>7</i>
	<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.

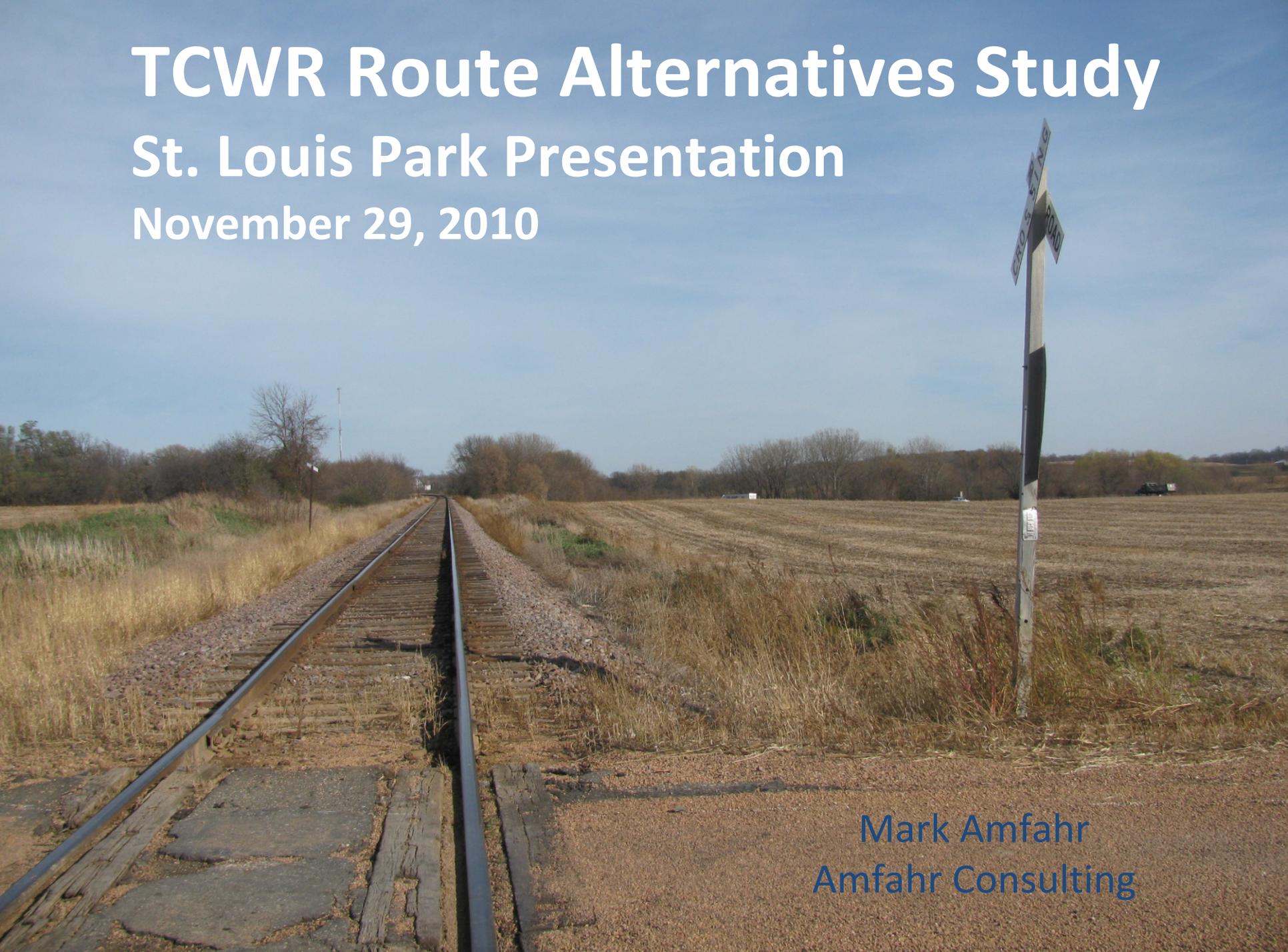
*Kenilworth Corridor:
Analysis of Freight Rail / LRT Coexistence*

Thank You

TCWR Route Alternatives Study

St. Louis Park Presentation

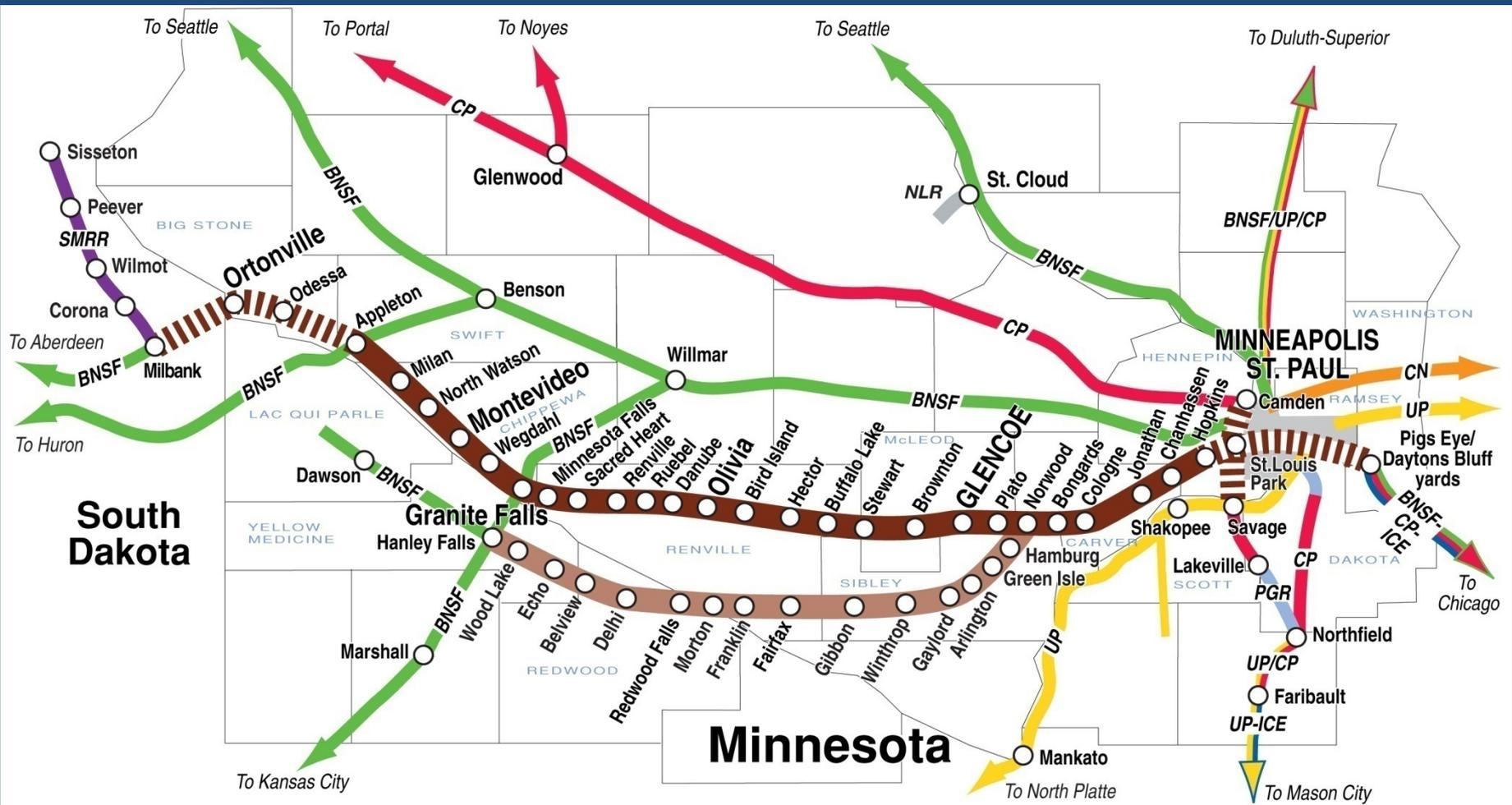
November 29, 2010



Mark Amfahr
Amfahr Consulting

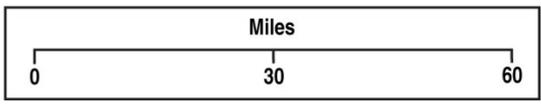
Study Purpose

- 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.

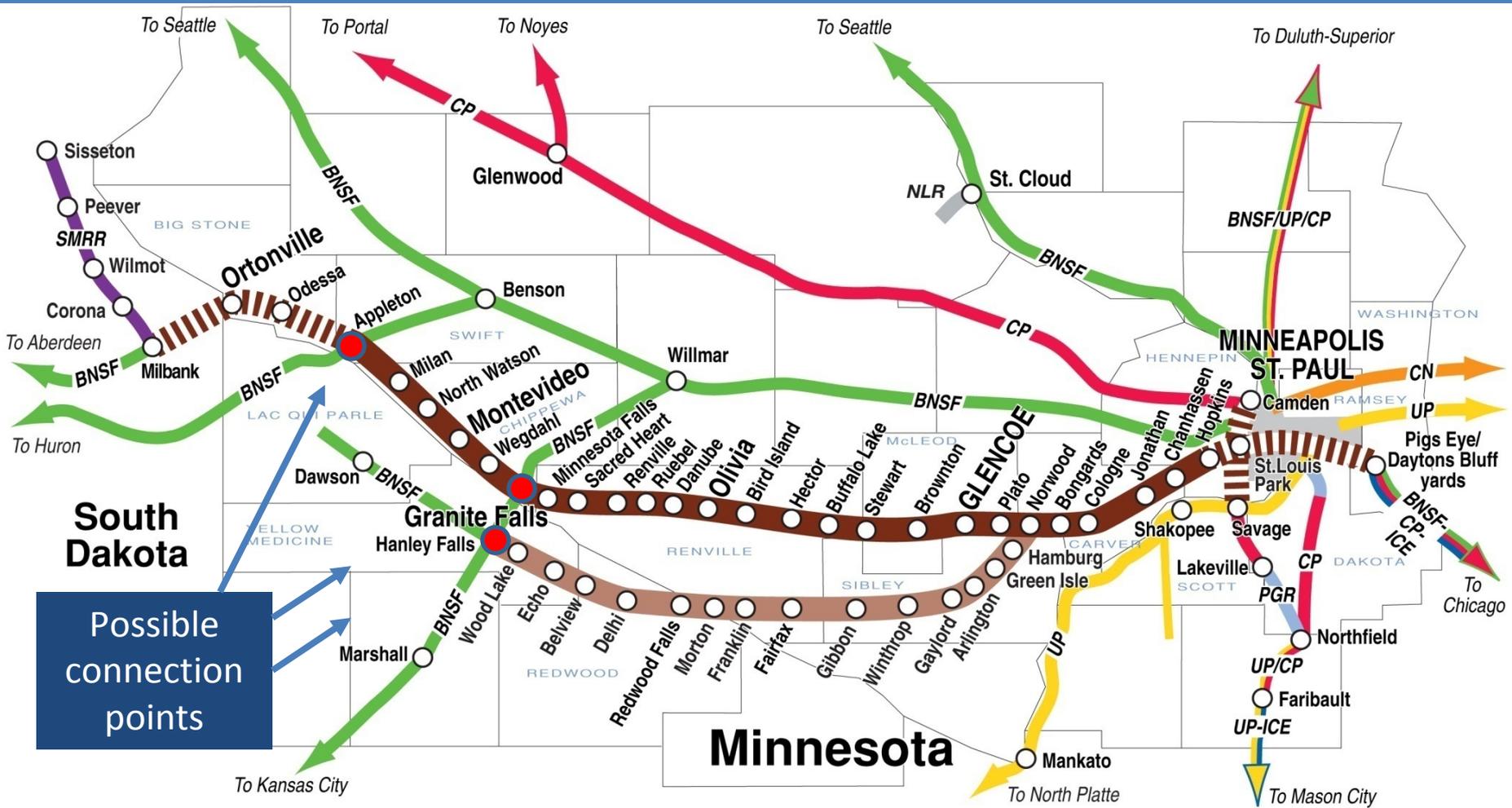
Potential Environmental Risks

- Potential for adverse impacts upon critical environmental resources.

Implementation Factors

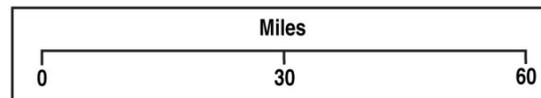
- Elements affecting implementation (agreements, permits, etc).
- Route must be acceptable to TCWR.

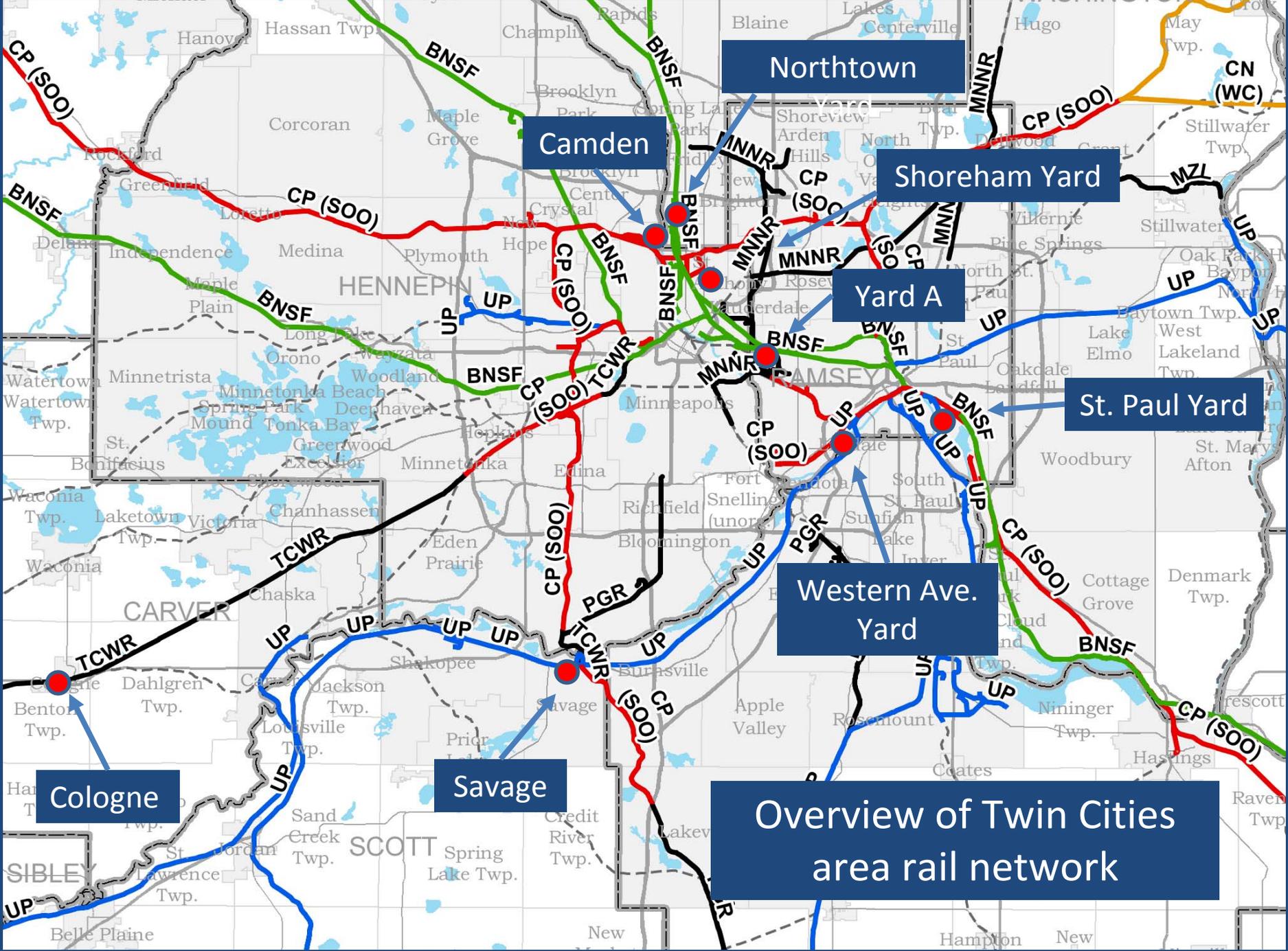
"Western Connection" options



Twin Cities & Western Railroad Company

-  Twin Cities & Western
-  Minnesota Prairie Line
-  Trackage rights





Northtown

Camden

Shoreham Yard

Yard A

St. Paul Yard

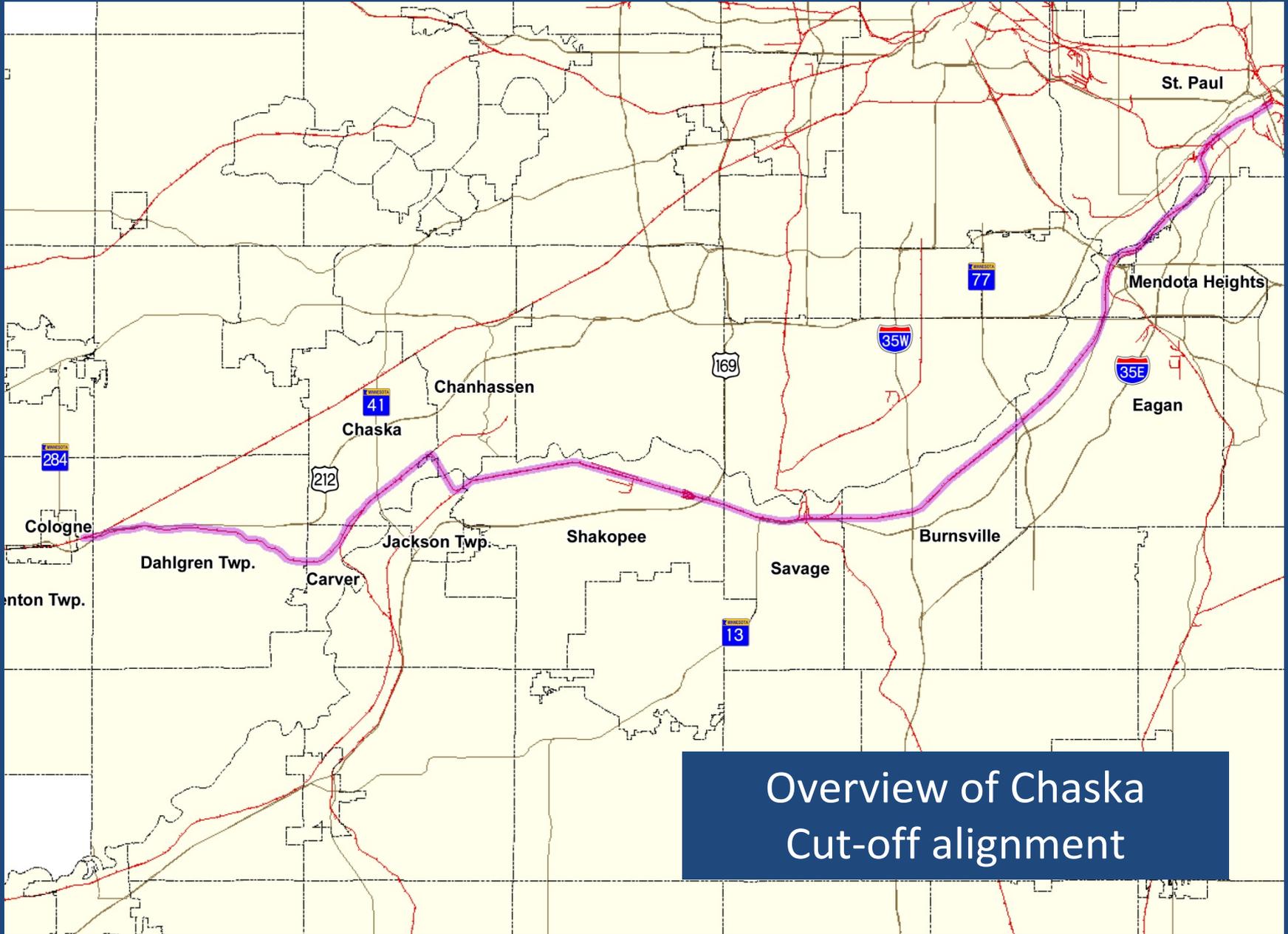
Western Ave.
Yard

Savage

Cologne

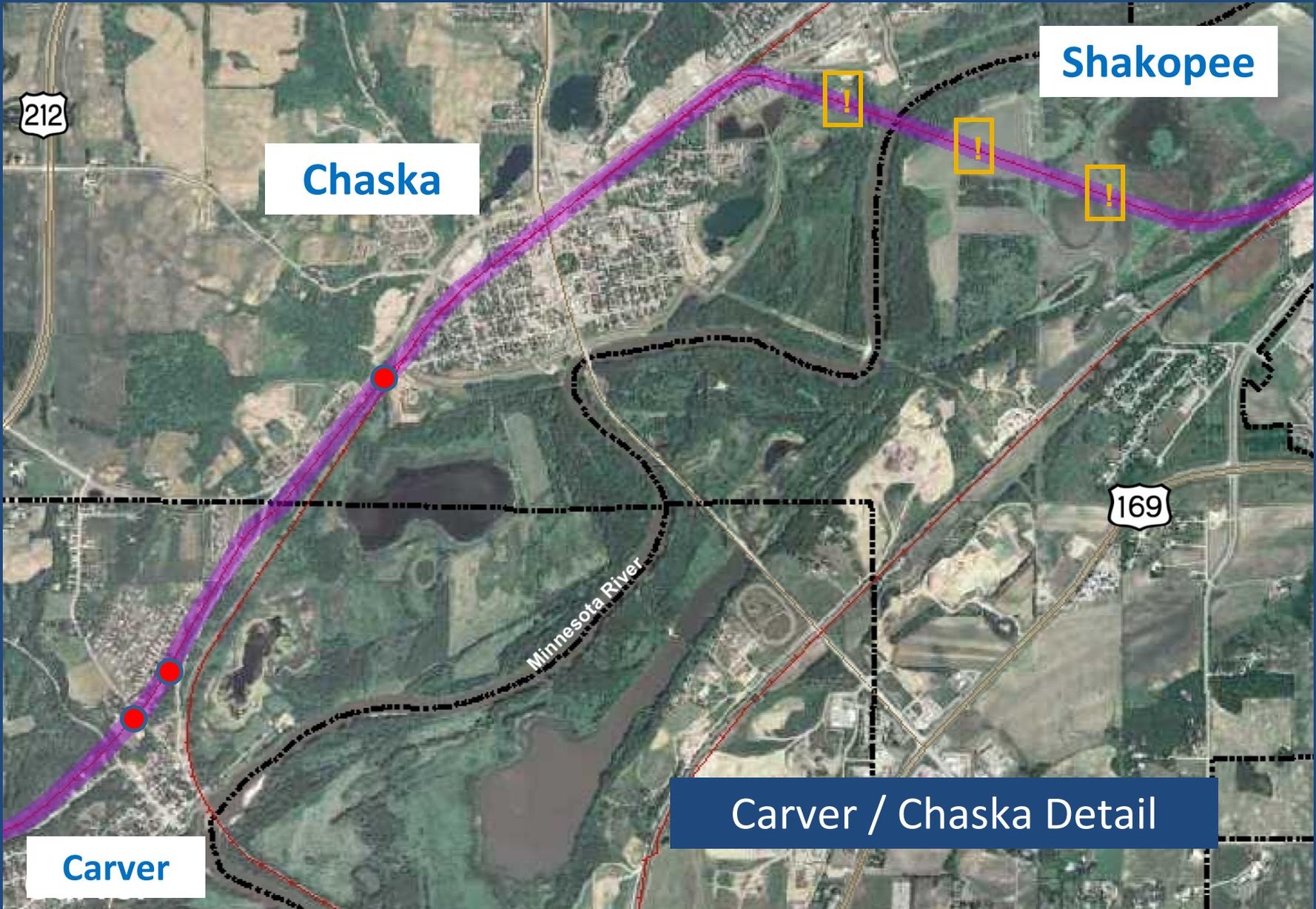
Overview of Twin Cities
area rail network

Chaska Cut-off Alternative



Overview of Chaska Cut-off alignment

Chaska Cut-off Alternative

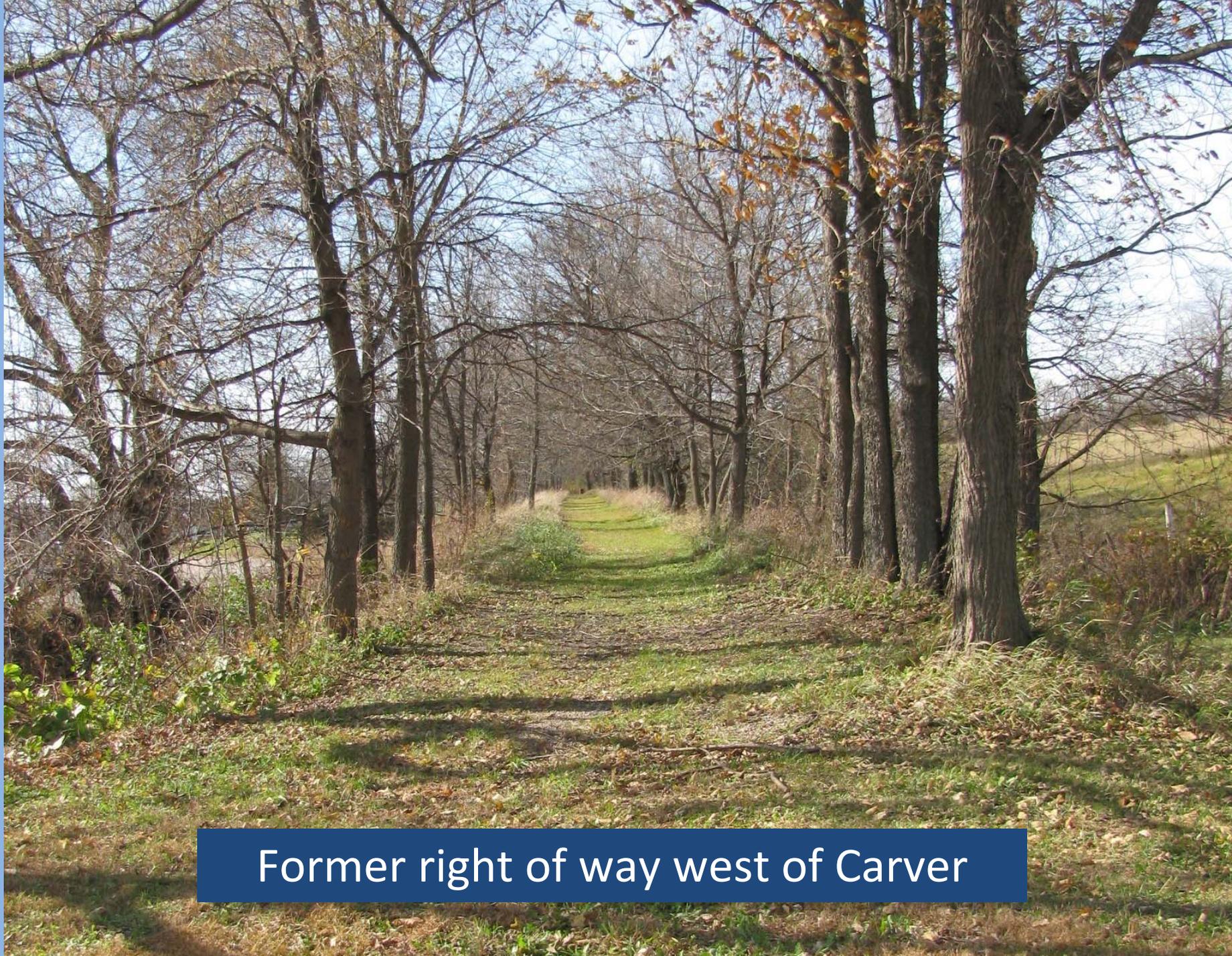


Chaska

Shakopee

Carver

Carver / Chaska Detail

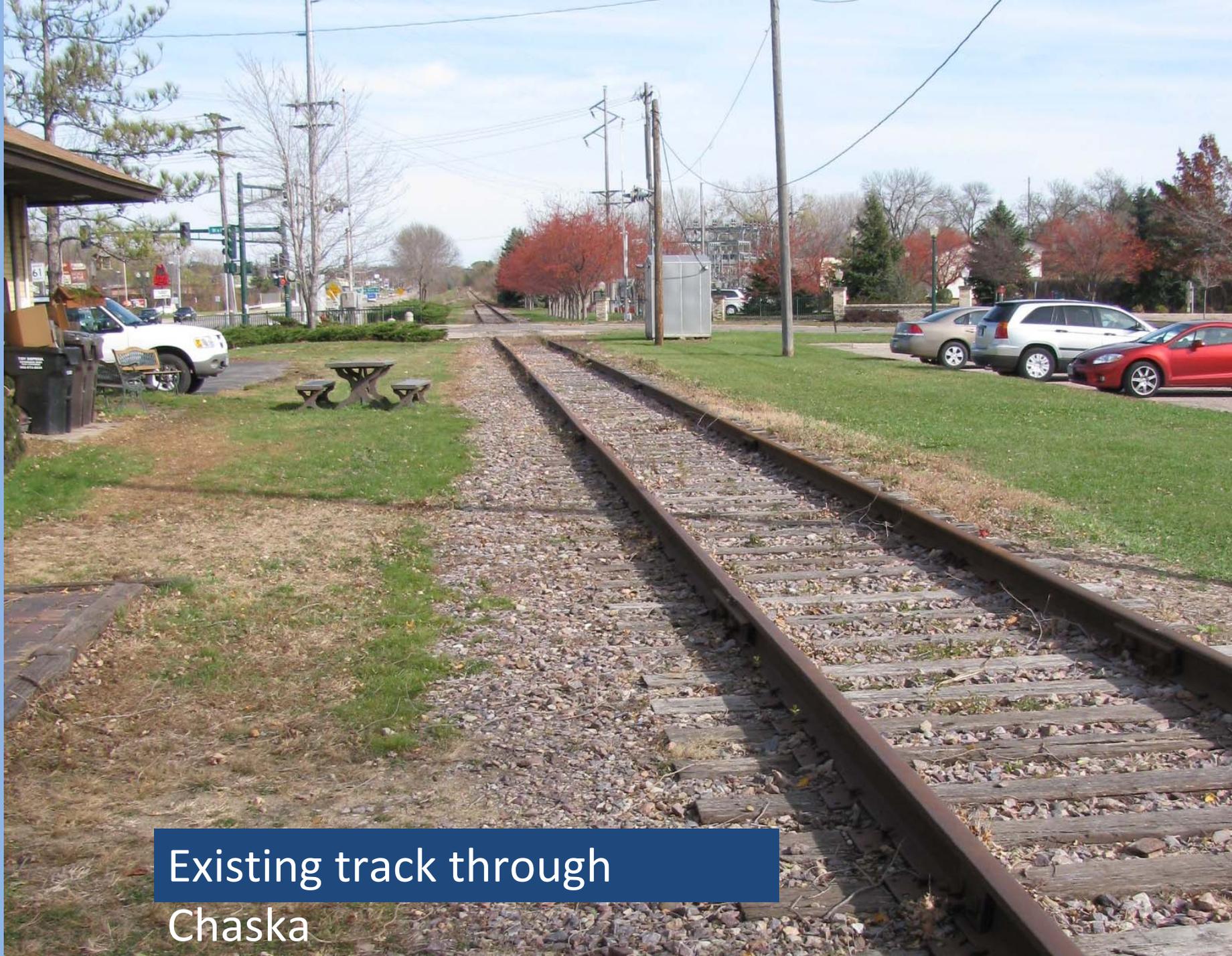


Former right of way west of Carver

Former right of way in Carver

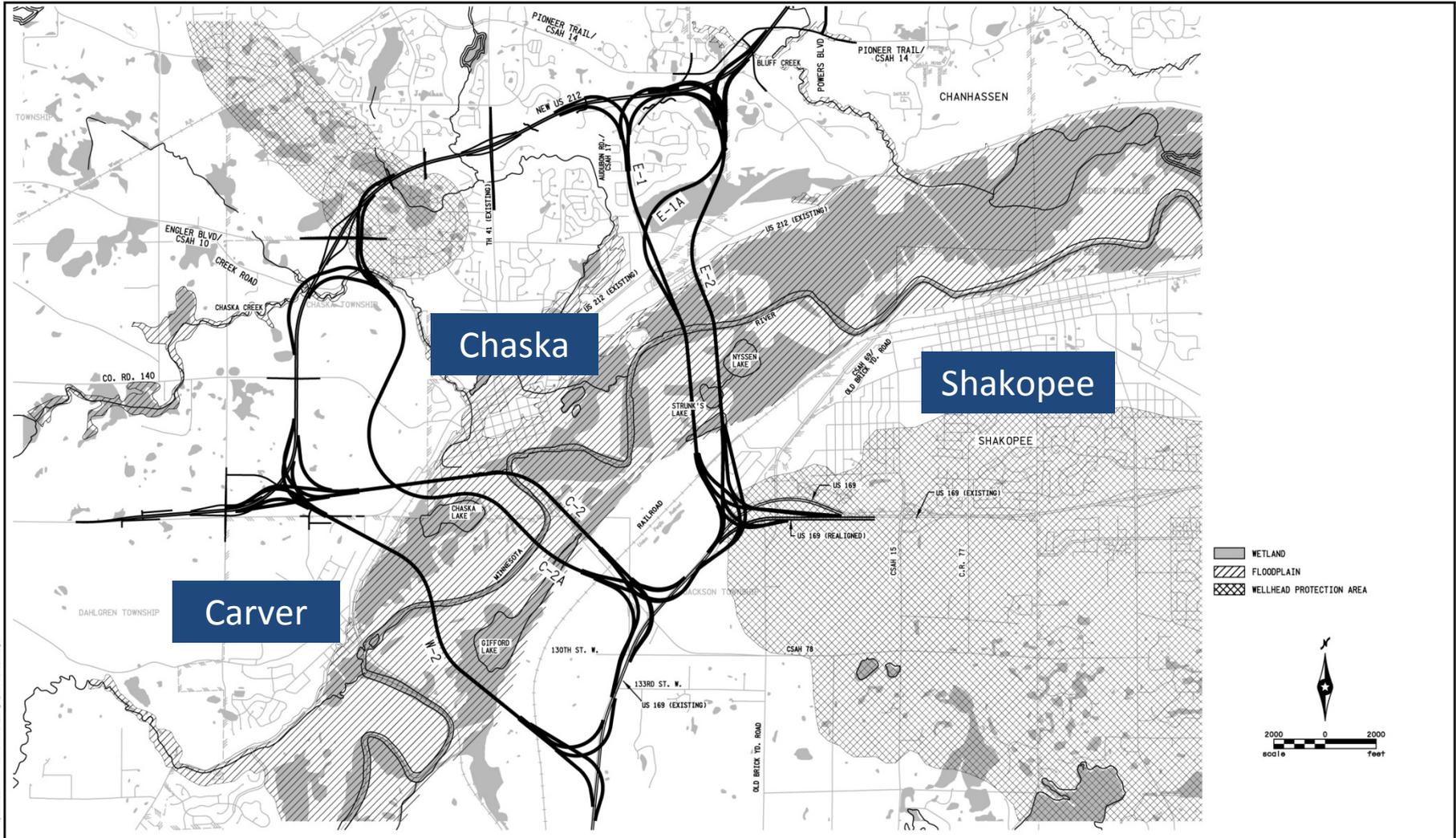
Chaska Cut-off Alternative





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

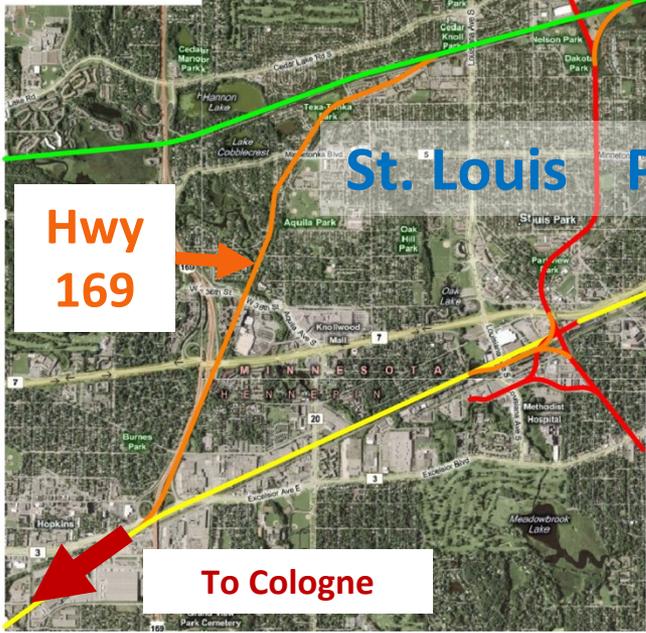
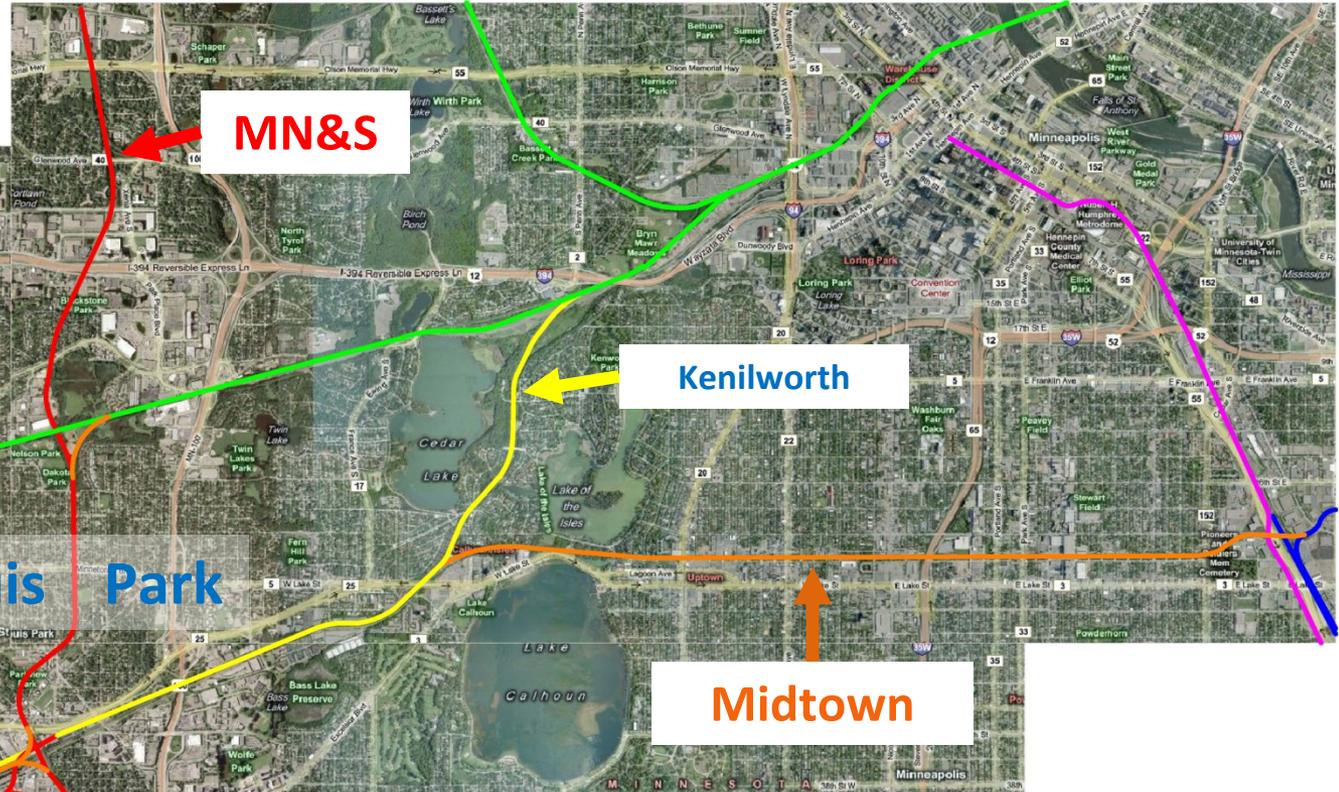
- MN River crossing likely requires an Environmental Impact Statement. Estimated time to complete is 3 to 8 years.
- Existence of wetlands and other protected areas.

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
- MN&S
- UP
- HIAWATHA LRT
- PROPOSED ROUTE



St. Louis Park Area Overview

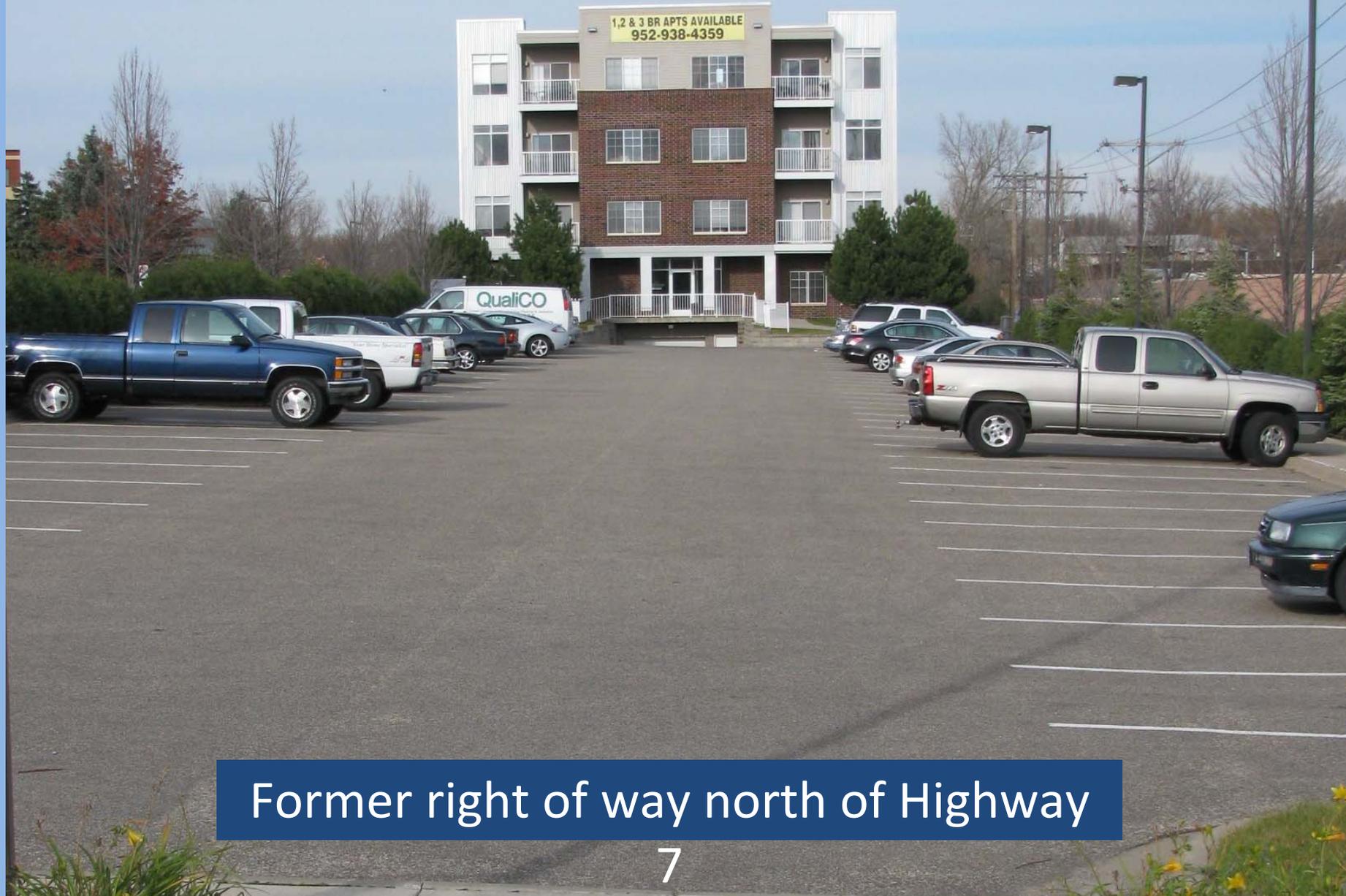
Highway 169 Alternative



Former right of way under Highway 7

Highway 169 Alternative





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.

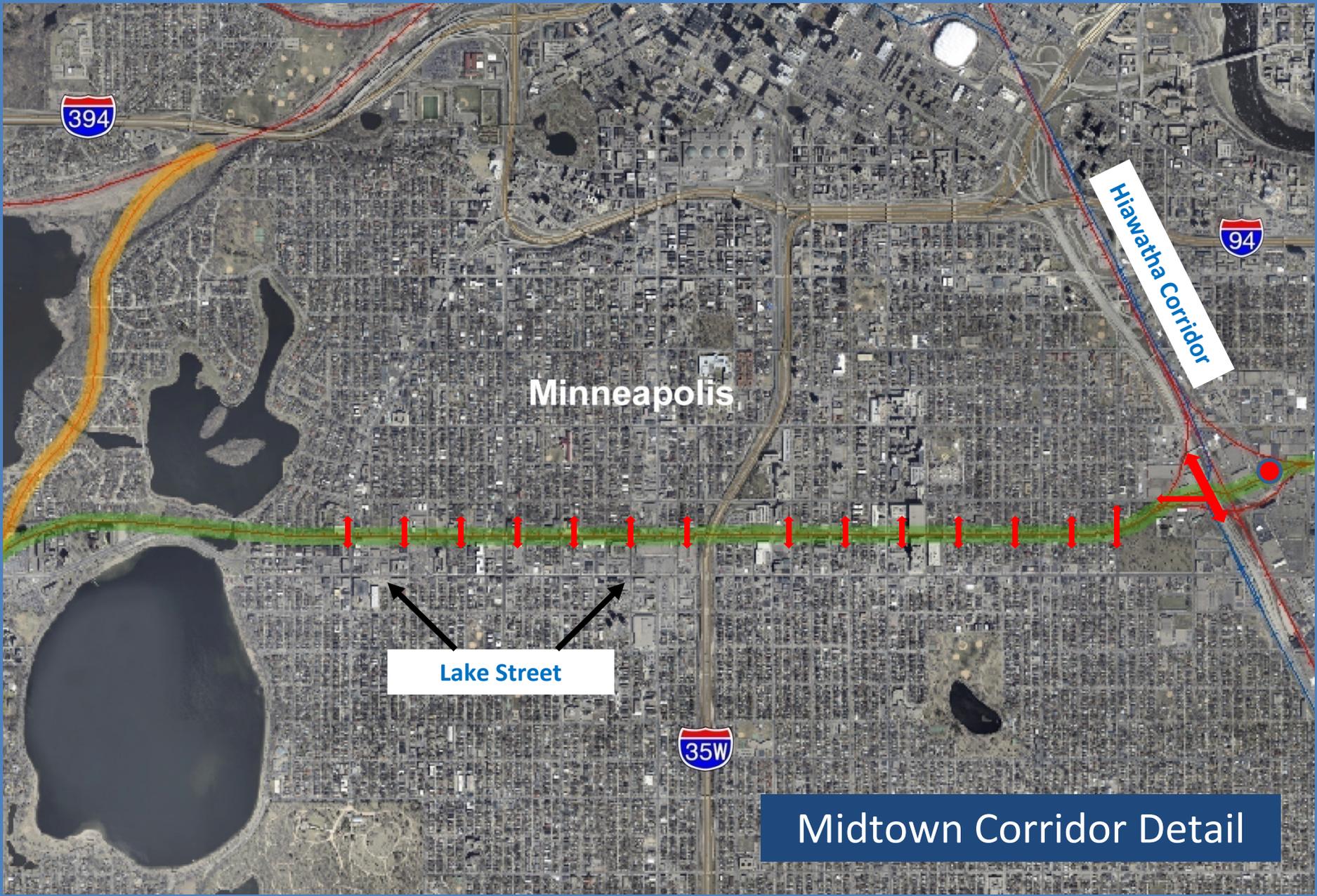
Environmental Issues

- 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

Hiawatha Corridor

Lake Street

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.
- 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

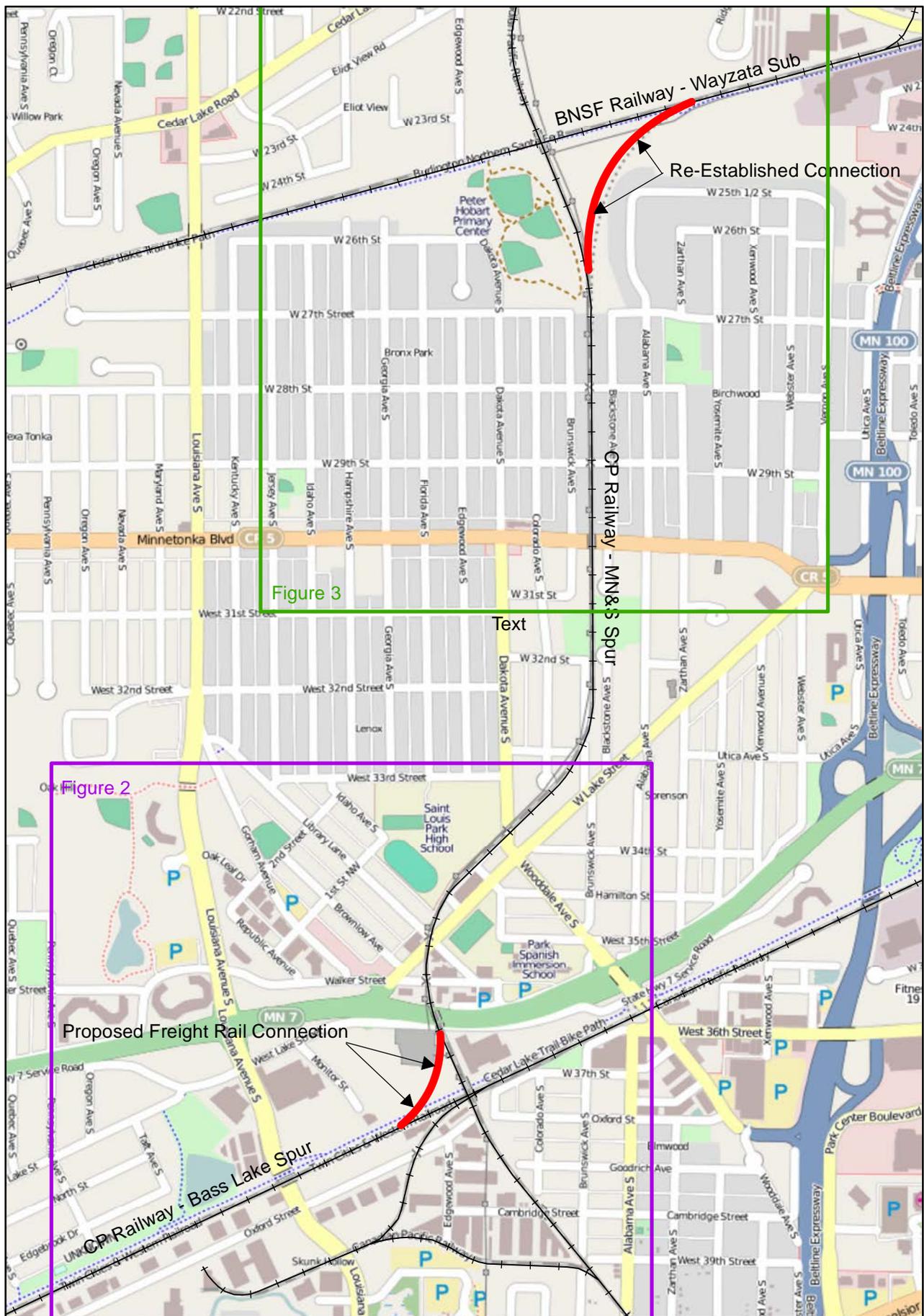
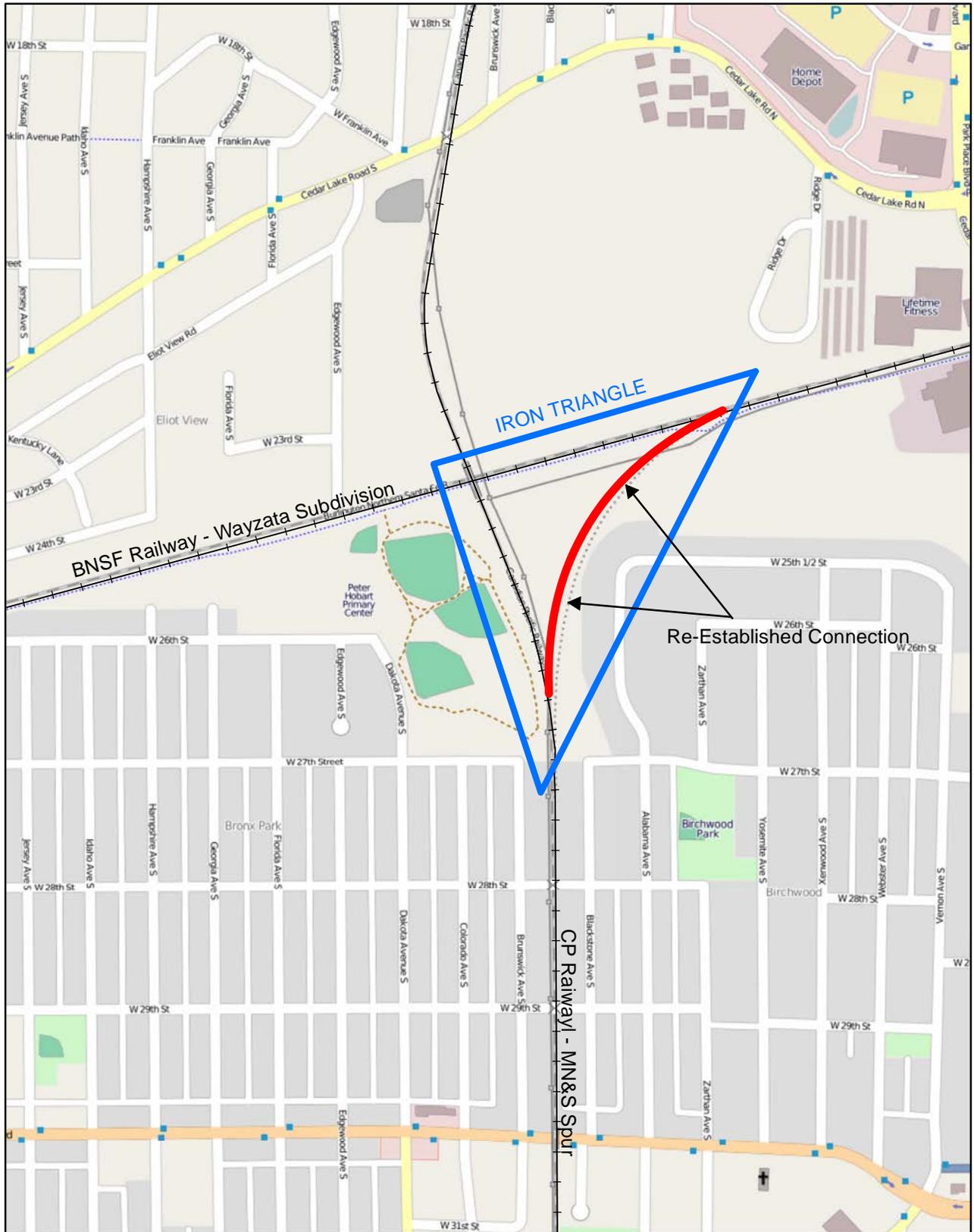


Figure 2. Relocation Alternative
 Skunk Hollow Wye Track and
 New Connection - Bass Lake Spur to MN&S Spur



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
- 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.
- 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.

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.

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.

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 developed residential area. The environmental impacts of noise, vibration and safety have been based on minimal field data and do not adequately address potential impacts.

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 be 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 be revised or canceled. A list of railroad agreements is included in Appendix J but the City does not know if this is a complete list. Many of these decisions have been delayed until more engineering work has been completed.

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.

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 from their current connection. As part of the project a new siding will be built paralleling the BNSF mainline track.

The current right of way is owned by the CP, but most of the right of way is 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.

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?

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 point 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"> 1. TCWR Freight Rail Realignment Study dated October 12, 2009 by TKDA 2. Kenilworth Corridor: Analysis of Freight Rail/LRT Coexistence dated November 2010 by R. L. Banks & Associates 3. TCWR Route Alternatives Study dated November 29, 2010 by Mark Amfahr, Amfahr Consulting 4. 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)

	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.
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.
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.
2-24, 2-30, 2-33 and others throughout chapter	Figure ?	The figure number, title and map are cut off in the printed document.
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?
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
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.
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

		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.
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.
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.
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.
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)

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.
3-19	refers to a Figure 3 in a section titled "Community Facilities and Resources Data"	This section is not listed in TOC
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.
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

		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.
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.
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.
3-39	"No mitigation is necessary or proposed."	The paragraph prior refers to mitigation measures so it is unclear what this sentence means.
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
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.
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.
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

		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.

	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.
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.
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

		<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.

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.
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.
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>
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.

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."
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
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.
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

		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

		<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>
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.
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.

Page	Reference	Comment
6	General Assumptions	Traffic used 2030 volumes but the train counts used 2012 volumes with no future increase.
6-37	Queuing Analysis	Text and Table 6.2.8 data to not match regarding train lengths and speeds.
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

		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.
6-56	6.3.2.2	No discussion of tight curves or steep grades needed for reroute.
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.
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
11-10	11.2.3 (1 st bullet)	No data to support “sporadic traffic queues”
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.
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.
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.
11-11	11.2.4	Assumes freight rail reroute identical to Alternative 3A
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

		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.
11-12	11.2.5 (4 th bullet)	Alternative 3 LPA would require this maneuver to go south to Savage.
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.
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.
11-12	11.2.5 (9 th bullet)	The reroute increases the divide in the St Louis Park neighborhoods
11.12	11.2.5 (10 th bullet)	The reroute has not been shown to be feasible
11.13	11.2.6 (2 nd bullet)	Why would you reroute if the LRT would not use the Kenilworth Corridor?
11-14	11.2.7 (2 nd bullet)	Why would you reroute if the LRT would not use the Kenilworth Corridor?
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.
		Louisiana and 7 as a related action



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

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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.
- It is imperative that the existing bike trail in the HCRRRA property (Cedar Lake LRT) remain alongside Light Rail.
- Visual impacts on Westside Village is a concern in spite of the characterization of the windows in the development being of relatively small size.
- 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.
- 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.
- 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.
- 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.

Clarifications:

- There are 76 units of Public Housing in Hopkins in addition to other subsidized housing.
- 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.
- 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.
- 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.
- 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.
- 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.

Such a development should be sited between the transitway and Excelsior Blvd, along the west side of Blake Road for reasons detailed below.

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.

- 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.
 - 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 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.

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.

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.

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.

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.

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.

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.

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 .

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

- Road Station. We request that the scope of the DEIS include investigating this traffic concern for potential mitigation.
- 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.
- 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.
- 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

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.
- 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.

If you have questions you may direct them to Steve Stadler, Public Works Director at 952-548-6350 or email at ssadler@hopkinsmn.com.

Sincerely,

Rick Getschow
City Manager



"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
Three Rivers Park District
Administrative Center
3000 Xenium Lane N
Plymouth, MN 55441
763.694.7632
612.490.5220 (cell)

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:

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.**

Chapter 6—Transportation Effects:

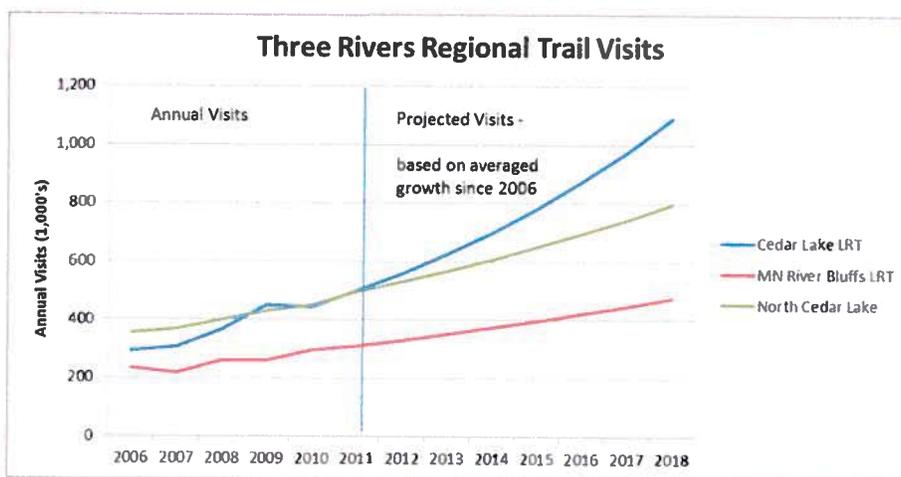
- Pages 6-52 & 6-53 refer to trail use estimates, and Table 6.3-3 provides two-hour snapshots of use. The DEIS trail use estimates do not provide an accurate picture of actual trail use. The Metropolitan Council conducts and publishes an annual use estimate for each park and trail within the regional 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

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:

- 1. Capital Costs, Operations and Maintenance (O&M) Costs, and funding source(s) for regional trails impacted by the LRT project are not adequately addressed.**

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.

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.

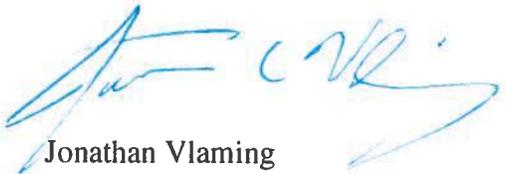
As proposed in the DEIS Appendix F: MN&S Freight Rail Study, the North Cedar Lake Regional Trail will cross the new rail line via a trail bridge. It is unclear how this bridge will be funded. In addition, operation and maintenance of bridges can have significant ongoing costs. As part of the planning 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.

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.

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.

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
jvlaming@threeriversparkdistrict.org
763-694-7632

JV/jjs

MINNEHAHA CREEK WATERSHED DISTRICT

QUALITY OF WATER

QUALITY OF LIFE

Comment #428



December 6, 2012

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

RE: Southwest Transitway Draft Environmental Impact Statement

Dear Hennepin County,

Thank you for the opportunity to review and comment on the Draft Environmental Impact Statement (DEIS) for the Southwest Transitway. The Project consists of construction and operation of a 15-mile light rail transit (LRT) line in the Minneapolis/St. Paul region, connecting downtown Minneapolis to the cities of St. Louis Park, Hopkins, Edina, Minnetonka, and Eden Prairie.

Each alternative alignment contains segments within the MCWD. Nearly the entire length of Segment 4 and Segment Freight Rail Realignment (FRR) are within the boundaries of the MCWD as well as portions of Segment A and Segment C-1. This involves five to six station areas, depending on the alternative, and numerous miles of rail.

The Minnehaha Creek Watershed District (MCWD) has regulatory authority over projects that have the potential to impact water resources. The MCWD regulates for Erosion Control, Floodplain Alteration, Wetland Protection, Dredging, Shoreline Stabilization, Waterbody Crossings and Stormwater Management. The MCWD is also the Local Government Unit for the MN Wetland Conservation Act that regulates wetland impact. As such, the MCWD recommends early and ongoing coordination between the Project Office and MCWD to determine specific regulatory requirements for this project.

In addition to its regulatory capacity, the MCWD has a capital improvement program and grant programs to implement projects that manage water quality, quantity and overall ecosystem integrity. Currently, the MCWD is engaged in the planning and implementation of a number of projects in partnership with public and private entities to improve the riparian corridor of Minnehaha Creek between Highway 169 and Meadowbrook Golf Course in Hopkins and St. Louis Park.

These projects have the potential to be impacted, positively or negatively, by the Southwest Transitway. Therefore, the MCWD encourages Hennepin County and the Project Office to engage the District early and often to integrate the planning and implementation efforts of each party, thereby maximizing the identification of holistic solutions to transit, economic development, community livability and environmental improvement.

The Minnehaha Creek Watershed District is committed to a leadership role in protecting, improving and managing the surface waters and affiliated groundwater resources within the District, including their relationships to the ecosystems of which they are an integral part. We achieve our mission through regulation, capital projects, education, cooperative endeavors, and other programs based on sound science, innovative thinking, an informed and engaged constituency, and the cost effective use of public funds.

The Minnehaha Creek Watershed District is currently in various stages of planning and implementation of the following projects in coordination with project partners:

- Cottageville Park Expansion
 - Includes regional stormwater management for Blake Rd. drainage

- Redevelopment of 325 Blake Road
 - Could include regional stormwater management for approximately 235 acres of St. Louis Park, Hopkins and Edina

 - Could include regional stormwater management for approximately 100 acres west of Blake Road, including the Blake Road station area

 - Includes community greenway along Minnehaha Creek, connecting 325 Blake Road with downstream stretches of Minnehaha Creek, the existing SW LRT trail, Methodist Hospital, and both the Blake Road and Louisiana Avenue stations

 - Includes redevelopment of 11 to 13 acres of creekside property adjacent to the Blake Road Station

- Realignment of Reach 20 on Minnehaha Creek
 - Could include regional stormwater management for approximately 25 acres including the Louisiana Station area

 - Includes regional stormwater management of approximately 75 acres of drainage from Excelsior Blvd., Interlachen Park and Meadowbrook Manor

 - Includes trail and boardwalk along the Minnehaha Creek corridor connecting Methodist Hospital – Louisiana Avenue – Meadowbrook Manor – Oxford Street – Meadowbrook Road – SW LRT

Given proposed redevelopment of 325 Blake Road and its proximity to the proposed LRT, the District is interested in collaborative and integrated planning to further explore the interaction of the site with LRT, potential greenway linkages between the site and the LRT trail, future traffic patterns along Blake Road, and location and function of the Blake Road Station.

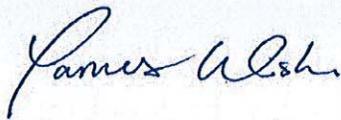
Similarly, the District would welcome close coordination with Hennepin County and the Project Office on the potential reconstruction of the LRT crossing over Minnehaha Creek. Hydraulic capacity, wildlife and human passage through this area are of particular interest to the MCWD.

Finally, the District would encourage Hennepin County and the Project Office to engage in coordinated planning of all station areas within the MCWD to identify collaborative opportunities to manage stormwater runoff in a comprehensive manner. Minnehaha Creek and downstream receiving Lake Hiawatha are listed on the State's 303 (d) list of impaired waters. Based on the Minnesota Pollution Control Agency's draft Total Maximum Daily Load for these waterbodies, the area encompassing the Louisiana and Blake Stations are a large contributing source of pollution, creating opportunity for large scale management and pollution reduction.

Further, if planned and implemented in an integrated manner with LRT and Transitional Station Area Planning, stormwater management projects could be implemented that treat large areas of urban land, potentially offsetting future regulatory requirements for this project and future redevelopment; generating large future cost savings to local municipalities, Hennepin County, Metropolitan Council and the taxpayers at large.

As an active member of the Southwest LRT Community Works Steering and Technical Implementation Committees, the MCWD is committed to working in close coordination with the public and private partners throughout the Project development. The District looks forward to collaboratively exploring the opportunities for water resource and ecological improvement generated by this project and hopes that it can serve as a model for future partnerships in transit projects.

Sincerely,

A handwritten signature in black ink, appearing to read "James Wisker". The signature is written in a cursive, flowing style.

James Wisker
Director of Planning, Projects and Land Conservation



**Catherine M.
Walker/PW/Hennepin**
12/31/2012 07:51 AM

To: SWcorridor@co.hennepin.mn.us
cc: Adele C Hall/PW/Hennepin@Hennepin
bcc:
Subject: Fw: NMCWD comments on SW LRT DEIS

Katie Walker
Senior Administrative Manager
Southwest LRT Community Works Manager
Hennepin County
Housing, Community Works & Transit

NEW ADDRESS: 701 Building Fourth Avenue South – Suite 400 | Minneapolis, MN 55415
612.385-5655

----- Forwarded by Catherine M. Walker/PW/Hennepin on 12/31/2012 07:51 AM -----

From: "Kevin Bigalke" <kbigalke@ninemilecreek.org>
To: <Katie.Walker@co.hennepin.mn.us>
Date: 12/31/2012 07:44 AM
Subject: NMCWD comments on SW LRT DEIS

Katie,
Attached are the comments of the Nine Mile Creek Watershed District regarding the Southwest Transitway Draft EIS.
I have placed the original letter in the mail.

Please let me know if you have any questions.

Sincerely,

Kevin D. Bigalke
Administrator
Nine Mile Creek Watershed District
7710 Computer Avenue, Suite 135
Edina, MN 55435
Phone: (952) 835-2078
Fax: (952) 835-2079
E-mail: kbigalke@ninemilecreek.org



NMCWD comments on SW LRT DEIS 12-31-2012.pdf

9 Mile Creek

W A T E R S H E D D I S T R I C T

District Office: Edina Business Center • 7710 Computer Avenue • Suite 135 • Edina, MN 55435
Ph. 952-835-2078 Fax 952-835-2079 Web Site: www.ninemilecreek.org

December 31, 2012

Ms. Katie Walker
Hennepin County
Housing, Community Works & Transit
701 Fourth Avenue South, Suite 400
Minneapolis, MN 55415

Dear Ms. Walker:

On behalf of the Nine Mile Creek Watershed District Board of Managers (NMCWD), I would like to thank you for the opportunity to review and comment on the Southwest Transitway Draft Environmental Impact Statement (DEIS). The NMCWD commends you on your efforts to develop a comprehensive DEIS. The NMCWD offers the following comments for your consideration.

1. The NMCWD is a local unit of government that has our own rules and regulatory program. This is referenced inconsistently throughout the DEIS. Please make sure that NMCWD is listed as a local regulatory agency throughout the whole DEIS.
2. The NMCWD rules and regulatory program includes rules pertaining to sediment/erosion control, storm water management, floodplain management, wetland management, and water body crossings, and appropriations of public surface waters. Please make sure to acknowledge these the NMCWD regulatory requirements in the Final EIS and address all applicable rules during the design phase of the project. The NMCWD rules can be found on the NMCWD website at www.ninemilecreek.org.
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Board of Managers

LuAnn Tolliver - Minnetonka

Corrine Lynch - Eden Prairie

Jodi Peterson - Bloomington

Steve Kloiber - Edina

Geoffrey Nash - Edina

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The NMCWD thanks you for the opportunity to review and comments on the Southwest Transitway Draft Environmental Impact Statement. We look forward to working with you as the Final Environmental Impact Statement is developed and as you progress toward the permitting process for this project. Please contact the NMCWD office at (952) 835-2078 with any questions you may have regarding our comments on the DEIS or on our rules.

Sincerely,



Kevin D. Bigalke
District Administrator



Kevin Locke
<klocke@stlouispark.org>
12/31/2012 08:54 AM

To "swcorridor@co.hennepin.mn.us"
<swcorridor@co.hennepin.mn.us>
cc "Hahne, Lynne (Lynne.Hahne@metc.state.mn.us)"
<Lynne.Hahne@metc.state.mn.us>, Adele Hall-HC
<adele.hall@co.hennepin.mn.us>
bcc
Subject Can you confirm that the City of St. Louis Park's comments
on the SW DEIS have been received?

Wanted to make sure that our comments submitted last week were indeed received.

Thanks!

Ps: FYI - below is the link to the city's comments on our city webpage.

<http://www.stlouispark.org/webfiles/file/community-dev/sw-deis-comments-documents-123112.pdf>

Kevin Locke
Community Development Director
City of St. Louis Park Minnesota
952-924-2580



"Lundy, James (MDH)"

12/31/2012 09:52 AM

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

cc

bcc

Subject MDH Source Water Protection comments to Southwest
Transitway DEIS

I am attaching our comments regarding the above Draft EIS, and a signed hard copy will follow by US mail. Please contact me if there are any questions.

Thank you for the opportunity to comment.

Jim Lundy, Hydrologist
Source Water Protection
Drinking Water Protection
Minnesota Department of Health
651-201-4649

December 31, 2012

Katie Walker, Senior Administrative Manager
Hennepin County Housing, Community Works & Transit
Attention: Southwest Transitway
701 Fourth Avenue South, Suite 400
Minneapolis, MN 55415

Dear Ms. Walker:

Subject: Comments on Southwest Transitway Draft Environmental Impact Statement

I am writing to comment on the Southwest Transitway Draft Environmental Impact Statement on behalf of the Drinking Water Protection Section of the Minnesota Department of Health (MDH). The Drinking Water Protection Section includes wellhead protection planning, a preventive program designed to safeguard public drinking water supplies.

The project appears to be in the planning stages, and several portions of the route may be modified. The provided maps are of limited resolution, but it appears that the proposed project area may overlap several low, moderate, and high vulnerability portions of the following Drinking Water Supply Management Areas (DWSMAs):

- St. Louis Park (moderate and high vulnerability)
- Edina (low, moderate, and high vulnerability)
- Hopkins (low and moderate vulnerability)
- Minnetonka (low vulnerability)
- Eden Prairie (moderate vulnerability)
- Chanhassen (low vulnerability)

Electronic files containing the geometry (ArcMap geographic information system shapefiles) of these DWSMAs are available at the following web page on the MDH website:

<http://www.health.state.mn.us/divs/eh/water/swp/maps/index.htm>

In addition, the proposed project area also appears to traverse or approach Emergency Response Areas (ERAs) for the following community public drinking water supply wells:

- Edina (12, 13)
- Minnetonka (11, 11A, 13, 13A)
- Eden Prairie (3, 4, 5, 6, 7, 8, 9, 10)

Because the project site overlaps the above-listed DWSMAs and ERAs, carefully plan project activities to avoid unnecessary contamination of the drinking water supplies. In particular the submittal describes temporary and permanent dewatering that may become necessary, and this practice could negatively affect public drinking water supplies if not planned properly.

Because infiltration of stormwater in vulnerable settings has the potential to affect drinking water quality, please consider the enclosure "Source Water Protection Issues Related to Stormwater" as you finalize your plans.

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

Sincerely,

James R. Lundy, Hydrologist
Environmental Health Division
P.O. Box 64975
St. Paul, Minnesota 55164-0975
651/201-4649

RL:

Enclosure: "Source Water Protection Issues Related to Stormwater"

cc: Roy Loughry, MDH Hydrologist, Source Water Protection Unit, St. Paul Office
Amal Djerrari, MDH Hydrologist, Source Water Protection Unit, St. Paul Office
Chad Kolstad, MDH Engineer, Administrative Unit, St. Paul Office
Mike Baker, MDH Information Technology, Source Water Protection Unit, St. Paul Office



Comment #615

JAN 02 2013

Protecting, maintaining and improving the health of all Minnesotans

December 31, 2012

Katie Walker, Senior Administrative Manager
Hennepin County Housing, Community Works & Transit
Attention: Southwest Transitway
701 Fourth Avenue South, Suite 400
Minneapolis, MN 55415

Dear Ms. Walker:

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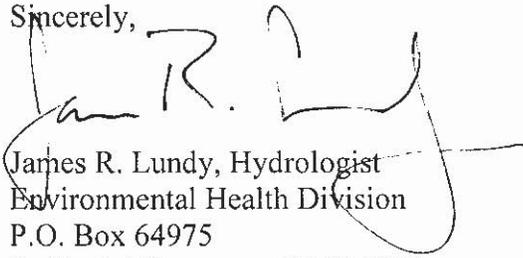
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Because infiltration of stormwater in vulnerable settings has the potential to affect drinking water quality, please consider the enclosure "Source Water Protection Issues Related to Stormwater" as you finalize your plans.

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

Sincerely,

A handwritten signature in black ink, appearing to read "James R. Lundy", is written over a horizontal line. The signature is stylized and somewhat cursive.

James R. Lundy, Hydrologist
Environmental Health Division
P.O. Box 64975
St. Paul, Minnesota 55164-0975
651/201-4649

JRL:dcc

Enclosure: Brochure - Source Water Protection Issues Related to Stormwater

cc: Joy Loughry, MDH Hydrologist, Source Water Protection Unit, St. Paul Office
Amal Djerrari, MDH Hydrologist, Source Water Protection Unit, St. Paul Office
Chad Kolstad, MDH Engineer, Administrative Unit, St. Paul Office
Mike Baker, MDH Information Technology, Source Water Protection Unit, St. Paul Office



Source Water Protection Issues and Strategies Related to Stormwater

The purpose of this document is to communicate Minnesota Department of Health (MDH) concerns about the placement of stormwater handling facilities in or near wellhead protection areas. Wellhead protection areas are distributed statewide and exist as a means of protecting groundwater supplies used for drinking water. Stormwater is a public health concern because it has the potential to contaminate drinking water supplies that depend on groundwater. This document focuses on issues pertaining to stormwater quality and infiltration. MDH has authority to enforce drinking water standards established at federal and state levels. Therefore, concerns about the public health affects of contaminants associated with stormwater and their effect on drinking water supplies are central to the issues raised in this document.

MDH is specifically concerned about the impacts of contamination resulting from the infiltration of contaminated stormwater into the subsurface where it may adversely affect drinking water supplies, especially in areas where the source water aquifer is geologically sensitive. An area is geologically sensitive where layers of fine-grained material, such as clay or shale, are not of sufficient thickness to prevent the vertical movement of contaminants from reaching groundwater resources over a time period of weeks to several years.

Contamination of an aquifer used for a drinking water supply may render the aquifer no longer suitable as a drinking water source without the use of costly treatment equipment. Public water supply distribution lines, storage facilities, and other infrastructure may need to be relocated or rebuilt to accommodate the construction of new water supply wells elsewhere. Furthermore, contamination of water supplies may result in expensive legal and remediation costs to the owners of the properties that contributed the contaminants.

The term “infiltration device” will be used generally to refer to basins, trenches, or other engineered structures designed to transfer stormwater into the subsurface. The following drinking water protection issues should be addressed for stormwater projects in vulnerable wellhead protection areas. Each issue statement is followed by a bulleted list of suggested measures that could be implemented to address specific drinking water concerns.

- 1) **Stormwater may be a source of disease organisms in drinking water.** The United States Environmental Protection Agency states that human pathogens may remain viable in groundwater for one to two years. Therefore, surface water runoff into infiltration devices that are located in the one-year time of travel for a water supply well should be viewed as a potential source of pathogen recharge to the aquifer. Certain settings, in particular those involving either fractured aquifers or aquifers exhibiting karst features, may pose special challenges for evaluating pathogen impacts because groundwater flow rates are unpredictable and attenuation capacity may be limited.
 - No stormwater infiltration devices should be located within the Emergency Response Area (ERA) and Inner Wellhead Management Zone (IWMZ).
 - No stormwater infiltration devices should be located within the wellhead protection area when groundwater flow through the aquifer is controlled by fractures or solution features.

2) **Land use controls the quality of stormwater.** Stormwater quality can vary widely depending on land use in the catchment area, but is generally fairly specific for individual land uses. For instance, stormwater from a golf course may contain nutrients (nitrate, phosphorous) and/or pesticides. In contrast, contaminants such as petroleum hydrocarbons, volatile organic compounds, metals, and chlorides may be a concern in stormwater from commercial and industrial areas.

- Proper stormwater management is critical to keeping it clean and preventing it from becoming polluted. Infiltrating stormwater as close as possible to where the raindrop falls is important. Site design and proper planning is paramount at this stage.
- Match the treatment of the stormwater to the land use that generated the runoff. For example, treatment for a golf course should be for nitrates, phosphorous, and pesticides. The “Minnesota Stormwater Manual” is a valuable resource for helping to select the proper treatment: <http://www.pca.state.mn.us/water/stormwater/stormwater-manual.html>
- Through conditional use permits, require stricter controls or standards such as the installation of groundwater monitoring wells, increased setback distances, etc., when necessary, to further protect drinking water supplies (public and private).
- Develop a stormwater ordinance or re-evaluate current stormwater ordinances to make sure they provide adequate performance standards for vulnerable areas of the DWSMA.
- Map the location of all stormwater devices and outfalls in regards to DWSMA vulnerability and drinking water supplies. Incorporate this information into future planning documents and processes for decision makers.
- Maintaining infiltration devices and pretreatment options are critical and should also be required as a condition of permit approval.
- If local stormwater controls or expertise do not exist, as a condition of project approval, require that all stormwater management devices meet or exceed state standards.
- No infiltration devices should be located within “Confirmed Hotspots,” as identified by the Minnesota Pollution Control Agency.

3) **Catastrophic basin failure of stormwater storage basins may occur in certain hydrogeologic settings.** Highly vulnerable settings, involving water supply aquifers that exhibit fracture flow or karst features, may be poor candidates for stormwater storage.

- Working in close cooperation with local first responders and the county emergency manager, develop a plan for responding to potential failures of stormwater storage basins.
- Map the location of all stormwater devices and outfalls in regards to DWSMA vulnerability and drinking water supplies and share this information with first responders.
- As a condition for project approval, require that all owners of stormwater devices be responsible for responding and addressing any potential health issues related to the failure of stormwater devices. For example, the owner of stormwater devices should be prepared to sample the wells of private well owners to ensure drinking water supplies have not been jeopardized due to failure of a stormwater basin.

- 4) **Runoff from accidental spills and emergency response actions.** Accidental releases of fuel, oil, or chemicals may concentrate chemicals in runoff that could overwhelm passive treatment techniques designed for stormwater. This may lead to a contamination incident with the potential to affect drinking water supplies. Land uses where this is a particular concern include transportation corridors and fuel or chemical handling areas.
- Advanced emergency response planning should be in-place to identify the appropriate methods to be employed to respond to an emergency without impacting the source of water used for drinking water.
 - Require spill prevention plans for tank facilities and businesses involved in transporting hazardous materials within vulnerable areas of the DWSMA.

The Minnesota Department of Health has created guidance in consultation with staff from the Minnesota Pollution Control Agency to help planners, engineers, hydrologists, and other local governmental staff evaluate stormwater infiltration in wellhead protection areas. This guidance is available from the MDH website. Specific questions on stormwater management in wellhead protection areas can be directed to MDH staff at 651/201-4700.

Definitions from Minnesota Rules, part 4720.5100:

Drinking Water Supply Management Area (DWSMA) - subp. 13.

DWSMA Vulnerability - subp. 14.

Groundwater - subp. 17.

Public Water Supply Well - subp. 29.

Time of Travel - subp. 36.

Well Vulnerability - subp. 42

December 31, 2012

Ms. Katie Walker
Hennepin County
Housing, Community Works & Transit
701 Fourth Avenue South, Suite 400
Minneapolis, MN 55415



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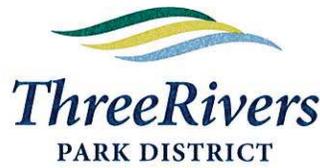
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Sincerely,



Kevin D. Bigalke
District Administrator



Comment #625

Three Rivers
Park District
Board of
Commissioners

Sara Wyatt
District 1

Marilynn Corcoran,
District 2

Joan Peters
District 3

Dale Woodbeck,
Vice Chair
District 4

John Gibbs
District 5

Larry Blackstad, Chair
Appointed

Barbara Kinsey
Appointed

Cris Gears
Superintendent

December 28, 2012

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

RE: Three Rivers Park District Staff Comments on the Southwest Transitway Draft Environmental Impact Statement (DEIS)

Three Rivers Park District staff appreciates the opportunity to comment on the technical aspects of the DEIS.

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.

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.

As proposed in the DEIS, the LRT will affect the following regional trails operated by Three Rivers:

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

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.**

Chapter 6—Transportation Effects:

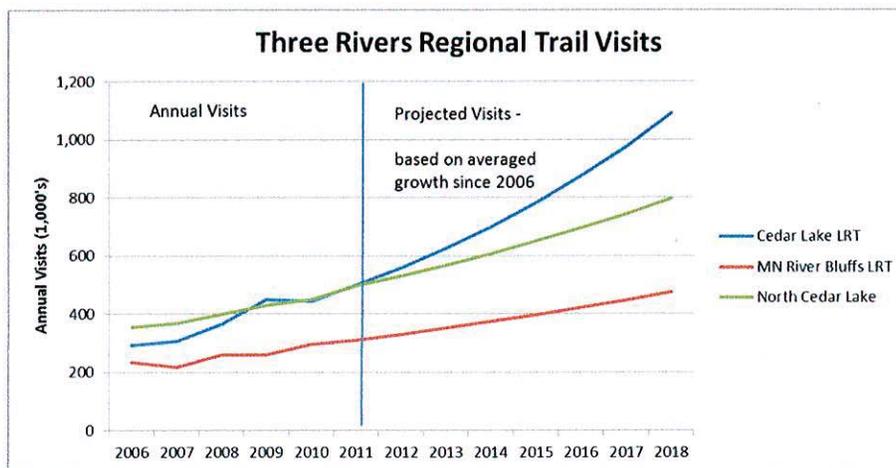
- Pages 6-52 & 6-53 refer to trail use estimates, and Table 6.3-3 provides two-hour snapshots of use. The DEIS trail use estimates do not provide an accurate picture of actual trail use. The Metropolitan Council conducts and publishes an annual use estimate for each park and trail within the regional 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

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:

- 1. Capital Costs, Operations and Maintenance (O&M) Costs, and funding source(s) for regional trails impacted by the LRT project are not adequately addressed.**

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.

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.

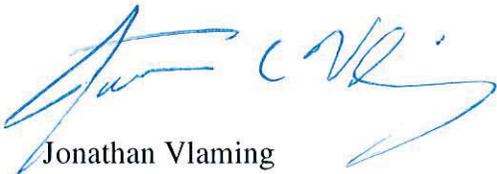
As proposed in the DEIS Appendix F: MN&S Freight Rail Study, the North Cedar Lake Regional Trail will cross the new rail line via a trail bridge. It is unclear how this bridge will be funded. In addition, operation and maintenance of bridges can have significant ongoing costs. As part of the planning 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.

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.

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.

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
jvlaming@threeriversparkdistrict.org
763-694-7632

JV/jjs



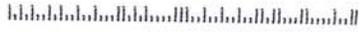
3000 Xenium Lane North
Plymouth, MN 55441-1299

RECEIVED
JAN 02 2013
BY:



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

5541531843 0089





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

DEC 27 2012

REPLY TO THE ATTENTION OF:

E-19J

Marisol Simon
Regional Administrator, Region 5
Federal Transit Administration
200 West Adams Street, Suite 2410
Chicago, Illinois 60604

**RE: EPA Comments for the Southwest Transitway Project in Hennepin County,
Minnesota Draft Environmental Impact Statement, CEQ # 20120320**

Dear Ms. Simon:

In accordance with U.S. Environmental Protection Agency (EPA) responsibilities under the National Environmental Policy Act (NEPA), Section 309 of the Clean Air Act (CAA), and the Council on Environmental Quality's NEPA Implementing Regulations (40 CFR 1500-1508), we reviewed the October 2012 Draft Environmental Impact Statement (DEIS) for the proposed Minneapolis Southwest Transitway (SWT) Project. The Federal Transit Administration (FTA) and the Hennepin County Regional Rail Authority (HCRRA) propose to improve access and mobility in southwest Minneapolis and nearby suburbs by providing a public, high capacity transit service option not currently available through bus services. The proposed project aims to extend and integrate the regionally-planned transitway program. FTA and HCRRA also propose to improve rail freight flow through the Minneapolis hub, a separate but connected action that will relocate a portion of rail freight traffic in the southwest corridor.

EPA participated in an October 15, 2008 interagency scoping meeting and on November 6, 2008, we commented on the project's Green Means Go Scoping Information booklet and Coordination Plan. We agreed to be a participating agency in the project development of purpose and need, alternatives to be carried forward, analysis of impacts, and document review.

Based on our review of the SWT DEIS, EPA rates the proposed project and document as **EC-2: Environmental Concerns - Insufficient Information**. See the enclosed *EPA Summary of Rating Definitions* for an explanation of this rating system. Our detailed comments are enclosed in *EPA Comments on the Minneapolis Southwest Transitway DEIS (Comments)*. The enclosed comments discuss project purpose and need, alternatives, environmental impacts, and mitigation of impacts in detail. Our primary recommendations are to clarify the project purpose and need, and adequately analyze alternative impacts related to the Operations and Maintenance Facility, to aquatic resources, to Environmental Justice neighborhoods, and to several other issues. We further recommend evaluation of a possible modification to Alternative LRT-3 to avoid impacts

to a major wetland area. The Final Environmental Impact Statement (FEIS) should fully consider all potential impacts, and either commit to specific mitigation measures where possible or discuss the mitigation options available and being pursued.

We appreciate the opportunity to review this document. I am available to discuss the contents of this letter or contact Norm West, (312) 353-5692 or at west.norman@epa.gov if you have any questions on our comments. Please send a hard copy and two CD versions of the Final EIS once it is available.

Sincerely,



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

Cc: Richard Johnson, HCRRA
Mark Fuhrman, Minneapolis St. Paul Metropolitan Council
Bill Wheeler, FTA
Barbara Walther, US Army Corps of Engineers, St. Paul District (2009-01283-BLW)
Christa Stoebner, US Surface Transportation Board, Office of Environmental Analysis
Rebecca Fabumni, Minnesota Department of Transportation
Garneth Paterson, Minnesota Department of Transportation
Lisa Joyal, Minnesota Department of Natural Resources
Bill Wilde, Minnesota Pollution Control Agency
Mary Ann Heideman, Minnesota State Historic Preservation Office
Larry Hiscock, Harrison Neighborhood Association
Joan Vanhala, Metropolitan Sustainability

SUMMARY OF EPA RATING DEFINITIONS AND FOLLOW UP ACTION*

Environmental Impact of the Action

LO-Lack of Objections

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

EC-Environmental Concerns

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

EO-Environmental Objections

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

EU-Environmentally Unsatisfactory

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

Adequacy of the Impact Statement

Category 1-Adequate

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

Category 2-Insufficient Information

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

Category 3-Inadequate

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

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

EPA Comments on the October 2012
Minneapolis Southwest Transitway DEIS
CEO # 20120320

EPA's cover letter provides an introduction to this more specific set of comments on the Draft Environmental Impact Statement (DEIS) for the Minneapolis Southwest Transitway (SWT) Project. We recommend the Final Environmental Impact Statement (FEIS) include acronyms in sidebars and in the Appendix C Glossary. The FEIS would be improved if the useful information summarized in Tables 9.4-1 and 9.5-1 is fully discussed in Sections 2 through 4. Clarifying these points early in the appropriate sections would make the FEIS more readable and understandable. We commend the excellent noise report and historic and archeological cultural resources reports in Appendix H, with remaining concerns noted below. The following comments on the DEIS discuss the Purpose and Need, Alternatives, Environmental Impacts, and Mitigation of Impacts.

PURPOSE AND NEED

While the project goals and objectives are clearly itemized at the end of chapter 1, the project Purpose and Need is presented in a series of varying statements and repetitions, thus communicating multiple possible meanings. The inclusion of possible freight rail modifications further confuses the project Purpose and Need and how alternatives are being assessed.

Recommendation: The FEIS should describe the needs to be met and then list the project purposes to meet those needs with a clear set of statements that succinctly define the project Purpose and Need.

ALTERNATIVES

The Alternatives Analysis (AA) is unclear as to how early alternatives did or did not meet the criteria used to eliminate or retain those alternatives for further analysis. Table 2.1-2 indicates that a particular goal is met by a given alternative, but does not offer a clear explanation, making the decision appear subjective.

Recommendation: The AA reasoning should be summarized in the FEIS to make these decisions comprehensible. For example, if an alternative does not meet local or regional planning, please explain where that alternative is in conflict with those plans, thus providing an understandable decision rationale.

On October 15, 2008, EPA recommended modification of Alternative LRT-3 to avoid a large wetland complex in the path between the Shady Oak Station and the Opus Station. This modification was not discussed or analyzed in the DEIS. Alternative LRT-3A, the preferred alternative, proposes to carry the light rail transit (LRT) on a long bridge through this large wetland complex east of Route 61. To avoid impacts to these aquatic resources, EPA proposed the LRT path extend along the Hennepin County Rail Road Administration (HCRRA) right-of-

way (ROW) from the Shady Oak Station to Route 61 and turn south along Route 61, perhaps creating Route 61 as a boulevard with the LRT. This would avoid potential impacts and costs of crossing the extensive wetland complex. Those impacts include the footprint of bridge piers and the temporary impacts associated with construction of that bridge.

Recommendation: EPA recommends the FEIS evaluate this modification to the Preferred Alternative as described above, and discuss any other alternatives that could avoid this wetland complex.

Although more extensive discussion about the proposed interlock connections to the MN&S Spur is provided in Appendix H, the DEIS does not adequately explain or illustrate what currently exists, what is proposed regarding freight rail, and how this meets purpose and need.

Recommendation: The FEIS should be revised to include the following information regarding freight rail.

- Illustrate with well-labeled maps the existing and proposed freight rail tracks so that those tracks and their operators can be identified for current and proposed usage.
- Clarify whether trains currently move from the BNSF Wayzata Subdivision at Penn Avenue or the CP Bass Lake Spur Subdivision (Kenilworth Corridor) onto the unnamed track east of Penn Avenue that passes the proposed Van White Station heading to the St. Paul Rail Yard (presumably that is the CP Humboldt Yard).
- Identify the location of the St. Paul Rail Yard along with alternate routing to the St. Paul Rail Yard that Minnesota Commercial Railroad and/or the Twin Cities and Western Railroad (TC&W) currently must use.
- Discuss how the proposed new connections reduce freight train congestion and how the proposal removes freight congestion from the proposed high speed rail service to Minneapolis.

The Operations and Maintenance Facility (OMF) is a significant component of the proposal alternatives. Information on impacts associated with each OMF site alternative was not adequately addressed in the DEIS.

Recommendation: Section 2.3.3.9 and Appendix H do not provide enough information, including maps, to adequately assess these alternative sites for the OMF. The FEIS should clarify these alternative site locations. Any impacts anticipated from the construction and operation at each OMF candidate site should be discussed in the FEIS, including how impacts will be considered in OMF site selection and how those impacts will be addressed.

ENVIRONMENTAL IMPACTS

We commend Tables 9.4-1 and 9.5-1 Indirect and Cumulative impact summaries. However, direct impacts of the proposed alternatives are not discussed consistently. Table 2.1-2 and Table 2.1-3 indicate that Alternative LRT-3A adequately protects the environment, yet we note above

the wetland complex being impacted. Table 2.1-2 indicates Alternate LRT-3C-1 and LRT-3C-2 as cost effective, but Table 2.1-3 indicates that both the LRT-3C options fail the cost criteria. Additional aquatic resource impacts need to be considered more fully in the FEIS as noted herein. Environmental Justice (EJ) community identification and impacts are minimally considered. EJ should be given clearer definition in the FEIS as discussed below, and greater involvement of community groups should be considered

Aquatic Resources

Our review of both aerial photography and DEIS figures indicates that several surface water bodies (streams) are present within the project corridors under review. EPA notes, at a minimum, the following stream crossings: two stream crossings in Segment 1; four stream crossings in Segment 3; two stream crossings in Segment 4; one stream crossing each in Segment A, Segment C-1, Segment C 2-A, and Segment C 2-B; and two stream crossings in the Freight Relocation area.

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

- **Least Environmentally Damaging Practicable Alternative (LEDPA)**¹ – There must be no practicable alternative to the proposed discharge (impacts) which would have less adverse impact on the aquatic ecosystem, so long as the alternative does not have other significant adverse environmental consequences;
- **No Violation of Other Laws** – The proposed project must not cause or contribute to violation of state water quality standards or toxic effluent standards, and must not jeopardize the continued existence of federally-listed endangered or threatened species or their critical habitat(s);
- **No Significant Degradation** – The project must not cause or contribute to significant degradation of Waters of the United States; and
- **Minimization and Mitigation of Adverse Impacts** – The project must include appropriate and practicable steps to avoid impacts to regulated Waters of the United States; where impacts are unavoidable, demonstration of how impacts have been minimized; and must provide compensatory mitigation to offset unavoidable, minimized impacts to the aquatic ecosystem.

Recommendation: The FEIS should be modified to include the following information:

- A discussion of stream impacts associated with each Segment/Alternative.
- A robust discussion about how sequencing established by the Clean Water Act Section 404(b)(1) guidelines has been applied, namely, avoidance first, then demonstration of impact minimization, then mitigation for unavoidable, minimized impacts;
- A discussion on proposed mitigation for unavoidable, minimized stream impacts.

¹ Furthermore, an alternative is considered practicable if “it is available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes.” [40 CFR Part 230.3]

Several streams that will be crossed by project alternatives are specifically listed as impaired (i.e., not meeting state water quality standards) on the Minnesota Pollution Control Agency's (MPCA) Clean Water Act Section 303(d) list of impaired water bodies. Additionally, several water bodies, including lakes, upstream or downstream of potentially impacted channels are also listed on the 303(d) list. However, the DEIS did not include a discussion of 303(d)-listed water bodies, nor did it include a discussion of implications to water quality for proposed impacts to 303(d) listed water bodies or to water bodies upstream of a 303(d)-listed water body.

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

Figure 3.5-1 on page 3-87 (Volume 1) notes the "Nine Mile Creek Conservation Area." This area, its importance, and potential impacts to it, were not discussed in the DEIS.

Recommendation: The FEIS should provide additional information on the Nine Mile Creek Conservation Area, including an inset map showing its boundaries with relation to the preferred alternative corridor, along with discussion of impacts to this area and/or Nine Mile Creek and its tributaries, and proposed mitigation for unavoidable impacts.

Wetlands

Page 2-17 (Volume 1) states that the LRT-1A and LRT-3A alternatives pose "less environmental risk" than alternatives LRT-3C-1 or LRT-3C-2. However, it appears that this statement was based on a greater number of impacts to historic resources, contaminated properties, and potential noise and vibration receptors from the "C" alternatives than from the "A" alternatives. It does not appear that impacts to wetlands, water resources, or floodplains were taken into account with this statement, since the preferred alternative has the most wetland acreage impacts and the second most floodplain acreage impacts compared to the other alternatives studied.

- The DEIS wetland impact acreages were calculated using GIS; however, the document does not specify how (and from what information source) these calculations were made. Furthermore, all estimations of wetland impact can only be confirmed by the completion of a wetland delineation for the full alignment of the preferred alternative, as well as along the freight rail relocation corridor and at all four locations proposed for siting of the OMF.

Recommendation: Page 4-32 (Volume 1) states a delineation will be completed during final design. However, EPA recommends that the delineation be completed before the FEIS is finalized. Without a delineation, it is impossible to correctly assess potential wetland impacts within any corridor alignment. This delineation should be reviewed and verified by the USACE, MPCA, and/or Local Government Units before permitting.

- A number of Traction Power Substations (TPSSs) will be required to supply electrical power to the traction networks and passenger rail stations. They will need to be sited at approximately one-mile intervals along the selected corridor. "General locations" of

TPSS stations were shown in Appendix F; however, the DEIS notes that these locations are subject to change.

Recommendation: Review of Volume 3 proposed plans shows that TPSS # 16 (Segment 3, sheet 1 of 15) is proposed to be built in wetlands and TPSS #6 (Segment 4, sheet 6 of 10) is proposed to be built in South Oak Lake². TPSS stations should be sited in upland (non-wetland) locations. As there is some flexibility in siting of TPSS stations, thoughtful design and planning may further reduce wetland impacts.

- Four locations are being considered for the LRT OMF. These four locations were mentioned on page 2-52 of the DEIS (Volume 1) with additional information found in Appendix H. The additional information provided in Appendix H was not specific enough for EPA to discern the exact locations under consideration for OMF construction. As such, EPA cannot provide substantive comments regarding the potential for water resource impacts or other impacts associated with each of the four sites under consideration.

Recommendation: The DEIS did not take into account the potential for aquatic resource (wetland) impacts or other impacts that could be due to siting of the OMF facility. The OMF sites being considered range in size from 10 to 24 acres. As such, there is a possibility for significant wetland impacts, should wetlands be found at these sites. In the FEIS, potential aquatic resource impacts for these sites should be quantified and included in all impact summary tables and impact narratives in the document. Additionally, modified figures (with aerial photo backdrops) should be added that outline the specific boundaries of each parcel under consideration for OMF construction. The FEIS should clearly discuss the reasons for selecting the OMF site that is eventually chosen.

- Page 4-42 (Volume 1) of the DEIS states that “no wetlands or public waters are present at three of the four potential OMF sites.” EPA assumes that this statement is based on review of the National Wetland Inventory (NWI) maps, as formal wetland delineation has yet to be completed.

Recommendation: Based on our review of aerial photos, the “Eden Prairie 3” site appears to likely contain wetlands. Wetland impacts at the Eden Prairie 3 site could be expected to be a minimum of 1.30 to 1.50 acres. EPA requests that final OMF siting wait until such time that formal wetland delineation has been completed for all sites under consideration. The Clean Water Act Section 404 (b) (1) guidelines should be applied when selecting the OMF site. If the Eden Prairie 3 site is determined to have the most wetland impacts, EPA requests that this OMF site be removed from further consideration, unless other compelling factors argue for its retention.

- The preferred alternative, LRT-3A, proposes wetland impacts of 2.19 acres; of this, 0.19 acre of impact is associated with the build alternative, and 2 acres of impact are associated with the freight rail relocation. No specific information on wetland mitigation

² Other TPSS stations may also be proposed to be built in regulated water resources; these are just two sites EPA noted as clearly located in water resource areas.

was discussed in the DEIS. The only mention of wetland mitigation was made on Page 4-43 (Volume 1), where the DEIS states, “impacts to wetlands as a result of the Built Alternatives and Freight Rail Relocation construction would require mitigation, either through replacement of wetland or purchasing of wetland bank credits.”

Recommendation: EPA recommends that the FEIS provide additional information on potential wetland mitigation, including expected mitigation ratios, updates on status of coordination with permitting entities, potential mitigation sites, and discussion of mitigation site selection in relation to location of the impact sites, etc. If potential mitigation sites have been identified, EPA requests that a figure with the specific sites outlined (not a generic dot or figure location marker) be provided with the FEIS.

- EPA’s review of conceptual plans in Volume 3 of the DEIS indicates that the Mitchell Road station and the Penn Avenue Station appear to be proposed to be constructed in potential wetland areas. Segment 3 is proposed to pass through an extensive wetland complex.

Recommendation: To the extent possible, wetland impacts should follow the sequencing requirements of the 404(b) (1) guidelines. EPA supports the proposed bridging of a large wetland complex shown in Segment 3 (Sheets 14 and 15) as a good example of proposed minimization of wetland impacts, although no discussion of routing avoidance was provided. EPA understands that specific design details and construction plans for the project are still forthcoming. To further minimize unavoidable impacts to wetlands and sensitive aquatic habitats, EPA recommends the following measures be implemented during construction:

- Undertake construction in wetlands during winter/frozen conditions, if/when feasible;
- Minimize widths of temporary access roads/paths;
- Use removable materials for construction of temporary access roads/paths (e.g. timber/swamp mats) in lieu of “fill” materials such as stone, riprap, or wood chips;
- Use timber/swamp mats to distribute the weight of construction equipment in order to minimize soil rutting and compaction;
- Use vehicles and construction equipment with wide tires or rubberized tracks, or low ground-pressure equipment, to further minimize wetland impacts during construction;
- Use long-reach excavators, where appropriate, to avoid driving, traversing, or staging in wetland areas; and
- Install a non-sediment-producing dike, cofferdam, or other barrier to separate work areas or pits from, and to keep sediment from entering, lakes, wetlands, or actively flowing streams (if work areas or pits are located in or adjacent to a work area or pit). Maintain these barriers during construction to minimize the siltation or filling of the stream, lake, or wetland. Remove all barriers post-construction.
- Design both new and replacement culvert crossings to allow fish and other aquatic organism passage and to ensure continuity of the aquatic habitat (by not

- restricting or altering water depth, flow, or velocity). Span crossings (bridges, 3-sided box culverts, open-bottom culverts or arches) are preferred from both an environmental and fisheries standpoint as they preserve the natural stream channel and maintain favorable habitat, natural processes, and aquatic organism passage under and/or through the structure. If a non-open bottom crossing is pursued, (such as a four-sided box culvert or a pipe), it should be embedded a minimum of two feet (and at least 25% for round pipe culverts) into the bottom of the channel.
- Construct relocated stream channels in the dry. Specifically, the new length of any relocated channel should be excavated, graded, stabilized with erosion control blankets, seeded, and have vegetation established before the ends of the new channel are opened to flow.

In addition to minimizing wetland, lake, and stream impacts through thoughtful design and final construction plans, EPA recommends that FTA/HCRRA commit to the following measures for implementation during construction:

- Comply with all applicable federal, state, and local laws and regulations that control the prevention of pollution of the environment, including those related to the introduction or spread of invasive species or pathogens in waterways;
- Conduct and schedule work operations to avoid or minimize siltation of streams, lakes, and wetlands;
- Avoid crossing actively flowing streams or operating machinery on the bed of actively flowing streams unless specifically approved to do so by all appropriate regulatory agencies; and
- Remove existing structures over actively flowing streams in large pieces to minimize the number of smaller pieces that may drop into the water or wetlands. Commit to removing all steel and all concrete pieces or other debris larger than 5 inches in any dimension that fall into any stream, lake, or wetlands.
- Recycle construction debris where feasible.

Floodplains

The preferred alternative, LRT-3A, proposes floodplain impacts of 3.19 acres; of this, 1.19 acres of impact are associated with the build alternative, and 2 acres of impact are associated with the freight rail relocation. No specific information on floodplain mitigation was discussed in the DEIS, although page 4-43 (Volume 1) states, “after Final Design, the amount of floodplain impacts will be calculated, and coordination with the appropriate entities...will occur to determine the type, location, and extent of compensatory floodplain storage (likely in the form of excavation) required.”

Recommendation: EPA recommends that the FEIS provide additional information on potential floodplain mitigation, including expected mitigation ratios, updates on status of coordination with permitting entities, potential mitigation sites, etc. If potential mitigation sites have been identified, EPA requests that a figure with the specific sites outlined (not a generic dot or figure location marker) be provided with the FEIS.

Aquatic Issues Related to Section 4(f) of the Transportation Act

Page 7-20 (Volume 1) of the DEIS notes that the preferred alternative has the potential to permanently use 0.227 acre of land from the Nine Mile Creek Conservation Area. Additional potential impacts, including to the stream channel connecting Brownie Lake and Cedar Lake in the freight relocation project, could constitute an adverse effect and be considered a 4(f) use.

Recommendation: In the FEIS, provide consultation correspondence to and from the property owners regarding the potential for impacts to or adverse effects on 4(f) listed or eligible properties.

Environmental Justice

Census tracts or block groups are only generically defined as either higher or lower than Hennepin County averages for minority or low-income individuals. The DEIS lacks a clear discussion of who lives where.

- While the analysis indicates which census tracts or block groups are currently low income and/or minority, it is not clear why and by how much. For example, we only know which areas have higher than 28.3% minority average, but not the actual number of individuals, the percentage, or which minority group(s). We don't know which minority or if this is an aggregate of all minority groups. This information is important to crafting not just a public outreach plan, but also ensuring that communities are involved in the decision making process, for instance, via language selection (e.g., if the minority percentage represents a primarily Hispanic or Latino community).

Recommendation: Raw data for both low-income and minority communities for each block group or census track, respectively, are needed.

- The FEIS should include the raw population data used to shape the environmental justice analysis, including, but not limited to, numbers of minority or minority groups in each block group, numbers of low-income individuals in each block group, percentage compared to the whole unit for each minority and low-income individuals, languages spoken in each block group, education level, and age (particularly for susceptible populations like the elderly and children).
 - The FEIS should also clarify whether the definition of minority, for the purposes of this analysis, is an aggregate of all minority races. For example, was the sum of all minority groups, as listed in section 10.3.1.1, used to determine whether the block group was about the Hennepin County average or was one single race used (meaning one race needed to be above 28.3%, rather than all aggregated races)?
- No information is provided on linguistically isolated populations, other than indicating outreach to some groups in Spanish, Hmong, and Somali (Section 10.4). The DEIS is not clear if populations in the project area who speak English less than proficiently exist, where they might be located, how they might be impacted by the project, and if they have been appropriately involved in the decision-making process.

Recommendation: The Final EIS should include more details regarding which languages are spoken, where they are spoken, and what outreach has been implemented

to ensure non-English speakers have been appropriately included in the decision-making process. Any resultant mitigation should be committed to in the ROD.

EPA understands that while there are have been planned changes to the Linden Yards area and that no final decision has been made about what to do with the total area that comprises Linden Yards, we have been notified of a proposed diesel rail storage yard³. It is not clear why the August 21, 2012 “Request for City Council Committee Action from the Department of Community Planning and Economic Development”, wherein the diesel rail storage yard, maintenance facility, and train wash are discussed for possible location at Linden Yards, is not considered a reasonably foreseeable action, and thereby discussed in the cumulative impacts analysis. This potential project is not specifically included in Table 9.4-1 (other than a generic mention of future development on page 9-9). It is unclear why FTA finds this information not pertinent to the cumulative impacts analysis when development of the Linden Yards area is apparently currently under consideration by the Metropolitan Council.

Concerning the Van White station area, the alternatives analysis is largely dependent on the development of Linden Yards. For example, if a diesel rail storage yard is proposed at this location, would it still be feasible to have the Van White Station and business and residential development? Would the diesel rail storage yard take priority over the transit station or other transit-oriented development? Is it possible for the Van White station and the diesel rail storage yard to be co-located? If FTA moves forward with the current siting of the Van White station, can the City or Federal Rail Administration move to develop the diesel rail yard there instead, potentially eliminating the Van White station, business, and residential development?

These questions are key to understanding the potential development in the Linden Yards area. The development of the Van White station is noted as an important addition to provide transit access and promote transit-oriented redevelopment for this low-income, racially diverse neighborhood. These opportunities could be lost if the proposed Van White Station were superseded by a diesel rail storage yard there, reducing community access to transit options and increasing diesel emissions, worsening air quality. The lack of information concerning the potential development of the Linden Yards area does not serve to adequately inform the public of the proposed actions and its resultant impacts.

Recommendation: EPA recommends that the FEIS is updated to include any potential development in the Linden Yards area, including the diesel rail storage yard. Any proposed plans or projects, including scoping attempts made by other local, state, or federal agencies, should be documented in the FEIS. FTA should address whether other proposed projects could supersede the siting of the Van White station and whether co-location could be an option should the rail storage yard be pursued. While EPA understands that the future of the Linden Yards area, including possibly siting a diesel rail storage yard there, may not be settled, FTA should make an attempt to address community concerns that siting a diesel rail storage yard there could eliminate the siting of the Van White station, and/or other developments, in communities anticipating the addition of transit accessibility.

³ <http://www.minneapolismn.gov/www/groups/public/@clerk/documents/webcontent/wcms1p-097133.pdf>

EPA is concerned about the so-labeled indirect and cumulative impact of “gentrification” around the transit stations. We recognize that increases in property value, attraction of more businesses, and an influx of new residents are a likely result of the proposed project, particularly around the transit stations. Certainly, gentrification is not part of the purpose and need statement for the proposed project, just as indirect displacement of low-income residents or residents on a fixed income (like the elderly) by pricing them out of their neighborhoods is not an intent of the project. EPA understands that both FTA and Minnesota Department of Transportation (MnDOT) are committed to transit-oriented development that does not displace local residents from their neighborhoods.

Recommendation: Because a federal action is the impetus of potential gentrification and it is so mentioned in the DEIS, EPA strongly encourages FTA and MnDOT to work with Hennepin County, the communities and their representative groups, and city departments to ensure that residents who wish to stay in their neighborhoods continue to be able to afford to do so after the opening of the transit stations. This can be accomplished in many ways, including requiring residential developments to include affordable housing options as a percentage of total new units built in association with the new stations (for example, in Chicago, if land is rezoned from industrial to residential, 10% of the new housing units should be deemed affordable housing allotted for those earning 60% or less of the area median income).

Air Quality

The FEIS should include measures to further reduce impacts to air quality, particularly particulate matter and diesel emissions, for which communities along the project area are already overburdened. While we agree that increasing light rail transit ridership could potentially reduce air quality impacts, short term impacts as a result of construction could worsen. The National Institute for Occupational Safety and Health (NIOSH) has determined that diesel exhaust is a potential occupational carcinogen, based on a combination of chemical, genotoxicity, and carcinogenicity data. Acute exposures to diesel exhaust have been linked to health problems such as eye and nose irritation, headaches, nausea, asthma, and other respiratory system issues. Communities living with environmental justice concerns are already disproportionately impacted by poor air quality and the development of this project need not contribute to an already degraded resource.

Recommendation: EPA recommends the following measures to reduce short-term construction impacts to air quality be committed to the Record of Decision (ROD).

- Use ultra low-sulfur diesel fuel.
- Retrofit engines with an exhaust filtration device to capture diesel particulate matter before it enters the construction site.
- Position the exhaust pipe so that diesel fumes are directed away from the operator and nearby workers, thereby reducing the exposure of personnel to concentrated fumes.
- Use catalytic converters to reduce carbon monoxide, aldehydes, and hydrocarbons in diesel fumes. These devices must be used with low sulfur fuels.
- Attach a hose to the tailpipe of diesel vehicles running indoors and exhaust the fumes outside, where they cannot reenter the workplace. Inspect hoses regularly for defects and damage.

- Use enclosed, climate-controlled cabs pressurized and equipped with high efficiency particulate air (HEPA) filters to reduce the operators' exposure to diesel fumes. Pressurization ensures that air moves from inside to outside. HEPA filters ensure that any incoming air is filtered first.
- Regularly maintain diesel engines, which is essential to keep exhaust emissions low. Follow the manufacturer's recommended maintenance schedule and procedures. Smoke color can signal the need for maintenance. For example, blue/black smoke indicates that an engine requires servicing or tuning.
- Reduce exposure through work practices and training, such as turning off engines when vehicles are stopped for more than a few minutes, training diesel-equipment operators to perform routine inspection, and maintaining filtration devices.
- Purchase new vehicles that are equipped with the most advanced emission control systems available.
- With older vehicles, use electric starting aids such as block heaters to warm the engine to reduce diesel emissions.
- Use respirators, which are only an interim measure to control exposure to diesel emissions. In most cases, an N95 respirator is adequate. Workers must be trained and fit-tested before they wear respirators. Depending on work being conducted, and if oil is present, concentrations of particulates present will determine the efficiency and type of mask and respirator. Personnel familiar with the selection, care, and use of respirators must perform the fit testing. Respirators must bear a NIOSH approval number.

The FEIS should include the following editorial changes to the maps presented in Chapter 10.

Recommendation:

- The term "partial/full" in the key to Figures 10.3-1, 10.3-3 through 10.3-6, and 10.3-8 through 10.3-10 should be clearly defined.
- Maps should identify locations of the stations that are proposed. The communities living with environmental justice concerns are already disproportionately impacted by the lack of access to transit options and close proximity to sources of air pollution, such as highways and arterial roads. The DEIS indicates one of the benefits is increased access to transit for communities living with EJ concerns; however, this is indiscernible from the provided maps, since there is no visual correlation between where these communities are and where transit stations will be located.
- Maps are cut off along the edges, making it difficult to read the legend or verify which figure it is.

Noise

Although we commend the excellent noise studies reported in Appendix H, we note that at the only site where train noise was observed, the St. Louis Park School at 6300 Walker Street, the train noise was eliminated from the analysis as an outlier value. The DEIS also states that train horn noise was the only detrimental impact, which will be eliminated by creating quiet zones.

Recommendation: EPA recommends the FEIS provide an understanding of freight engine and rail/wheel noise impacts to residences, schools, and other sensitive receptors located close to the tracks.

Historic and Cultural Resource Impacts

Appendix H contains an extensive amount of information on the historic sites related to this project. Many of the individual sites have been determined to either be on the National List of Historic Places, or not eligible to be listed. However, where structures and impacts are in question, the DEIS indicates that this study will be used in negotiating a Memorandum of Agreement with the State Historic Preservation Office (SHPO). The DEIS provides no information on the status of SHPO negotiations.

Recommendation: We recommend the FEIS clarify how the historic and cultural resource impacts will be addressed in a Memorandum of Agreement between project sponsors and the SHPO.

MITIGATION OF IMPACTS

Section 9.6, especially Table 9.6-1, is generally uninformative. The introduction statement for Table 9.6-1 Summary of Impacts and Their Mitigation, indicates that “no mitigation would be needed.” This statement is not supported by the table documentation and other DEIS materials.

Recommendation: The FEIS needs to clarify where and how impacts were avoided and minimized, and when unavoidable impacts remain, how they will be compensated for.



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January 17, 2013

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. Carver County 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). Carver County 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 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, in Carver County's view, will make freight rail non-competitive. 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; or
- 3.) Route the SWLRT up the MN&S rail line

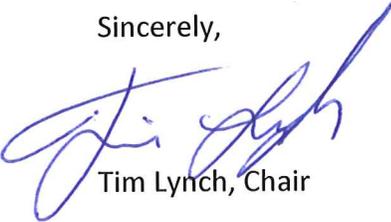
Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

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

January 17, 2013
Page 2

As the Carver County Board, and as a member of the Minnesota Valley Regional Rail Authority, we recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,



Tim Lynch, Chair



Gayle Degler, Commissioner



Tom Workman, Commissioner



James Ische, Vice Chair



Randy Maluchnik, Commissioner

c (via e-mail): Mark Wegner, President, TC&W Railroad