



"Hiscock, Larry"
<larry@hnampls.org>
12/31/2012 05:22 PM

To "swcorridor@co.hennepin.mn.us"
<swcorridor@co.hennepin.mn.us>
cc
bcc
Subject HNA Attachments

Please confirm receipt because of the size of pdf.

Larry Hiscock
Director/Lead Organizer
612-374-4849

I GoodSearch and GoodShop for the Harrison Neighborhood Association.

Raise money for Harrison Neighborhood Association just by searching the Internet with GoodSearch.com (powered by Yahoo), or shopping online with GoodShop.com. Simply go to <http://www.goodsearch.com/toolbar/harrison-neighborhood-association-hna> and add us to your toolbar.

Comments #700 and 701 combined are a single comment. See Comment #701 for Theme Delineations on the letter.

Bassett Creek Valley Equitable Development Project

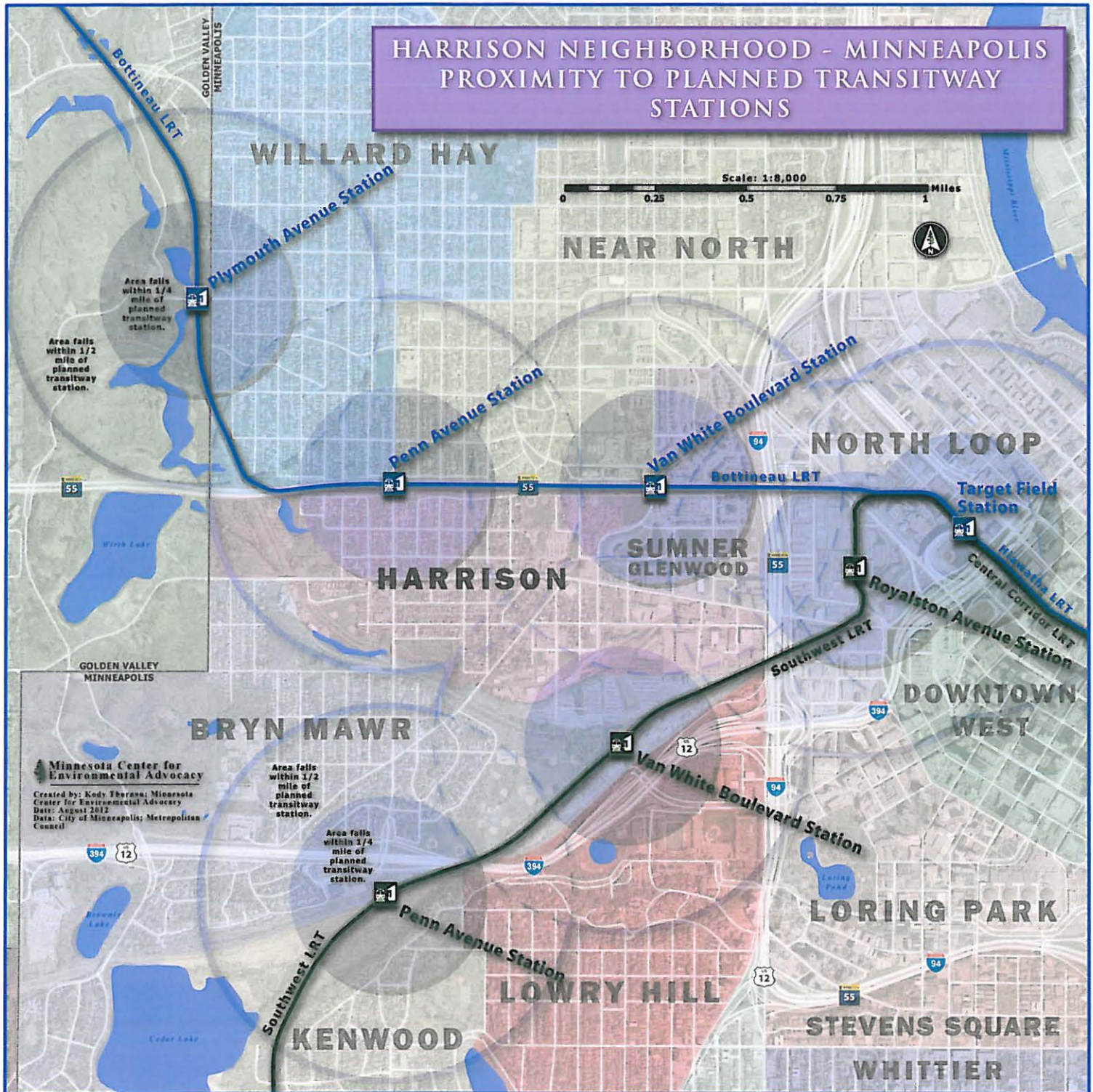
Chart Comparing Community Priorities with the Outcomes Secured at the Minneapolis City Council in 2008

Important Note: The following resolution was added prior to Ryan Companies being awarded "Temporary Exclusive Development Rights." This a major step forward, strengthening HNA's position with City staff, future City decision-makers and with Ryan Companies. This sets a high standard for any potential development agreement that might be negotiated in the future. It might be the highest standard set for any development agreement in the history of the City of Minneapolis.

<p style="text-align: center;"><u>Community Approved Guiding Principles</u></p> <p>Guiding Principles for redevelopment of the Bassett Creek Valley (BCV): passed by unanimous vote by Harrison neighborhood residents at the February 28, 2005 community meeting; voted and adopted by the Harrison Neighborhood Association Board of Directors on March 14, 2005.</p>	<p style="text-align: center;"><u>Amended Council Language</u></p> <p>The Community Development Committee unanimously approved the following language on October 28th, 2008. The full City Council adopted the language on November 7th, 2008.</p> <p>Any City development agreement(s) with Ryan Companies should work to include the following:</p>
<p><u>RESIDENTIAL/HOUSING</u></p> <p>Redevelopment shall:</p> <ul style="list-style-type: none"> • Preserve and improve existing housing in the BCV area while safeguarding against displacement and gentrification. • Create a wide variety of new housing options-both single family and multi-family, both ownership and rental-at a mix of affordability levels to meet the housing needs of future, but especially current, residents. 	<p>Housing</p> <ul style="list-style-type: none"> • The mix of ownership and rental units, and units affordable to very low, low, and moderate-income households in each proposed development phase and integration of affordable units throughout the proposed developments. • Consideration of nonprofit developers for all housing developments • Promotion of long-term affordability through land leases, deed restrictions and other means. • Energy efficiency and green design and construction.
<p><u>ECONOMIC</u></p> <ul style="list-style-type: none"> • Provide long-and short-term living wage jobs for area residents. • Create work opportunities and resources for existing businesses in Harrison, with an emphasis on those that are minority and female owned. • Establish links between educational/job training resources and neighborhood residents, including youth, to enhance employment opportunities. • Set minority and female construction participation goals above City minimums; provide for the necessary outreach to attain these goals. 	<p>Construction Related Workforce and Contractor Diversity</p> <ul style="list-style-type: none"> • Meaningful employment and contracting goals for any construction on the Linden Yards, and Impound Lot sites, including apprenticeship and local hiring goals. • Payment of prevailing wages by all contractors and sub-contractors. • Establishment of a First Source Hiring and Referral System, including hiring of ex-offenders and workforce inclusion activities focused on Northside residents • Establishment of a program to connect Northside neighborhood contractors to construction activities. <p>Workforce Opportunities</p> <ul style="list-style-type: none"> • Labor neutrality and card check arrangements • Employment and hiring goals addressing workforce diversity and local hiring • Workforce development plan that addresses job training, job/employer linkages, local hiring strategy and referral system for employers located in the development and that coordinates with existing community-based job training efforts. • Employment assistance programs that reduce barriers to employment while supporting a stable and reliable workforce • Work to connect Women and Minority Business Enterprises and local firms to commercial enterprises located in Bassett Creek Valley • Opportunities for local businesses and Women and Minority Business Enterprise have to locate within the redevelopment to fill commercial/retail gaps in a sustainable manner. • Pursue employment plans and goals to for long term living wage employment opportunities for people of color and women and community residents in the development
<p><u>ENVIRONMENT</u></p> <ul style="list-style-type: none"> • Improve the air, water and land quality within the Bassett Creek Valley. This is to be achieved through permitting, monitoring and regulating all industrial pollution in the BCV, this is also to be achieved through incorporating green space into each industrial site in a way that reduces run-off pollution and litter. • Increase public access to new and existing green spaces within the BCV and adjacent areas by creating north and south open space corridors. • Protect the ecological integrity of the creek and surrounding wildlife habitat by restoring Bassett's Creek to a more natural and meandering route. • Use green building materials made with safe building materials. <p><u>QUALITY OF LIFE/COMMUNITY</u></p> <ul style="list-style-type: none"> • Address the basic retail and service needs of the people who live and work in and around the Harrison neighborhood • Support HNA in creating a "sense of place" in the Bassett Creek Valley and within the larger neighborhood that reaches across culture and economic classes. • Create designs that are pedestrian friendly and fully accessible, that inhibits crime and improve the sense of safety. • Improve linkages to other parts of the city and surrounding areas. 	<p>In addition to the development agreement provisions, the City will pursue the following:</p> <p>Finance</p> <ul style="list-style-type: none"> • Planning efforts to produce tax increment financing and tax increment legislation that will promote and integrate the redevelopment of the entire area consistent with the Master Plan using the excess tax increment generated by Linden Yards and the Impound Lot • Plan the use of these excess funds to achieve the development and housing objective set out in the master Plan <p>Community Connections and Participation</p> <ul style="list-style-type: none"> • Continued engagement of the Harrison Neighborhood Association (HNA), The Bryn Mawr Neighborhood Association(BMNA) and The Redevelopment Oversight Committee (ROC) with the production of the redevelopment and tax increment plans for Bassett Creek Valley; regarding the development agreements surrounding Linden yards and the Impound Lot; strategies to connect the Ryan development with redevelopment/renewal of the remainder of Bassett Creek Valley Area and surrounding community and minimization of impact of development on surrounding neighborhood • Incorporation of sound environmental planning into project design • Create systems and methods of monitoring goals, strategies, and agreements • Explore, in conjunction with the developer and affected neighborhood groups, ways to facilitate the housing and long-term employment goals set out in the Bassett Creek Valley Master Plan.

Attachment A

Attachment B





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

REGION V
Illinois, Indiana,
Michigan, Minnesota,
Ohio, Wisconsin

200 West Adams Street
Suite 320
Chicago, IL 60606-5253
312-353-2789
312-886-0351 (fax)

August 8, 2011

Maren McDonell
Board President
Harrison Neighborhood Association
503 Irving Ave. North, Suite 100
Minneapolis, MN 55405

Tim Thompson
President
Housing Preservation Project
570 Asbury St., Suite 105
St. Paul, MN 55104

Russ Adams
Executive Director
Alliance for Metropolitan Stability
2525 Franklin Ave. East, Suite 200
Minneapolis, MN 55406

Jodi Nelson
Executive Director
MICA
2233 University Ave. #434
St. Paul, MN 55114

Doran Schrantz
Executive Director
ISAIAH
2720 E. 22nd St.
Minneapolis, MN 55406

Re: Potential Environmental Justice Issues at Bassett Creek Valley/Linden Yards Development in Minneapolis, Minnesota

Dear Sirs and Mesdames:

This letter is in response to your letter dated June 22, 2011, expressing environmental justice concerns regarding the proposed location of the commuter train storage facility at Linden Yards East in the Bassett Creek Valley area of Minneapolis. One of the potential Southwest Transitway Project stations, the Van White Station, is also being proposed to be located at Linden Yards East.

The Federal Transit Administration (FTA), Metropolitan Council, and Hennepin County Regional Railroad Authority are preparing an Environmental Impact Statement (EIS) on the Southwest Transitway Project. This document, which will address environmental justice and other potential concerns, is still in development. There will be opportunity for public comment on the Draft EIS once it is published. Since this Project is a Federal undertaking, the Draft EIS is being prepared in accordance with the National Environmental Policy Act (NEPA). For more information, please contact Katie Walker, AICP, Transit Project Manager, Hennepin County, at (612) 385-5655. Her e-mail address is Katie.Walker@co.hennepin.mn.us.

Please do not hesitate to contact me at (312) 353-2789 if you have further questions.

Sincerely,



Marisol R. Simón
Regional Administrator

cc:

Lois Kimmelman, FTA
Bill Wheeler, FTA

Mayor R.T. Rybak
City Hall, Room 331
350 S. Fifth St.
Minneapolis, MN 55415

Peter McLachlan
Hennepin County Regional Rail Authority
300 S. 6th St.
A-2400
Minneapolis, MN 55487-0241

Minnesota Department of Transportation
Transportation Building
395 John Ireland Blvd.
St. Paul, MN 55155

Norm West
USEPA Region 5
Office of Enforcement and Compliance
Assurance (E-19 J)
77 W. Jackson Blvd.
Chicago, IL 60604

Susan Haigh
Metropolitan Council
390 Robert St. North
St. Paul, MN 55101-1805



June 22, 2011

Mayor R. T. Rybak
City Hall, Room 331
350 South Fifth Street
Minneapolis, MN 55415

Minnesota Department of Transportation
Transportation Building
395 John Ireland Blvd
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Minneapolis, MN 55487-0241

Marisol Simon
Federal Transit Administration Region 5
200 West Adams Street
Suite 320
Chicago, IL 60606

Susan Haigh
Metropolitan Council
390 Robert St. North
St. Paul, MN 55101-1805

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US EPA Region 5
Office of Enforcement and Compliance
Assurance (E-19J)
77 W. Jackson Blvd.
Chicago, IL 60604

**RE: Environmental Justice Issues at Bassett Creek Valley / Linden Yards
development in Minneapolis**

Dear Officials:

We write as organizations deeply concerned about the future of the Bassett Creek Valley area of Minneapolis. As all or most of you are aware, the Bassett Creek Valley is home to one of the largest publicly owned underutilized parcel of land remaining near downtown Minneapolis. It also provides the key as-yet-to-be-developed link between economically struggling North Minneapolis and wealthier neighborhoods immediately to the south. In addition, as a result of siting decisions on the Southwest Light Rail Line, it will now also house the Van White Boulevard LRT station area, making this area even more strategic as an area to redevelop. The proposed Bassett Creek Valley (BCV) Master Plan / Linden Yards development is the product of years of community planning and an effort to capitalize on all these opportunities.

503 Irving Avenue North, Minneapolis, MN 55405 o: 612-374-4849, f: 612-374-9777

www.hnampls.org

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One of the key goals of the BCV Master Plan is to set the stage for the economic revitalization of the adjoining Harrison neighborhood to the north. The Harrison neighborhood is an economically struggling, predominantly minority lower income neighborhood which should stand to gain much from the Linden Yards project. We write now, however, because we believe that a series of recent and pending decisions by public agencies are substantially jeopardizing the economic promise of the project, which in turn would pose a major adverse impact for the Harrison neighborhood.

In particular, a pending decision to locate the commuter train storage yard at Linden Yards East would substantially compromise the Bassett Creek Valley (BCV) Master Plan, by undermining the Master Plan strategy to use high intensity development in Linden Yards. This creates a threefold adverse impact. First, it effectively reduces or eliminates tax increment funding to finance redevelopment for the larger neighborhood. Second, it removes much of the potential to develop housing, both affordable and market rate. Third, it dramatically reduces the potential for Linden Yards to create a catalytic effect for the larger area. The primary impact of these lost opportunities and the compromising of the BCV Master Plan will fall upon the predominantly minority and low income Harrison neighborhood. This presents a serious question of Environmental Justice. Although it is possible the train storage yard decision may not be made for some time, having the pending decision looming over Linden Yards creates it's own problems, necessitating that the Environmental Justice review be done now.

As far as we know, no public entity is viewing the collective impact of the pending decisions in terms of their potential Environmental Justice impact. We respectfully request that a comprehensive full Environmental Justice analysis be conducted regarding the siting of the proposed commuter train storage and maintenance facility. As far as we can tell, all of the agencies to which this letter is addressed have some role in making or funding the decisions in question, have Environmental Justice obligations, and therefore should share responsibility for this analysis.¹

Background

Historically the Bassett Creek Valley area has been largely industrial but also at times provided inexpensive housing for immigrant groups and beginning after 1900, increasingly housed African Americans. In the 1930s and again in the 1950s, public housing was concentrated at Sumner Olson on the northern edge of Bassett Creek. In 1992, public housing residents took various governmental agencies to federal court, alleging a pattern of racial discrimination in the siting and operation of public housing. The case was settled in 1995, resulting in the Hollman v. Cisneros consent decree, a

¹ We are aware that the Southwest LRT corridor Draft Environmental Impact Statement (DEIS) is planned for public release in the near future. Perhaps these issues will be addressed in the DEIS, but to the extent they are not, they should be addressed as discussed herein. In any event, whether EJ concerns get addressed in the DEIS or as part of a separate process as called for herein, the commuter train storage yard location decision should be deferred until these concerns are fully aired and resolved.

sweeping court approved settlement, providing for, among other things, the demolition of the Northside public housing projects, and the redevelopment of those units in various locations across the metro area, in order to provide largely minority public housing residents with integrated housing in high opportunity locations. Part of the settlement called for development of a new mixed income project to be built on the original project site, now known as Heritage Park.

In addition, a key aspect of the settlement called for reducing the isolation and enhancing the economic development of the largely minority Near North Minneapolis community by more directly linking that area to the more affluent Walker Art Center/Dunwoody location in South Minneapolis. The Dunwoody Institute, in particular, provides an important community asset because this well respected vo-tech school offers a career pathway out of poverty and will serve the North Minneapolis community better once the Van White Boulevard link is completed. That link is now being created through the completion of Van White Boulevard, which will also intersect with the Linden Yards development and provide a transit stop along the planned Southwest LRT Corridor.

On a parallel track, residents of the Bryn Mawr and Harrison neighborhoods began working with the City to plan for redevelopment of the Bassett Creek Valley, culminating in the adoption of the Bassett Creek Valley Master Plan in 2000, and its updating in 2007. One goal of that Master Plan was to create conditions for the economic revitalization of the Harrison neighborhood, centered along Glenwood Avenue, and located between Heritage Park and the proposed Linden Yards development, the centerpiece of the Master Plan. The Plan calls for the transformation of BCV "from a relatively isolated and obsolete industrial area ...to a vibrant urban village of retail, office, residential, industrial, civic and residential uses that fit like a glove with the adjacent neighborhoods. Master Plan, p. 4-1. The build-out, anticipated to take 25 years, could include between 2600-6100 dwelling units. Attached to this letter are two maps, one showing the larger BCV Area, and the other showing the Linden Yards proposal in some detail.

Most importantly, the Master Plan explicitly recognizes that one of the purposes of the Linden Yards proposal is to generate additional financial resources to meet broader community needs. Phase 1 encompasses the Glenwood Avenue/ Van White Boulevard intersection and Linden Yards, and is intended to provide the catalyst for Phase 2, that will cover the larger surrounding area and "which will need market stimulation and financial infusion of phase 1 projects before they 'ripen' for development." (MP at 6-9). The Plan provides that the Linden Yards area is to be intensively developed so that: "the tax increment from this project will also generate 'seed money' for more financially challenged redevelopment in phase 2." (MP at 6-11). The plan repeatedly emphasizes that building to the highest possible density is necessary for overall financial feasibility and that "implementation needs to be coordinated to allow stronger 'districts' to help support districts with gaps" and "revenue sharing needs to occur across district boundaries in order to allow financially stronger districts to support weaker ones." (MP at 5-7). Secondly, because of this need to rely on high intensity development in Linden Yards to generate resources to support the rest of the project, "implementing the plan cannot be viewed as a series of independent projects but rather a series of interrelated

actions” and “every investment must be evaluated for its impact on achieving the vision for the future of Bassett Creek Valley.” (MP 6-1). The Plan notes that “failure to consider the implementation relationships between elements of the plan will lead to missed opportunities and increased risk for the City.” (MP at 6-2).

In 2007, the City of Minneapolis incorporated this vision for BCV and Linden Yards in its Comprehensive Plan. In 2008, the City of Minneapolis awarded exclusive development rights for Linden Yards to Ryan Companies. As part of that decision, the City Council reaffirmed that excess funds generated through tax increment financing should be used for the benefit of the larger BCV Master Plan area. In 2009, the City rezoned the area consistent with the Master Plan. Further progress on the project beyond the planning stage has been stalled, however, largely due to the state of the economy.

Finally, the selection of the route for the Southwest LRT Corridor means that Linden Yards will be even more strategically positioned, with the Van White Boulevard Station Area being located in the middle of Linden Yards.

Governmental decisions affecting Linden Yards and Harrison Neighborhood

The pending decision which most directly threatens the success of the Linden Yards project is where to place the commuter train storage yard needed for a layover yard facility for trains running in and out of the proposed downtown Interchange. According to the Intermodal Station Study Phase II, there are two locations which could be feasible for a train layover site: the Bassett Creek layover site (Linden Yards) and farther to the west, the Cedar Lake layover site². The study concludes that although both locations are feasible, the Bassett Creek Linden Yards site is preferable. Locating the train storage yard in this location, however, means that it replaces half of the Linden Yards project, Linden Yards East. Locating the storage yard in the middle of the planned Linden Yards development, along with the retention of the Impound Lot, severely compromises the community vision for BCV, removes the site where the affordable housing component of Linden Yards would have been located, and effectively eliminates the financial resources that would have been generated by the original development plan. The community most adversely affected by this decision is the community which stood the most to gain from the Linden Yards development—the Harrison Neighborhood. The Linden Yards location is also the only one under consideration which adversely affects an Environmental Justice community.

We recently learned in a public meeting that the storage yard would also be needed for storage of high speed rail should the proposed high speed rail lines to Duluth or Chicago ever become reality. Since neither of these lines have been approved nor may they ever be approved, we face the prospect that the storage yard decision may hang over Linden Yards for perhaps years while advocates for these lines seek approval and funding. That

² Although the study discusses just these two locations, it is not at all clear that other more remote locations have been ruled out as infeasible.

causes at least two problems. First, the prospect of train storage and diesel fumes as a neighbor greatly increases the challenge for Ryan Companies to attract any companies to locate at Linden Yards, very likely putting a damper on all potential development on the site. Second, while this decision remains unresolved, other public decisions appear to be assuming the storage yard will be placed on Linden Yards East thus narrowing the options and potentially dictating the outcome. The Southwest LRT Station plan clearly places the storage yard at the Van White station area rather than the Penn station area, for example.³

The train storage yard decision is not the only public decision which is effectively compromising the BCV Master Plan vision. The Master Plan also calls for the removal of the City's auto impound lot, in order to provide space for another phase of the Linden Yards development. However, the City has recently decided not to relocate the Impound Lot for the foreseeable future, and has in fact considered investing in upgrading the Impound Lot in its current location. If the City takes that action, it effectively ensures that the impound lot will remain at this location for some time to come, further limiting the intensity of the development called for in the BCV Master Plan.

In addition, pending decisions about the design of a bridge on Van White Boulevard are threatening to create further problems. To complete the section of Van White Boulevard linking the Harrison Neighborhood to the Dunwoody Institute/ South Minneapolis area, a bridge needs to be constructed as part of the Boulevard which will cross over the Southwest LRT line, the Cedar Lake Trail, and the BNSF Freight Line. The City's current proposed bridge design causes two problems.⁴ One problem is that for southbound travelers on Van White Boulevard, there will be no easy way to exit directly on to the Linden Yards West project area—which is the only part of Linden Yards that could be developed in the near future. This defect seriously threatens the ability of Ryan Companies to market the Linden West site for the commercial uses intended there. Secondly, the bridge is planned for one lane each way, unlike the rest of Van White Boulevard, which will be two lanes in each direction. This traffic choke point will effectively limit traffic along Van White Boulevard. That in turn threatens the entire vision of high density development in this area, as the inability to travel easily in and out of the project area may well prevent development at the density levels needed to make the project and the Master Plan vision work.

³ While an environmental impact analysis will need to be done when and if the train storage yard decision is made, it will not be the same as the Environmental Justice analysis we are calling for. In addition to the problems caused by the delays of waiting for such a decision, that kind of environmental impact analysis will not ensure full consideration of all the social justice impacts of the decision, nor will it necessarily include consideration of the cumulative impact of all the public decisions on BCV, including the impound lot decision and the bridge design decisions, among others.

⁴ We understand that it is possible that the bids could come in sufficiently under budget so as to allow construction consistent with the original bridge design, which would obviously be the preferable outcome.

In short, these public decisions threaten to substantially undermine the vision for this area as articulated in the BCV Master Plan and the City's Comprehensive Plan. As the Master Plan notes, "development intensity in Linden Yards is essential to generating financial resources that achieve the challenging but necessary acquisition, demolition, infrastructure and amenity investments in other parts of the Valley." (MP 6-11) Undermining that development intensity directly threatens the development potential Harrison neighborhood has been counting on.

Why these issues raise Environmental Justice Concerns

In 1994, the President issued Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations." The order provided that "to the greatest extent practicable and permitted by law...each federal agency shall make achieving environmental justice part of its mission by identifying and addressing as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies and activities on minority populations and low-income populations..." Section 1-101. Pursuant to this order, the U.S. DOT adopted its own order on Environmental Justice in 1997. 62 Fed Register 18377 (4-15-97). In 1998, MNDOT issued its own Environmental Justice Draft Guidance, based in turn upon the USDOT order. The Guidance provides that in applying Environmental Justice principles to particular situations the following analytical steps should be followed: 1. Determine if a minority or low income population is present within the project area; 2. Determine whether project impacts associated with the minority/low income populations are disproportionately high and adverse; 3. If so, determine if there are there mitigation measures or alternatives to the proposed action that would avoid or reduce the adverse impact on minority/low income populations.

As a threshold matter, the obligation to consider Environmental Justice (EJ) in this situation clearly applies. The fact that the commuter train storage yard is at least partially federally funded means that EJ obligations attach not only to US DOJ but to the recipients and subrecipients of these funds. FTA Circular 4702.1A. Moreover, the duty to consider EJ applies at all stages of the planning process, "and should be integrated into every transportation decision—from the first thought about a transportation plan to post-construction operation and maintenance." FTA Environmental Justice Website, Questions and Answers, www.fhwa.dot.gov/environment/ej2000.htm.

The following analysis does not claim to provide a complete application of the EJ Draft Guidance to BCV /Linden Yards; that is for the agencies to which this letter is addressed to perform. The analysis does, however, demonstrate that there is ample indication of the need to conduct this kind of analysis before further public decisions are made.

- 1. The Harrison Neighborhood constitutes a minority and low income population within the Bassett Creek Valley project area.** The Harrison neighborhood directly abuts the proposed Linden Yards development on its northern border, and is fully contained within the area defined as Bassett Creek Valley for purposes of the BCV Master Plan. According to 2010 census data,

40% of Harrison residents are African-American, 29% are white, 17% are Southeast Asian, 9% are Hispanic, and 5% are other. Thirty-seven per cent (37%) of the Harrison population lived in poverty in 2010.

2. **The impact of a decision to place the train storage yard at Linden Yards East is disproportionately high and adverse to the minority and low income residents of Harrison neighborhood.** The first question under this element of the Draft Guidance is whether the anticipated adverse impact is high. The stakes for Harrison in connection with these transportation-related decisions are quite high; the entire development the community has been planning for over a decade would be in jeopardy. The elimination of Linden Yards East as a development site (other than train storage) effectively eliminates the tax increment funding needed to realize the full BCV Master plan, eliminates much of the planned-for housing development, and greatly undermines the location's potential as a catalytic development for the larger area. Secondly, to determine if the adverse impact is disproportionate, the adverse effect must be borne predominantly by a minority or low income population. That is clearly the case here, as Harrison neighborhood is over 70% households of color with 37% of households below the poverty level. By contrast, the minority population city-wide is 30.4%, and the poverty population city-wide is 21.5%, according to the City website.

Of the two neighborhoods included within the BCV Area, Harrison is far and away more affected by the failure or success of the Linden Yards project. The only other neighborhood contained within the BCV Master Plan Area, Bryn Mawr, has for the most part only park areas directly near the Linden Yards site, while both residential and commercial areas of Harrison neighborhood directly adjoin Linden Yards. Under the Master Plan, as well as under the Hollman Decree, one of the main purposes of development within the BCV Area is to spark economic development within the long neglected section of the Harrison neighborhood along Glenwood Avenue. Harrison neighborhood residents have also supported the Linden Yards development because of the jobs and affordable housing it would provide.

It is important to note that one solution has been proposed which would in theory allow both the location of the storage yard at Linden Yards East and still allow development on that same parcel as well. The proposal would be to build a "plinth", or platform over the train storage yard, and then develop on top the plinth. It is highly debatable whether this solution would reduce the impact of the train storage yard, however; not only are there a host of unanswered questions about the compatibility of building residential or commercial space over a diesel train yard, but the likely enormous cost of such a plinth could well consume all the excess financial resources generated by the Linden Yards development to further adjoining neighborhood investment. The City and Ryan Company are currently undertaking an engineering feasibility study of the plinth concept, but this study will necessarily leave many key questions unresolved.

In short, it appears that the impact of placing the storage yard at Linden Yards East is both adverse and disproportionately high for the Harrison neighborhood.

3. **There appear to be viable mitigation measures or alternatives available which would avoid or reduce the adverse impacts imposed by placing the train storage yard on Linden Yards East.** Under MNDOT's test, if mitigation measures or alternatives exist which would avoid or reduce adverse effects on minorities/low income groups, those measures must be employed unless they are "not practicable". P. 13. MNDOT then refers to the USDOT definition of practicable: "in determining whether a mitigation measure or alternative is practicable, the social, economic (including costs) and environmental effects of avoiding or mitigating the adverse effects will be taken into account. MNDOT also adds an additional test of practicability when the affected population would be protected by Title VI of the Civil Rights Act of 1964. (That would be the case here, where Harrison neighborhood, the affected population, is over 70% persons of color.) In that case, alternatives can only be rejected as impracticable where the costs associated with the alternative are more severe than those of the proposed action, or where other alternatives would have costs of extraordinary magnitude.

While the Intermodal Station Study indicated that the Bassett Creek site was the preferred site, it also indicated that either site, Bassett Creek or Cedar Yards, contained sufficient space to be feasible. A key question for determination becomes costs associated with selection of an alternative site. Note, however, that even if there are additional costs associated with the alternative site, those costs must be compared with the full costs of the Bassett Creek/Linden Yards site, including the social and resulting economic costs. Moreover, even if the costs of Cedar Yards are more severe than the Linden Yards site, there is still an obligation to identify all potential alternatives, including other feasible locations farther from the Interchange.


Conclusion


The issues presented here are complex, and further analysis is needed. What is clear at this point, however, is the following: a series of public decisions are seriously compromising the prospects for the realization of the Bassett Creek Valley Master Plan. The most serious of these decisions and the one currently pending, the location of the train storage yard, threatens to dramatically reduce the size and viability of the proposed development, as well as the generation of financial resources intended to benefit the adjoining neighborhood. Even having this decision unresolved, perhaps for several years, places a major cloud over any development potential in the area. The neighborhood interests clearly jeopardized by this decision are overwhelmingly minority and low income.


Based on these circumstances, a full Environmental Justice review should be undertaken now. We understand construction of the bridge over Van White Boulevard may need to


proceed in the near future. We have no objection to that project proceeding as long as it is done in a way that does not preclude other locations for the train storage yard.


Sincerely,


Maren McDonell
Board President
Harrison Neighborhood Association
503 Irving Avenue North, Suite 100
Minneapolis, MN 55405


Tim Thompson
President
Housing Preservation Project
570 Asbury Street, Suite 105
Saint Paul, MN 55104


Russ Adams
Executive Director
Alliance for Metropolitan Stability
2525 Franklin Ave E, Suite 200
Minneapolis, MN 55406


Jodi Nelson
Executive Director
MICA
2233 University Ave. #434
Saint Paul, MN 55114


Doran Shrantz
Executive Director
ISAIAH
2720 East 22nd Street
Minneapolis, MN 55406

Enclosures

Cc : County Commissioner Mark Stenglein
Councilmember Don Samuels
Mike Christenson, Director of CPED

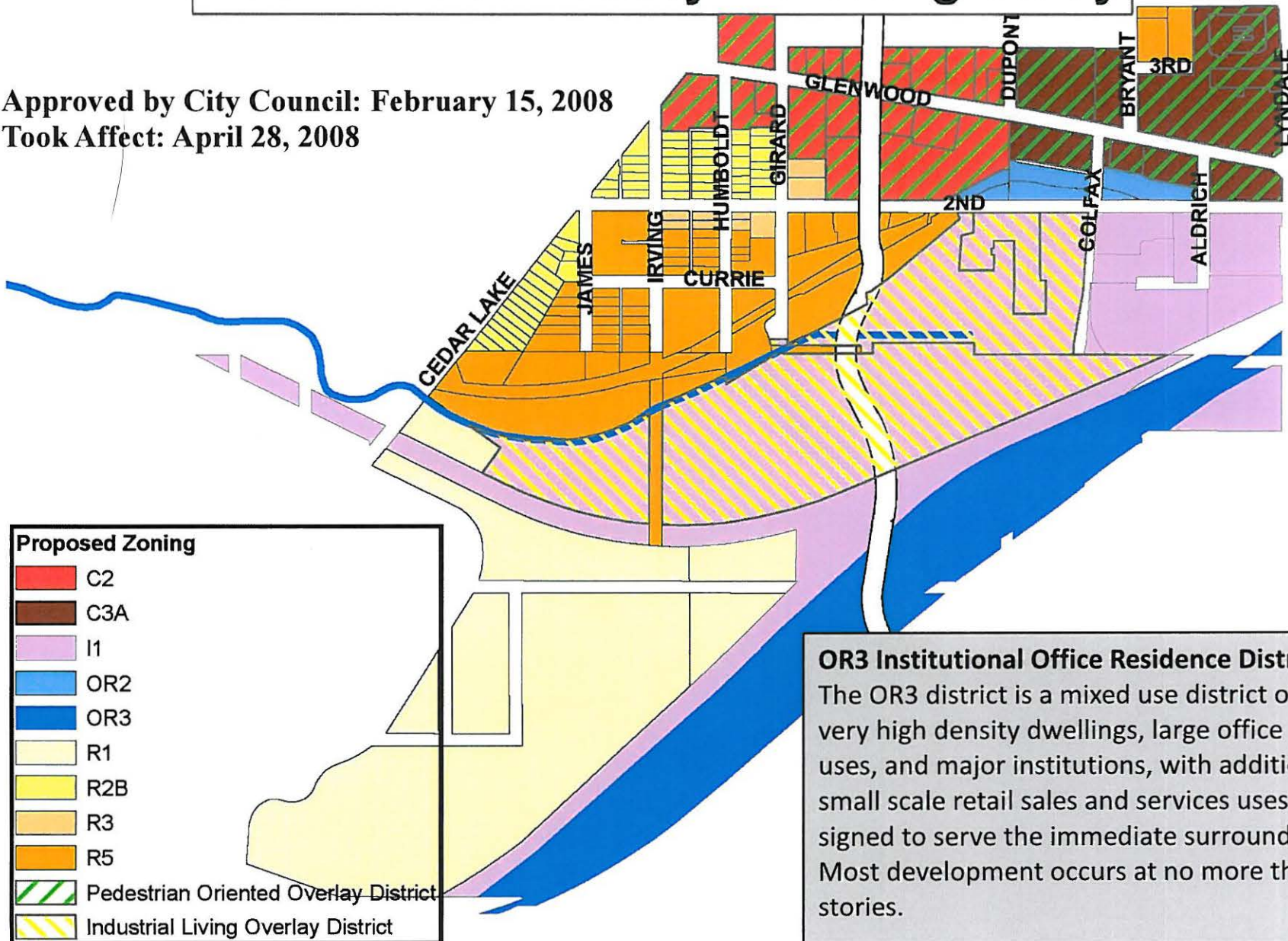
503 Irving Avenue North, Minneapolis, MN 55405 o: 612-374-4849, f: 612-374-9777

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13

Bassett Creek Valley Rezoning Study

Approved by City Council: February 15, 2008
Took Affect: April 28, 2008



Attachment D

Attachment E



February 28, 2011

Adele Hall
417 N. 5th Street
Suite 320
Minneapolis, MN 55401

Ms. Hall:

It is with great concern and disappointment that the Harrison Neighborhood Association submits the following public comment. As an Environmental Justice community, we have very serious concerns about the decision-making process, final product, and next steps stated in the Station Area Strategic Planning document. The Station Area Strategic Planning Document is seen in some ways as a step backwards for our community and in conflict with principles of Equitable Transit Oriented Develop (ETOD).

Community members have been working for over 15 years create a redevelopment in Bassett Creek Valley consistent with Transit Oriented Development (TOD) that would generate needed jobs, housing, community supporting businesses, community connections and needed tax revenue for local government. As a result, Harrison residents have been strong and vocal supporters of the Kenilworth alignment. They see the Southwest Light Rail Line as a means to reduce racial and economic inequities by connecting Northsiders to regional job centers and encourage redevelopment in Bassett Creek Valley to address the history of discriminatory planning that has left North Minneapolis isolated and marginalized.

The Bassett Creek Valley Planning process has enjoyed a high level of community engagement. Over 650 people provided input into the BCV Master Plan that was approved in 2007. The community identified priorities were living wage jobs, diverse and affordable housing options, and that the redevelopment of publicly-owned lands must promote the revitalization of the entire area. Unfortunately, this input and work approved by the community and City Council has not been adequately reflected in the station area planning process for the Van White Station Stop. The original drawings showed very little of the envisioned development for Linden Yard West and open-air rail storage for Linden Yards East. Improvements have been made in the renderings since September 2010, but community is only being provided scenarios with commuter rail storage. This is concerning because there has been no formal decisions committing Linden Yards East

503 Irving Avenue North, Minneapolis, MN 55405 o: 612-374-4849, f: 612-374-9777

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for a rail-layover facility nor have the needed feasibility studies been completed to make that decision.

The fair and just redevelopment of Bassett Creek Valley will not only benefit the Harrison neighborhood, North Minneapolis and the City of Minneapolis. It will benefit the Hennepin County by expanding the tax base, locating upwards of 6,000 jobs, and create close to 900 units of housing. The success of Bassett Creek Valley is a regional equity issue.

The Harrison Neighborhood Association requests that the following additional points be included in the public comment for the Station Area Strategic Plan:

1. The Station Area Strategic Plan lacks credibility as a guide for policymakers for the following reasons:
 - a. Community requests for designs without a commuter layover facility were never met. Harrison residents representing the Harrison neighborhood and the 5th Ward on the SWLRT Citizen Advisory Committee raised concerns at meetings. Residents that attended the open houses also voiced concerns about the lack of options and focus on accommodating rail storage at the expense of Transit Oriented Development.
 - b. The final document clearly advocates for siting the commuter layover facility on Linden Yards East. The final document demonstrates this prejudice by only providing the merits of Linden Yards East despite stating on pages 43 (Van White Station Stop) and 62 (Penn Station Stop) that "it is not within the scope of this Station Area Strategic Planning to evaluate the merits of sites...". Both Linden Yards East and Cedar Yards (Penn Station) are considered viable sites by the 2010 Interchange Feasibility Study. The prejudice towards Linden Yards East is demonstrated again by providing Van White Station Stop with renderings that only reflect the commuter layover facility.
 - c. The final document misrepresents the formal Minneapolis City Council's position on the sale of Linden Yards East. The two misrepresentations can be found on pages 43 and 62. In reality, the City Council struck language prioritizing rail storage over development and directed City staff to explore joint development strategies and report back. This action was passed April 2, 2010 and the formal proceedings have been attached to be included in the formal comment.
2. The illustrations depicting development over commuter rail storage are misleading for policy makers and disconnected from the reality of developing a platform that could accommodate Transit Oriented Development on top and several acres of rail storage underneath.
 - a. Key feasibility work has not been started. The City of Minneapolis has recently received a grant to do limited feasibility work. The proposed feasibility study will provide more information but it is unclear if there will be any definitive answers provided at its end. Here are a few key questions that need to be answered before a plan is pursued as a solution:

- (1) Is a joint development strategy (plinth or other scenario) feasible, (2) What would be the cost, (3) Where would additional resources come, (4) Which public entity is responsible for securing the resources, (5) Will this decision reduce or delay benefits of redevelopment, (6) What is the impact to low-income communities and communities of color, (7) What are the cumulative impacts of rail car storage on an Environmental Justice community? (8) What are the impacts to potential property tax revenues from the site? (9) Will there be open-air rail storage? If so, how long and what impact will that have on the marketability of Linden Yards West? (10) Do the feasible joint-development scenarios conform to Equitable Transit Oriented Development principles?
- b. There are no illustrations or mitigation strategies to address 20-30 years (possibly more) of open air rail storage. The funding for a development platform would be parsed out between each of the commuter lines due to funding formulas for transit projects. This will undoubtedly impact access, mobility, development potential, and maintain the isolation of the area. It is unfortunate that no illustrations were provided to address interim challenges of open air rail storage which is the reality even if a joint development scenario is feasible.
3. The final document does not adequately acknowledge or address the needs of Harrison property owners, renters and business owners. North Minneapolis stakeholders are not referenced under the Land Ownership section on page 35 or in the Origins, Destinations & Connectivity section on page 40, however Southside institutions and residential property are addressed. This Bassett Creek Valley is home to over 170 businesses and over 150 homes, all of which are in the ½ mile radius of the Van White Station Stop. Strategies to improve pedestrian, bicycle, and automobile access to the Van White Station Stop focused solely on the Van White Memorial Blvd. Other innovative or creative solutions were not developed. Increasing the accessibility for those originating from the station stop is incredibly important. Based on our research, the top job skills that resident have North Minneapolis match the top industries along SWLRT Corridor. Included with this letter is that jobs and industry data.

Graduate students from the Hubert H. Humphrey Institute produced a report quantifying the potential impact if commuter rail storage prevented redevelopment around the Van White Station Stop. The opportunity costs to the City of Minneapolis and the surrounding community include but are not limited to:

- Loss of 2,800 jobs
- Loss of 500 new housing units (some affordable) and 1,000 new resident occupants
- Diminished overall catalyst impact of any development that does occur on economic development of adjacent commercial parts of Harrison.
- Fragmentation of land use within the Bassett Creek Valley
- Loss of increased walkability, street activity, affordability, and location efficiency created by transit oriented development
- Loss of future Tax Base

The Bassett Creek Valley Planning process and development have enjoyed a high level of community engagement. Hundreds of people have been involved stating priorities of living wage jobs, diverse and affordable housing options, and that the redevelopment of publicly-owned lands must promote the revitalization of the entire area.

There is a strong track record of partnership between Hennepin County, the City of Minneapolis and the community. Hennepin County has contributed to the construction of the Van White Memorial Blvd and invested substantial sums to remediate two former Superfund sites. The City of Minneapolis has committed significant planning resources to the area and made our joint priorities for the area the formal land use and development policy for the City of Minneapolis. It is critical that we work together to preserve all our gains and realize our shared vision of a revitalized Bassett Creek Valley that equitably benefits the surrounding community.

We appreciate there is still much more work to be done in planning the Southwest LRT Line. We also know that the decisions made now will frame the future opportunities for North Minneapolis, the City and the region as a whole.

Sincerely yours,


Maren McDonnell
Board President

MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

REGULAR MEETING OF APRIL 2, 2010

(Published April 10, 2010, in *Finance and Commerce*)

Council Chamber
350 South 5th Street
Minneapolis, Minnesota
April 2, 2010 - 9:30 a.m.
Council President Johnson in the Chair.
Present - Council Members Glidden, Goodman, Hodges, Samuels, Gordon, Reich, Hofstede, Schiff, Lilligren, Colvin Roy, Tuthill, Quincy, President Johnson.
Lilligren moved adoption of the agenda. Seconded.
Vice President Lilligren assumed the Chair.
Johnson moved to amend the agenda to include a new motion #2 approving the Council Committee Reporting Department document. Seconded.
Adopted upon a voice vote.
The agenda, as amended, was adopted 4/2/2010.
President Johnson resumed the Chair.
Lilligren moved acceptance of the minutes of the special meeting of March 10, 2010 and the regular meeting of March 12, 2010. Seconded.
Adopted upon a voice vote 4/2/2010.
Lilligren moved referral of petitions and communications and reports of the City officers to the proper Council committees and departments. Seconded.
Adopted upon a voice vote 4/2/2010.

PETITIONS AND COMMUNICATIONS

COMMITTEE OF THE WHOLE:

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (274129)
Status Report on 2010 Census.

COMMITTEE OF THE WHOLE (See Rep):

COORDINATOR (274130)
City of Minneapolis' Five-Year Goals, Strategic Directions and Values.
INTERGOVERNMENTAL RELATIONS (274131)
State Legislative Agenda: Support information House File 3184 (Champion) and Senate File 2809 (Higgins).

The COMMUNITY DEVELOPMENT, TRANSPORTATION & PUBLIC WORKS and WAYS & MEANS/BUDGET Committees submitted the following reports:

Comm Dev, T&PW & W&M/Budget - Your Committee, having under consideration the recommendations of the Departments of Community Planning & Economic Development and Public Works relating to Bassett Creek Valley Exclusive Development Rights, as follows:

- a) That Ryan Companies be granted exclusive development rights to Linden Yards West through 2015 provided annual progress is demonstrated as described in the staff report;
- b) If Linden Yards East is selected as the preferred site for a rail layover facility, direct City staff to work with the Hennepin County Regional Rail Authority (HCRRA) on a joint development strategy by 12/31/2010 to maximize development, including air rights after rail needs are accommodated;
- c) Modify provisions related to Ryan's good-faith deposit of \$20,000 (currently in possession of the City) to provide that such deposit shall be fully refundable upon written request by Ryan to terminate their exclusive development rights, until 30 days after definitive conclusions of the negotiation period between the City and HCRRA regarding commuter rail storage, to allow Ryan to assess the impact of such agreement on their proposed development;
- d) Direct City staff to continue its analysis of Ryan's proposal, negotiate mutually agreeable terms and conditions for one or more redevelopment agreements under the basic framework outlined in the report, and return to the Council for authorization and further direction when appropriate;

now recommends:

Comm Dev & T&PW - Approval of recommendations (a), (c) and (d) and that recommendation (b) be referred back to staff with direction to draft alternate language.

W&M/Budget - Approval of recommendations (a), (c) and (d), and approval of recommendation (b) to read as follows: "b) If Linden Yard East is selected by the Hennepin County Regional Rail Authority (HCRRA) as the preferred site for a rail layover facility, City staff is directed to work with the HCRRA on joint development strategies to maximize development and report back to the City Council on these strategies by 12/31/2010."

Quincy moved to amend the report by approving the Ways & Means/Budget Committee recommendation and deleting the Community Development and Transportation & Public Works Committees recommendation. Seconded.

Adopted upon a voice vote.

Samuels moved to further amend the report by adding thereto the following paragraph:

"e) Direct staff to include principles relating to construction related workforce and contractor diversity, housing, workforce opportunities, finance and community connections and participation for any City development agreement(s) with Ryan Companies, as fully set forth in the Department of Community Planning & Economic Development (CPED) staff report contained in Petn No 273109, passed by Council action on November 7, 2008." Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted 4/2/2010.

Comm Dev, T&PW & W&M/Budget - Your Committee, having under consideration the following recommendations of the Departments of Community Planning & Economic Development (CPED) and Public Works relating to City Community Garden Lease Agreement Standards, as follows:

- a) Passage of the accompanying resolution approving community garden lease agreement standards and delegating authority to the CPED and Public Works directors or their respective designees to enter into standard form City Community Garden Lease Agreements for the leasing of non-buildable and non-developable City properties for community gardens; and
- b) That the proper City officers be directed to prepare a Procedure Document consistent with the Minneapolis Contract Monitoring Procedures Manual prior to any execution of the subject agreement;

now recommends:

The following neighborhoods included in report:
JORDAN, HAWTHORNE, WILLARD-HAY, NEAR NORTH,
HARRISON, SUMNER-GLENWOOD,

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Northside
SK:115

1 of 2

All Primary Jobs (including private and public)	100.1	10730	100.0%	1,351,813
--------------------------------------------------------	-------	--------------	--------	-----------

Commuteshed (Cities where workers are employed who live in the selected area)				
	<i>Primary Jobs</i>	<i>Jobs in Goods Producing</i>	<i>Jobs in Transportation & Utilities</i>	<i>Jobs in Other Services</i>
Minneapolis city	1798	103	246	1449
St. Paul city	385	34	34	317
Bloomington city	191	7	44	140
Plymouth city	183	80	30	73
Edina city	180	10	16	154
St. Louis Park city	161	20	28	113
Golden Valley city	128	39	28	61
Eden Prairie city	90	22	35	33
Minnetonka city	88	33	17	38
Brooklyn Park city	84	12	26	46



Source: US Census Bureau, LED Residence Area Characteristics Files (2006). Please note that Residence Area Characteristics are based on **all primary** jobs while Workplace Area Characteristics files are based on **all** jobs.

Workplace Area Characteristics Report -2006 LED Data-

The following cities included in report:
Hopkins Eden Prairie Edina St. Louis Park Minnetonka

close

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save



Employment
opportunities
along
corridor

	Percent	Number	Metro %	Metro #
Annual Average Earnings by Job	<u>Selection Stats</u>		<u>Metro Stats</u>	
<\$14,400	24.3	54497	24.6%	389,381
\$14,400-\$40,800	31.0	69490	32.5%	514,077
>\$40,800	44.6	99934	42.9%	678,573
Total	99.9	223921	100.0%	1,582,031
Age of Job Holder	<u>Selection Stats</u>		<u>Metro Stats</u>	
30 and under	28.5	63879	27.1%	429,183
31-54	57.5	128856	57.7%	913,103
55 and over	13.9	31186	15.2%	239,746
Total	99.9	223921	100.0%	1,582,032
Jobs by Industry	<u>Selection Stats</u>		<u>Metro Stats</u>	
Agriculture, Forestry, Fishing and Hunting	0.0	19	0.2%	2,693
Mining	0.0	16	0%	381
Utilities	0.0	15	0.2%	3,737
Construction	3.0	6694	4.5%	71,717
Manufacturing	11.6	26022	12.0%	189,471
Wholesale Trade	6.4	14409	6.0%	95,091
Retail Trade	14.9	33439	10.3%	163,015
Transportation and Warehousing	0.8	1860	3.0%	47,137
Information	2.2	4836	2.4%	38,383
Finance and Insurance	9.0	20155	6.1%	96,334
Real Estate, Rental, and Leasing	2.8	6282	1.9%	30,692
Professional, Scientific, and Technical Services	7.7	17297	6.7%	105,883
Management of Companies and Enterprises	5.8	13095	4.6%	72,618
Admin, Support, Waste Management, Remediation	7.5	16840	6.1%	96,487
Educational Services	4.8	10815	8.2%	130,078
Health Care and Social Assistance	11.3	25279	11.8%	186,067
Arts, Entertainment, and Recreation	1.1	2484	1.5%	22,862
Accommodation and Food Services	6.8	15139	7.7%	121,754
Other Services (Except Public Administration)	3.3	7405	3.5%	55,007

Public Administration	0.8	1819	3.3%	52,623
All Jobs (including private and public)	99.8	223920	100.0%	1,582,030

Laborshed (Cities where employed workers in the selected area live)				
	<i>All Jobs</i>	<i>Jobs in Goods Producing</i>	<i>Jobs in Transportation & Utilities</i>	<i>Jobs in Other Services</i>
Minneapolis city	23447	2804	4488	16155
Eden Prairie city	14739	1913	3063	9763
Minnetonka city	10673	1099	2394	7180
Bloomington city	10538	1500	2000	7038
St. Louis Park city	9172	943	1931	6298
Plymouth city	8489	951	1848	5690
St. Paul city	7991	1171	1645	5175
Edina city	7592	641	1415	5536
Maple Grove city	5919	780	1265	3874
Brooklyn Park city	5115	1115	940	3060



Source: US Census Bureau, LED Residence Area Characteristics Files (2006). Please note that Residence Area Characteristics are based on **all primary** jobs while Workplace Area Characteristics files are based on **all** jobs.

Attachment F

FINANCE & COMMERCE

Bassett Creek Valley shows signs of life

Posted: 4:14 pm Tue, August 21, 2012

By Drew Kerr

PHOTOS:Edward Kraemer & Sons, of Burnsville, recently began work on an extension of Van White Boulevard that will connect to Dunwoody Boulevard. The project is part of a larger redevelopment planned at the 230-acre area north of Interstate 394 known as Bassett Creek Valley. (Staff photo: Bill Klotz); Ryan Cos. executive is 'bullish' on potential of area, cites future LRT station

More than a decade has passed since the city of Minneapolis began planning redevelopment http://www.minneapolismn.gov/cped/planning/plans/cped_basset-creek at Bassett Creek Valley, a 230-acre area west of downtown that leaders hope will someday offer a mix of transit, business, housing and green space.

The area hasn't seen any development yet, but a developer with an interest in the property said Tuesday that he remains "bullish" on the prospects — especially if a station for the Southwest Light Rail Transit line is built there.

Rick Collins, the vice president of development at Minneapolis-based Ryan Companies <http://www.ryancompanies.com/>, told the city's Community Development Committee on Tuesday that work to extend Van White Boulevard has raised the site's profile and that the prospect of a LRT station will make the site even more attractive.

Work on the Van White Memorial Boulevard extension <http://www.minneapolismn.gov/cip/all/WCMS1P-080728> — a \$22 million project that will create a long-sought north-south connection between Glenwood Avenue and Dunwoody Boulevard — began earlier this year and is expected to be finished by the end of 2013.

An eight-month study of a 13-acre area on the southwest corner of the site, known as Linden Yards West, is set to begin next month and will include a look at how a Southwest LRT station off Dunwoody Boulevard could fit on the site.

The Southwest LRT line is expected to enter the engineering phase next year and to be in service as early as 2018.

"The challenge up to this point is that the site hasn't even been considered because it's been consumed by piles of dirt and rubble," Collins said in an interview before the meeting. "It has not been on the radar, period."

The city uses the south side of the Bassett Creek Valley for an impound lot and outdoor storage. A relocation study has been completed by the city in anticipation of the changeover. The north side of the property is parkland.

Ryan has development rights for Linden Yards West through the end of 2015 and says the site could include hundreds of new rental or owner-occupied housing units as well as 750,000 square feet of new commercial space, built out in phases.

The firm has also expressed interest in finding a corporate tenant for what's known as Linden Yards East, a 10-acre area that sits in the southeast corner of the property.

Collins said the National Marrow Donor Program, UnitedHealth Group and Surly Brewing, which is looking for a home<<http://finance-commerce.com/2012/06/surly-narrows-its-focus-in-brewery-site-search/>> for its \$20 million brewery, have expressed interest in Linden Yards West though the discussions are no longer active. He said other possible users are now being courted, but declined to say which companies have expressed interest.

Collins said marketing the site has been complicated by the economic downturn but also because of plans to use the eastern site to store passenger rail cars. The storage would be needed if high-speed service from Minneapolis to Chicago is built, Hennepin County officials say.

If storage is added to the mix, development would have to occur on top of tracks holding rail cars. Pilings, noise and vibration dampening infrastructure and a four-level parking area would cost an estimated \$45 million, a county study determined.

Dean Michalko, an engineer with the county's Housing, Community Works and Transit office, said discussions about the rail storage have gone largely dormant since the high-speed rail line remains uncertain.

Concerns about hindering development and neighborhood opposition led council member Lisa Goodman to push for clarification on the likelihood the storage would be needed and when.

"If it's something that's going to be 25 years out, we should probably be looking at other sites, otherwise we're standing in the way of development," said Goodman, who represents the Bryn Mawr neighborhood.

Collins told city officials if uncertainty around the site causes him to miss an opportunity it could mean waiting another decade.

Despite the looming questions, Beth Grosen, a senior project manager with the Minneapolis Community Planning and Economic Development agency, said she is pleased with the recent progress that has been made.

"It's all seeming much more real now," she said.

Vida Ditter, who has lived in the area off-and-on since 1965 and is a member of the Bassett Creek Valley Redevelopment Oversight Committee, said she has learned to be patient while waiting for the area to evolve.

But the completion of Van White Boulevard is a significant milestone and could prove to be a catalyst for more rapid development, Ditter said.

"This in my personal view is a major step forward that will allow many other things to happen," she said.

Community, officials clash over development plans for struggling Minneapolis neighborhood

by Bill Clements

Published: August 11th, 2011

Maren McDonell of north Minneapolis is mad.

The chairwoman of the Harrison Neighborhood Association sees the possibility that a vicious cycle of poverty and isolation in her neighborhood will repeat itself, and she can't keep quiet about it.

"I am angry because I'm a single parent of four kids, and they are talking about putting something in my community that will hurt my kids and my community for a long time," said McDonell, the mother of a son, 18, and three daughters — 16, 7 and 4.

She was referring to plans that the city of Minneapolis and the Hennepin County Regional Rail Authority are considering for building a commuter train storage — or "layover" — facility on the nearly 13 acres known as Linden Yards East.

Linden Yards east and west contain about 25 acres of unused, publicly owned land just north of downtown Minneapolis that everyone considers prime development property.

And it will become even more valuable if a station for the proposed Southwest light rail transit line is built there on what will be Van White Boulevard, a new street that will connect north and south Minneapolis when it's completed in 2013.

Planners say that a commuter train storage facility in that location is a "vital ingredient" in creating a jobs-rich passenger-rail system and running it into downtown Minneapolis. And they add that Linden Yards East is probably (though not yet officially) the best spot for the facility.

But McDonell and a host of other community and regional groups think there is a higher use for property as prime and valuable as Linden Yards, which is part of 230 acres known as Bassett Creek Valley that has long been largely industrial.

They envision a major redevelopment that includes office buildings and housing and the jobs and residents that come with them, all part of a long-overdue rebirth of Harrison, Bassett Creek and the broader north Minneapolis area.

"The redevelopment plans we are looking at would create 2,500 jobs and 500 new units of housing," McDonell said, anger draping her words. "We don't even have a McDonald's in our community where our youths can get fired from. This is about bringing faith and opportunity into this community."

Harrison Neighborhood Association Executive Director Larry Hiscock explained that "there's been a history of discriminatory planning in this community, and that sets the stage for future development."

The history here is represented by an image from a 1935 land-use planning map of Minneapolis that the Harrison Neighborhood Association found in a 1938 "citizen's guide" published by the Minneapolis Board of Education.

The image shows a circle around the blocks that form north Minneapolis, including Harrison, and the words: "Slum" and "Negro Section (largest in the city)."

McDonell's anger comes from knowing that the intention of city leaders and planners back in the 1920s



Maren McDonell is the chairwoman of the board of the Harrison Neighborhood Association, and Larry Hiscock is its executive director. They believe if Hennepin County and the city of Minneapolis build a commuter train storage facility in Linden Yards East (above), the project could well sentence the adjoining poor and mostly minority community of Harrison to another couple of generations of poverty and failure. (Staff photo: Bill Klotz)

and '30s to condemn north Minneapolis to poverty and isolation worked.

"I think this is about hope," McDonell said. "We want jobs and economic viability. With this facility coming, it's another way that the city and county will continue to oppress the community."

Phyllis Hill, lead organizer for Isaiah, a community justice group working with the Harrison neighborhood in opposition to the layover facility, agrees.

"The Harrison neighborhood is African-American and Somalis and Asian-Americans, and they've all come together on this — and I think that's very powerful. So why should the city turn their backs on that?"

The Bassett Creek redevelopment plan, which goes back more than 10 years, "is about changing the planning and zoning to create opportunity," Hiscock added.

"That's why Ryan Cos. is interested. They didn't show up to build a layover facility — they showed up to create jobs and housing and opportunity."

The city in 2008 granted Minneapolis-based commercial developer Ryan Cos. exclusive development rights for Linden Yards West through 2015. It has been tough going.

Rick Collins, vice president of development at Ryan, says the tough economy as well as thorny issues with the site itself make marketing the property difficult.

"We are trying to resolve these open issues so we can present a more complete picture to potential corporate users," Collins said, noting one recently expressed interest but quickly dropped out. "The reality is it's a complicated site that won't be complete until we can explain these open issues."

The thorniest of the issues is whether a commuter train storage facility will be built on Linden Yards East and, if so, can the kind of catalyzing redevelopment that the community wants be built on top of that facility.

Ryan is working with the city and the Hennepin County Regional Rail Authority and their consultants, St. Paul-based SEH, to analyze the technical and financial feasibility of creating a development above a train storage facility in Linden Yards East.

Although potentially costly, Collins believes that a good redevelopment can happen above a mostly closed-in train storage facility.

"Ryan's interests are aligned with the community's," he said. "Although we can coexist with a rail layover facility and the community would prefer it not be built there at all."

Beth Grosen, senior project coordinator in business development for the city's department of Community Planning and Economic Development, said that any significant movement on construction of a train storage facility is a long way off.

For now, Grosen advises the community to focus on "a more achievable vision" of redevelopment along Glenwood Avenue.

"There could be employment possibilities in the existing commercial properties along Glenwood — that's much more achievable in the next few years," Grosen said.

Hennepin County Commissioner Peter McLaughlin, head of the Hennepin County Regional Rail Authority, emphasized that nothing will be happening for a while.

"Let's face it, the Bassett Creek redevelopment plan didn't get implemented when the economy was booming," said McLaughlin, who has met with the community several times and will continue to. "What the community wants to do is going to take an enormous amount of resources, and this [project] hasn't risen to the top."

But, McLaughlin added, at some point in the future "the combination of the real estate market and rail investment will make this a desirable site — it'll be a good place for the kind of development the community wants."

StarTribune

Can development, idling diesel trains coexist?

Article by: STEVE BRANDT

Star Tribune

November 2, 2010 - 10:33 PM

In a glacial river valley west of downtown Minneapolis, a long-neglected banana-shaped parcel of land is suddenly at the center of potentially competing interests.

The city now uses the 25 acres along Interstate 394 to crush concrete, recycle asphalt and store things ranging from extra garbage carts to streetlight poles.

A master plan for the surrounding Bassett Creek area envisions offices and some housing for the parcel, known as Linden Yards from its past railroad use. Although construction is likely to be years away, developer Ryan Companies is working on crafting a proposal, with strong backing from the adjacent Harrison neighborhood.

But the eastern third of the yards also is being eyed by Hennepin County as a possible site on which to eventually park commuter trains between runs.

Although Ryan says that could help its development plans, Harrison activists are voicing fears that the rail use could trim the number of jobs and housing units, and the neighborhood needs both; 37 percent of its population was below the poverty level in 1999.

"We have some grave concerns about heavy rail layover," said Vicki Moore, a Harrison resident who has played an active role in redevelopment plans. "You can't keep continuing to dump stuff in north Minneapolis."

The county has actively promoted and planned for a variety of rail lines that are expected to converge near Target Field, although it won't construct or own them. Preliminary studies for the county have identified either Linden Yards or nearby Cedar Yards as the best sites for commuter or inter-city trains to layover.

The county also sponsored planning studies for the proposed Southwest light-rail line in an effort to better connect stations and their surroundings. Plans include a stop at Linden Yards, where the soon-to-be-constructed Van White Boulevard will pass over railroad tracks and Bassett Creek. Sketches so far envision development initially on the west half of Linden Yards and the rail layover yard as a long-term option on the downtown end.

The neighborhood calculates that using it for trains instead of including it in Ryan's development could cost 1,800 to 2,800 jobs. That alarms neighborhood leaders, even though consultants suggest that the rail yard could be topped with a level or two of parking and then offices or housing above that.

Neighborhood staffer Larry Hiscock said residents fear it's too speculative to draw plans for rail yards without knowing whether development above is physically or financially feasible and on what timetable. They want the feasibility of such stacked development over idling diesels studied first.

So Ryan and the city have sought from the Metropolitan Council a \$100,000 grant for such a study. The same broad flat glacial plain that made the area attractive as a route for early railroads contains boggy soil that increases the challenges for constructing buildings.

County officials say that if a rail yard is built, it would make sense to build in extra support for potential development overhead. How quickly such a rail yard would be needed depends on how fast proposed rail service to Chicago and Duluth, and additional commuter trains similar to the Northstar line, materialize.

The rail yard would cost an estimated \$11 million and could reach \$30 million if maintenance facilities are added, according to a

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preliminary study.

Although Rick Collins, a Ryan vice president, said that development could go ahead in the area with or without a rail yard, he sees a boost to the area's development potential if trains are stored there. One reason is that the site has a low elevation, and putting in the rail yard and perhaps a parking level or two would raise it above nearby freeway ramps and an electrical transmission line, making it more marketable. Moreover, the rail yard might bring funding that could help offset the increased cost of supporting buildings above it, Collins said.

Making a decision on whether to place the rail yard in Linden Yards is important, because it would reduce uncertainty when Ryan tries to line up potential corporate tenants for its development. Collins said that Ryan is probably several years from being able to break ground because of uncertainty over rail facilities and general market conditions. The County Board is scheduled to get an update on transit plans Nov. 18.

Steve Brandt • 612-673-4438

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"Hiscock, Larry"
<larry@hnampls.org>

12/31/2012 05:24 PM

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

cc

bcc

Subject HNA Public Comment

Please confirm receipt. A second email is also being sent with reference attachments.

Larry Hiscock
Director/Lead Organizer
612-374-4849

I GoodSearch and GoodShop for the Harrison Neighborhood Association.

Raise money for Harrison Neighborhood Association just by searching the Internet with GoodSearch.com (powered by Yahoo), or shopping online with GoodShop.com. Simply go to <http://www.goodsearch.com/toolbar/harrison-neighborhood-association-hna> and add us to your toolbar.

Comments #700 and 701 combined
are a single comment. See Comment
#700 for the reference attachments.



December 31st, 2012

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

Re: HNA Southwest DEIS Public Comment

To Whom It May Concern:

The Harrison Neighborhood Association has and continues to support the 3A alignment for the Southwest Light Rail Transit Line as the Locally Preferred Alternative. Harrison residents have been strong and vocal advocates of the 3A alignment for the potential to reduce racial and economic inequities by connecting Northsiders to regional job centers and to support existing plans for redevelopment in Bassett Creek Valley surrounding the Van White Station Stop. Despite HNA's support there is deep concern regarding segmentation, linking of unrelated projects, and the fair distribution of benefits and burdens (including direct and indirect) associated with the project on Environmental Justice communities.

A

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There are several community based reasons for support. The two primary reasons are:

- 1) The economic development opportunity created by the Van White Station Stop on City owned land and ability to catalyze redevelopment creating benefits for EJ community members in the forms of jobs, housing, expansion of green space, increase community connections and creation of place in a currently blighted area owned by the public. The City of Minneapolis has approved a resolution committed to linking long-term employment opportunities, and other benefits, resulting from redevelopment surrounding the Van White Station Stop to Harrison neighborhood and North Minneapolis in 2008. [See Attachment A]

A

Additionally, the community, City of Minneapolis and Metropolitan Council have approved the Bassett Creek Valley Master Plan and is included in the Metropolitan Council's Comprehensive Plan. Bassett Creek Valley is one of

M1

only three growth centers designated by the City of Minneapolis for the next 20 years. The dense Equitable Transit Oriented Development in Bassett Creek Valley is important to surrounding EJ Communities, City of Minneapolis tax base and regional competitiveness. Transit infrastructure improvements are necessary.

- 2) The added transit connection of Harrison and North Minneapolis residents to vital job centers along the Southwest Corridor. The top three industries Northside residents work (Health Care, Manufacturing, and Retail Trade) match the top three industries (Retail Trade, Manufacturing and Health Care) along the Southwest LRT, according to the Department of Employment and Economic Development (DEED) 2006 data. Proactive and deliberate efforts are necessary to link EJ communities to job centers along the Southwest LRT Corridor because of the history of isolation from employment opportunities in Suburban areas.

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There is much reason for hope. Unfortunately, the Harrison Neighborhood Association and area residents are also deeply concerned that the needs of environmental justice communities along the Southwest LRT Line are not being adequately considered nor affirmatively addressed to reduce well-documented racial, economic and regional disparities along the line.

M5

The Harrison Neighborhood Association is the officially recognized Citizen Participation Organization representing the Harrison neighborhood which meets the definition of an Environmental Justice Community. The Harrison neighborhood is a racially diverse community consisting of 40% African Americans; 29% White; 17% Southeast Asian (Lao and Hmong); 9% Latino with the median income being \$38,000 compared to the regions median income of \$65,000 (2010 Census Information). According to 2009 American Survey findings, the overall unemployment rate for Harrison is 20.5%, for Hispanic residents 25% and for African American residents 32.5%. The neighborhood has lost 23% of its population from 2000 largely due to the foreclosure crisis.

The Harrison Neighborhood Association requests that the Harrison neighborhood and surrounding EJ communities be seen in their totality and future planned in a comprehensive and integrated manner versus segmented between multiple major and complex federally funded transit projects. The borders of Harrison serve as nexus of regional opportunity moving the community from being isolated by highways and interstates with poor access and transit service to being engulfed in the half mile radius of 4 light rail transit station stops [see attachment B: Proximity to Planned Station Stops].

The Southwest LRT 3A alignment brings the Van White Station Stop which is surrounded by roughly 30 acres of developable land owned by the City of Minneapolis with a portion already committed to a private developer. The Central Corridor Line, Southwest Line and Bottineau line will all meet at the Interchange which is just on the

edge of the neighborhood, and there is still nearly 20 acres of land, owned by Minneapolis Public Housing, to redevelop in Heritage Park (bordering Harrison) along the proposed Bottineau LRT line.

Opportunities do not come without large challenges. Nearly a century of urban policies and land use decisions have contributed to the environmental deterioration, social marginalization and economic decline of the area in and around the Harrison neighborhood. The history of local decisions has included overt and covert policies that resulted in racial segregation, anti-Semitism, and discrimination directed at ethnic minorities and immigrants/refugees. The history of discrimination was well-documented and the basis of the Hollman vs. Cisneros Consent Decree, which started as a class action lawsuit brought forward by public housing residents “alleging a pattern of racial discrimination in the siting and operation of public housing.” [See Attachment C] Harrison Neighborhood Association’s requests:

1. A full and immediate Environmental Justice Scoping of all potential commuter train storage maintenance facility locations including other regional sites. Immediate action is requested to mitigate harm already created by local government’s persistent efforts to site the facility in an area contradicting the community, City of Minneapolis, and Metropolitan Council approved area plans. **M5**

2. The full inclusion of the Bassett Creek Valley components of the Minneapolis Comprehensive Master Plan. To our understanding the approved Bassett Creek Valley Master Plan with development projections were not included. The result is that the full ridership projections for the Van White Station Stop are not reflected nor the revised zoning and development plans adequately analyzed in Draft Environmental Impact Statement. This has direct bearing on an Environmental Justice Community and potential benefits received. For example, section 3.1.2.4 makes no reference OR3 Institutional Office Residence District Zoning in the ½ mile radius of Van White Station Stop yet provides detailed accounts of zoning patterns further Southwest. The City of Minneapolis rezoning was affective April 28, 2008 [see attachment D: Rezoned Bassett Creek Valley]. This omission is also in 5.2.1.2. **M1**

3. The full inclusion and consideration of the businesses, churches, nonprofits and other community amenities such as the Heritage Park Senior Services Center which includes; fully accessible senior health and wellness center, 102 units of senior housing, clinic, therapeutic pool available to all seniors, not just Public Housing residents. The exclusion of Harrison and Heritage Park businesses and amenities was noted in our public comments submitted February 28th, 2011 regarding the Station Area Planning process. [Attachment E: HNA **M5**

Public Comment on Station Area Plans] The continued omission is troubling and speaks to a pattern of failing to understand the resources and needs of EJ communities.

4. HNA requests an immediate end to the segmentation of the diesel commuter train storage/maintenance yard siting decision. The uncertainty caused by the specter of a storage/maintenance yard has already harmed the marketability of the future development. [See Attachment F: Finance and Commerce Article 8.21.2012] HNA has deep concerns regarding segmentation of the process which may result in further adverse impacts for EJ communities in the form of pollution, reduction/delay/denial of benefits of Transit Oriented Development, diverting needed community capacity from other projects and finally undermining the democratic process and voice of EJ Communities. Additionally, HNA requests mitigations and enhancements to support redevelopment around the Van White Station Stop. Lastly, Harrison is bordered by two Light Rail Transit lines. HNA requests a coordinated plan that looks at the cumulative benefits and risks to ensure the fair distribution of benefits to North Minneapolis EJ Communities. Local government can argue that each of the projects are “stand alone” but the impact on EJ communities are cumulative and last generations.

L4

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The following will be Chapter specific comments.

Chapter 1: Purpose and Need

Section 1.3 Purpose and Need of the Proposed Action

The HNA requests the reference to the Bassett Creek Valley a designated on of only 3 “growth centers” in Minneapolis be included in the 3rd paragraph of Section 1.3. Multiple other locations are referenced but Bassett Creek Valley is omitted.

K0

MASTER PLAN PROCESS AND OUTCOMES: The planning process began in 2000 when the City of Minneapolis established the Redevelopment Oversight Committee (ROC), composed of residents of Harrison and Bryn Mawr neighborhoods, businesspeople from Bassett Creek Valley, City Council and mayoral representatives, and Ryan Companies as the expected development partner. In total, over 650 residents and other stakeholders participated in this effort. This process also led to a set of redevelopment principles that embody the community’s values and wishes for a strong, sustainable, vibrant and attractive home. The Bassett Creek Valley Master Plan of 2006, which was approved by the Minneapolis City Council on January 12th, 2007, calls for the redevelopment of Linden Yards East, West and the Impound Lot. These industrial use areas would be replaced with a mixed use development featuring a mix of housing densities and prices, retail and office spaces, green and open spaces, and other civic use spaces.

M1

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

The Harrison Neighborhood Association supports the DEIS analysis that “the number of quality jobs in the Southwest Transitway study area is also growing, but these jobs are largely inaccessible by transit”. We also commend drafters of the SW DEIS for taking the additional effort highlighting a North Minneapolis resident taking a “bus trip from Lowry Avenue North at Penn Avenue North to the employment center near Blake Road takes more than two hours and three transfers using the existing system” versus just 30 minutes with the completed Southwest Transitway project. The trip reference starts in a neighborhood that fits the definition of an EJ community. HNA requests that areas of North Minneapolis in the commute shed also be included at EJ analysis.

M5

Goal 3: Protect the Environment

The Community approved Bassett Creek Valley Master Plan support the objectives of this goal. Expected Redevelopment Outcomes Based on Bassett Creek Valley Master Plan:

- More than 3,000 housing units
- 2.5 million square feet of commercial space (office and retail)
- 40 acres of new open, green space
- 5000 to 6000 jobs

The transformation of the Bassett Creek Valley is also being advanced by the connections to be created by the addition of the Van White Memorial Boulevard and Van White LRT station on the future Southwest Light Rail Transit line. Following the City Council adoption of the Bassett Creek Valley Master Plan, the city proceeded with a rezoning study intended to make the neighborhood’s zoning consistent with the Plan’s vision of mixed use, higher density redevelopment. These zoning conversions went into effect on February 15th of 2008, and brought the neighborhood properties down from 65% to 6.5% industrial use-zoned. Two-thirds of all properties were rezoned. In addition to these zoning changes, the City of Minneapolis Comprehensive Plan then adopted the Bassett Creek Valley Master Plan and designated the Bassett Creek Valley area at Glenwood Avenue as a “growth center.”

M1

General Comments on Goals 3, 4, and 5

In general the Harrison Neighborhood Association supports the goals and objectives stated. However, the Goals and Objectives fall short and do not specifically provide clear goals and objectives to advance Environmental Justice principles and address existing barriers that exist that may limit the ability of the Transitway project from ensuring the fair distribution of benefits and adverse effects on Environmental Justice communities.

M5

K2

Community members have been working for over 15 years create a redevelopment in Bassett Creek Valley consistent with Transit Oriented Development (TOD) that would generate needed jobs, housing, community supporting businesses, community

connections and needed tax revenue for local government. As a result, Harrison residents have been strong and vocal supporters of the Kenilworth alignment. They see the Southwest Light Rail Line as a means to reduce racial and economic inequities by connecting Northsiders to regional job centers and encourage redevelopment in Bassett Creek Valley to address the history of discriminatory planning that has left North Minneapolis isolated and marginalized.

The Bassett Creek Valley Planning process has enjoyed a high level of community engagement. Over 650 people provided input into the BCV Master Plan that was approved in 2007. The community identified priorities were living wage jobs, diverse and affordable housing options, and that the redevelopment of publicly-owned lands must promote the revitalization of the entire area. Unfortunately, this input and work approved by the community and City Council has not been adequately reflected in the station area planning process for the Van White Station Stop. The original drawings showed very little of the envisioned development for Linden Yard West and open-air rail storage for Linden Yards East. The Station Area planning process and outcomes contradicts the goals and objectives of this section. Improvements have been made in the renderings since September 2010, but community is only being provided scenarios with commuter rail storage. This is concerning because there has been no formal decisions committing Linden Yards East for a rail-layover facility nor have the needed feasibility studies been completed to make that decision.

I2

H2

The fair and just redevelopment of Bassett Creek Valley will not only benefit the Harrison neighborhood, North Minneapolis and the City of Minneapolis. It will benefit the Hennepin County by expanding the tax base, locating upwards of 6,000 jobs, and create close to 900 units of housing. The success of Bassett Creek Valley is a regional equity issue.

Chapter 3 Social Effects

3.1.2 Existing and Anticipated Land Use

General Comments and Concerns:

The Harrison Neighborhood Association requests the full inclusion of the Bassett Creek Valley Master Plan in the Environmental Impact Statement. The Master Plan is referenced on page 3-25 but important data from the plan is omitted.

M1

- For example, section 3.1.2.4 makes no reference OR3 Institutional Office Residence District Zoning in the ½ mile radius of Van White Station Stop yet provides detailed accounts of zoning patterns further Southwest. The City of Minneapolis rezoning was affective April 28, 2008 [see attachment D: Rezoned Bassett Creek Valley].
- Section 3.1.5.1 Segment A makes no reference to the Van White Station Stop and the current zoning and economic development policy. Please correct his inaccuracy.

I2

The Harrison Neighborhood Association requests that the following additional points be included and responded to:

1. The Station Area Strategic Plan lacks credibility as a guide for policymakers for the following reasons:
 - a. Community requests for designs without a commuter layover facility were never met. Harrison residents representing the Harrison neighborhood and the 5th Ward on the SWLRT Citizen Advisory Committee raised concerns at meetings. Residents that attended the open houses also voiced concerns about the lack of options and focus on accommodating rail storage at the expense of Transit Oriented Development. L1
 - b. The final document clearly advocates for siting the commuter layover facility on Linden Yards East. The final document demonstrates this bias by only providing the merits of Linden Yards East despite stating on pages 43 (Van White Station Stop) and 62 (Penn Station Stop) that “it is not within the scope of this Station Area Strategic Planning to evaluate the merits of sites...”. Both Linden Yards East and Cedar Yards (Penn Station) are considered viable sites by the 2010 Interchange Feasibility Study. The bias towards Linden Yards East is demonstrated again by providing Van White Station Stop with renderings that only reflect the commuter layover facility. M1
I2
 - c. The final document misrepresents the formal Minneapolis City Council’s position on the sale of Linden Yards East. The two misrepresentations can be found on pages 43 and 62. In reality, the City Council struck language prioritizing rail storage over development and directed City staff to explore joint development strategies and report back. This action was passed April 2, 2010 and the formal proceedings have been attached. [See Attachment E] H2
2. The illustrations depicting development over commuter rail storage are misleading for policy makers and in general disconnected from the reality of developing a platform that could accommodate Transit Oriented Development on top and several acres of rail storage underneath.
 - a. The Station Area Strategic Plan completed prior to development platform feasibility work. The feasibility work to dates indicates the cost of the platform alone to be \$45 million dollars. This does not include air mitigation measures, cost of relocating the bike trail, vibration mitigation or the cost of the actual storage and maintenance facility.
 - b. The development platform will also result in fewer square feet reducing the job producing potential of Linden Yards East.

	Total Rentable Space	Jobs Projected 1 job for 250 sq ft	Source
Original Proposal – No Plinth (development	704,160 sq ft	2817	Opportunity Cost Report, 12.2009, based on interview

platform)			w/Rick Collins
Plinth Feasibility Results	500,000 sq ft	2000	Linden Yards East Development and Rail Layover Study, 10.2011 Presentation
Difference	204,160 sq ft	817 jobs	

- c. There are no illustrations or mitigation strategies in the Station Area Strategy plan that acknowledges or addresses 20-30 years (possibly more) of open air rail storage. The funding for a development platform would be parsed out between each of the commuter lines due to funding formulas for transit projects. This will undoubtedly impact access, mobility, development potential, and maintain the isolation of the area. It is unfortunate that no illustrations were provided to address interim challenges of open air rail storage which is the reality even if a joint development scenario is feasible.

3. The final Station Area Strategy plan document does not adequately acknowledge or address the needs of Harrison property owners, renters and business owners. North Minneapolis stakeholders are not referenced under the Land Ownership section on page 35 or in the Origins, Destinations & Connectivity section on page 40, however Southside institutions and residential property are addressed. This Bassett Creek Valley is home to numerous businesses and over 150 homes, all of which are in the ½ mile radius of the Van White Station Stop. Strategies to improve pedestrian, bicycle, and automobile access to the Van White Station Stop focused solely on the Van White Memorial Blvd. Other innovative or creative solutions were not developed. Increasing the accessibility for those originating from the station stop is incredibly important. Based on our research, the top job skills that residents have in North Minneapolis match the top industries along SWLRT Corridor. Included with this letter is the referred to jobs and industry data. [See Attachment E]

M3

Graduate students from the Hubert H. Humphrey Institute produced a report quantifying the potential impact if commuter rail storage prevented redevelopment on the Linden Yards East portion of land next to the Van White Station Stop. The opportunity costs to the City of Minneapolis and the surrounding community include but are not limited to:

- Loss of 2,800 jobs
- Loss of 500 new housing units (some affordable) and 1,000 new resident occupants
- Diminished overall catalyst impact of any development that does occur on economic development of adjacent commercial parts of Harrison.
- Fragmentation of land use within the Bassett Creek Valley
- Loss of increased walkability, street activity, affordability, and location efficiency created by transit oriented development

H2

- Loss of future Tax Base

The Bassett Creek Valley Planning process and development have enjoyed a high level of community engagement. Hundreds of people have been involved stating priorities of living wage jobs, diverse and affordable housing options, and that the redevelopment of publicly-owned lands must promote the revitalization of the entire area.

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Chapter 10 Environmental Justice

The Harrison neighborhood along with other stakeholders worked over 15 years to create the Bassett Creek Valley Master Plan. HNA deliberately worked to ensure measures that would ensure the fair distribution of benefits. The potential of the City owned lands surrounding the Van White Station Stop equate to nearly 6,000 jobs, 900 units of housing and over 1,800 new residents.

M5

Unfortunately, persistent efforts to site a diesel commuter train layover/maintenance yard threaten the viability of the entire development and put at immediate risk 2,800 jobs, approximately 500 units of housing and potential 1,000 new residents. [See Attachment G: Opportunity Cost Report] In addition, EJ community residents consistently raised concerns about air pollution, noise and vibration. The community already suffers higher levels of unemployment, asthma and other health conditions.

H2

The inclusion of diesel commuter train storage into the Southwest Transitway project has already created adverse impacts. The impacts take the form of added stress of community leaders currently involved, disillusionment in government by community members involved in creating the Bassett Creek Valley Master Plan and who advocated for the 3A LPA. Additionally, the uncertainty may have already delay, reduced or denial of benefits.

Here is a brief timeline of events and impact on the development process:

January 12, 2007: City Council approves the Bassett Creek Valley Master Plan.
http://www.minneapolismn.gov/cped/planning/plans/cped_basset-creek

February 15, 2008: City Council approves zoning revisions in Bassett Creek Valley that took affect on April 28th, 2008. Linden Yards East and West were rezoned to OR3 – Institutional Office Residence District.

Bassett Creek Valley Rezoning Information:

http://www.minneapolismn.gov/cped/planning/rezoning/cped_bassett_creek_rezoning

November 7, 2008: Ryan Companies awarded “**Temporary Exclusive Development Rights**” to Linden Yards West, East and the Minneapolis Impound Lot. Projected development to generate approximately 6,000 jobs, 900 units of housing and would have a catalytic affect on the rest of Bassett Creek Valley. The exclusivity agreement was for 5 years and regarded progress reports including rail layover. Important City Council

Resolution was added laying out clear Equity Expectations for the future development agreement.

Council Action awarding “Temporary Exclusive Development Rights”

<http://www.minneapolismn.gov/www/groups/public/@council/documents/proceedings/wcms1q-070157.pdf>

Language added by City Council setting expectations that future development agreements provides equitable benefits to surrounding community:

<https://docs.google.com/open?id=0B2vJAhZuE77jZjViMWMxOTQtN2E3ZS00NjJmLTgwMGUtNzI2MjRkNGQ0MzFj>

March 6, 2009: City Council approves Resolution regarding bike trails easements between the City of Minneapolis and Hennepin County approved. Two sentences included committing the City to participate in an Interchange Feasibility Study and to sell Linden Yards East for rail storage purposes.

Cedar Lake Trail Easement Resolution stating intent to sell Linden Yards East:

http://www.ci.minneapolis.mn.us/www/groups/public/@council/documents/webcontent/convert_275249.pdf

The result of the City Council decision committing to participate in the Interchange Feasibility Study and sell Linden Yards East for rail storage purposes changed the development dynamic.

July 21, 2009: Ryan Companies requests a modification to their exclusive development rights due to delayed development timeline and because of the rail storage threat. Ryan Companies maintains exclusive development rights to Linden Yards West, abandons the Impound Lot and adds stipulations to exit exclusivity agreement in its entirety based on the outcome of rail storage.

Ryan Companies Letter:

<https://docs.google.com/open?id=0B2vJAhZuE77jeEYzZHR4VTgyVWM>

According to a recent Finance and Commerce article [Attachment F], there have been several prospective corporate users interested in the area that include National Marrow Donor Program, United Health Group and Surly Brewery. All have opted for other sites. Uncertainty with rail storage may result in lost opportunity delaying development and benefits by a decade.

United Health Group is expanding its corporate campus which will be the home to 6,700 employees when fully developed. United Health Group is expanding its operation at the City West LRT Station Stop along the Southwest Transitway project in Eden Prairie.

10.4 Public Involvement

The Harrison Neighborhood Association and concerned allies submitted detailed Environmental Justice request to multiple levels of government HNA and allies submit request for a full Environmental Justice review that looks at the cumulative impacts on

the community, June 22, 2011. No local agency responded to our request or scheduled a meeting to discuss our concerns.

L1

Harrison youth attended the Southwest Light Rail Project Hearing September 17, 2009 stating their support for the 3A alternative because of the expanded access to schools in Hopkins. There are significant education disparities in the Twin Cities region. North Minneapolis youth have the option to choose the school they attend. This is one of many tools available to families in EJ communities to access better performing schools. What follow-up work was done on connectivity and ease of access to was done for North Minneapolis youth wanting to access education opportunities along the Southwest Transitway? What mitigations and enhancements will be implemented to ensure a fair distribution of benefits are accrued to EJ communities and families.

Harrison residents made numerous public comments regarding linking North Minneapolis families to employment centers along the corridor. What mitigation and/or enhancements are being done to connect North Minneapolis residents to employment center along the corridor? Has there been discussions or commitment to job linkage agreements, first source hiring, procurement arrangements to ensure the direct and indirect benefits are fairly distributed versus simply adding to growing racial and economic disparities in the region?

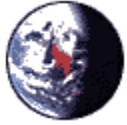
M5

Summary

The Harrison Neighborhood Association is committed to building a just and equitable neighborhood and region. There is significant potential for the Southwest Transitway project and other transit lines to address past infrastructure decisions to make a more fair and healthy metropolitan area. We request that more effort is made to include, partner and share with EJ communities. Additionally, we request that Transitway Projects are required develop supplemental plan addressing the project will advance the Principles of Environmental Justice versus simply try to avoid harm.

M5

Thank you for your consideration.



Larry Hiscock
<larryhiscock@gmail.com>
12/31/2012 05:31 PM

To swcorridor@co.hennepin.mn.us
cc
bcc
Subject HNA DEIS Attachments for submitted Comment

Please confirm if this received and attach it the previous HNA comment submitted.

**See Comment #701 for letter
and Theme Delineations.**

Bassett Creek Valley Equitable Development Project

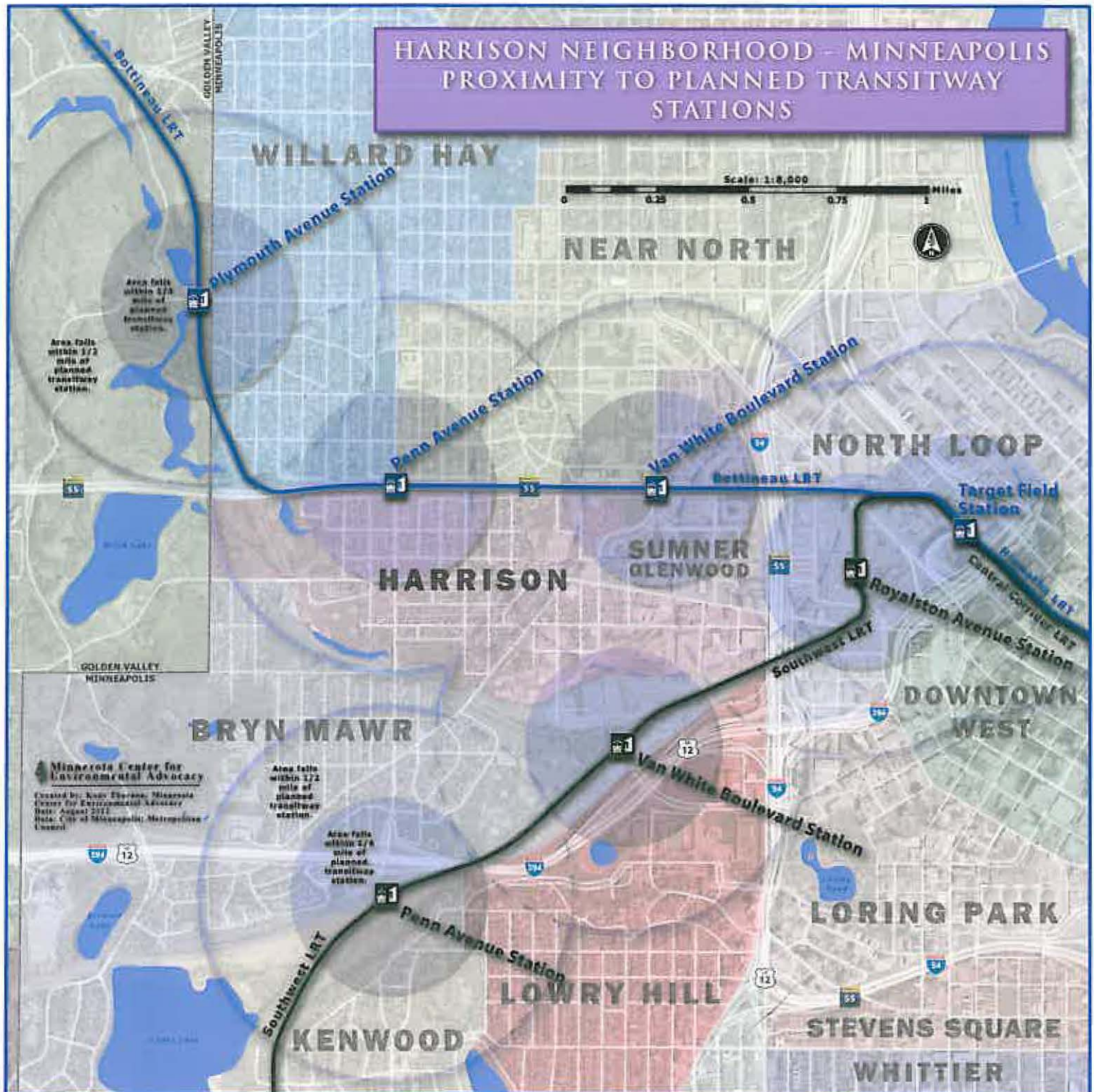
Chart Comparing Community Priorities with the Outcomes Secured at the Minneapolis City Council in 2008

Important Note: The following resolution was added prior to Ryan Companies being awarded "Temporary Exclusive Development Rights." This a major step forward, strengthening HNA's position with City staff, future City decision-makers and with Ryan Companies. This sets a high standard for any potential development agreement that might be negotiated in the future. It might be the highest standard set for any development agreement in the history of the City of Minneapolis.

<p style="text-align: center;"><u>Community Approved Guiding Principles</u></p> <p>Guiding Principles for redevelopment of the Bassett Creek Valley (BCV): passed by unanimous vote by Harrison neighborhood residents at the February 28, 2005 community meeting; voted and adopted by the Harrison Neighborhood Association Board of Directors on March 14, 2005.</p>	<p style="text-align: center;"><u>Amended Council Language</u></p> <p>The Community Development Committee unanimously approved the following language on October 28th, 2008. The full City Council adopted the language on November 7th, 2008.</p> <p>Any City development agreement(s) with Ryan Companies should work to include the following:</p>
<p><u>RESIDENTIAL/HOUSING</u> Redevelopment shall:</p> <ul style="list-style-type: none"> • Preserve and improve existing housing in the BCV area while safeguarding against displacement and gentrification. • Create a wide variety of new housing options-both single family and multi-family, both ownership and rental-at a mix of affordability levels to meet the housing needs of future, but especially current, residents. 	<p>Housing</p> <ul style="list-style-type: none"> • The mix of ownership and rental units, and units affordable to very low, low, and moderate-income households in each proposed development phase and integration of affordable units throughout the proposed developments. • Consideration of nonprofit developers for all housing developments • Promotion of long-term affordability through land leases, deed restrictions and other means. • Energy efficiency and green design and construction.
<p><u>ECONOMIC</u></p> <ul style="list-style-type: none"> • Provide long-and short-term living wage jobs for area residents. • Create work opportunities and resources for existing businesses in Harrison, with an emphasis on those that are minority and female owned. • Establish links between educational/job training resources and neighborhood residents, including youth, to enhance employment opportunities. • Set minority and female construction participation goals above City minimums; provide for the necessary outreach to attain these goals. 	<p>Construction Related Workforce and Contractor Diversity</p> <ul style="list-style-type: none"> • Meaningful employment and contracting goals for any construction on the Linden Yards, and Impound Lot sites, including apprenticeship and local hiring goals. • Payment of prevailing wages by all contractors and sub-contractors. • Establishment of a First Source Hiring and Referral System, including hiring of ex-offenders and workforce inclusion activities focused on Northside residents • Establishment of a program to connect Northside neighborhood contractors to construction activities. <p>Workforce Opportunities</p> <ul style="list-style-type: none"> • Labor neutrality and card check arrangements • Employment and hiring goals addressing workforce diversity and local hiring • Workforce development plan that addresses job training, job/employer linkages, local hiring strategy and referral system for employers located in the development and that coordinates with existing community-based job training efforts. • Employment assistance programs that reduce barriers to employment while supporting a stable and reliable workforce • Work to connect Women and Minority Business Enterprises and local firms to commercial enterprises located in Bassett Creek Valley • Opportunities for local businesses and Women and Minority Business Enterprise have to locate within the redevelopment to fill commercial/retail gaps in a sustainable manner. • Pursue employment plans and goals to for long term living wage employment opportunities for people of color and women and community residents in the development
<p><u>ENVIRONMENT</u></p> <ul style="list-style-type: none"> • Improve the air, water and land quality within the Bassett Creek Valley. This is to be achieved through permitting, monitoring and regulating all industrial pollution in the BCV, this is also to be achieved through incorporating green space into each industrial site in a way that reduces run-off pollution and litter. • Increase public access to new and existing green spaces within the BCV and adjacent areas by creating north and south open space corridors. • Protect the ecological integrity of the creek and surrounding wildlife habitat by restoring Bassett's Creek to a more natural and meandering route. • Use green building materials made with safe building materials. <p><u>QUALITY OF LIFE/COMMUNITY</u></p> <ul style="list-style-type: none"> • Address the basic retail and service needs of the people who live and work in and around the Harrison neighborhood • Support HNA in creating a "sense of place" in the Bassett Creek Valley and within the larger neighborhood that reaches across culture and economic classes. • Create designs that are pedestrian friendly and fully accessible, that inhibits crime and improve the sense of safety. • Improve linkages to other parts of the city and surrounding areas. 	<p>In addition to the development agreement provisions, the City will pursue the following:</p> <p>Finance</p> <ul style="list-style-type: none"> • Planning efforts to produce tax increment financing and tax increment legislation that will promote and integrate the redevelopment of the entire area consistent with the Master Plan using the excess tax increment generated by Linden Yards and the Impound Lot • Plan the use of these excess funds to achieve the development and housing objective set out in the master Plan <p>Community Connections and Participation</p> <ul style="list-style-type: none"> • Continued engagement of the Harrison Neighborhood Association (HNA), The Bryn Mawr Neighborhood Association (BMNA) and The Redevelopment Oversight Committee (ROC) with the production of the redevelopment and tax increment plans for Bassett Creek Valley; regarding the development agreements surrounding Linden yards and the Impound Lot; strategies to connect the Ryan development with redevelopment/renewal of the remainder of Bassett Creek Valley Area and surrounding community and minimization of impact of development on surrounding neighborhood • Incorporation of sound environmental planning into project design • Create systems and methods of monitoring goals, strategies, and agreements • Explore, in conjunction with the developer and affected neighborhood groups, ways to facilitate the housing and long-term employment goals set out in the Bassett Creek Valley Master Plan.

Attachment A

Attachment 3





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

REGION V
Illinois, Indiana,
Michigan, Minnesota,
Ohio, Wisconsin

200 West Adams Street
Suite 320
Chicago, IL 60606-5253
312-353-2789
312-886-0351 (fax)

August 8, 2011

Maren McDonell
Board President
Harrison Neighborhood Association
503 Irving Ave. North, Suite 100
Minneapolis, MN 55405

Tim Thompson
President
Housing Preservation Project
570 Asbury St., Suite 105
St. Paul, MN 55104

Russ Adams
Executive Director
Alliance for Metropolitan Stability
2525 Franklin Ave. East, Suite 200
Minneapolis, MN 55406

Jodi Nelson
Executive Director
MICA
2233 University Ave. #434
St. Paul, MN 55114

Doran Schrantz
Executive Director
ISAIAH
2720 E. 22nd St.
Minneapolis, MN 55406

Re: Potential Environmental Justice Issues at Bassett Creek Valley/Linden Yards Development in Minneapolis, Minnesota

Dear Sirs and Mesdames:

This letter is in response to your letter dated June 22, 2011, expressing environmental justice concerns regarding the proposed location of the commuter train storage facility at Linden Yards East in the Bassett Creek Valley area of Minneapolis. One of the potential Southwest Transitway Project stations, the Van White Station, is also being proposed to be located at Linden Yards East.

The Federal Transit Administration (FTA), Metropolitan Council, and Hennepin County Regional Railroad Authority are preparing an Environmental Impact Statement (EIS) on the Southwest Transitway Project. This document, which will address environmental justice and other potential concerns, is still in development. There will be opportunity for public comment on the Draft EIS once it is published. Since this Project is a Federal undertaking, the Draft EIS is being prepared in accordance with the National Environmental Policy Act (NEPA). For more information, please contact Katie Walker, AICP, Transit Project Manager, Hennepin County, at (612) 385-5655. Her e-mail address is Katie.Walker@co.hennepin.mn.us.

Please do not hesitate to contact me at (312) 353-2789 if you have further questions.

Sincerely,



Marisol R. Simón
Regional Administrator

cc:

Lois Kimmelman, FTA
Bill Wheeler, FTA

Mayor R.T. Rybak
City Hall, Room 331
350 S. Fifth St.
Minneapolis, MN 55415

Peter McLachlan
Hennepin County Regional Rail Authority
300 S. 6th St.
A-2400
Minneapolis, MN 55487-0241

Minnesota Department of Transportation
Transportation Building
395 John Ireland Blvd.
St. Paul, MN 55155

Norm West
USEPA Region 5
Office of Enforcement and Compliance
Assurance (E-19 J)
77 W. Jackson Blvd.
Chicago, IL 60604

Susan Haigh
Metropolitan Council
390 Robert St. North
St. Paul, MN 55101-1805



June 22, 2011

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350 South Fifth Street
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Hennepin County Regional Rail Authority
300 S 6th St
A-2400
Minneapolis, MN 55487-0241

Marisol Simon
Federal Transit Administration Region 5
200 West Adams Street
Suite 320
Chicago, IL 60606

Susan Haigh
Metropolitan Council
390 Robert St. North
St. Paul, MN 55101-1805

Norm West
US EPA Region 5
Office of Enforcement and Compliance
Assurance (E-19J)
77 W. Jackson Blvd.
Chicago, IL 60604

**RE: Environmental Justice Issues at Bassett Creek Valley / Linden Yards
development in Minneapolis**

Dear Officials:

We write as organizations deeply concerned about the future of the Bassett Creek Valley area of Minneapolis. As all or most of you are aware, the Bassett Creek Valley is home to one of the largest publicly owned underutilized parcel of land remaining near downtown Minneapolis. It also provides the key as-yet-to-be-developed link between economically struggling North Minneapolis and wealthier neighborhoods immediately to the south. In addition, as a result of siting decisions on the Southwest Light Rail Line, it will now also house the Van White Boulevard LRT station area, making this area even more strategic as an area to redevelop. The proposed Bassett Creek Valley (BCV) Master Plan / Linden Yards development is the product of years of community planning and an effort to capitalize on all these opportunities.

503 Irving Avenue North, Minneapolis, MN 55405 o: 612-374-4849, f: 612-374-9777

www.hnamppls.org

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One of the key goals of the BCV Master Plan is to set the stage for the economic revitalization of the adjoining Harrison neighborhood to the north. The Harrison neighborhood is an economically struggling, predominantly minority lower income neighborhood which should stand to gain much from the Linden Yards project. We write now, however, because we believe that a series of recent and pending decisions by public agencies are substantially jeopardizing the economic promise of the project, which in turn would pose a major adverse impact for the Harrison neighborhood.

In particular, a pending decision to locate the commuter train storage yard at Linden Yards East would substantially compromise the Bassett Creek Valley (BCV) Master Plan, by undermining the Master Plan strategy to use high intensity development in Linden Yards. This creates a threefold adverse impact. First, it effectively reduces or eliminates tax increment funding to finance redevelopment for the larger neighborhood. Second, it removes much of the potential to develop housing, both affordable and market rate. Third, it dramatically reduces the potential for Linden Yards to create a catalytic effect for the larger area. The primary impact of these lost opportunities and the compromising of the BCV Master Plan will fall upon the predominantly minority and low income Harrison neighborhood. This presents a serious question of Environmental Justice. Although it is possible the train storage yard decision may not be made for some time, having the pending decision looming over Linden Yards creates it's own problems, necessitating that the Environmental Justice review be done now.

As far as we know, no public entity is viewing the collective impact of the pending decisions in terms of their potential Environmental Justice impact. We respectfully request that a comprehensive full Environmental Justice analysis be conducted regarding the siting of the proposed commuter train storage and maintenance facility. As far as we can tell, all of the agencies to which this letter is addressed have some role in making or funding the decisions in question, have Environmental Justice obligations, and therefore should share responsibility for this analysis.¹

Background

Historically the Bassett Creek Valley area has been largely industrial but also at times provided inexpensive housing for immigrant groups and beginning after 1900, increasingly housed African Americans. In the 1930s and again in the 1950s, public housing was concentrated at Sumner Olson on the northern edge of Bassett Creek. In 1992, public housing residents took various governmental agencies to federal court, alleging a pattern of racial discrimination in the siting and operation of public housing. The case was settled in 1995, resulting in the Hollman v. Cisneros consent decree, a

¹ We are aware that the Southwest LRT corridor Draft Environmental Impact Statement (DEIS) is planned for public release in the near future. Perhaps these issues will be addressed in the DEIS, but to the extent they are not, they should be addressed as discussed herein. In any event, whether EJ concerns get addressed in the DEIS or as part of a separate process as called for herein, the commuter train storage yard location decision should be deferred until these concerns are fully aired and resolved.

sweeping court approved settlement, providing for, among other things, the demolition of the Northside public housing projects, and the redevelopment of those units in various locations across the metro area, in order to provide largely minority public housing residents with integrated housing in high opportunity locations. Part of the settlement called for development of a new mixed income project to be built on the original project site, now known as Heritage Park.

In addition, a key aspect of the settlement called for reducing the isolation and enhancing the economic development of the largely minority Near North Minneapolis community by more directly linking that area to the more affluent Walker Art Center/Dunwoody location in South Minneapolis. The Dunwoody Institute, in particular, provides an important community asset because this well respected vo-tech school offers a career pathway out of poverty and will serve the North Minneapolis community better once the Van White Boulevard link is completed. That link is now being created through the completion of Van White Boulevard, which will also intersect with the Linden Yards development and provide a transit stop along the planned Southwest LRT Corridor.

On a parallel track, residents of the Bryn Mawr and Harrison neighborhoods began working with the City to plan for redevelopment of the Bassett Creek Valley, culminating in the adoption of the Bassett Creek Valley Master Plan in 2000, and its updating in 2007. One goal of that Master Plan was to create conditions for the economic revitalization of the Harrison neighborhood, centered along Glenwood Avenue, and located between Heritage Park and the proposed Linden Yards development, the centerpiece of the Master Plan. The Plan calls for the transformation of BCV "from a relatively isolated and obsolete industrial area ...to a vibrant urban village of retail, office, residential, industrial, civic and residential uses that fit like a glove with the adjacent neighborhoods. Master Plan, p. 4-1. The build-out, anticipated to take 25 years, could include between 2600-6100 dwelling units. Attached to this letter are two maps, one showing the larger BCV Area, and the other showing the Linden Yards proposal in some detail.

Most importantly, the Master Plan explicitly recognizes that one of the purposes of the Linden Yards proposal is to generate additional financial resources to meet broader community needs. Phase 1 encompasses the Glenwood Avenue/ Van White Boulevard intersection and Linden Yards, and is intended to provide the catalyst for Phase 2, that will cover the larger surrounding area and "which will need market stimulation and financial infusion of phase 1 projects before they 'ripen' for development." (MP at 6-9). The Plan provides that the Linden Yards area is to be intensively developed so that: "the tax increment from this project will also generate 'seed money' for more financially challenged redevelopment in phase 2." (MP at 6-11). The plan repeatedly emphasizes that building to the highest possible density is necessary for overall financial feasibility and that "implementation needs to be coordinated to allow stronger 'districts' to help support districts with gaps" and "revenue sharing needs to occur across district boundaries in order to allow financially stronger districts to support weaker ones." (MP at 5-7). Secondly, because of this need to rely on high intensity development in Linden Yards to generate resources to support the rest of the project, "implementing the plan cannot be viewed as a series of independent projects but rather a series of interrelated

actions” and “every investment must be evaluated for its impact on achieving the vision for the future of Bassett Creek Valley.” (MP 6-1). The Plan notes that “failure to consider the implementation relationships between elements of the plan will lead to missed opportunities and increased risk for the City.” (MP at 6-2).

In 2007, the City of Minneapolis incorporated this vision for BCV and Linden Yards in its Comprehensive Plan. In 2008, the City of Minneapolis awarded exclusive development rights for Linden Yards to Ryan Companies. As part of that decision, the City Council reaffirmed that excess funds generated through tax increment financing should be used for the benefit of the larger BCV Master Plan area. In 2009, the City rezoned the area consistent with the Master Plan. Further progress on the project beyond the planning stage has been stalled, however, largely due to the state of the economy.

Finally, the selection of the route for the Southwest LRT Corridor means that Linden Yards will be even more strategically positioned, with the Van White Boulevard Station Area being located in the middle of Linden Yards.

Governmental decisions affecting Linden Yards and Harrison Neighborhood

The pending decision which most directly threatens the success of the Linden Yards project is where to place the commuter train storage yard needed for a layover yard facility for trains running in and out of the proposed downtown Interchange. According to the Intermodal Station Study Phase II, there are two locations which could be feasible for a train layover site: the Bassett Creek layover site (Linden Yards) and farther to the west, the Cedar Lake layover site². The study concludes that although both locations are feasible, the Bassett Creek Linden Yards site is preferable. Locating the train storage yard in this location, however, means that it replaces half of the Linden Yards project, Linden Yards East. Locating the storage yard in the middle of the planned Linden Yards development, along with the retention of the Impound Lot, severely compromises the community vision for BCV, removes the site where the affordable housing component of Linden Yards would have been located, and effectively eliminates the financial resources that would have been generated by the original development plan. The community most adversely affected by this decision is the community which stood the most to gain from the Linden Yards development—the Harrison Neighborhood. The Linden Yards location is also the only one under consideration which adversely affects an Environmental Justice community.

We recently learned in a public meeting that the storage yard would also be needed for storage of high speed rail should the proposed high speed rail lines to Duluth or Chicago ever become reality. Since neither of these lines have been approved nor may they ever be approved, we face the prospect that the storage yard decision may hang over Linden Yards for perhaps years while advocates for these lines seek approval and funding. That

² Although the study discusses just these two locations, it is not at all clear that other more remote locations have been ruled out as infeasible.

causes at least two problems. First, the prospect of train storage and diesel fumes as a neighbor greatly increases the challenge for Ryan Companies to attract any companies to locate at Linden Yards, very likely putting a damper on all potential development on the site. Second, while this decision remains unresolved, other public decisions appear to be assuming the storage yard will be placed on Linden Yards East thus narrowing the options and potentially dictating the outcome. The Southwest LRT Station plan clearly places the storage yard at the Van White station area rather than the Penn station area, for example.³

The train storage yard decision is not the only public decision which is effectively compromising the BCV Master Plan vision. The Master Plan also calls for the removal of the City's auto impound lot, in order to provide space for another phase of the Linden Yards development. However, the City has recently decided not to relocate the Impound Lot for the foreseeable future, and has in fact considered investing in upgrading the Impound Lot in its current location. If the City takes that action, it effectively ensures that the impound lot will remain at this location for some time to come, further limiting the intensity of the development called for in the BCV Master Plan.

In addition, pending decisions about the design of a bridge on Van White Boulevard are threatening to create further problems. To complete the section of Van White Boulevard linking the Harrison Neighborhood to the Dunwoody Institute/ South Minneapolis area, a bridge needs to be constructed as part of the Boulevard which will cross over the Southwest LRT line, the Cedar Lake Trail, and the BNSF Freight Line. The City's current proposed bridge design causes two problems.⁴ One problem is that for southbound travelers on Van White Boulevard, there will be no easy way to exit directly on to the Linden Yards West project area—which is the only part of Linden Yards that could be developed in the near future. This defect seriously threatens the ability of Ryan Companies to market the Linden West site for the commercial uses intended there. Secondly, the bridge is planned for one lane each way, unlike the rest of Van White Boulevard, which will be two lanes in each direction. This traffic choke point will effectively limit traffic along Van White Boulevard. That in turn threatens the entire vision of high density development in this area, as the inability to travel easily in and out of the project area may well prevent development at the density levels needed to make the project and the Master Plan vision work.

³ While an environmental impact analysis will need to be done when and if the train storage yard decision is made, it will not be the same as the Environmental Justice analysis we are calling for. In addition to the problems caused by the delays of waiting for such a decision, that kind of environmental impact analysis will not ensure full consideration of all the social justice impacts of the decision, nor will it necessarily include consideration of the cumulative impact of all the public decisions on BCV, including the impound lot decision and the bridge design decisions, among others.

⁴ We understand that it is possible that the bids could come in sufficiently under budget so as to allow construction consistent with the original bridge design, which would obviously be the preferable outcome.

In short, these public decisions threaten to substantially undermine the vision for this area as articulated in the BCV Master Plan and the City's Comprehensive Plan. As the Master Plan notes, "development intensity in Linden Yards is essential to generating financial resources that achieve the challenging but necessary acquisition, demolition, infrastructure and amenity investments in other parts of the Valley." (MP 6-11) Undermining that development intensity directly threatens the development potential Harrison neighborhood has been counting on.

Why these issues raise Environmental Justice Concerns

In 1994, the President issued Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations." The order provided that "to the greatest extent practicable and permitted by law...each federal agency shall make achieving environmental justice part of its mission by identifying and addressing as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies and activities on minority populations and low-income populations..." Section 1-101. Pursuant to this order, the U.S. DOT adopted its own order on Environmental Justice in 1997. 62 Fed Register 18377 (4-15-97). In 1998, MNDOT issued its own Environmental Justice Draft Guidance, based in turn upon the USDOT order. The Guidance provides that in applying Environmental Justice principles to particular situations the following analytical steps should be followed: 1. Determine if a minority or low income population is present within the project area; 2. Determine whether project impacts associated with the minority/low income populations are disproportionately high and adverse; 3. If so, determine if there are there mitigation measures or alternatives to the proposed action that would avoid or reduce the adverse impact on minority/low income populations.

As a threshold matter, the obligation to consider Environmental Justice (EJ) in this situation clearly applies. The fact that the commuter train storage yard is at least partially federally funded means that EJ obligations attach not only to US DOJ but to the recipients and subrecipients of these funds. FTA Circular 4702.1A. Moreover, the duty to consider EJ applies at all stages of the planning process, "and should be integrated into every transportation decision—from the first thought about a transportation plan to post-construction operation and maintenance." FTA Environmental Justice Website, Questions and Answers, www.fhwa.dot.gov/environment/ej2000.htm.

The following analysis does not claim to provide a complete application of the EJ Draft Guidance to BCV /Linden Yards; that is for the agencies to which this letter is addressed to perform. The analysis does, however, demonstrate that there is ample indication of the need to conduct this kind of analysis before further public decisions are made.

1. **The Harrison Neighborhood constitutes a minority and low income population within the Bassett Creek Valley project area.** The Harrison neighborhood directly abuts the proposed Linden Yards development on its northern border, and is fully contained within the area defined as Bassett Creek Valley for purposes of the BCV Master Plan. According to 2010 census data,

40% of Harrison residents are African-American, 29% are white, 17% are Southeast Asian, 9% are Hispanic, and 5% are other. Thirty-seven per cent (37%) of the Harrison population lived in poverty in 2010.

2. **The impact of a decision to place the train storage yard at Linden Yards East is disproportionately high and adverse to the minority and low income residents of Harrison neighborhood.** The first question under this element of the Draft Guidance is whether the anticipated adverse impact is high. The stakes for Harrison in connection with these transportation-related decisions are quite high; the entire development the community has been planning for over a decade would be in jeopardy. The elimination of Linden Yards East as a development site (other than train storage) effectively eliminates the tax increment funding needed to realize the full BCV Master plan, eliminates much of the planned-for housing development, and greatly undermines the location's potential as a catalytic development for the larger area. Secondly, to determine if the adverse impact is disproportionate, the adverse effect must be borne predominantly by a minority or low income population. That is clearly the case here, as Harrison neighborhood is over 70% households of color with 37% of households below the poverty level. By contrast, the minority population city-wide is 30.4%, and the poverty population city-wide is 21.5%, according to the City website.

Of the two neighborhoods included within the BCV Area, Harrison is far and away more affected by the failure or success of the Linden Yards project. The only other neighborhood contained within the BCV Master Plan Area, Bryn Mawr, has for the most part only park areas directly near the Linden Yards site, while both residential and commercial areas of Harrison neighborhood directly adjoin Linden Yards. Under the Master Plan, as well as under the Hollman Decree, one of the main purposes of development within the BCV Area is to spark economic development within the long neglected section of the Harrison neighborhood along Glenwood Avenue. Harrison neighborhood residents have also supported the Linden Yards development because of the jobs and affordable housing it would provide.

It is important to note that one solution has been proposed which would in theory allow both the location of the storage yard at Linden Yards East and still allow development on that same parcel as well. The proposal would be to build a "plinth", or platform over the train storage yard, and then develop on top the plinth. It is highly debatable whether this solution would reduce the impact of the train storage yard, however; not only are there a host of unanswered questions about the compatibility of building residential or commercial space over a diesel train yard, but the likely enormous cost of such a plinth could well consume all the excess financial resources generated by the Linden Yards development to further adjoining neighborhood investment. The City and Ryan Company are currently undertaking an engineering feasibility study of the plinth concept, but this study will necessarily leave many key questions unresolved.

In short, it appears that the impact of placing the storage yard at Linden Yards East is both adverse and disproportionately high for the Harrison neighborhood.

3. **There appear to be viable mitigation measures or alternatives available which would avoid or reduce the adverse impacts imposed by placing the train storage yard on Linden Yards East.** Under MNDOT's test, if mitigation measures or alternatives exist which would avoid or reduce adverse effects on minorities/low income groups, those measures must be employed unless they are "not practicable". P. 13. MNDOT then refers to the USDOT definition of practicable: "in determining whether a mitigation measure or alternative is practicable, the social, economic (including costs) and environmental effects of avoiding or mitigating the adverse effects will be taken into account. MNDOT also adds an additional test of practicability when the affected population would be protected by Title VI of the Civil Rights Act of 1964. (That would be the case here, where Harrison neighborhood, the affected population, is over 70% persons of color.) In that case, alternatives can only be rejected as impracticable where the costs associated with the alternative are more severe than those of the proposed action, or where other alternatives would have costs of extraordinary magnitude.

While the Intermodal Station Study indicated that the Bassett Creek site was the preferred site, it also indicated that either site, Bassett Creek or Cedar Yards, contained sufficient space to be feasible. A key question for determination becomes costs associated with selection of an alternative site. Note, however, that even if there are additional costs associated with the alternative site, those costs must be compared with the full costs of the Bassett Creek/Linden Yards site, including the social and resulting economic costs. Moreover, even if the costs of Cedar Yards are more severe than the Linden Yards site, there is still an obligation to identify all potential alternatives, including other feasible locations farther from the Interchange.


Conclusion


The issues presented here are complex, and further analysis is needed. What is clear at this point, however, is the following: a series of public decisions are seriously compromising the prospects for the realization of the Bassett Creek Valley Master Plan. The most serious of these decisions and the one currently pending, the location of the train storage yard, threatens to dramatically reduce the size and viability of the proposed development, as well as the generation of financial resources intended to benefit the adjoining neighborhood. Even having this decision unresolved, perhaps for several years, places a major cloud over any development potential in the area. The neighborhood interests clearly jeopardized by this decision are overwhelmingly minority and low income.


Based on these circumstances, a full Environmental Justice review should be undertaken now. We understand construction of the bridge over Van White Boulevard may need to


proceed in the near future. We have no objection to that project proceeding as long as it is done in a way that does not preclude other locations for the train storage yard.


Sincerely,


Maren McDonell
Board President
Harrison Neighborhood Association
503 Irving Avenue North, Suite 100
Minneapolis, MN 55405


Tim Thompson
President
Housing Preservation Project
570 Asbury Street, Suite 105
Saint Paul, MN 55104


Russ Adams
Executive Director
Alliance for Metropolitan Stability
2525 Franklin Ave E, Suite 200
Minneapolis, MN 55406


Jodi Nelson
Executive Director
MICA
2233 University Ave. #434
Saint Paul, MN 55114


Doran Shrantz
Executive Director
ISAIAH
2720 East 22nd Street
Minneapolis, MN 55406

Enclosures

Cc : County Commissioner Mark Stenglein
Councilmember Don Samuels
Mike Christenson, Director of CPED

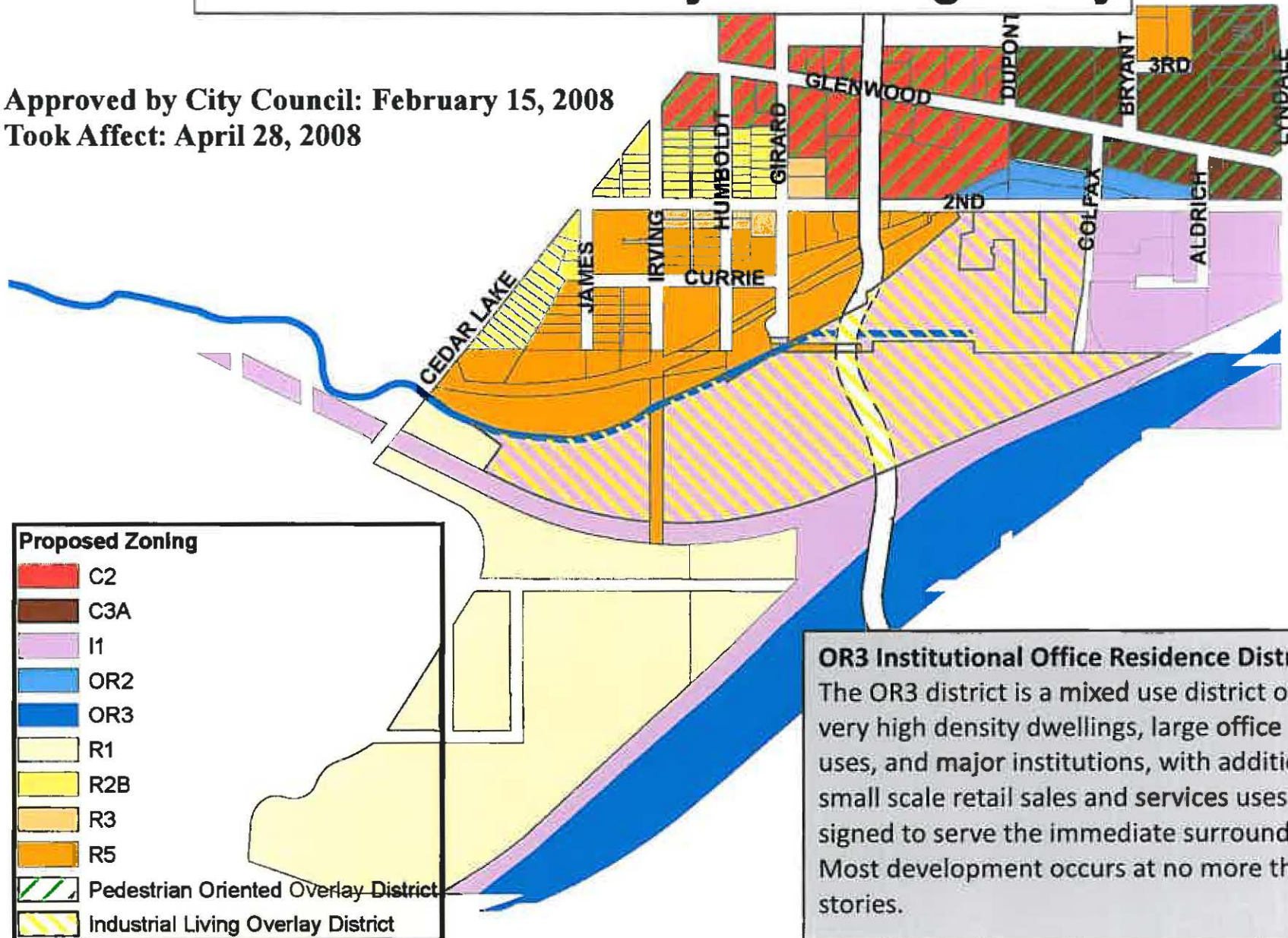
503 Irving Avenue North, Minneapolis, MN 55405 o: 612-374-4849, f: 612-374-9777

www.hnampis.org

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Bassett Creek Valley Rezoning Study

Approved by City Council: February 15, 2008
Took Affect: April 28, 2008



Attachment D



Harrison Neighborhood Association

February 28, 2011

Adele Hall
417 N. 5th Street
Suite 320
Minneapolis, MN 55401

Ms. Hall:

It is with great concern and disappointment that the Harrison Neighborhood Association submits the following public comment. As an Environmental Justice community, we have very serious concerns about the decision-making process, final product, and next steps stated in the Station Area Strategic Planning document. The Station Area Strategic Planning Document is seen in some ways as a step backwards for our community and in conflict with principles of Equitable Transit Oriented Develop (ETOD).

Community members have been working for over 15 years create a redevelopment in Bassett Creek Valley consistent with Transit Oriented Development (TOD) that would generate needed jobs, housing, community supporting businesses, community connections and needed tax revenue for local government. As a result, Harrison residents have been strong and vocal supporters of the Kenilworth alignment. They see the Southwest Light Rail Line as a means to reduce racial and economic inequities by connecting Northsiders to regional job centers and encourage redevelopment in Bassett Creek Valley to address the history of discriminatory planning that has left North Minneapolis isolated and marginalized.

The Bassett Creek Valley Planning process has enjoyed a high level of community engagement. Over 650 people provided input into the BCV Master Plan that was approved in 2007. The community identified priorities were living wage jobs, diverse and affordable housing options, and that the redevelopment of publicly-owned lands must promote the revitalization of the entire area. Unfortunately, this input and work approved by the community and City Council has not been adequately reflected in the station area planning process for the Van White Station Stop. The original drawings showed very little of the envisioned development for Linden Yard West and open-air rail storage for Linden Yards East. Improvements have been made in the renderings since September 2010, but community is only being provided scenarios with commuter rail storage. This is concerning because there has been no formal decisions committing Linden Yards East

for a rail-layover facility nor have the needed feasibility studies been completed to make that decision.

The fair and just redevelopment of Bassett Creek Valley will not only benefit the Harrison neighborhood, North Minneapolis and the City of Minneapolis. It will benefit the Hennepin County by expanding the tax base, locating upwards of 6,000 jobs, and create close to 900 units of housing. The success of Bassett Creek Valley is a regional equity issue.

The Harrison Neighborhood Association requests that the following additional points be included in the public comment for the Station Area Strategic Plan:

1. The Station Area Strategic Plan lacks credibility as a guide for policymakers for the following reasons:
 - a. Community requests for designs without a commuter layover facility were never met. Harrison residents representing the Harrison neighborhood and the 5th Ward on the SWLRT Citizen Advisory Committee raised concerns at meetings. Residents that attended the open houses also voiced concerns about the lack of options and focus on accommodating rail storage at the expense of Transit Oriented Development.
 - b. The final document clearly advocates for siting the commuter layover facility on Linden Yards East. The final document demonstrates this prejudice by only providing the merits of Linden Yards East despite stating on pages 43 (Van White Station Stop) and 62 (Penn Station Stop) that "it is not within the scope of this Station Area Strategic Planning to evaluate the merits of sites...". Both Linden Yards East and Cedar Yards (Penn Station) are considered viable sites by the 2010 Interchange Feasibility Study. The prejudice towards Linden Yards East is demonstrated again by providing Van White Station Stop with renderings that only reflect the commuter layover facility.
 - c. The final document misrepresents the formal Minneapolis City Council's position on the sale of Linden Yards East. The two misrepresentations can be found on pages 43 and 62. In reality, the City Council struck language prioritizing rail storage over development and directed City staff to explore joint development strategies and report back. This action was passed April 2, 2010 and the formal proceedings have been attached to be included in the formal comment.
2. The illustrations depicting development over commuter rail storage are misleading for policy makers and disconnected from the reality of developing a platform that could accommodate Transit Oriented Development on top and several acres of rail storage underneath.
 - a. Key feasibility work has not been started. The City of Minneapolis has recently received a grant to do limited feasibility work. The proposed feasibility study will provide more information but it is unclear if there will be any definitive answers provided at its end. Here are a few key questions that need to be answered before a plan is pursued as a solution:

- (1) Is a joint development strategy (plinth or other scenario) feasible, (2) What would be the cost, (3) Where would additional resources come, (4) Which public entity is responsible for securing the resources, (5) Will this decision reduce or delay benefits of redevelopment, (6) What is the impact to low-income communities and communities of color, (7) What are the cumulative impacts of rail car storage on an Environmental Justice community? (8) What are the impacts to potential property tax revenues from the site? (9) Will there be open-air rail storage? If so, how long and what impact will that have on the marketability of Linden Yards West? (10) Do the feasible joint-development scenarios conform to Equitable Transit Oriented Development principles?
- b. There are no illustrations or mitigation strategies to address 20-30 years (possibly more) of open air rail storage. The funding for a development platform would be parsed out between each of the commuter lines due to funding formulas for transit projects. This will undoubtedly impact access, mobility, development potential, and maintain the isolation of the area. It is unfortunate that no illustrations were provided to address interim challenges of open air rail storage which is the reality even if a joint development scenario is feasible.
3. The final document does not adequately acknowledge or address the needs of Harrison property owners, renters and business owners. North Minneapolis stakeholders are not referenced under the Land Ownership section on page 35 or in the Origins, Destinations & Connectivity section on page 40, however Southside institutions and residential property are addressed. This Bassett Creek Valley is home to over 170 businesses and over 150 homes, all of which are in the ½ mile radius of the Van White Station Stop. Strategies to improve pedestrian, bicycle, and automobile access to the Van White Station Stop focused solely on the Van White Memorial Blvd. Other innovative or creative solutions were not developed. Increasing the accessibility for those originating from the station stop is incredibly important. Based on our research, the top job skills that resident have North Minneapolis match the top industries along SWLRT Corridor. Included with this letter is that jobs and industry data.

Graduate students from the Hubert H. Humphrey Institute produced a report quantifying the potential impact if commuter rail storage prevented redevelopment around the Van White Station Stop. The opportunity costs to the City of Minneapolis and the surrounding community include but are not limited to:


- Loss of 2,800 jobs
- Loss of 500 new housing units (some affordable) and 1,000 new resident occupants
- Diminished overall catalyst impact of any development that does occur on economic development of adjacent commercial parts of Harrison.
- Fragmentation of land use within the Bassett Creek Valley
- Loss of increased walkability, street activity, affordability, and location efficiency created by transit oriented development
- Loss of future Tax Base

The Bassett Creek Valley Planning process and development have enjoyed a high level of community engagement. Hundreds of people have been involved stating priorities of living wage jobs, diverse and affordable housing options, and that the redevelopment of publicly-owned lands must promote the revitalization of the entire area.

There is a strong track record of partnership between Hennepin County, the City of Minneapolis and the community. Hennepin County has contributed to the construction of the Van White Memorial Blvd and invested substantial sums to remediate two former Superfund sites. The City of Minneapolis has committed significant planning resources to the area and made our joint priorities for the area the formal land use and development policy for the City of Minneapolis. It is critical that we work together to preserve all our gains and realize our shared vision of a revitalized Bassett Creek Valley that equitably benefits the surrounding community.

We appreciate there is still much more work to be done in planning the Southwest LRT Line. We also know that the decisions made now will frame the future opportunities for North Minneapolis, the City and the region as a whole.

Sincerely yours,


Maren McDonell
Board President

MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

REGULAR MEETING OF APRIL 2, 2010

(Published April 10, 2010, in *Finance and Commerce*)

Council Chamber
350 South 5th Street
Minneapolis, Minnesota
April 2, 2010 - 9:30 a.m.
Council President Johnson in the Chair.
Present - Council Members Glidden, Goodman, Hodges, Samuels, Gordon, Reich, Hofstede, Schiff, Lilligren, Colvin Roy, Tuthill, Quincy, President Johnson.
Lilligren moved adoption of the agenda. Seconded.
Vice President Lilligren assumed the Chair.
Johnson moved to amend the agenda to include a new motion #2 approving the Council Committee Reporting Department document. Seconded.
Adopted upon a voice vote.
The agenda, as amended, was adopted 4/2/2010.
President Johnson resumed the Chair.
Lilligren moved acceptance of the minutes of the special meeting of March 10, 2010 and the regular meeting of March 12, 2010. Seconded.
Adopted upon a voice vote 4/2/2010.
Lilligren moved referral of petitions and communications and reports of the City officers to the proper Council committees and departments. Seconded.
Adopted upon a voice vote 4/2/2010.

PETITIONS AND COMMUNICATIONS

COMMITTEE OF THE WHOLE:

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (274129)
Status Report on 2010 Census.

COMMITTEE OF THE WHOLE (See Rep):

COORDINATOR (274130)
City of Minneapolis' Five-Year Goals, Strategic Directions and Values.
INTERGOVERNMENTAL RELATIONS (274131)
State Legislative Agenda: Support information House File 3184 (Champion) and Senate File 2809 (Higgins).

The COMMUNITY DEVELOPMENT, TRANSPORTATION & PUBLIC WORKS and WAYS & MEANS/BUDGET Committees submitted the following reports:

Comm Dev, T&PW & W&M/Budget - Your Committee, having under consideration the recommendations of the Departments of Community Planning & Economic Development and Public Works relating to Bassett Creek Valley Exclusive Development Rights, as follows:

- a) That Ryan Companies be granted exclusive development rights to Linden Yards West through 2015 provided annual progress is demonstrated as described in the staff report;
- b) If Linden Yards East is selected as the preferred site for a rail layover facility, direct City staff to work with the Hennepin County Regional Rail Authority (HCRRA) on a joint development strategy by 12/31/2010 to maximize development, including air rights after rail needs are accommodated;
- c) Modify provisions related to Ryan's good-faith deposit of \$20,000 (currently in possession of the City) to provide that such deposit shall be fully refundable upon written request by Ryan to terminate their exclusive development rights, until 30 days after definitive conclusions of the negotiation period between the City and HCRRA regarding commuter rail storage, to allow Ryan to assess the impact of such agreement on their proposed development;
- d) Direct City staff to continue its analysis of Ryan's proposal, negotiate mutually agreeable terms and conditions for one or more redevelopment agreements under the basic framework outlined in the report, and return to the Council for authorization and further direction when appropriate;

now recommends:

Comm Dev & T&PW - Approval of recommendations (a), (c) and (d) and that recommendation (b) be referred back to staff with direction to draft alternate language.

W&M/Budget - Approval of recommendations (a), (c) and (d), and approval of recommendation (b) to read as follows: "b) If Linden Yard East is selected by the Hennepin County Regional Rail Authority (HCRRA) as the preferred site for a rail layover facility, City staff is directed to work with the HCRRA on joint development strategies to maximize development and report back to the City Council on these strategies by 12/31/2010."

Quincy moved to amend the report by approving the Ways & Means/Budget Committee recommendation and deleting the Community Development and Transportation & Public Works Committees recommendation. Seconded.

Adopted upon a voice vote.

Samuels moved to further amend the report by adding thereto the following paragraph:

"e) Direct staff to include principles relating to construction related workforce and contractor diversity, housing, workforce opportunities, finance and community connections and participation for any City development agreement(s) with Ryan Companies, as fully set forth in the Department of Community Planning & Economic Development (CPED) staff report contained in Petn No 273109, passed by Council action on November 7, 2008." Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted 4/2/2010.

Comm Dev, T&PW & W&M/Budget - Your Committee, having under consideration the following recommendations of the Departments of Community Planning & Economic Development (CPED) and Public Works relating to City Community Garden Lease Agreement Standards, as follows:

- a) Passage of the accompanying resolution approving community garden lease agreement standards and delegating authority to the CPED and Public Works directors or their respective designees to enter into standard form City Community Garden Lease Agreements for the leasing of non-buildable and non-developable City properties for community gardens; and
- b) That the proper City officers be directed to prepare a Procedure Document consistent with the Minneapolis Contract Monitoring Procedures Manual prior to any execution of the subject agreement;

now recommends:

Residence Area Characteristics Report - 2006 LED Data -

The following neighborhoods included in report:
JORDAN, HAWTHORNE, WILLARD-HAY, NEAR NORTH,
HARRISON, SUMNER-GLENWOOD,

close

print

save



Northside
SKILLS

	Percent	Number	Metro %	Metro #
Annual Average Earnings by Worker	<u>Selection Stats</u>		<u>Metro Stats</u>	
<\$14,400	29.3	3144	20.2%	273,536
\$14,400-\$40,800	48.1	5166	34.2%	462,524
>\$40,800	22.6	2420	45.6%	615,753
Total	100.0	10730	100.0%	1,351,813
Age of Worker	<u>Selection Stats</u>		<u>Metro Stats</u>	
30 and under	34.1	3662	27.0%	364,520
31-54	53.1	5701	57.4%	776,016
55 and over	12.7	1367	15.6%	211,277
Total	99.9	10730	100.0%	1,351,813
Workers by Industry of Primary Job	<u>Selection Stats</u>		<u>Metro Stats</u>	
Agriculture, Forestry, Fishing and Hunting	0.1	6	0.2%	2,481
Mining	0.0	5	0.0%	345
Utilities	0.2	24	0.3%	3,909
Construction	2.9	313	4.4%	59,103
Manufacturing	11.0	1177	12.1%	164,063
Wholesale Trade	4.9	524	6.1%	82,821
Retail Trade	10.4	1115	10.9%	146,653
Transportation and Warehousing	3.5	377	3.2%	43,800
Information	2.4	253	2.6%	35,200
Finance and Insurance	5.1	545	6.5%	87,597
Real Estate, Rental, and Leasing	1.9	209	1.9%	25,494
Professional, Scientific, and Technical Services	5.8	617	6.9%	93,836
Management of Companies and Enterprises	3.6	389	4.4%	59,748
Admin, Support, Waste Management, Remediation	8.2	880	5.6%	75,084
Educational Services	8.3	888	8.4%	113,982
Health Care and Social Assistance	14.9	1597	11.7%	158,056
Arts, Entertainment, and Recreation	1.3	139	1.3%	17,179
Accommodation and Food Services	9.1	976	6.9%	92,591
Other Services (Except Public Administration)	4.6	496	3.3%	44,182
Public Administration	1.9	200	3.4%	45,689

All Primary Jobs (including private and public)	100.1	10730	100.0%	1,351,813
--------------------------------------------------------	-------	--------------	--------	-----------

Commuteshed (Cities where workers are employed who live in the selected area)				
	<i>Primary Jobs</i>	<i>Jobs in Goods Producing</i>	<i>Jobs in Transportation & Utilities</i>	<i>Jobs in Other Services</i>
Minneapolis city	1798	103	246	1449
St. Paul city	385	34	34	317
Bloomington city	191	7	44	140
Plymouth city	183	80	30	73
Edina city	180	10	16	154
St. Louis Park city	161	20	28	113
Golden Valley city	128	39	28	61
Eden Prairie city	90	22	35	33
Minnetonka city	88	33	17	38
Brooklyn Park city	84	12	26	46



Source: US Census Bureau, LED Residence Area Characteristics Files (2006). Please note that Residence Area Characteristics are based on all **primary** jobs while Workplace Area Characteristics files are based on **all** jobs.

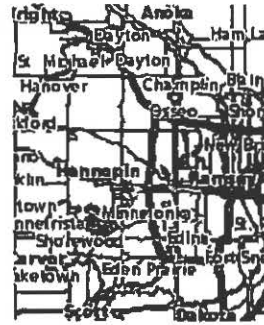
Workplace Area Characteristics Report -2006 LED Data-

The following cities included in report:
Hopkins Eden Prairie Edina St. Louis Park Minnetonka

close

print

save



Employment
opportunities
along
corridor

	Percent	Number	Metro %	Metro #
Annual Average Earnings by Job	<u>Selection Stats</u>		<u>Metro Stats</u>	
<\$14,400	24.3	54497	24.6%	389,381
\$14,400-\$40,800	31.0	69490	32.5%	514,077
>\$40,800	44.6	99934	42.9%	678,573
Total	99.9	223921	100.0%	1,582,031
Age of Job Holder	<u>Selection Stats</u>		<u>Metro Stats</u>	
30 and under	28.5	63879	27.1%	429,183
31-54	57.5	128856	57.7%	913,103
55 and over	13.9	31186	15.2%	239,746
Total	99.9	223921	100.0%	1,582,032
Jobs by Industry	<u>Selection Stats</u>		<u>Metro Stats</u>	
Agriculture, Forestry, Fishing and Hunting	0.0	19	0.2%	2,693
Mining	0.0	16	0%	381
Utilities	0.0	15	0.2%	3,737
Construction	3.0	6694	4.5%	71,717
Manufacturing	11.6	26022	12.0%	189,471
Wholesale Trade	6.4	14409	6.0%	95,091
Retail Trade	14.9	33439	10.3%	163,015
Transportation and Warehousing	0.8	1860	3.0%	47,137
Information	2.2	4836	2.4%	38,383
Finance and Insurance	9.0	20155	6.1%	96,334
Real Estate, Rental, and Leasing	2.8	6282	1.9%	30,692
Professional, Scientific, and Technical Services	7.7	17297	6.7%	105,883
Management of Companies and Enterprises	5.8	13095	4.6%	72,618
Admin, Support, Waste Management, Remediation	7.5	16840	6.1%	96,487
Educational Services	4.8	10815	8.2%	130,078
Health Care and Social Assistance	11.3	25279	11.8%	186,067
Arts, Entertainment, and Recreation	1.1	2484	1.5%	22,862
Accommodation and Food Services	6.8	15139	7.7%	121,754
Other Services (Except Public Administration)	3.3	7405	3.5%	55,007

Public Administration	0.8	1819	3.3%	52,623
All Jobs (including private and public)	99.8	223920	100.0%	1,582,030

Laborshed (Cities where employed workers in the selected area live)				
	<i>All Jobs</i>	<i>Jobs In Goods Producing</i>	<i>Jobs in Transportation & Utilities</i>	<i>Jobs in Other Services</i>
Minneapolis city	23447	2804	4488	16155
Eden Prairie city	14739	1913	3063	9763
Minnetonka city	10673	1099	2394	7180
Bloomington city	10538	1500	2000	7038
St. Louis Park city	9172	943	1931	6298
Plymouth city	8489	951	1848	5690
St. Paul city	7991	1171	1645	5175
Edina city	7592	641	1415	5536
Maple Grove city	5919	780	1265	3874
Brooklyn Park city	5115	1115	940	3060



Source: US Census Bureau, LED Residence Area Characteristics Files (2006). Please note that Residence Area Characteristics are based on all primary jobs while Workplace Area Characteristics files are based on all jobs.

Attachment F

FINANCE & COMMERCE

Bassett Creek Valley shows signs of life

Posted: 4:14 pm Tue, August 21, 2012

By Drew Kerr

PHOTOS:Edward Kraemer & Sons, of Burnsville, recently began work on an extension of Van White Boulevard that will connect to Dunwoody Boulevard. The project is part of a larger redevelopment planned at the 230-acre area north of Interstate 394 known as Bassett Creek Valley. (Staff photo: Bill Klotz); Ryan Cos. executive is 'bullish' on potential of area, cites future LRT station

More than a decade has passed since the city of Minneapolis began planning redevelopment <http://www.minneapolismn.gov/cped/planning/plans/cped_basset-creek> at Bassett Creek Valley, a 230-acre area west of downtown that leaders hope will someday offer a mix of transit, business, housing and green space.

The area hasn't seen any development yet, but a developer with an interest in the property said Tuesday that he remains "bullish" on the prospects — especially if a station for the Southwest Light Rail Transit line is built there.

Rick Collins, the vice president of development at Minneapolis-based Ryan Companies <<http://www.ryancompanies.com/>>, told the city's Community Development Committee on Tuesday that work to extend Van White Boulevard has raised the site's profile and that the prospect of a LRT station will make the site even more attractive.

Work on the Van White Memorial Boulevard extension<<http://www.minneapolismn.gov/cip/all/WCMS1P-080728>> — a \$22 million project that will create a long-sought north-south connection between Glenwood Avenue and Dunwoody Boulevard — began earlier this year and is expected to be finished by the end of 2013.

An eight-month study of a 13-acre area on the southwest corner of the site, known as Linden Yards West, is set to begin next month and will include a look at how a Southwest LRT station off Dunwoody Boulevard could fit on the site.

The Southwest LRT line is expected to enter the engineering phase next year and to be in service as early as 2018.

"The challenge up to this point is that the site hasn't even been considered because it's been consumed by piles of dirt and rubble," Collins said in an interview before the meeting. "It has not been on the radar, period."

The city uses the south side of the Bassett Creek Valley for an impound lot and outdoor storage. A relocation study has been completed by the city in anticipation of the changeover. The north side of the property is parkland.

Ryan has development rights for Linden Yards West through the end of 2015 and says the site could include hundreds of new rental or owner-occupied housing units as well as 750,000 square feet of new commercial space, built out in phases.

The firm has also expressed interest in finding a corporate tenant for what's known as Linden Yards East, a 10-acre area that sits in the southeast corner of the property.

Collins said the National Marrow Donor Program, UnitedHealth Group and Surly Brewing, which is looking for a home<<http://finance-commerce.com/2012/06/surly-narrows-its-focus-in-brewery-site-search/>> for its \$20 million brewery, have expressed interest in Linden Yards West though the discussions are no longer active. He said other possible users are now being courted, but declined to say which companies have expressed interest.

Collins said marketing the site has been complicated by the economic downturn but also because of plans to use the eastern site to store passenger rail cars. The storage would be needed if high-speed service from Minneapolis to Chicago is built, Hennepin County officials say.

If storage is added to the mix, development would have to occur on top of tracks holding rail cars. Pilings, noise and vibration dampening infrastructure and a four-level parking area would cost an estimated \$45 million, a county study determined.

Dean Michalko, an engineer with the county's Housing, Community Works and Transit office, said discussions about the rail storage have gone largely dormant since the high-speed rail line remains uncertain.

Concerns about hindering development and neighborhood opposition led council member Lisa Goodman to push for clarification on the likelihood the storage would be needed and when.

"If it's something that's going to be 25 years out, we should probably be looking at other sites, otherwise we're standing in the way of development," said Goodman, who represents the Bryn Mawr neighborhood.

Collins told city officials if uncertainty around the site causes him to miss an opportunity it could mean waiting another decade.

Despite the looming questions, Beth Grosen, a senior project manager with the Minneapolis Community Planning and Economic Development agency, said she is pleased with the recent progress that has been made.

"It's all seeming much more real now," she said.

Vida Ditter, who has lived in the area off-and-on since 1965 and is a member of the Bassett Creek Valley Redevelopment Oversight Committee, said she has learned to be patient while waiting for the area to evolve.

But the completion of Van White Boulevard is a significant milestone and could prove to be a catalyst for more rapid development, Ditter said.

"This in my personal view is a major step forward that will allow many other things to happen," she said.

Community, officials clash over development plans for struggling Minneapolis neighborhood

by Bill Clements

Published: August 11th, 2011

Maren McDonell of north Minneapolis is mad.

The chairwoman of the Harrison Neighborhood Association sees the possibility that a vicious cycle of poverty and isolation in her neighborhood will repeat itself, and she can't keep quiet about it.

"I am angry because I'm a single parent of four kids, and they are talking about putting something in my community that will hurt my kids and my community for a long time," said McDonell, the mother of a son, 18, and three daughters — 16, 7 and 4.

She was referring to plans that the city of Minneapolis and the Hennepin County Regional Rail Authority are considering for building a commuter train storage — or "layover" — facility on the nearly 13 acres known as Linden Yards East.

Linden Yards east and west contain about 25 acres of unused, publicly owned land just north of downtown Minneapolis that everyone considers prime development property.

And it will become even more valuable if a station for the proposed Southwest light rail transit line is built there on what will be Van White Boulevard, a new street that will connect north and south Minneapolis when it's completed in 2013.

Planners say that a commuter train storage facility in that location is a "vital ingredient" in creating a jobs-rich passenger-rail system and running it into downtown Minneapolis. And they add that Linden Yards East is probably (though not yet officially) the best spot for the facility.

But McDonell and a host of other community and regional groups think there is a higher use for property as prime and valuable as Linden Yards, which is part of 230 acres known as Bassett Creek Valley that has long been largely industrial.

They envision a major redevelopment that includes office buildings and housing and the jobs and residents that come with them, all part of a long-overdue rebirth of Harrison, Bassett Creek and the broader north Minneapolis area.

"The redevelopment plans we are looking at would create 2,500 jobs and 500 new units of housing," McDonell said, anger draping her words. "We don't even have a McDonald's in our community where our youths can get fired from. This is about bringing faith and opportunity into this community."

Harrison Neighborhood Association Executive Director Larry Hiscock explained that "there's been a history of discriminatory planning in this community, and that sets the stage for future development."

The history here is represented by an image from a 1935 land-use planning map of Minneapolis that the Harrison Neighborhood Association found in a 1938 "citizen's guide" published by the Minneapolis Board of Education.

The image shows a circle around the blocks that form north Minneapolis, including Harrison, and the words: "Slum" and "Negro Section (largest in the city)."

McDonell's anger comes from knowing that the intention of city leaders and planners back in the 1920s



Maren McDonell is the chairwoman of the board of the Harrison Neighborhood Association, and Larry Hiscock is its executive director. They believe if Hennepin County and the city of Minneapolis build a commuter train storage facility in Linden Yards East (above), the project could well sentence the adjoining poor and mostly minority community of Harrison to another couple of generations of poverty and failure. (Staff photo: Bill Klotz)

and '30s to condemn north Minneapolis to poverty and isolation worked.

"I think this is about hope," McDonell said. "We want jobs and economic viability. With this facility coming, it's another way that the city and county will continue to oppress the community."

Phyllis Hill, lead organizer for Isaiah, a community justice group working with the Harrison neighborhood in opposition to the layover facility, agrees.

"The Harrison neighborhood is African-American and Somalis and Asian-Americans, and they've all come together on this — and I think that's very powerful. So why should the city turn their backs on that?"

The Bassett Creek redevelopment plan, which goes back more than 10 years, "is about changing the planning and zoning to create opportunity," Hiscock added.

"That's why Ryan Cos. is interested. They didn't show up to build a layover facility — they showed up to create jobs and housing and opportunity."

The city in 2008 granted Minneapolis-based commercial developer Ryan Cos. exclusive development rights for Linden Yards West through 2015. It has been tough going.

Rick Collins, vice president of development at Ryan, says the tough economy as well as thorny issues with the site itself make marketing the property difficult.

"We are trying to resolve these open issues so we can present a more complete picture to potential corporate users," Collins said, noting one recently expressed interest but quickly dropped out. "The reality is it's a complicated site that won't be complete until we can explain these open issues."

The thorniest of the issues is whether a commuter train storage facility will be built on Linden Yards East and, if so, can the kind of catalyzing redevelopment that the community wants be built on top of that facility.

Ryan is working with the city and the Hennepin County Regional Rail Authority and their consultants, St. Paul-based SEH, to analyze the technical and financial feasibility of creating a development above a train storage facility in Linden Yards East.

Although potentially costly, Collins believes that a good redevelopment can happen above a mostly closed-in train storage facility.

"Ryan's interests are aligned with the community's," he said. "Although we can coexist with a rail layover facility and the community would prefer it not be built there at all."

Beth Grosen, senior project coordinator in business development for the city's department of Community Planning and Economic Development, said that any significant movement on construction of a train storage facility is a long way off.

For now, Grosen advises the community to focus on "a more achievable vision" of redevelopment along Glenwood Avenue.

"There could be employment possibilities in the existing commercial properties along Glenwood — that's much more achievable in the next few years," Grosen said.

Hennepin County Commissioner Peter McLaughlin, head of the Hennepin County Regional Rail Authority, emphasized that nothing will be happening for a while.

"Let's face it, the Bassett Creek redevelopment plan didn't get implemented when the economy was booming," said McLaughlin, who has met with the community several times and will continue to. "What the community wants to do is going to take an enormous amount of resources, and this [project] hasn't risen to the top."

But, McLaughlin added, at some point in the future "the combination of the real estate market and rail investment will make this a desirable site — it'll be a good place for the kind of development the community wants."

StarTribune

Can development, idling diesel trains coexist?

Article by: STEVE BRANDT
Star Tribune
November 2, 2010 - 10:33 PM

In a glacial river valley west of downtown Minneapolis, a long-neglected banana-shaped parcel of land is suddenly at the center of potentially competing interests.

The city now uses the 25 acres along Interstate 394 to crush concrete, recycle asphalt and store things ranging from extra garbage carts to streetlight poles.

A master plan for the surrounding Bassett Creek area envisions offices and some housing for the parcel, known as Linden Yards from its past railroad use. Although construction is likely to be years away, developer Ryan Companies is working on crafting a proposal, with strong backing from the adjacent Harrison neighborhood.

But the eastern third of the yards also is being eyed by Hennepin County as a possible site on which to eventually park commuter trains between runs.

Although Ryan says that could help its development plans, Harrison activists are voicing fears that the rail use could trim the number of jobs and housing units, and the neighborhood needs both; 37 percent of its population was below the poverty level in 1999.

"We have some grave concerns about heavy rail layover," said Vicki Moore, a Harrison resident who has played an active role in redevelopment plans. "You can't keep continuing to dump stuff in north Minneapolis."

The county has actively promoted and planned for a variety of rail lines that are expected to converge near Target Field, although it won't construct or own them. Preliminary studies for the county have identified either Linden Yards or nearby Cedar Yards as the best sites for commuter or inter-city trains to layover.

The county also sponsored planning studies for the proposed Southwest light-rail line in an effort to better connect stations and their surroundings. Plans include a stop at Linden Yards, where the soon-to-be-constructed Van White Boulevard will pass over railroad tracks and Bassett Creek. Sketches so far envision development initially on the west half of Linden Yards and the rail layover yard as a long-term option on the downtown end.

The neighborhood calculates that using it for trains instead of including it in Ryan's development could cost 1,800 to 2,800 jobs. That alarms neighborhood leaders, even though consultants suggest that the rail yard could be topped with a level or two of parking and then offices or housing above that.

Neighborhood staffer Larry Hiscock said residents fear it's too speculative to draw plans for rail yards without knowing whether development above is physically or financially feasible and on what timetable. They want the feasibility of such stacked development over idling diesels studied first.

So Ryan and the city have sought from the Metropolitan Council a \$100,000 grant for such a study. The same broad flat glacial plain that made the area attractive as a route for early railroads contains boggy soil that increases the challenges for constructing buildings.

County officials say that if a rail yard is built, it would make sense to build in extra support for potential development overhead. How quickly such a rail yard would be needed depends on how fast proposed rail service to Chicago and Duluth, and additional commuter trains similar to the Northstar line, materialize.

The rail yard would cost an estimated \$11 million and could reach \$30 million if maintenance facilities are added, according to a

28

preliminary study.

Although Rick Collins, a Ryan vice president, said that development could go ahead in the area with or without a rail yard, he sees a boost to the area's development potential if trains are stored there. One reason is that the site has a low elevation, and putting in the rail yard and perhaps a parking level or two would raise it above nearby freeway ramps and an electrical transmission line, making it more marketable. Moreover, the rail yard might bring funding that could help offset the increased cost of supporting buildings above it, Collins said.

Making a decision on whether to place the rail yard in Linden Yards is important, because it would reduce uncertainty when Ryan tries to line up potential corporate tenants for its development. Collins said that Ryan is probably several years from being able to break ground because of uncertainty over rail facilities and general market conditions. The County Board is scheduled to get an update on transit plans Nov. 18.

Steve Brandt • 612-673-4438

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Marnie Jacobsen
<marnie07@gmail.com>

12/31/2012 05:33 PM

To swcorridor@co.hennepin.mn.us

cc

bcc

Subject DEIS Public Comment

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

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

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

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

Marnie Jacobsen

D

12

05



Lori Schmeling
<lorielizabeths@gmail.com>

12/31/2012 05:33 PM

To swcorridor@co.hennepin.mn.us

cc

bcc

Subject SW Light rail

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

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

Sincerely,
Lori and David Schmeling
3 Park Lane
Minneapolis

E4

N1,
N2



John Nicklow
<janick01@gmail.com>

12/31/2012 05:56 PM

To Swcorridor@co.hennepin.mn.us

cc

bcc

Subject Santorini and the new light rail in the south west corridor

As owners of Santorini Restaurant, we would like to express our grave concerns about being able to conduct our business and survive the construction of the Light Rail System in our area. The parking, as it is right now, poses challenges to our customers. Combine that with the appropriation of parking spaces that presently exist, construction and altering traffic patterns around us, our customers will choose to avoid the congestion, construction and uncertainty, and dine elsewhere.

P5

We are a small family business with a lifetime of love, long arduous hours of work, and hard earned investment dollars, all riding on Santorini.

We would like to open the conversation with you about remedies for the dire consequences this poses for a business and our future.

L1

My father and I look forward to meeting with you soon.
Sincerely,

John Nicklow

cell: 612-353-7355

Anthony Nicklow

cell: 612-710-9401



Faith Cable Kumon
<Kumon@smithpartners.com>

12/31/2012 07:06 PM

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

cc

bcc

Subject Southwest DEIS comments

Please include the following comments on the Southwest DIES, prepared on behalf of the Midtown Community Works Partnership (MCW).

The MCW Partnership supports the 3A option for the Southwest LRT and has significant concerns about the co-location of freight rail in the Kenilworth corridor.

D

The MCW Partnership supports the 3A option because of the potential impacts to the Midtown Greenway trail posed by 3C and because the Partnership believes that a Midtown Streetcar would be a preferable transit option in the Midtown Greenway. As noted on pages 3-59 and 6-59, the construction of the LRT through the Midtown Greenway could cause problems for the existing pedestrian and bicycle trail, requiring the trail to be reconstructed at street level. The designs for the 3C options are particularly problematic for the Midtown Greenway trail users at Nicollet Avenue who would have to go up a ramp, cross Nicollet at grade, and down another ramp. The 3C options are also less desirable because they would not provide a connection along the Midtown Greenway to the Hiawatha LRT line. A future Midtown Streetcar could provide a continuous connection from the Southwest LRT to the Hiawatha LRT as well as all of the destinations along the Lake Street – Midtown Greenway corridor.

A

The co-location option, 3A-1, is problematic at West Lake Street for existing bicycle and pedestrian connections as well as for future transit. The freight rail relocation segment (page 3-60) will remove the at-grade crossing along the Southwest bike trail will improve the experience for existing bicyclists but more importantly, it will also improve the pedestrian and bicycle experience when accessing the West Lake Station. Although not mentioned in this section of the DEIS, the freight rail relocation will create enough space for a future Midtown Streetcar to connect at the West Lake Station.

D

The land use assumptions, while generally good, make some assumptions that may not reflect the current state of best practice research. Page 5-18 states that the implementation of LRT and the accompanying reduction in bus service may reduce TOD development potential. This generalization that TOD potential is reduced from a change in transit service from a slower bus service to a faster LRT service with fewer stops is not logical nor is it supported by evidence from other cities across the country.

M1

The Midtown Alternatives Analysis began in late 2012 to study the Lake Street and Midtown Greenway corridors for improved transit service. The work of this study should be acknowledged in the Final EIS as it moves forward.

P1

Best,

Faith Cable Kumon
smith
partners

PLLP

400 Second Avenue South

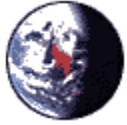
Suite 1200

Minneapolis, MN 55401

(612) 344-1400 Office

(612) 344-1550 Fax

www.smithpartners.com



"nora@rushs.com"
<nora@rushs.com>
12/31/2012 07:43 PM

To <swcorridor@co.hennepin.mn.us>
cc
bcc
Subject Please reconsider segment

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

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

D

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

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

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

E8

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

I2

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

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

E0

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

N1

G1

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

Thank you for your time.
Nora Whiteman



Elizabeth Kilburg
<ekilburg@mac.com>
12/31/2012 08:26 PM

To swcorridor@co.hennepin.mn.us
cc
bcc
Subject SWLRT

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

A

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

E8

N2,

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

E8

N2

Elizabeth Kilburg

Louisa Castner

15 Park Lane
Minneapolis, MN



Doreen Pearson
<doreen.pearson@gmail.com>

12/31/2012 09:19 PM

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

cc

bcc

Subject Comment on DEIS SWLRT

From:

Doreen Pearson
2706 Yosemite Ave S
St. Louis Park, MN. 55416
952-922-5800
Doreen.Pearson@gmail.com

To whom it may concern,

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

C
L2

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

C

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

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

Kind regards,
Doreen



debbielarry@comcast.net
12/31/2012 10:01 PM

To s
cc
bcc

See Comment #630 for Theme Delineations for KIAA attachment

Subject Comments on the Draft DEIS for the Southwest LRT

To Whom It May Concern--

I am writing to add my comments on the Draft DEIS for the Southwest LRT project. Being a Kenwood resident I have followed the issue for many years and recognize the impacts (both positive and negative) the rail line could have on our neighborhood. I am a member of the Kenwood Isles Area Association (KIAA) board and have been very involved in composing that group's response to the DEIS. I attach those comments at the end of this note for reference and to lend my voice of support to them. In addition, I would like to comment on three specific elements of the project that are of particular interest to me.

1. Effect To Land Use and Socioeconomics (Section 3.1.5.1). The report states "Implementation of LRT service and stations along the Segment A alignment would likely result in some land use changes surrounding the stations, particularly north of the lakes where tracts of undeveloped land are being considered for development." The reason there are tracts of undeveloped land in this area is because it is a park. People have worked for many years to reclaim a former rail yard to create a large park, complete with walking and bike trails, within a few miles of downtown Minneapolis. I do not believe the LPA makes sense in so many ways, but if the LRT is to come on this alignment I believe it should pass with as little impact on a natural space many people have worked very hard to create and maintain. Areas north of I-394, near the cement crushing area and behind Bryn Mawr Fields may hold development possibilities, but the land in Cedar Lake Park south of I-394 should maintain as much of its park character as possible.

E1
E10

M1

2. Proposed Cedar Lake Parkway Overpass Bridge. Appendix F, Conceptual Engineering Drawings (page 54) shows a new bridge spanning Cedar Lake Parkway to separate the LRT line and the road. The illustration shows a nearly 5% grade, both up and down, with the bridge reaching a height of nearly 25 feet (apparently). I agree that, with the volume of traffic and the importance of that road for various neighborhoods, that LRT and Cedar Lake Parkway should be separated. But a bridge of that size would drastically change the character of the neighborhood for the worse and potentially reduce the value of homes that are in proximity to the bridge. In addition, a public beach is within 50 yards of that intersection and, while the bridge may increase safety (which I am not convinced of) it will ruin another piece of the Minneapolis park system. While many argue that parks should not take precedent over people, the parks of Minneapolis are a significant asset and a reason people choose to live and visit the city. I strongly urge further investigation in separating LRT and Cedar Lake Parkway, possibly by trenching the LRT at that point or depressing the rail line and having the road extend over it.

E8

S1

3. Colocation of the freight rail and LRT in the Kenilworth Corridor. I wholeheartedly agree with the findings throughout the report that show that colocation of the freight line with LRT is not an appropriate approach. The biggest problems for that approach are of the portion of the line between the West Calhoun station and 21st street. As the report points out, it seems the only way to make colocation work is to remove 57 townhomes and displace their residents. Ignoring for a minute the possible financial hardship some of these people may experience, the

D

E1

city of Minneapolis loses current and future property taxes. As a Minneapolis resident, I cannot abide the city losing tax revenues in order for this line to become a reality. I also do not believe the neighborhood should endure both a new LRT line and freight line. As I said, I do not believe the current LPA is in the best interests of the city of Minneapolis, but if it is indeed the LPA then the neighborhoods through which it runs should not have to experience both the increased freight rail traffic and the new LRT traffic.

M2

D

There are many other issues that concern me with the alignment considered with the LPA, but the KIAA response does a very good job in addressing them. For that reason, I am attaching those comments to mine and hope you will consider them as an integral part of my response to the Draft DEIS.

I support increased public transportation options, and hope the Southwest LRT can be implemented in a way that is beneficial for all communities along the line, including the city of Minneapolis. In order for that to happen, however, a number of issues need to be addressed and resolved to the satisfaction of everyone that lives along the proposed line.

Thank you for the opportunity to comment on the Draft DEIS.

Sincerely,

Larry Moran
2205 Oliver Avenue South
Minneapolis, MN 55406

Kenwood Isles Area Association

Response to the Southwest Transitway

Draft Environmental Impact Statement

Overview and Summary

Bordered by the Kenilworth Trail and Cedar Lake Park to the west and Lake of the Isles to the east, the Kenwood Isles Area Association (KIAA) represents 1,414 citizens in 589 housing units (2010). Kenwood residents value the neighborhood's historic homes, our proximity to downtown and Uptown, and especially Minneapolis' unique park, lake, and trail system.

More than a mile of the 15 miles proposed for the Southwest Transitway LRT 3A (LPA) line passes through Kenwood. Two of the proposed stops would be part of our neighborhood, 21st Street and Penn Avenue (shared with Bryn Mawr).

After the release of the Draft Environmental Impact Statement (DEIS) on October 12, 20012, KIAA developed a draft response. To solicit input on this response, KIAA posted the draft on our website. We then held board meetings on November 5th and December 3rd focused primarily on the DEIS response. Both meetings were well attended by 25-35 individuals. Our annual fall newsletter, mailed to every Kenwood household in mid-November, centered on the DEIS and requested input by e-mail for those who could not attend our meetings. This newsletter was also sent to all e-mail addresses on our neighborhood list. The KIAA response to the SWLRT DEIS reflects this comprehensive outreach.

The DEIS articulates a number of environmental impacts to our neighborhood, but overlooks several others. If the SWLRT is to be built, we are pleased to see that the DEIS supports relocation of freight rail from the Kenilworth Corridor and affirm all the reasons given in the document. Kenwood citizens are appalled by the prospect of the Kenilworth Corridor being the route of **both** the LRT **and** freight rail.

We support excellent, context-sensitive design and mitigation for all communities affected by this project. Without the highest design standards and excellent mitigation, the environmental impacts in Segment A of the 3A (LPA) alignment – especially those related to noise, visual effects, and safety – will greatly affect the livability of our neighborhood, as well as adversely impact unique urban assets that benefit visitors from around the region (the Kenilworth Trail and Cedar Lake Park). Our concerns focus on the following:

1. Preserving our unique cultural and natural heritage

- We oppose land use changes beyond what is necessary for the LRT; existing park, trail and open green space should be preserved to the greatest extent possible. (3.1.5.1, page 3-34)
- There are important historic preservation issues related to the proposed SWLRT. KIAA looks forward to contributing as a consulting party to the Section 106 Review process. (3.4.5, Page 3-79)
- KIAA asserts that a bridge over Cedar Lake Parkway would have unacceptable visual and noise impacts. We request a feasibility study of depressing, trenching, or tunneling the LRT. (3.6.3, page 3-115)
- A bridge over Cedar Lake Parkway likely violates Shoreland Overlay District zoning requirements. (3.6.3, page 3-115)
- Cedar Lake Park and the Kenilworth Trail provide important wildlife habitat and environmental learning opportunities for both children and adults. KIAA urges design measures that would benefit biota and habitat. (4.3.5, page 4-53)
- The area for the proposed SWLRT currently has very low ambient noise levels. KIAA insists on the highest standards of design to mitigate noise impacts. (4.7.3.5, 4-92)

2. Safeguarding the safety and enjoyment of park and trail users

- Cedar Lake Park and the Kenilworth bicycle and pedestrian trails are regional assets. With well over 600,000 discrete annual visits, they

are heavily used by local residents and people from throughout the metro area. (3.6.2.4, page 3-104)

- KIAA expects the City of Minneapolis' Resolution 2010R-008 will be respected. It asserts that the current environmental quality, natural conditions, wildlife, urban forest, and the walking and biking paths must be preserved and protected.

- Substantial visual effects on trail users documented in the DEIS must be mitigated with well-designed landscape and hardscape elements, including land berms and evergreens. (3.6.3, page 3-115)

- This DEIS does not consider impacts of light pollution on park and trail users. (3.6.5.3, page 3-123)

- KIAA insists that the Minneapolis and MPRB Police be consulted on security issues related to the impact of a proposed station at 21st Street related to Cedar Beach East (Hidden Beach). An inadequately managed station would increase opportunities for illegal behavior. (3.7.2, page 3-129)

- KIAA requests that the Minneapolis Fire Department, MPRB Police, and emergency medical responders be consulted in development of safety and security plans, especially for Cedar Lake Park and Cedar Beach East (Hidden Beach). (3.7.3.3, page 3-131)

- The adequacy of existing hydrants and other emergency infrastructure needs examination.

(3.7.3.3, page 3-131)

- KIAA insists on the highest standards of design to mitigate noise impacts on trail users. The current experience of the trail is as a peaceful urban retreat. (4.7.3.5, page 4-92)

- KIAA expects that if safety fencing is used, it be integrated into an overall landscape design that includes land berms, evergreens, deciduous trees and shrubs, and hardscape elements. (6.3.2.4, page 6-58)

- We expect high aesthetic standards for screening to reduce visual impacts of Traction Power Substations (2.3.3.6, page 2-50)

3. Maintaining the quality of life of residents

- A station stop at 21st Street with 1,000 people daily boardings will greatly change the character of this neighborhood. We insist on a study of traffic and other impacts of the station on the neighborhood. (Table 2.3-4, page 2-32)
- We expect consultation with the community on Traction Power Substation placement and screening plans. (2.3.3.6, page 2-50)
- Contrary to the DEIS assertion, there will be a significant impact on community cohesion given the change from slow, infrequent freight trains to high speed LRT trains that will pass homes, parks, and trails every few minutes from 5:00 a.m. to 1:00 a.m. (3.2.2.6, page 3-58)
- Substantial visual effects on residences will occur, as well as adverse privacy impacts to indoor and outdoor living areas, and must be mitigated. (3.6.3, page 3-115)
- Although the DEIS states otherwise, without explanation or verification, the proposed station area at 21st Street will have substantial visual impacts on nearby residences. This was pointed out during the DEIS scoping period. (3.6.3, page 3-117)
- This DEIS does not consider impacts of light pollution on homes near the station. The effects of engine lights, station lighting, and any other lights must be taken into account and remediated. (3.6.5.3, page 3-123)
- KIAA requests that the Minneapolis Fire Department, Police Department, and emergency medical responders be consulted in development of safety and security plans, especially for the 2000 block of Upton Avenue. (3.7.3.3, page 3-131)
- We appreciate that this DEIS points out substantial noise impacts that the SWLRT will have on our neighborhood and residents. Planners must not allow noise to destroy a quiet park and stable urban neighborhood. KIAA insists on the highest standards of design to mitigate noise impacts. (4.7.3.5, page 4-92)
- During the scoping period, residents showed that new construction in the 2500 block of Upton Ave. S. along the Kenilworth Trail required extra deep footings because the ground propagates vibrations to the detriment of structures. The DEIS did not address this issue. KIAA requests that detailed vibration assessments be done as early as possible to determine adequate mitigation measures. (4.8.6, page 4-118)

4. Ensuring the tranquility and functionality of proposed station areas

- In accordance with City of Minneapolis policy and to protect neighborhood livability, KIAA opposes a park-and-ride lot at 21st Street. (Table 2.3-4, page 2-32)
- To improve safety of park and trail users, we request consideration of a split platform at the 21st Street station as proposed by the Cedar Lake Park Association design charrette of November 2010. (Table 2.3-4, page 2-32)
- This DEIS points to severe noise impacts from a station at 21st Street. KIAA insists on the highest standards of design to mitigate noise impacts. (4.7.3.5 Assessment Page 4-92)
- MPRB Police absolutely must be consulted on security issues related to a proposed station at 21st Street. An inadequately managed station would increase opportunities for illegal behavior, which has been a long-standing problem at Cedar Beach East (Hidden Beach). (3.7.2, page 3-129)
- Groundwater and drinking water must be protected. KIAA requests information about how this will be done. (4.1, pages 4-19, 4-21)
- There is a great deal of landfill around Cedar Lake. KIAA needs assurance that contaminated soils will be dealt with appropriately during construction. (4.9.5, page 4-129)
- KIAA does not support changes in land use (development) near the 21st Street station. We expect parkland, trails, and green space to be protected for future generations. (5.2.5.1, page 5-21)
- A station area at Penn Avenue will have a significant impact on Kenwood residents. KIAA expects to be consulted on station area design and mitigation of impacts.

KIAA strongly urges all actors involved with the SWLRT to establish the highest standards of design and mitigation for this project. Design measures that may be considered “betterments” by agencies outside of our community are justified by the disproportionate adverse environmental impact to residential and green spaces compared to the more commercial or industrial areas

along the line. Such measures are required to ensure that the proposed SWLRT will not substantially harm, and may even enhance, our community.

Detailed Comments, Chapters 2 - 6

Chapter 2: Alternatives Considered

2.3 Draft EIS Alternatives

2.3.3 Build Alternatives

Table 2.3-4, page 2-32, Stations

This table shows a station at 21st Street: At-grade, with center platforms, and a surface parking lot with room for 100 cars.

Comment: Minneapolis officials have informed the Kenwood Isles Area Association that a park-and-ride facility at the proposed 21st Street station would be contrary to the City's policy. We support this policy and oppose a parking lot at 21st Street. A parking lot would not be consistent with the quiet residential character of the neighborhood and would require destruction of wooded land or open green space adjacent to the Kenilworth Trail and Cedar Lake Park.

Comment: To improve safety of park and trail users, and possibly to reduce noise impacts, we request consideration of a split platform at the 21st Street station as proposed by the Cedar Lake Park Association design charrette of November 2010. (Table 2.3-4, page 2-32)

Comment: We expect a complete analysis of the traffic impacts of this proposed station on our neighborhood. A previous study projected 1,000 riders per day boarding at 21st Street. Given the low-density housing, the geography (much of the half-mile radius around the proposed station is either parkland or lake), and street lay-out of Kenwood, we conclude that either the figure of 1,000 riders per day is wrong, or our neighborhood will see tremendous change in traffic load. Such changes should be understood, planned, and managed. (Southwest LRT Technical Memo No. 6, Ridership Forecasting Methodology and Results, Preliminary for Review Only, September 9, 2009. We were unable to locate updated data in the DEIS.)

2.3.3.6 Traction Power Substations, page 2-50

TPSSs would be included at approximately one-mile intervals along the Build Alternatives to supply electrical power to the traction networks and to the passenger stations. ... The TPSS sites would be approximately 80 feet by 120 feet. The proposed general locations for TPSSs are shown in Appendix F. The proposed sites were located to minimize impacts to the surrounding properties; however, the site locations are subject to change during Preliminary Engineering and Final Design. TPSS sites are selected to meet a balance of safety, reliability, cost, and operational efficiency needs.

Comment: KIAA notes that in Appendix F, a TPSS is proposed just south of the Burnham bridge on the west side of the trail. This will impact trail users as well as adjacent residences. If this site is retained, we insist that designers work with KIAA and adjacent residents to adequately landscape and screen this facility.

Chapter 3: Social Effects

The Kenwood Isles Area Association has a number of concerns regarding the Social Effects of the proposed SWLRT project. Specifically, the train will travel through a quiet, park-like area used for bicycling and pedestrian trails, adjacent to Cedar Lake Park and Cedar Beach East (Hidden Beach). These community assets were created more than 20 years ago through citizen initiative, and have been developed and maintained by volunteers and public entities since then. Further, the line will pass by quiet, stable residential areas that have seen significant private investment in the maintenance or improvement of the housing stock in recent years. We especially point to effects on land use, community cohesion, visual and aesthetic effects, and safety and security.

3.1 Land Use and Socioeconomics

3.1.5.1 Effects to Land Use and Socioeconomics, page 3-34

In Minneapolis, land use changes are anticipated along each of the planning segments. Residential land uses surrounding the Segment A alignment are mainly low- to medium-density, single-family detached housing near Cedar Lake and Lake of the Isles. [...] Implementation of LRT service and stations along the Segment A alignment would likely result in some land use changes surrounding the stations, particularly north of the lakes where tracts of undeveloped land are being considered for development.

Comment: While we support consideration of redevelopment within the Basset Creek Valley area, the Kenwood community has expressed the priority that existing park, trail and open green space in the Kenilworth Corridor between Lake Street and I-394 absolutely must be preserved to the greatest extent possible. The existing land use represents an important neighborhood, city, and regional asset. The City of Minneapolis' Resolution 2010R-008 by Colvin Roy entitled "Supporting the Southwest Transitway Locally Preferred Alternative" reflects this priority:

“Be It Further Resolved that the current environmental quality, natural conditions, wildlife, urban forest, and the walking and biking paths be preserved and protected during construction and operation of the proposed Southwest LRT line.

Be It Further Resolved that any negative impacts to the parks and park-like surrounding areas resulting from the Southwest LRT line are minimized and that access to Cedar Lake Park, Cedar Lake Regional Trail, Kenilworth Trail and the Midtown Greenway is retained. “

KIAA expects that zoning in the area will remain R1 and R2 with the exception of the R4 and R5 areas south of Cedar Lake Parkway, and Shoreland Overlay District restrictions will be respected.

3.2 Neighborhood, Community Services and Community Cohesion Impacts

3.2.2.1 Neighborhoods, p.3-49 – 3-52

Minneapolis

Each Build Alternative would operate through several geographically defined neighborhoods in the City of Minneapolis.

Comment: While the proposed LRT 3A (LPA) route would travel through the defined boundaries of nine Minneapolis neighborhoods, it will have the greatest impact on Kenwood, CIDNA, and West Calhoun due to the geography and existing land use of the area. The Kenilworth Trail and Cedar Lake Park – vital local and regional amenities – are both part of the Kenwood neighborhood, with the Kenilworth Trail continuing through CIDNA and West Calhoun. (Please note that the DEIS description of Kenwood includes areas that are actually part of CIDNA.)

3.2.2.6 Neighborhoods and Community Cohesion, page 3-58

Segment A [LRT1A and LRT 3A (LPA)] and Freight Rail Relocation

However, the operation of LRT service along Segment A is not anticipated to adversely affect community cohesion because Segment A is currently bisected by a freight rail line and adding LRT service does not alter the existing barrier. [...] The operation of LRT service along Segment A is not anticipated to adversely affect community cohesion.

Comment: Kenwood residents find this statement absurd. The infrequency and slow speeds of the current freight trains means tracks are easily crossed, as evidenced by the many informal pathways across the tracks that provide access from residences to parks, trails, and retail stores. LRT, on the other hand, would run every 7.5 minutes in each direction at high speeds. This change clearly alters the existing linkages within and among neighborhoods. Also, the Kenilworth trail now functions as a community connector where neighbors meet in a recreational context. So while KIAA agrees that new transit services and linkages would become available to neighborhood residents, we completely disagree that there would be no adverse impact on community cohesion.

3.3 Acquisitions and Displacements/Relocations

3.3.3.3 Build Alternatives, Page 3-70

LRT 3A would require almost twice the number of parcels LRT 1A. LRT 3A-1 (co-location alternative) would require almost three times the number of parcels as LRT 1A.

Comment: KIAA requests that the 79 individual commercial and 11 residential properties proposed for acquisition be identified. As stated in our Resolution Opposing Co-Location (see attached) KIAA opposes the taking of Cedar Shores Townhomes and other Minneapolis residences for the co-location alternative.

3.4 Cultural Resources

3.4.5 Cultural Resources - Long-Term Effects, Page 3-79

Architectural properties in Segment A which are listed in or eligible for the National Register include seven individual properties and five historic districts. The segment also includes three individual architectural properties and one historic district which are under evaluation for eligibility.

Comment: The Kenwood Isles Area Association looks forward to contributing as a consulting party to the Section 106 Review process. We urge SWLRT designers and engineers to adopt the highest design standards to protect our local, regional, and national cultural assets including, but not limited to, Cedar Lake Parkway and the Historic Grand Rounds.

3.6 Visual Quality and Aesthetics

3.6.2 Existing conditions

3.6.2.4 Segment A [LRT 1A, LRT 3A (LPA), and LRT 3A-1 (co-location)], page 3-104

Segment A is located on existing rail ROW owned by HCRRA that is currently used as a pedestrian and bike trail and parallels existing freight lines (Photo 3.6-4). The corridor travels through the Cedar-Isles-Dean and Kenwood neighborhoods, the Minnesota Chain of Lakes Regional Park, and travels between a pair of lakes (Cedar Lake and Lake of the Isles) in Minneapolis. Land uses adjacent to the segment between West Lake Street and I-394 include transportation uses for freight, parkland, and single- and multi-family residential land uses.

Comment: In addition to the land uses listed above, please note the heavy use of bicycle and pedestrian trails along the Kenilworth Corridor. Bicycle commuting constitutes a significant portion of this use. According to information provided to the Minneapolis' Park and Recreation Board's Community Advisory Committee, the Kenilworth Trail received 617,000 visits in 2009 and use has only grown since then. The Regional Park Visitor Survey 2008 indicates that 63% of these visits were non-local, meaning that more than six out of ten users came from outside of Minneapolis.

3.6.3 Long-Term Effects, page 3-108

Segment A [LRT 1A and LRT 3A (LPA)], page 3-115

Visual impacts on sensitive receptors located at single-family and multi-family parcels throughout the corridor would generally not be substantial because of mature vegetation buffers and the presence of an existing freight rail corridor. Visual impacts may be substantial where the alignment is not screened by vegetation. Visual intrusion and privacy impacts of the project elements on the sensitive receptors may be substantial where views from the alignment into previously private spaces are created. Visual intrusion and privacy impacts on the outdoor living areas of residential properties could be substantial where vegetation or landscape buffers do not exist.

Comment: Much of the existing mature vegetation is not intentional landscaping. It is adequate to screen views from very infrequent freight trains that rarely run at night, but is insufficient for passenger trains (LRT) that run every few minutes from early morning into the late night – from 5:00 a.m. to 1:00 a.m. With the introduction of LRT, KIAA agrees that there will be substantial visual effects on trail users and residences not screened by well-designed landscape and hardscape elements, including land berms and evergreens. We agree that adverse privacy impacts to indoor and outdoor living areas of residential properties will also be significant without excellent landscape design. We urge project engineers to employ the highest standards of creativity and design as they attempt to preserve the quality of this vital urban green space.

Page 115, cont. (Cedar Lake Parkway) The proposed alignment is on a bridge over Cedar Lake Parkway. Visual impacts on sensitive receptors adjacent to the corridor in the multi-family residential parcel and Cedar Lake Parkway could be substantial. Visual intrusion and privacy impacts of the project elements on the residents in units with windows facing the alignment where it is bridged structure could be substantial.

Comment: KIAA agrees that a bridge over Cedar Lake Parkway clearly would have substantial adverse visual impacts on residences from Lake Street to the

Kenilworth Channel. It would also have substantial adverse impacts on users of the Historic Grand Rounds (drivers, bicyclers, pedestrians), as well as Cedar Lake Park and beach users, a fact not mentioned in the present study. Such a bridge is also likely to violate the Shoreland Overlay District zoning requirements, which state:

“Except for structures subject to a more restrictive maximum height limitation in the primary zoning district, the maximum height of all structures within the SH Overlay District, except for single and two-family dwellings, shall be two and one-half (2.5) stories or thirty-five (35) feet, whichever is less.”

Source: Minneapolis, Minnesota, Code of Ordinances; Title 20 – Zoning code; Chapter 551. – Overlay Districts; Article VI. – SH Shoreland Overlay District

We do not see any evidence in the present study that the feasibility of trenching, tunneling, or depressing the LRT below Cedar Lake Parkway has ever been examined. We strongly request that a thoughtful and serious study of this possibility be undertaken, since a bridge would have such grave quality of life impacts on area residents and users, and an at-grade crossing may have significant adverse traffic and safety impacts. KIAA will look forward to participating as a consulting party during Section 106 consultation in this regard.

Page 3-116

A BNSF flyover bridge proposed in the conceptual engineering plans would not have impacts on any sensitive receptors.

Comment: KIAA requests information about this proposed fly-over bridge. The text on page 3-116 does not make clear what and where this would be.

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

Comment: The present study indicates substantial visual effects on trail users, residential areas and recreational users. KIAA agrees that there will be substantial adverse impacts on trail users, recreational users, and residential areas along the trail. We disagree, however, that there will be no additional adverse visual impacts near the proposed 21st Street station: there are a number of homes within close proximity to the proposed station location that would be adversely affected.

3.6.5.3 Mitigation, Build Alternatives, page 3-123

The need for additional landscaping to mitigate potential visual intrusion/privacy impacts following clearing and grubbing activities during construction will be addressed in the Final EIS. Station design and aesthetics will be addressed during Preliminary Engineering and Final Design. Mitigation treatments for visual impacts would be developed during the Final Design process through discussion with affected communities, resource agencies, and stakeholders. Measures would be taken to ensure the design and construction of the Build Alternative considers the context of the corridor and that sensitive receptors receive adequate mitigation. Possible mitigation measures could include:

- Landscaping vegetation such as shrubs and bushes to supplement existing vegetation buffers
- Evergreen vegetation screening to supplement deciduous vegetation buffers in leaf-off conditions
- Fencing
- Tunneling

Comment: Appreciating the present study's approach that mitigation treatments would be developed through discussion with affected communities, KIAA requests definition of "measures [that] would be taken to ensure the design and construction of the Build Alternative consider the context of the corridor and that sensitive receptors receive adequate mitigation."

Comment: This list of possible mitigation measures is woefully inadequate. Please see attached Joint Goals for SWLRT Design and Mitigation, a resolution passed by the Kenwood, CIDNA, and West Calhoun Neighborhoods in February 2011.

Comment: Based on the present study, we assume that consideration of placement and screening/mitigation of Traction Power Substations would also be done in cooperation with affected communities and stakeholders.

Comment: The DEIS does not consider impacts of light pollution – from station lighting and headlights and other vehicle lighting – which will impact trail users and residents. KIAA expects that these impacts will be analyzed and mitigated.

3.7 Safety and Security

3.7.2 Existing Conditions, page 3-129

Public safety and security within the study area is provided by the police departments, fire departments, and emergency response units of the cities of Eden Prairie, Minnetonka, Hopkins, St. Louis Park, and Minneapolis. Emergency medical services are located in each city.

Comment: Please note that the Minneapolis Park Police also provide service within the study area. KIAA requests that the MPRB Police be consulted on security issues related to the impact of a proposed station at 21st Street on Cedar Beach East (Hidden Beach) and their input be incorporated into final design plans. In the summer 2012, Hidden Beach generated more police actions than any other park in the MPRB system. For the last five years, KIAA has provided supplementary funding to the Park Police to allow for increased patrols in this area. The neighborhood has expressed grave concern that an inadequately managed station would increase opportunities for illegal behavior.

Page 3-129, cont. Primary safety concerns associated with the freight rail relocation segment of the proposed project, as expressed by the community, are derailments, chemical spills, the accessibility and safety of pedestrians (particularly near schools), and vehicular and traffic safety at grade crossings.

Comment: Please note that residents near the Kenilworth Corridor have no less concern about such issues as derailments, chemical spills, pedestrian and cyclist safety, and traffic safety.

3.7.3.3 Safety – Long Term Effects - Build Alternatives, page 3-131

The project would be designed in a manner that would not compromise the access to buildings, neighborhoods, or roadways, and would not compromise access to the transitway in the event of an emergency.

Comment: Please note that operation of LRT 3A could hamper access by emergency service providers to Cedar Lake Park, Cedar Beach East (Hidden Beach), and residences in the 2000 block of Upton Avenue South. KIAA requests that the Minneapolis Fire Department, MPRB Police, and emergency medical responders be consulted and their input be incorporated into safety and security plans for our area. Furthermore, the adequacy of existing hydrants and other emergency infrastructure needs to be examined.

Chapter 4: Environmental Effects

4.1 Geology and Groundwater Resources

4.1.3.4 Existing Conditions, Groundwater Resources, page 4-11

Segment A (Figure 4.1-11): Concern exists [due to shallow groundwater] for the areas near Lake Calhoun, the channel between Cedar Lake and Lake of the Isles, and the low areas beginning near the 21st Street station and extending through the areas near the Penn and Van White stations to I-94.

4.1.4.2 Long-term Effects, Groundwater, page 4-21

The Build Alternatives may have long-term impacts on groundwater if a permanent water removal system (dewatering) is required. Permanent water removal is anticipated where the cut extends below the water table. [There are] ...possible needs on Segment A and at a second cut along Segment 3, because of shallow groundwater.

Comment: The present analysis is inadequate. The low lying areas around the 21st Street station extending through the Penn and Van White stations are identified as areas of concern regarding groundwater. Additionally, there is a possible need for permanent water removal systems along segment A, although the specific location is not identified. Both the identification of the risks and potential mitigation efforts in this area are unclear in the document.

4.1.3.6 Groundwater Sensitivity, page 4-19

Several areas in the study area lie within zones of very high sensitivity to pollution of the water table system (Piegat 1989).

Comment: The area surrounding the 21st Street station's underlying bedrock is the Prairie du Chien Group, in which resides a major aquifer supplying many municipalities potable water supply. In segment A, the area of land between Cedar Lake and Lake of the Isles is an area of "very high sensitivity to pollution of the water table system". The present study is inadequate

and provides only general information as to efforts to be made to ensure our drinking water is not contaminated.

4.3 Biota and Habitat

4.3.5 Mitigation, page 4-53

Impacts to regulated resources, such as wetlands, threatened and endangered species, and water resources/water quality, would be mitigated in accordance with the appropriate permits as discussed in other sections of this Draft EIS. This mitigation would also benefit biota and habitat.

Comment: A wide variety of migratory birds and other wildlife adapted to natural spaces in urban environments (deer, fox, turkeys, etc.) constitute a critical element of the Kenilworth Corridor and Cedar Lake Park. In addition to providing habitat, the area also creates environmental learning opportunities for both children and adults. KIAA insists that LRT design consider ways to benefit biota and habitat and minimize habitat fragmentation in this unique urban green space.

4.7 Noise

4.7.3.5 Assessment, Page 4-92

Segment A [LRT 1A and LRT 3A (LPA)]: West Lake Station to Intermodal Station

Category 1

There are no noise impacts to Category 1 land uses in this segment.

Category 2

There are a total of 73 Moderate Noise Impacts and 183 Severe Noise Impacts to

Category 2 land uses in this segment. The estimated number of impacted residential units is 85 Moderate and 406 Severe. Many of the impacts are due to low existing ambient noise levels combined with proximity of residential neighborhoods to the alignment and high anticipated

speeds of operation. Some impacts are due to low existing ambient noise levels combined with light rail vehicle-mounted audible warning signal (bell) use at the 21st Street Station and the nearby 21st Street at-grade crossing.

Category 3

There is one moderate impact to a Category 3 land use. The impact is due to very low ambient background noise levels found in the walking-trails of the Cedar Lake portion of the Minneapolis Chain of Lakes Regional Park combined with close proximity to the tracks and bell use at grade crossings and crosswalks. This may not apply to the entire Cedar Lake portion of the park, especially in areas where park-goers themselves create higher noise levels, and in areas of the park farther from the tracks.

Comment: Light rail vehicle audible warning bells for at grade crossings have a sound exposure of 106 db (4.7.3.4, page 4-84), which is close to the sound level of a chain saw or a rock concert. It is estimated that there will be nearly 260 LRT trips per day from 5:00 a.m. to 1:00 a.m. During peak hours the frequency will be greater than one train every four minutes. There are 1,143 housing units along segment A that will be impacted by noise, nearly half of which (520) will suffer severe noise impacts as identified in the DEIS (Table 4.7-3, page 4-86). Of these, 406 housing units in CIDNA and Kenwood (segments A-A and A-B) will potentially experience severe noise impacts and 68 will experience moderate noise impacts (Table 4.7-8, page 4-93). KIAA insists that noise impacts on residences must be mitigated. This is currently a stable residential community with very low ambient noise levels.

Comment: Cedar Lake Park is primarily a very quiet, tranquil wooded area (which should be categorized as a Category 1 land use) and will experience the same level of noise impact as the homes near the proposed 21st Street station. The station will be located at the entrance to the park, and sound carries long distances through the park because of the normally low ambient noise levels. Park users likely create slightly higher noise levels no more than two to three months out of the year when Cedar Beach East (Hidden Beach) is busy, often with hundreds of daily visitors. Other months, the Cedar Lake Park is a serene, “up north” experience where the sound of woodpeckers tapping trees can be heard from one side of the park to the other.

Comment: There is no discussion of the impact of noise to the highly utilized Kenilworth bicycle and pedestrian trails. The Kenilworth Trail is a quiet, serene haven for bicyclist commuters and recreational users within an urban environment.

Comment: There is no discussion of the noise impacts that would be created by a bridge over Cedar Lake Parkway.

Comment: KIAA insists that the highest standards of design must be employed to mitigate these noise impacts. Severe noise affecting a large number of the homes in our neighborhood is clearly not acceptable. We believe noise impacts to Cedar Lake Park and the Kenilworth Trail would go beyond moderate, which is equally unacceptable. Excellent mitigation is needed to safeguard the park and trails from noise impacts. The design of the SWLRT in the Kenilworth Corridor must be sensitive to the existing context and do everything possible to protect this unique space. KIAA expects involvement in developing and approving mitigation plans.

4.8 Vibration

4.8.6 Mitigation, page 4-118

Detailed vibration analyses will be conducted during the Final EIS in coordination with Preliminary Engineering. The Detailed Vibration Assessment may include performing vibration propagation measurements. These detailed assessments during the Final EIS/preliminary engineering phase have more potential to reduce project-related effects than assessments of mitigation options at the conceptual engineering phase of the project. Potential mitigation measures may include maintenance, planning and design of special trackwork, vehicle specifications, and special track support systems such as resilient fasteners, ballast mats, resiliently supported ties, and floating slabs.

Comment: The Prairie du Chien bedrock associated with the area around the 21st Street station in the Kenwood Isles neighborhood is an efficient conductor of ground-based vibration and ground-based noise. The area is identified as having a “high potential of efficient vibration propagation” (4.8.3.4, page 4-115), and 231 units are identified as being impacted in Segment A (**Table 4.8-4, page 4-115**). Given that the infrequent freight rail traffic vibrations can certainly be felt four to five blocks distant from the tracks it seems quite possible that the number of

housing units impacted will be greater than cited in the DEIS. It appears that actual vibration testing has not been done as part of the DEIS but will be done later.

Comment: During the scoping process, residents pointed out that new construction at 2584 Upton Avenue South required extra deep footings because the ground in this area propagates vibrations to the detriment of structures. An architect's report was submitted. There is no evidence in the current study that this information was taken into account. The area currently experiences vibration from the few heavy freight trains that pass most days, but will likely see much greater impacts from 260 daily light rail trains. KIAA insists that detailed vibration assessments be done as early as possible in Preliminary Engineering to determine the impact on homes near the trail.

4.9 Hazardous and Contaminated Materials

4.9.5 Mitigation, page 4-129

It is reasonable to expect that previously undocumented soil or groundwater contamination may be encountered during construction. A Construction Contingency Plan would be prepared prior to the start of construction to account for the discovery of unknown contamination. This plan would outline procedures for initial contaminant screening, soil and groundwater sampling, laboratory testing, and removal, transport, and disposal of contaminated materials at licensed facilities. Contaminated material removal and disposal would be in accordance with this plan, monitored by qualified inspectors, and documented in final reports for submittal to MPCA.

Comment: Based on reviews of state databases there are three identified contaminated sites in Segment A around the 21st Street station (Figure 4.9-4, page 4-125). Given the historical usage of the area surrounding the 21st Street station and the Penn station areas for rail siding and transfer and the obvious existence of debris piles and old structures in the area it seems likely that additional contamination may be present in the area.

Comment: The neighborhood needs assurance that contaminated soils will be dealt with appropriately during construction.

Chapter 5: Economic Effects

5.2 Station Area Development

5.2.1 Land Use

5.2.1.4 Segment A [LRT 1A and LRT 3A (LPA)] – West Lake Street Station to Royalston Station, page 5-12

Land use within one-half mile of Segment A is predominantly single family residential (detached housing, 20.0 percent), parks and open space (16.0 percent), and water features (10.7 percent). Industrial land uses make up 14.3 percent of the total land use; however these uses are primarily concentrated near downtown Minneapolis. Housing adjacent to Segment A includes single-family detached and multi-unit attached structures, which together encompass 29.6 percent of the land uses adjacent to this segment.

5.2.5.1 Mitigation for Land Use Plan Consistency, page 5-21

Changes in land use and denser development near stations are anticipated, consistent with existing plans and policies. Overall, positive economic effects are anticipated under all build alternatives for the local community and region. No mitigation is required.

Comment: KIAA opposes land use changes around the proposed 21st Street station. We urge protection and, if possible, enhancement of the Kenilworth Trail and Cedar Lake Park area as a unique and vibrant urban green space. We do not support denser development near the 21st Street station.

Chapter 6: Transportation Effects

6.2 Effects on Roadways

6.2.2.2 Physical Modifications to Existing Roadways, page 6-24

Also in Segment A with LRT 3A-1 (co-location alternative) only, the ROW needed for this alternative will affect Burnham Road, which is adjacent to the corridor and accessed off of Cedar Lake Parkway. Burnham Road is the main access point for homes fronting on Cedar Lake.

6.2.2.3 Operational Impacts at Intersections

Segment A (LRT 3A-1 Co-location Alternative), page 6-39

The conceptual design for LRT 3A-1 (co-location alternative) includes the light rail and freight rail tracks crossing Cedar Lake Parkway at-grade. Therefore, a queuing analysis was performed for the Cedar Lake Parkway crossing including an analysis of impacts to Burnham Road and Xerxes Avenue in proximity to the Cedar Lake Parkway crossing.

Comment: KIAA notes that at-grade crossing studies were done at Cedar Lake Parkway only for the 3A-1 co-location alternative. Given that we very strongly oppose a bridge over this feature of the Historic Grand Rounds, preferring a depression/trench/tunnel for the LRT, the comments below consider facts about the at-grade crossing that apply whether or not trains are co-located. We reiterate here our opposition to co-location.

Comment: Please note that Burnham Road is also the main access point for many residences along the Kenilworth Corridor in both Cedar-Isles-Dean and Kenwood, as well as the only alternative to driving around Lake of the Isles for other Kenwood and Lowry Hill residents.

Comment: Not included in this analysis, Sunset Boulevard at Cedar Lake Parkway is also blocked and has significant queuing when freight trains cross under current conditions.

Comment: Not considered are potential noise impacts of an at-grade crossing at Cedar Lake Parkway. These would be considerable, especially for residents near the intersection and for users of Cedar Beach South.

6.2.2.4 Transit Station Access, page 6-41-42

LRT station access would vary. [...]The following stations would provide public parking. Access to the following stations would be by walking, bicycling, driving an automobile, or transferring from local bus services:

- West Lake Street
- 21st Street
- Penn Avenue

Comment: Chapter 2 identifies that public parking would be provided at 21st Street as a surface lot for 100 cars. This is unacceptable to KIAA, and contrary to City of Minneapolis policy. We oppose a park-and-ride lot at 21st Street.

6.2.2.6 Building/Facility Access, page 6-46

For the Build Alternatives, access to several buildings and facilities would need to be modified. In Segments 1 and 4, no changes to building and facility access would be required. In Segments 3 and A, the access to several private properties would be slightly realigned in the following locations:

[...]

- Cedar Lake Parkway and Burnham Road

Comment: KIAA requests information about which buildings at Cedar Lake Parkway and Burnham Road would see their access modified, what is the proposed modification, and under what conditions this would occur.

6.3 Effects on Other Transportation Facilities and Services

6.3.1.4 Bicycle and Pedestrian Facilities, page 6-52

The City of Minneapolis and Transit for Livable Communities have conducted two- hour bicycle and pedestrian counts along these trails for the past several years. The annual counts are conducted in September and attempt to capture peak commuting hour traffic volumes. The two-hour bicycle and pedestrian volume counts are shown in Table 6.3-3. Although count data is not available, anecdotal accounts from many cyclists indicate that these weekday counts do not represent peak-hour trail volumes, which may occur on weekends when the trails are heavily used.

Comment: We note that Table 6.3-3 shows that the Kenilworth Trail through Kenwood and CIDNA has very high use by bicycle commuters, and concur this study of the traffic volumes along the trail certainly does not capture the heavy weekend recreational use. Minneapolis Park and Recreation Board counts for 2009 estimate 617,000 annual users of the Kenilworth Trail.

6.3.2 Long-Term Effects

6.3.2.1 Build Alternatives, page 6-55

Parking Spaces Added for Build Alternatives

Additional parking would be added at many of the proposed stations as outlined in Section 2.2.3 of this Draft EIS. Depending on the number of spaces needed and the local constraints, parking may be in structures. The parking facilities are expected to generate additional traffic on local streets that provide access to the station areas.

Comment: The Kenwood Isles Area Association opposes a park-and-ride facility at the proposed 21st Street station, and our understanding is that such a facility would be contrary to the City of Minneapolis' policy.

Comment: We request a complete analysis of the traffic impacts of this station on our neighborhood. A previous study projected 1,000 riders per day boarding at 21st Street. Either the figure of 1,000 riders per day is wrong, or our neighborhood will see tremendous change that must be better understood and planned. (Southwest LRT Technical Memo No. 6, Ridership Forecasting Methodology and Results, Preliminary for Review Only, September 9, 2009)

6.3.2.4 Bikeways and Major Pedestrian Facilities, page 6-58

The conceptual engineering developed for this Draft EIS indicates that there is sufficient space within the HCRRA's ROW for the Build Alternatives and the interim-use trails to coexist; therefore, with the exception of the Midtown Greenway in Segments C-1 and C-2, long-term impacts on the capacity and operations of the interim-use trails is not anticipated. For safety reasons, it is likely that fencing or other measures to separate the bicycles and pedestrians from the LRVs would be necessary, with crossing of the tracks allowed at roadway intersections and station locations.

Comment: See Chapter 3.2 comment on community cohesion. Also, KIAA urges that if fencing is used for safety reasons, it should be part of an integrated, overall landscape design that includes land berms, evergreens, deciduous trees and shrubs, and hardscape elements. This design should protect and value the existing park-like environment of the trail areas and the adjacent Cedar Lake Park, and should be done in cooperation with the community including KIAA, CIDNA and the Cedar Lake Park Association.



Karen Hroma
<karenhroma@yahoo.com>

12/31/2012 10:06 PM

Please respond to
Karen Hroma
<karenhroma@yahoo.com>

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

cc

bcc

Subject Southwest LRT - Public Process - Chapter 12 DEIS

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

CHAPTER 12 – PUBLIC AGENCY COORDINATION AND COMMENTS:

12.1.1

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

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

12.1.1.2

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

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environment for a significant segment of the population.

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

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12.1.1.4

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

12.1.1.5

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

12.1.1.6

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

12.1.1.8

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

12.1.2

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

12.1.3

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

12.1.3.1

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

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

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

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12.1.3.2

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

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12.1.5

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

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<http://vimeo.com/17945966>

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

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

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

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

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

Marc Berg (Birchwood Neighborhood):

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

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

Lynne Carper (Lake Forest Neighborhood):

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

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

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

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

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

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

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

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

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

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

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

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

L2

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

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

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

C

L2

12.2.1

SATETEA-LU Section 6002 states:

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

L2

.(4) ALTERNATIVES ANALYSIS-

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

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

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

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

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

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

L2

C

12.2.2

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

L2

C

12.3.1

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

L2

C

12.3.2

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

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

C
L2

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

Karen Hroma
2752 Blackstone Ave
St. Louis Park, MN
55416



swurban@comcast.net

12/31/2012 11:57 PM

To swcorridor@co.hennepin.mn.us

cc

bcc

Subject Re: SW Lightrail DEIS

To Whom It May Concern,

My name is Susan Urban and my family and I live in St. Louis Park. We have been following the discussions regarding the SW Light Rail DEIS with great interest. While there has been a significant amount of evaluation, we do not feel the DEIS has fairly addressed all the freight rail alternatives, specifically, the freight rail co-location (3A-1). Relocating the added freight rail traffic through the heart of St. Louis Park's middle class neighborhoods and high school campus is not only unsafe, but will forever change the cohesive nature of our city, as well as degrade the economic viability here. Simply by looking at a St. Louis Park map and the existing neighborhoods, it's plain to see the freight rail line will travel through the heart of the largest section of middle-class housing. In addition, while trains are passing through, there will be six major roadways that will be choked off creating a disrupted flow of all city traffic. There is also the issue of the damage the vibrations will cause to our high school buildings that will eventually make the integrity of the buildings unstable. Insecure schools are targets for vandalism & theft. I believe this single factor alone will result in a decline of parents' desires to send their students to St. Louis Park schools. None of these economic impacts, nor the ripple effects, have been addressed nor has any mitigation plan been devised for how any of these effects could be lessened, let alone eliminated.

C

C

C

Speaking personally, we have lived in the Birchwood neighborhood for over 15 years. We have loved our time here & until the freight rail concerns, we never imagined ourselves leaving St. Louis Park. Sadly, we are now having this discussion. While we would love to stay here, the housing options will be very limited if the proposed freight rail plan goes through. Houses in areas not as directly affected are either too expensive or a step down. There really are very few options. We are also very concerned about our daughter attending the high school with the proposed location of the freight rail. The DEIS as it stands today does not consider these very real impacts on the city & we feel there will be a resulting mass exodus of middle class families leaving the city in the near future.

C

We hope it is realized that the DEIS has not fairly evaluated or represented the freight rail options. If this is to happen to our beautiful city, as it appears is likely, we sincerely hope you will work tirelessly to ensure the impact of it all is minimized as much as is humanly possible.

Thank you,

Susan Urban
2653 Xenwood Ave S
St. Louis Park, MN 55416

Mary Scarbrough Hunt
<huntms1@aim.com>

12/31/2012 11:58 PM

To swcorridor@co.hennepin.mn.us

cc

bcc

Subject Personal Experience of "Environmental Impact"

I want to let you know how seriously the rerouted freight rail has impacted my home, and no one has addressed that. THAT constitutes "environmental impact" to me.

What are you going to do to mitigate future damage and remedy existing damage?

Photos will follow.



Mary Scarbrough Hunt
7021 West 23rd Street
Saint Louis Park, MN 55426-2702
952-546-1336 (H) / 612-716-5274 (M)
Huntms1@aim.com



REEDSWENSEN@aol.com

12/31/2012 11:58 PM

To swcorridor@co.hennepin.mn.us

cc

bcc

Subject Comments on LRT

Please enter the following comments into the record for the Southwest Light Rail Transit Line:

I have no doubt that the Southwest Light Rail Transit Line (SWLRTL) will be built, but I want to add my opinion that it is a huge waste of taxpayer dollars.

B

One of the main arguments for building the SWLRTL is that it will be funded by "federal money". If we don't spend it someone else will. Federal money is not free money. It doesn't fall from Mars. It's taxpayer money. It's money we paid in taxes and it's money that people in Tampa, Los Angeles, Houston, Chicago, and cities throughout the U.S. paid in their taxes. They'll get the bill for our wasteful spending and we'll pay for their wasteful spending. Thinking like this is prevalent among politicians and bureaucrats. It's the reason this country is technically bankrupt. The "gold shovel and hard hat" crowd will spend and spend without restraint just to feed their egos and put their name on public projects. Taxpayers no longer want to be taxed on their hard-earned money so that public officials can strut and preen their way through a ground-breaking ceremony.

T4

T0

SWLRTL is expensive by any measure. We are told \$1.5 billion. How often does a public works project come in within budget? Look at the Lowry Bridge. What will be the total cost of SWLRTL? \$2 billion? \$3 billion? This does not even include the operational costs that the taxpayers will need to cover each and every year in the decades ahead. Already a \$100 million error has been found, but we're told that doesn't really change anything. It's only \$100 million.

T0

T4

SWLRTL is depicted almost like a Disney-esque monorail, silently threading its way through the city. Nothing is further from the truth. Have you seen and heard the Hiawatha Line with its ugly steel towers and cables? Like the Hiawatha Line, a wide swath of land will be clear-cut and denuded the length of the route. Thousands of trees and green space will be replaced by concrete walls that will soon be covered with graffiti. This is not a Disney monorail. It's big, it's loud, it's earth-shaking, and it's ugly. If you want an urban feel added to Eden Prairie then this rail line is for you. And don't forget the two years of construction when roads and highways will need to be closed and detoured for the building of tracks, bridges, and tunnels. Once it's completed we can look forward to traffic delays at numerous "at-grade" intersections as empty train cars rumble by.

N2

N8

O5

O7

P4

We're told that LRT is the future. It is? Rail is an old technology. It pre-dates the automobile. Cars have steering wheels. So do buses. That's why it makes more sense to improve and add to bus service instead of spending billions on a primitive technology that is forever fixed in one route. We're told that LRT is supported by the majority of people in Eden Prairie. Yes, the first impression is that LRT seems "fun" or interesting. And who wouldn't want it if someone else (federal dollars) is paying for it? Anyone can design a survey that shows support for LRT, but when people hear of the reality their opinion changes. We are told the business community and Chambers of Commerce are big supporters. I seem to remember a local Chamber of Commerce being vocally opposed to the Indoor No-Smoking Act. I think they lost their credibility with that one. I haven't heard from one small business owner in the area who is for SWLRTL. Large companies have gone on record as supporters, but many of their executives will tell you privately that they are personally against it and think it's a waste. But they realize their companies need to look progressive and forward thinking. It's difficult to do that by saying "no". Many also fear the wrath of government for speaking out against something that government is so intent on implementing.

K0

G1

Many of the biggest supporters of SWLRTL are the social engineers that cringe at the sight or thought of us driving our cars and having the freedom to move about at will and on our own schedule. They know what is best for us and would rather load us into cattle cars at predetermined times as they send us to

work and home. A recent editorial in the Tribune spoke of social equity being the major reason for supporting SWLRTL.

We are told that our residential property values will drop in Eden Prairie without SWLRTL. Nearly any real estate agent will laugh at that opinion, yet it is commonly stated as fact.

M2

We are told that SWLRTL is necessary to supply transit for the 60,000 jobs expected to be created in the region. We are also told that SWLRTL will create 60,000 jobs due to its construction and nearby redevelopment. Which is it? One of the above or both? Different sources cite different scenarios. Let's not forget that both are projections. The Metropolitan Council recently observed that some of their projections on job growth and population made only a couple of decades ago were way off the mark. Projections are not a guarantee of what will happen in the future, and they are often incorrect. Only a few years ago we were told that telecommuting was the wave of the future and that Eden Prairie office space was overbuilt. "Community leaders" were wringing their hands over what to do with Eden Prairie's oversupply of commercial space. The "office" was becoming obsolete as more and more of us would work from home. Why should we believe certain projections and "studies" that are at a total contradiction with other projections and studies? There are studies and interpretations of studies that can be used to support both sides of most any argument. SWLRTL supporters continually cite only those studies that back their side and ignore other data. Don't forget that studies backed the Big Dig in Boston, studies helped design the original 35W Bridge, and studies placed a K-Mart in the middle of Nicollet Avenue in Minneapolis. While we're at it, let's look at some of the studies that show that commuter rail spreads gang violence and influence.

M2

K4

R1

Any redevelopment at the transit stations is going to be similar to what we see at the Southwest Transit Station -- some fast casual restaurants, a coffee shop, and maybe an apartment. Are those part of the 60,000 jobs that are cited? This is not redevelopment. This is displacement. It only means we'll stop at a Caribou near the transit station instead of the one we used to stop by near our home. Those are all pleasant places to eat, but they are not office or technology parks featuring world-class research and innovation. SWLRTL is not going to bring the southwest metro area into the forefront of world economic development as some have suggested.

M1

I was speaking with a representative of the Chinese government who is a specialist in economic development. He asked me if I had heard that light rail was being considered for the southwest metro area and Eden Prairie. He thought it was funny. He asked if we had plans to transport peasants to the big city. He couldn't believe that it was even being considered, as he said it's essential for both ends of a transit line to either have a large population or an importance as a destination. Eden Prairie has neither. Minneapolis to St. Paul makes sense for light rail. Minneapolis to the airport and Mall of America makes sense too. Although for both of these examples he said they would not be perfect candidates because the routes are too short and the speeds too slow. We have existing infrastructure plus cars and buses to do the same thing. He mentioned that he heard of the SWLRTL when visiting with an economic development person associated with the Minneapolis to St. Paul line. When he questioned the need for SWLRTL she became very defensive and her demeanor changed completely.

K4

It's clear that the bureaucracy that has been constructed by the Metropolitan Council around the evaluation of SWLRTL acts to promote the building of the line. And who can blame the employees? They'd be out of a job if the line is not built, so they have a personal interest in making sure that it is not stopped or even criticized.

As an owner of multiple commercial properties in Eden Prairie I would stand to profit from redevelopment near the transit stations. But as a taxpayer I won't stand silent and see public officials (un-elected public officials in the case of the Metropolitan Council), wastefully spend taxpayer money.

T4

T0

Reed Swensen
17555 Bearpath Trail
Eden Prairie, MN 55347
952-949-9836

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

The proposed action of re-routing freight is described in Chapter 1, Section 1.3.2.3. The MN&S Spur tracks are a lightly used spur line within a high density urban, residential setting and directly adjacent to the St Louis Park Senior High. The current freight occurs five days a week, Monday- Friday, during normal business hours. The proposed action of re-routing freight would introduce mainline traffic and the community, residents, and students will be exposed to longer, heavier trains during weekends, evenings, and nighttime. In fact, the re-route will allow a 788% increase in the number of rail car traffic in this area. The increase of freight exposure will directly and negatively impact community health, cohesion of the neighborhoods adjacent to the tracks and educational quality within St Louis Park Schools. In addition, there will be negative impacts to the community at large. These impacts include but are not limited to, increased noise and vibration, increase in diesel fumes from laboring locomotives, loss of mobility with when multiple crossing are blocked simultaneously, decreased safety for home owners and students at the High School, decreased access to small businesses and a decrease in tax base caused by lower property values in the affected area.

I oppose the freight rail re-route as outlined in the SWLRT DEIS. I believe it will create an unsafe and unlivable situation for our school children, our local businesses, and our residents.

C

Thank you,

Name:

Pam Colacino

Address:

8236 WESTWOOD HILLS CURVE

City/State/zip:

ST. LOUIS PARK MN

Telephone:

612-419-2873

E-Mail:

You can sign the petition at

SafetyInThePark.com

You can comment via email to

swcorridor@co.hennepin.mn.us

The comment period ends on **December 31, 2012**

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C

Thank you,

Name: JOAN MEATH
Address: 8236 WESTWOOD HILLS CURVE
City/State/zip: ST. LOUIS PARK MN
Telephone: 612-760-1489 E-Mail: _____

You can sign the petition at

SafetyInThePark.com

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C

Thank you,

Name: Justin Rand

Address: 6700 M. Hennepin Blvd

City/State/zip: St Louis Park MN 55426

Telephone: _____ E-Mail: _____

You can sign the petition at

SafetyInThePark.com

You can comment via email to

swcorridor@co.hennepin.mn.us

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C

Thank you,

Name: Address: 8435 Forest view Ln. N.City/State/zip: Maple Grove MN. 55369

Telephone: _____ E-Mail: _____

You can sign the petition at

SafetyInThePark.com

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Name: 

Address: 8435 Forestview Ln. N.

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C

Thank you,

Name:

Michael G. Baird

Address:

6700 Minnetonka Blvd.

City/State/zip:

St. Louis Park MN. 55426.

Telephone:

952-95-9029.

E-Mail:

mthb@getthetruth.org

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The comment period ends on **December 31, 2012**

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The proposed action of re-routing freight is described in Chapter 1, Section 1.3.2.3. The MN&S Spur tracks are a lightly used spur line within a high density urban, residential setting and directly adjacent to the St Louis Park Senior High. The current freight occurs five days a week, Monday- Friday, during normal business hours. The proposed action of re-routing freight would introduce mainline traffic and the community, residents, and students will be exposed to longer, heavier trains during weekends, evenings, and nighttime. In fact, the re-route will allow a 788% increase in the number of rail car traffic in this area. The increase of freight exposure will directly and negatively impact community health, cohesion of the neighborhoods adjacent to the tracks and educational quality within St Louis Park Schools. In addition, there will be negative impacts to the community at large. These impacts include but are not limited to, increased noise and vibration, increase in diesel fumes from laboring locomotives, loss of mobility with when multiple crossing are blocked simultaneously, decreased safety for home owners and students at the High School, decreased access to small businesses and a decrease in tax base caused by lower property values in the affected area.

I oppose the freight rail re-route as outlined in the SWLRT DEIS. I believe it will create an unsafe and unlivable situation for our school children, our local businesses, and our residents.

C

Thank you,

Name: Joanie Levinsohn

Address: 250 Turners Crossroad #222

City/State/zip: Golden Valley, Mn. 55416

Telephone: 763-519-0591 E-Mail: yeshe38@yahoo.com

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

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C

Thank you,

Name: Linnah Rae Hedlund
Address: 2705 Lynn Ave S.
City/State/zip: St Louis Park, MN 55416
Telephone: 952-926-6467 E-Mail: None

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C

Thank you,

Name:

Karla Lambert

Address:

1402 5th St South

City/State/zip:

Hopkins MN 55343

Telephone:

952-935-8531

E-Mail:

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C

Thank you,

Name: _____

Address: _____

City/State/zip: _____

Telephone: _____

E-Mail: _____

hotmail

RECEIVED
DEC 31 2012
B.C.

SW LRT COMMENTS
701 FOURTH AVENUE S
SUITE 400
MPLS, MN 55415

To:
 Hennepin County Housing, Community Works & Transit
 ATTN: Southwest Transitway
 701 Fourth Avenue South, Suite 400
 Minneapolis, MN 55415
swcorridor@co.hennepin.mn.us



cc:
 Marisol Simon Regional Administrator
 Region V Federal Transit Administration
 200 West Adams Street Suite 320
 Chicago, Illinois 60606
Marisol.simon@fta.dot.gov

12/27/12

Dear Southwest Transitway Project Planners,

La Asamblea de Derechos Civiles (The Assembly for Civil Rights) is a faith-based organization based in the Twin Cities. We organize to build leadership in our community and act in collective power to change the politics that affect the destiny of our people. Our primary constituency is made up of Latino immigrants from local Catholic churches and our organizational leadership is reflective of this.

We see upcoming transit investments as an opportunity to increase access to higher education, workers rights, and the opportunity to participate in decision making that our community is often excluded from. However, we are also mindful of the destructive element transit oriented development can sometimes have in terms of gentrification and displacement. We are organizing Latino faith community members, workers and residents in Hopkins around the impacts of the proposed Southwest LRT project. We are working in partnership with New American Academy and the Blake Road Corridor collaborative in raising the voice of underrepresented communities.

Over the last few days we have visited several Hopkins apartment complexes and worksites for face-to-face conversations with members of our community who will be impacted by the project. In these conversations, it has been striking the number of people who were hearing about the project for the first time. Some of the concerns that have come up most often have been affordable housing and access to jobs and economic development. As of this date, we have collected 36 postcards supporting the preservation and expansion of affordable housing in Hopkins, and for low-income people, immigrants and people of color to benefit from living wage jobs and economic development. We have delivered these cards to you so they can be included as comments for the DEIS.

M5

We are concerned at the potential displacement of low-income people, immigrants and communities of color living close to station areas once the line is built. Our organization has seen firsthand the devastation of immigrant communities being displaced as a result of transportation projects and redevelopment in recent years. Therefore we believe that displacement must be avoided at all costs. We have worked hard to establish ourselves in communities like Hopkins, to contribute to the local

economy, schools and social fabric. We should be seen as a permanent asset to this community, not as transients who can be brushed aside inconsequentially. We also believe that we should be proactively included in access to new living wage jobs and the benefits of economic development in the area.

M5

We feel that in its current form, the Draft Environment Impact Statement is too vague when it comes to the project impact on Latinos and other environmental justice communities. It only briefly mentions the risk of gentrification and displacement impacting environmental justice communities. We feel that our community deserves more detailed information about these potential risks. How many people are at risk of being displaced by loss of affordability or change of use? What percentage of them are low-income immigrants and/or people of color? A recent study by the Housing Preservation Project suggested that near the Blake Road stop alone, 5 Affordable Housing Projects with over 1,000 units were at risk. The Draft Environmental Impact Statement should have more information about who lives in those units and what would happen to them if they are forced to leave.

M5

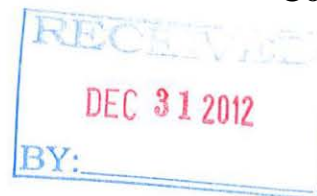
We would also like to see more information about mitigation efforts, and specific plans to avoid displacement and ensure access to opportunity for people from our community. Will hiring for new jobs be done equitably? Will immigrants face any unique barriers? Will our community have access to training and certification programs necessary to be considered? Will these new jobs provide workers a living wage? These are important questions in balancing the impacts of this project on our community.

In conclusion, we recommend that a deeper analysis of potential threats and opportunities for Latinos and other low-income communities of color be undertaken to ensure equitable outcomes. As we continue to engage members of our community about this project, we will encourage them to express their hopes and concerns. Please consider La Asamblea a constructive resource and partner in achieving just outcomes for this project.

For questions, please contact Pablo Tapia, Co-Founder and Lead Organizer, at 651-208-7896 or ptmendoza@hotmail.com.

Sincerely,





To Whom It May Concern:

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

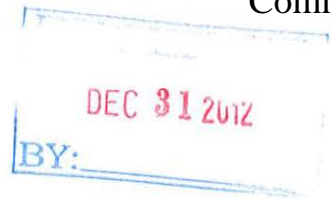
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I oppose the freight rail re-route as outlined in the SWLRT DEIS. I believe it will create an unsafe and unlivable situation for our school children, our local businesses, and our residents.

C

Thank you,

Name: BILL WENDLANDT
 Address: 2985 ZARHAN
 City/State/zip: ST. LOUIS PARK, MN
 Telephone: 612.558.6101 E-Mail: bill.king@earthlink.net



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C

Thank you,

Name: Pat Olin

Address: 2920 Zarthan

City/State/zip: St Louis Park

Telephone: 952-929-306 E-Mail: PTOlin@juno.com



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C

Name: Jerry Vasquez
Address: 3351 Brunswick Ave So
City/State/zip: St Louis Park, MN 55414
Telephone: 952-926-2921 E-Mail: tnsjmv@msn.com

DEC 31 2012

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E9

C

Name: Terri Spencer

Address: 3351 Brunswick Ave S.

City/State/zip: St Louis Park, MN 55416

Telephone: 952-926-2921

E-Mail: terri.spencer@minneapolismn.gov



SOUTHWEST TRANSITWAY

DRAFT ENVIRONMENTAL IMPACT STATEMENT COMMENTS

Prepared By:

Safety in the Park

safetyinthepark@gmail.com

St. Louis Park, MN 55416

THIS COVER SHEET TO BE PAIRED UP WITH SAFETY IN THE PARK'S COMMENTS. THIS IS BEING ATTACHED TO SHOW THE PHYSICAL ADDRESSES OF THE CO-CHAIRS IF NEEDED. SEE BELOW

December 28, 2012

Thom Miller, Co-Chair
Safety in the Park

2900 YOSEMITE
AV. S.
ST. LOUIS PARK
MN, 55416

December 28, 2012

Jami LaPray, Co-Chair
Safety in the Park

3236 CLARKSTONE
AV.
ST. LOUIS PARK,
MN, 55416

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C

Name: Nelda Schipper
Address: 3312 Alabama Avenue South
City/State/zip: St Louis Park Mn. 55416
Telephone: 952 925-1800 E-Mail: NONE

AND

CRAIG SYLVESTER

PATRICIA KAY LIEN

3334 ALABAMA AV. S.

ST. LOUIS PARK, MN, 55416

612-710-4745

DEC 31 2012

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C

Name: Christa Sack
Address: 6025 W. Lake St.
City/State/zip: St. Louis Park, mn 55416
Telephone: 952 928 9077 E-Mail: lightbrightperiodot

@yahoo.com

DEC 31 2012

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C

Name: Natalie Johnson
Address: 3339 Brunswick Ave S.
City/State/zip: St. Louis Park, MN 55416
Telephone: 162-703-3471 E-Mail: natjohnson2@gmail.com

DEC 31 2012

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C

Name: Elwood Knowles

Address: 3348 Alabama Ave

City/State/zip: St Louis Park Mn 55416

Telephone: 952-929-6858

E-Mail: Dragonlady_101@comcast.net

Elwood H Knowles



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C

Name: Selena Novatney
 Address: 3340 Alabama Ave S.
 City/State/zip: St Louis Park, MN 55416-2012
 Telephone: 952 927 0847 E-Mail: _____

Not only are you putting the safety of our students in harm way but you are taking away their right to learn in a quiet school building with out the freight train noise at their doorstep!!

RECEIVED
DEC 31 2012

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C

Name:

Ladanna + George Reynolds

Address:

3320 Alabazga Ave S.

City/State/zip:

St. Louis Park, Mn. 55416

Telephone:

952-929-1402 E-Mail:

RECEIVED
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C

Name: Margaret Wenner
Address: 3369 Brunswick Ave S
City/State/zip: St. Louis Park, MN 55416
Telephone: 952.924.0482 E-Mail: m.wenner@pmsh.com



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C

Name: Judy Bekkerus Bonnie Bekkerus
 Address: 3375 Brunswick Ave So
 City/State/zip: St. Louis Park MN 55416
 Telephone: 952 926 6624 E-Mail: jbekkerus65@gmail.com

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C

Thank you,

Name: Dawn Fish & Lorne Brunner
 Address: 2801 Florida Ave So
 City/State/zip: SEP
 Telephone: 651-247-5884 E-Mail: dawnmfish@gmail.com



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I oppose the freight rail re-route as outlined in the SWLRT DEIS. I believe it will create an unsafe and unlivable situation for our school children, our local businesses, and our residents.

C

Thank you,

Name: NATHAN WILLENBRING

Address: 2816 FLORIDA AVES

City/State/zip: ST LOUIS PARK, MN 55426

Telephone: 612-812-2344 E-Mail: nathan.willenbring@gmail.com

To Whom It May Concern:

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

The proposed action of re-routing freight is described in Chapter 1, Section 1.3.2.3. The MN&S Spur tracks are a lightly used spur line within a high density urban, residential setting and directly adjacent to the St Louis Park Senior High. The current freight occurs five days a week, Monday- Friday, during normal business hours. The proposed action of re-routing freight would introduce mainline traffic and the community, residents, and students will be exposed to longer, heavier trains during weekends, evenings, and nighttime. In fact, the re-route will allow a 788% increase in the number of rail car traffic in this area. The increase of freight exposure will directly and negatively impact community health, cohesion of the neighborhoods adjacent to the tracks and educational quality within St Louis Park Schools. In addition, there will be negative impacts to the community at large. These impacts include but are not limited to, increased noise and vibration, increase in diesel fumes from laboring locomotives, loss of mobility with when multiple crossing are blocked simultaneously, decreased safety for home owners and students at the High School, decreased access to small businesses and a decrease in tax base caused by lower property values in the affected area.

I oppose the freight rail re-route as outlined in the SWLRT DEIS. I believe it will create an unsafe and unlivable situation for our school children, our local businesses, and our residents.

C

Thank you,

Name: _____Jennifer Willenbring_____

Address: _____2816 Florida Ave South_____

City/State/zip: _____St Louis Park, MN 55426_____

Telephone: _____612.702.9230_____ E-Mail: _____jenniferwillenbring@gmail.com_____

Jennifer Willenbring

To Whom It May Concern:

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

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I oppose the freight rail re-route as outlined in the SWLRT DEIS. I believe it will create an unsafe and unlivable situation for our school children, our local businesses, and our residents.

C

Thank you,

Name: Paige Prestholdt
 Address: 2849 Florida Ave S
 City/State/zip: St Louis Park MN
 Telephone: 952-593-5691 E-Mail: paigeprestholdt@gmail.com



To Whom It May Concern:

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

The proposed action of re-routing freight is described in Chapter 1, Section 1.3.2.3. The MN&S Spur tracks are a lightly used spur line within a high density urban, residential setting and directly adjacent to the St Louis Park Senior High. The current freight occurs five days a week, Monday- Friday, during normal business hours. The proposed action of re-routing freight would introduce mainline traffic and the community, residents, and students will be exposed to longer, heavier trains during weekends, evenings, and nighttime. In fact, the re-route will allow a 788% increase in the number of rail car traffic in this area. The increase of freight exposure will directly and negatively impact community health, cohesion of the neighborhoods adjacent to the tracks and educational quality within St Louis Park Schools. In addition, there will be negative impacts to the community at large. These impacts include but are not limited to, increased noise and vibration, increase in diesel fumes from laboring locomotives, loss of mobility with when multiple crossing are blocked simultaneously, decreased safety for home owners and students at the High School, decreased access to small businesses and a decrease in tax base caused by lower property values in the affected area.

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C

Thank you,

Name: Amy Fokuo
 Address: 2816 Zarthan Ave S
 City/State/zip: St Louis Park Mn 55416
 Telephone: 952-807-3428 E-Mail: Amyfokuo@gmail.com



To Whom It May Concern:

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

The proposed action of re-routing freight is described in Chapter 1, Section 1.3.2.3. The MN&S Spur tracks are a lightly used spur line within a high density urban, residential setting and directly adjacent to the St Louis Park Senior High. The current freight occurs five days a week, Monday- Friday, during normal business hours. The proposed action of re-routing freight would introduce mainline traffic and the community, residents, and students will be exposed to longer, heavier trains during weekends, evenings, and nighttime. In fact, the re-route will allow a 788% increase in the number of rail car traffic in this area. The increase of freight exposure will directly and negatively impact community health, cohesion of the neighborhoods adjacent to the tracks and educational quality within St Louis Park Schools. In addition, there will be negative impacts to the community at large. These impacts include but are not limited to, increased noise and vibration, increase in diesel fumes from laboring locomotives, loss of mobility with when multiple crossing are blocked simultaneously, decreased safety for home owners and students at the High School, decreased access to small businesses and a decrease in tax base caused by lower property values in the affected area.

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C

Thank you,

Name:

Duke Fokuo

Address:

2816 Zarthan Ave S., St. Louis Park, MN 55416

City/State/zip:

St. Louis Park, MN 55416

Telephone:

952-807-3427

E-Mail:

dukefokuo@yahoo.com

DEC 31 2012

To Whom It May Concern:

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

The proposed action of re-routing freight is described in Chapter 1, Section 1.3.2.3. The MN&S Spur tracks are a lightly used spur line within a high density urban, residential setting and directly adjacent to the St Louis Park Senior High. The current freight occurs five days a week, Monday- Friday, during normal business hours. The proposed action of re-routing freight would introduce mainline traffic and the community, residents, and students will be exposed to longer, heavier trains during weekends, evenings, and nighttime. In fact, the re-route will allow a 788% increase in the number of rail car traffic in this area. The increase of freight exposure will directly and negatively impact community health, cohesion of the neighborhoods adjacent to the tracks and educational quality within St Louis Park Schools. In addition, there will be negative impacts to the community at large. These impacts include but are not limited to, increased noise and vibration, increase in diesel fumes from laboring locomotives, loss of mobility with when multiple crossing are blocked simultaneously, decreased safety for home owners and students at the High School, decreased access to small businesses and a decrease in tax base caused by lower property values in the affected area.

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C

Thank you,

Name: Renée Beltrand
Address: 2805 Zarthan Ave S
City/State/zip: St Louis Park MN 55416
Telephone: 952-426-0904 E-Mail: bergbeltrand@hotmail.com



To Whom It May Concern:

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

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C

Thank you,

Name: Scott Zinnel
Address: 2869 Zarthan Ave N.
City/State/zip: St. Louis Park, MN 55416
Telephone: 952-925-3556 E-Mail: scott.zinnel@idq.com

To Whom It May Concern:

RECEIVED
DEC 31 2012

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

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C

Thank you,

Name: Peter Fiove
 Address: 2919 ZARTHAN AVE S
 City/State/zip: ST. LOUIS PARK MN, 55416
 Telephone: 952-237-5239 E-Mail: PFIOVE07@gmail.com

Peter Fiove



To Whom It May Concern:

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

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C

Thank you,

Name: Sean O'Donnell
Address: 2937 Earthen Ave
City/State/zip: St. Louis Park MN 55416
Telephone: 612-518-1268 E-Mail: sean.m.odonnell@hotmail.com

DEC 31 2012

To Whom It May Concern:

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C

Thank you,

Name:

Jennie Hedlund

Address:

2949 Zarthan Ave S

City/State/zip:

St Louis Park, MN 55416

Telephone:

612-578-1108

E-Mail:

jennie.55416@gmail.com

Jennie Hedlund

December 28, 2012

To Whom It May Concern:

Hennepin County's SWLRT DEIS is a flawed document. Hennepin County was supposed to have studied co-location of freight traffic with the proposed LRT line through the Kenilworth corridor, but after reading through chapter three especially, it is clear that the county never had any intention of looking at the possibility of co-location.

Because Hennepin County has failed to objectively study the possibility of co-location—a much safer and less-expensive option, we must write in our objections. The grassroots organization of the residents of St. Louis Park, Safety in the Park!, has put together a comprehensive, cogent response, and we would like to attach their work as representative of what we would like to say about the SWLRT DEIS.

Sincerely,



Michael A. Kottke

Kathryn M.

C

T1

T3

T0

K0

K3

S1

See Comment #508 for
Theme Delineations for
Safety in the Park
attachment.

SAFETY IN THE PARK!

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

EXECUTIVE SUMMARY

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

CHAPTER 1 - PURPOSE AND NEED FOR THE PROPOSED ACTION:

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

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

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

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

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

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

1.1.1 - Public Involvement and Agency Coordination Compliance:

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

1.2.1 - Early Planning Efforts

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

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

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

1.2.2 Environmental Review and Project Development Process

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

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

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

1.3.2.1 - Declining Mobility

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

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

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

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

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

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

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

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

The SWLRT-DEIS states, "The construction of a new connection between the Bass Lake Spur and the MN&S Spur, a new connection between the MN&S Spur and the BNSF Wayzata Subdivision, and the upgrading of track on the MN&S Spur are included as recommended actions in the Minnesota State Rail Plan" (1-12). No citation is provided as to where in the Minnesota State Rail Plan this assertion can be found. Presented on pages 4-11 and 4-12 of the Minnesota State Rail Plan

(<http://www.dot.state.mn.us/planning/railplan/finalreport/MNRailPlanFinalReportFeb2010.pdf>) are text and charts describing the upgrades needed to both the BNSF and the CP prior to 2030.

There is no mention of the connections mentioned in the SWLRT-DEIS (4-11& 4-12).

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

(http://mnsrailstudy.org/yahoo_site_admin/assets/docs/Railroad_Comments.18891450.pdf)

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

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

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

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

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

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

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

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

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

1.4 - *Project Goals and Objectives*

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

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

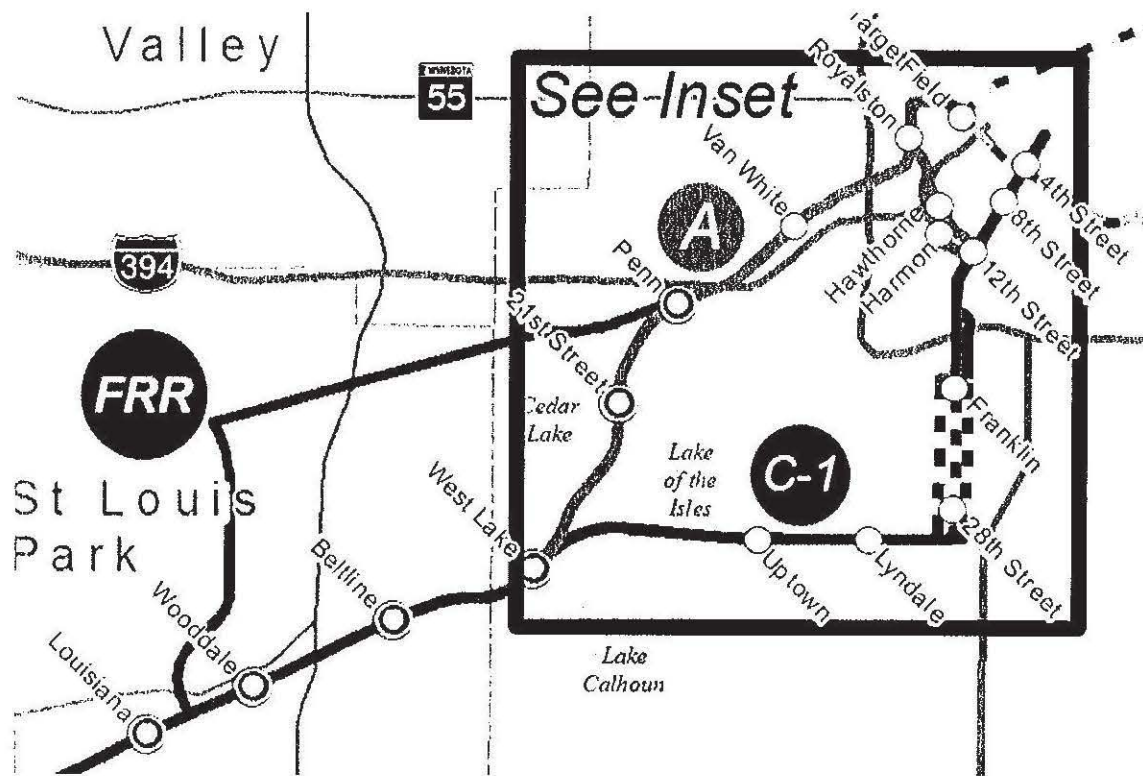
CHAPTER 2 - ALTERNATIVES CONSIDERED

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

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

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

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



CHAPTER 3 SOCIAL EFFECTS:

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

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

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

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

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

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

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

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

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

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

Freight Rail Studies

Freight Rail Realignment Study, TDKA—November 2009

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

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

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

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

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

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

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

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

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

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

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

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

In section 3.1.3.1, the DEIS concludes that "re-locating the freight rail activity . . . is identified most frequently by the plans as being the desired alternative for the SW Transitway" (3-26). Further down, the DEIS includes **Table 3.1-2 Summary of Local and Regional Comprehensive Plans and Studies** (3-20 – 3-26) which identifies three plans that make co-location incompatible, but re-location the desired option.

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

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

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

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

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

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

[Box with additional information] ORGANIZATIONAL MODEL

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

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

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

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

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

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

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

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

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

City Council Resolutions

St. Louis Park

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

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

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

MINNESOTA STATUTES 2010 383B.81 ENVIRONMENTAL RESPONSE FUND.

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

Missing documents...

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

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

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

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

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

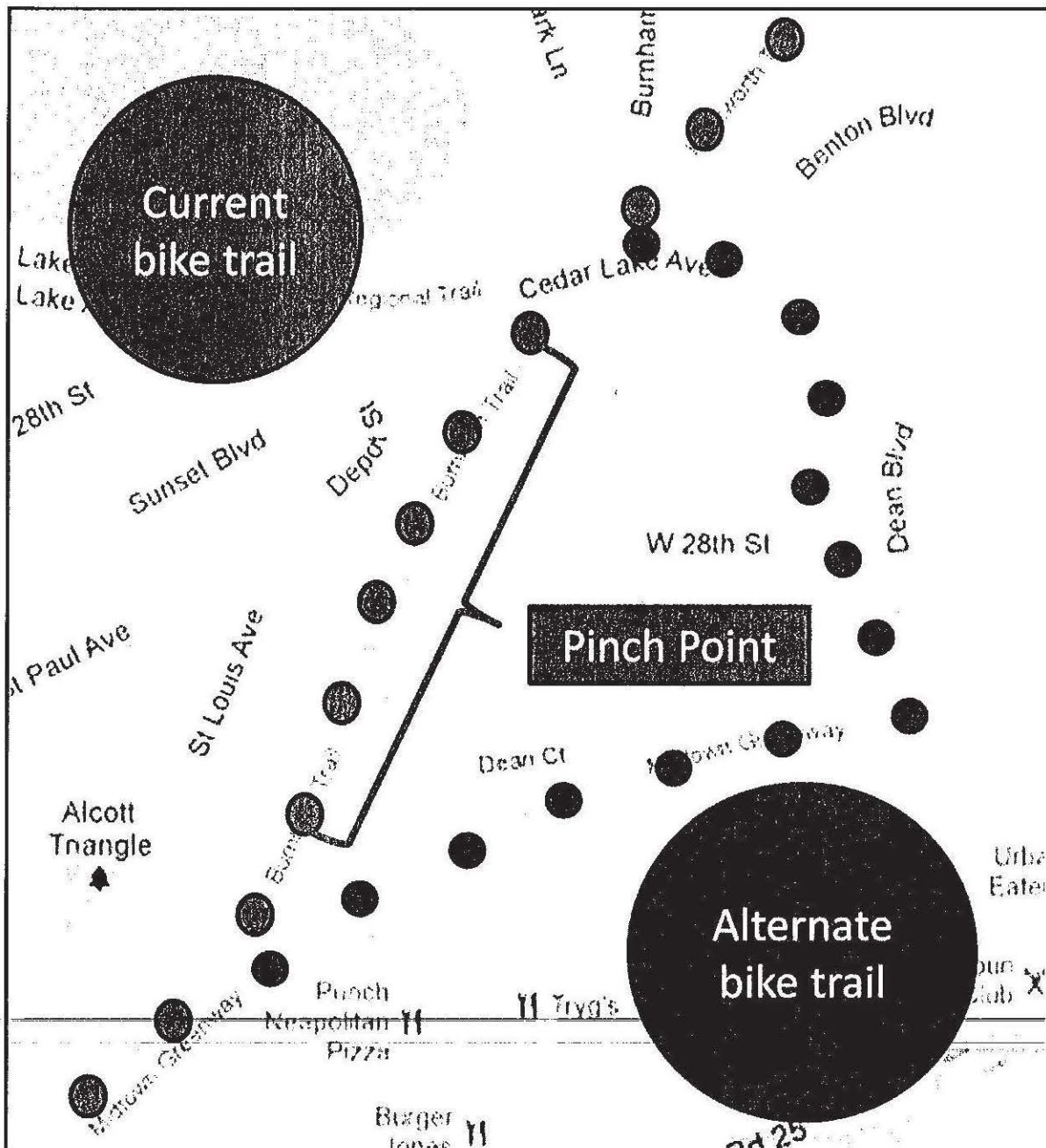
Figure 3-2.1. In this section, neighborhoods are discussed. Again, a very small radius of area is analyzed. The neighborhoods included should be all neighborhoods that where a portion of the neighborhood is within ½ mile of the FRR tracks.

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3.4.5.3 Build Alternatives: Freight Rail Relocation Segment

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

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

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

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

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

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

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

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

3.7 Safety:

A. No derailment study. merely a mention of "no recent derailments". There was at least one derailment on the MN&S within the last 20 years. And there was one derailment just two years ago of the actual trains that are to be relocated.

B. Only two schools are listed as being "nearby" the freight rail reroute. Why is the area studied simply "nearby" and not the ½ mile rule that is used in the rest of the DEIS. If that rule was used 6 schools would be listed. Only 2 parks are listed on the FRR using the same methodology. In fact, there are more.

C. At grade safety evaluation looks at HISTORY only when it recaps that no incidents have happened. However, this is an incorrect statement because the evaluation does not examine the new train traffic that will be realized.

D. The entire examination of properties list the "dwellings within 50 feet" versus "property within 50 feet". It is reasonable to assume that homeowners whose backyards and garages are within 50 feet of the tracks will experience a significant safety risk because that property is inhabited.

E. The schools are listed as merely "entities" versus people. Therefore, an incorrect comparison is done when considering people impacted. The high school alone contains over 1300 students. Other schools contain hundreds of students as well. These numbers should be included in safety hazards.

CHAPTER 4--ENVIRONMENTAL EFFECTS:

4.6 Air Quality, pages 66-76

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

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

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

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

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

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

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

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

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

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

4.7.7 Noise Impacts to the Freight Rail Reroute

Section 4.7.7, pages 99-104

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

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

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

Comment on Section 4.7.7 regarding the field study, noise analysis

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Comments on the mitigation proposed for noise impacts

Federal guidelines:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Improper analysis: The vibration impacts to the Freight Rail Relocation was evaluated with the current freight traffic. This is improper because the re-routed freight will be significantly different: increased locomotives from 2 to 4, increased rail cars from 20 to 120, increased of speed from 10 MPH to 25 MPH. The result of this error will be that the vibration impacts will not be accurate.

The City of St Louis Park commented on this in the appeal to the MN&S Freight Rail Study EAW: vibration analysis doesn't accurately reflect existing and proposed rail operations because the field work is based on existing short train (Supporting data B, page 16).

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

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

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

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

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

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

4.9 Hazardous and Contaminated Material page 119-130

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

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

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

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

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

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

CHAPTER 5 - ECONOMIC EFFECTS:

5.0 Economic Effects:

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

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

5.1 - Economic Conditions

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

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

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

5.1.1 - Output, Earnings and Employment Effects from Capital expenditures

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

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

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

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

5.1.1.2 Funding Sources

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

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

5.2.1 Land Use

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

5.2.2 and 5.2.3 Short Term Effects and Mitigation

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

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

Table 5.5-2 - Short Term Effects

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

Table 5.2.3 - Mitigation

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

5.2.4 Long-Term Effects

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

Table 5.2-4 - Long Term Effects - Environmental Metrics

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

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

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

5.2.5 Mitigation

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

CHAPTER 6 - TRANSPORTATION EFFECTS:

Section 6.2 Effects on Roadways

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

6.2.2 Long-Term Effects

6.2.2.2 Physical Modifications to Existing Roadways

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

6.2.2.3 Operational Impacts at Intersections

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

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

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

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

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

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

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

Section 6.2.4 Mitigation

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

6.3 Effects on Other Transportation Facilities and Services

6.3.1 Existing Facilities

6.3.1.2 Freight Rail Operations

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

Section 6.3.1.4 Bicycle and Pedestrian Facilities

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

6.3.2 Long-Term Effects

6.3.2.2, Freight Rail Operations

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

CHAPTER 7 - SECTION 4(f) EVALUATION:

7.0 Section 4(f) Evaluation

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

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

Route 3A

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

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

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

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

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

Route 3A-1

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

Section 7.4.1.5 of the DEIS discusses conceptual engineering as follows:

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

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

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

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

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

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

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

CHAPTER 8 - FINANCIAL ANALYSIS:

8.0 - Financial Analysis

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

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

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

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

Table 8.1-1 - Cost estimate for build alternatives.

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

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

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

8.2 - Operating Funding Strategy

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

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

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

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

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

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

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

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

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

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

CHAPTER 9 - INDIRECT EFFECTS AND CUMULATIVE IMPACTS:

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

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

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

9.2.3 Study Area Definition

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

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

9.3 - Existing Conditions and Development Trends

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

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

9.4 - Reasonably Foreseeable Future Actions

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

9.5 Potential for Indirect Effects and/or Cumulative Impacts

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

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

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

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

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

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

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

9.6 Long-Term Effect

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

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

9.7 - Greenhouse Gasses

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

CHAPTER 10 - ENVIRONMENTAL JUSTICE:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

CHAPTER 11 - EVALUATION OF ALTERNATIVES:

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

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

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

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

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

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

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

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

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

Table 11.2-1 - Evaluation of Alternatives

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

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

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

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

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

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

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

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

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

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

11.4 - Next Steps

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

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

Document list for chapter 11

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

MnDot Finding of Facts and Conclusions

- c. City of St Louis Park appeal
- d. MN&S Freight Rail Study EAW Brief of Relators Appeal, Jami Ann LaPray, et al
- e. Office of Hennepin County letter, dated Dec. 19, 2011
- f. MnDot Dot Resolution, dated Dec. 20, 2011

CHAPTER 12 - PUBLIC AGENCY COORDINATION AND COMMENTS:

12.1.1

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

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

12.1.1.2

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

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

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

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

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

- a) CACs will be formed early in the transitway corridor planning process at the start of the scoping phase.
- b) The purpose of CACs will include being a resource and check point for community engagement throughout the transitway corridor and the adjacent communities. They will review and approve a corridor project community engagement plan.
- c) CACs will identify the community issues and assign problem solving teams that include community members and project staff.
- d) Community Advisory Committees will be a community driven body facilitated and provided staff support by corridor project staff.
- e) CAC membership will be selected by communities they represent along transitway corridors.
- f) CAC and Business Advisory Committees will meet together on a quarterly basis.
- g) The Community Engagement Steering committee will support transitway corridor project staff with connections to underrepresented groups along the transitway corridors such as contacts to:

- Faith communities
- Cultural communities
- Place based groups
- Communities of color
- Small and Ethnic businesses
- Community Engagement Steering Committee members
- Disability community
- New immigrant communities
- Low-income communities
- Students at high schools, community colleges

- h) The orientation for the CAC will include environmental justice, equitable development, and cultural awareness training in their orientation that includes a combined map identifying where the underrepresented communities (low income, communities of color, new immigrants, and disabled) live.
- i) CACs will have the ability to set their own agenda, pass motions, and make recommendations to the corridor policy advisory committee and the corridor management committee through their voting representative.

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

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

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

12.1.1.4

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

12.1.1.5

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

12.1.1.6

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

12.1.1.8

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

12.1.2

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

12.1.3

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

12.1.3.1

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

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

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

12.1.3.2

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

12.1.5

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

12.2.1

SATETEA-LU Section 6002 states:

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

'(4) ALTERNATIVES ANALYSIS-

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

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

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

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

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

12.2.2

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

12.3.1

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

12.3.2

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

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

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

APPENDIX H, PART 1:

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

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

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

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

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

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

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

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

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

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

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

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

Source for the MN&S Freight Rail Study:

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

Source for the MnDot Finding of Facts and Conclusions

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

3015 Park, MN 55416



Hennepin County
Housing, Community Works & Transit
ATTN: Southwest Transitway
701 Fourth Avenue So.
Ste 400
Minneapolis, MN 55415

Contact: David Greene, ISAIAH Leader
612-747-1982
greened@obligato.org

Southwest LRT DEIS Full Comments Submitted by ISAIAH

We respectfully submit these comments to the Southwest LRT DEIS on behalf of ISAIAH. ISAIAH is a coalition of 100 churches in the Twin Cities metro area and St. Cloud focused on racial and economic justice. We have been following development of the Southwest LRT project almost from its inception and have been working closely with the Harrison neighborhood and other organizations in North Minneapolis. Our comments will reflect our focus on racial equity and economic justice.

ISAIAH supports the 3A alignment for the Southwest LRT because of its great potential to connect environmental justice communities to opportunities in the form of jobs, education, cultural resources and other regional amenities. The 3A alignment will also be a catalyst for important redevelopment efforts in the Bassett Creek Valley, bringing jobs and affordable housing to those in Minneapolis who need them the most. Our comments will thus be focused on the 3A alignment proposal.

A

M5

Harrison is an environmental justice community with 67% people of color and 37% of its residents below the poverty level.

Bassett Creek Valley is home to one of the largest publicly owned underutilized parcel of land remaining near downtown Minneapolis. This land has historically been underused by the city, currently housing a concrete crushing facility, an impound lot and various light industrial structures. It has long been a eyesore and barrier to development near Harrison and other environmental justice community.

It also provides a crucial as-yet-to-be-developed link between economically struggling North Minneapolis and wealthier neighborhoods immediately to the south. As a result of 3A locally preferred alternative decision for the Southwest Light Rail Line, Bassett Creek Valley will now include the Van White Station a key connecting point to opportunity for residents of North Minneapolis, making this area even more strategic as an area to redevelop.

I2

For over a decade the Harrison Neighborhood Association along with the Bryn Mawr Neighborhood Association has been involved in creating the Bassett Creek Valley (BCV) Master Plan. Over 650 residents and other stakeholders participated in this effort. This process also led to a set of redevelopment principles that embody the community's values and wishes for a strong, sustainable, vibrant and attractive home. The Bassett Creek Valley Master Plan of 2006[1], which was approved by the Minneapolis City

Council on January 12th, 2007, calls for the redevelopment of Linden Yards East, West and the Impound Lot. These industrial use areas would be replaced with a mixed use development featuring a mix of housing densities and prices, retail and office spaces, green and open spaces, and other civic use spaces. The Bassett Creek Valley Master Plan was incorporated into the Minneapolis comprehensive plan approved by the Metropolitan Council.

M1

Following the City Council adoption of the Bassett Creek Valley Master Plan, the city proceeded with a rezoning study intended to make the neighborhood's zoning consistent with the Plan's vision of mixed use, higher density redevelopment. These zoning conversions went into effect on February 15th of 2008, and brought the neighborhood properties down from 65% to 6.5% industrial use zoned. Two-thirds of all properties were rezoned. In addition to these zoning changes, the City of Minneapolis Comprehensive Plan then adopted the Bassett Creek Valley Master Plan and designated the Bassett Creek Valley area at Glenwood Avenue as a "growth center." [2]

M1

Expected Redevelopment Outcomes Based on Bassett Creek Valley Master Plan:

- More than 3,000 housing units
- 2.5 million square feet of commercial space (office and retail)
- 40 acres of new open, green space
- 5000 to 6000 jobs

Development of the BCV Master Plan would revitalize the environmental justice community of the Harrison neighborhood and repair the decades of land use neglect and disinvestment at the Van White Station.

Section 1.4 Project Goals and Objectives

ISAIAH supports SW LRT goals 1, 2 and 5, supporting economic development and new cost-effective, efficient travel options, particularly for residents of North Minneapolis.

K0

The 3A alignment for SW LRT is an essential piece of the BCV Master Plan. The Van White and Penn Ave. stations are key connection points between economically depressed North Minneapolis and employment opportunities in the southwest Minneapolis suburbs. In addition, many students from North Minneapolis travel to schools along the route and the LRT service would greatly reduce travel time for them.

I2

I2

M3

The Van White station is the center of the BCV Master Plan. The BCV Master Plan and the SW LRT will work in concert, bringing economic opportunity to North Minneapolis while boosting ridership on the LRT.

Section 3.1.2.4 Segment A [LRT 1A, LRT 3A (LPA), and LRT 3A-1 (co-location alternative)] Land Use

ISIAH calls attention to the incomplete land use analysis. The rezoning of Bassett Creek Valley was approved February 2008 by the city of Minneapolis. This rezoning should be included in the SWLRT DEIS 3.1.2.4 Segment A Land Use.

M1

Section 6. 3.1.3 Land Use Plans

ISIAH has serious concerns about the Station Area Planning at the Van White Station – see the letter to the Minneapolis planning office sent by the Harrison Neighborhood Association (attached to comments submitted by the Harrison Neighborhood Association). To summarize the Harrison Neighborhood Association February 28th, 2011 letter addressed to Adele Hall, Hennepin County senior planner:

M1

The Harrison community requests for station area design without a commuter rail layover facility were never met. The final document clearly advocates for the siting of rail storage at Van White Station. The final document misrepresents the formal Minneapolis city council position on the sale of Linden Yards East at the Van White Station. The city directed city staff to explore joint development strategies at Linden Yards East and report back to city council.

H2

N12

The Van White Station Area Plans illustrations are misleading for policy maker by representing a platform (plinth) that could accommodate development above and rail storage below. This is misleading because the key feasibility work has not been completed and does not include the environmental assessment of siting a passenger rail storage yard and maintenance facility at the Van White Station.

H2

The Van White Station Area plan does not adequately assess Harrison neighborhood property owners, renters and business owners. The Bassett Creek Valley is home to over 170 businesses and over 150 homes all of which are in the ½ mile radius of the Van White Station. The accessibility of this station to pedestrians, bicycles and automobiles were limited to the future improvement of Van White Memorial Boulevard. Increasing the accessibility to the Van White State is critically important to our environmental justice communities access to jobs along the Southwest LRT.

I2

ISIAH fully shares the concerns expressed by the Harrison Neighborhood Association. Destroying over a decade of active community participation in the areas' redevelopment would be a grave injustice.

3.1.5.1 Effects to Land Use and Socioeconomics; Segment A

ISIAH finds the Segment A description inadequate. It should include mention of the Bassett Creek Valley project area.

M1

“The boundaries for the Bassett Creek Valley project area were established by the Minneapolis City Council in 1998. The Valley is a 230-acre, largely industrial area bound on the west by Cedar Lake Road, on the east by I-94, on the north by the Heritage Park redevelopment area and on the south by I-394.”[3]

The Van White station is at the center of the Bassett Creek Valley project. Because of its significant size and city of Minneapolis site control, this project area deserves mention in this section of the SWLRT DEIS.

Section 3.1.5.2 Operations and Maintenance Facility

ISIAH does not support locating the OMF at the Van White Blvd. Station site as this would be incompatible with the BCV Master Plan and would mortally wound neighborhood revitalization plans.

H1

Section 5.1 Economic Conditions

Job linkage to North Minneapolis through the SW LRT corridor was highlighted as part of a SW LRT funding application by the Metropolitan Council to the Minnesota Department of Employment and Economic Development [4]. This point should be included in the description of the potential effects on the local economy.

M2

Section 6.1.1 Methodology

In the Southwest Transitway Alternative Analysis Technical Memorandum #6 Travel Demand forecasting, the Van White Station is predicted to have an average weekday boarding of 600 riders by 2030. This ridership estimate is stated to be based on a version of the city of Minneapolis comprehensive plan that obviously does not include the Bassett Creek Valley Master Plan. Planners have stated repeatedly that the BCV Master Plan was not considered in ridership models. ISIAH would like to be assured that the SW LRT DEIS ridership model includes updated Van White Station ridership projections with the City of Minneapolis comprehensive plan adopted 10/2/09 which includes Bassett Creek Valley Master Plan. Again, this plan was approved by the Metropolitan Council and thus its effects on ridership should be modeled.

P2

Section 9.4 Reasonably Foreseeable Future Actions

The Interchange need for a rail layover/maintenance facility will have an impact on the economic development potential at the Van White Station if such a facility is sited on Linden Yards East, the stated preferred site of Interchange project partners. ISIAH emphasizes once again that repeated requests for an environmental assessment of such a facility have gone unanswered by local agencies.

N12

ISIAH is very concerned about potential segmentation issues. Community members have repeatedly been told that the rail layover/maintenance facility cannot be considered as part of the SW LRT EIS analysis, yet the potential for this facility could seriously compromise ridership and the effectiveness of economic development and improved land use around the SW LRT project.

L4

Section 10.4 Public Involvement

ISIAH notes that none of the public hearing locations selected by Hennepin County and/or the Metropolitan Council was transit-accessible for people in Harrison and other North Minneapolis environmental justice communities who worked normal day shift hours. In fact, suggestions to hold hearings or meetings in North Minneapolis were met with resistance. This created enormous burdens on transit-dependent, environmental justice communities of North Minneapolis.

L1

Section 12.1.1.2 Community Advisory Committee

ISIAH calls attention to the fact that the Harrison Neighborhood representative to the CAC was removed as an official representative after the project entered the preliminary engineering phase, being demoted to alternate status. There is currently no official Harrison Neighborhood representative on the CAC. Efforts to have this changed have so far been unsuccessful. No adequate explanation of why this change occurred has yet been offered.

L1

APPENDIX H - Land Use and Socioeconomic Analysis Methodology

- Hennepin County Sustainable Development Strategy 2011
- Downtown Minneapolis Intermodal Station Siting and Feasibility Study
- The Interchange Environmental Assessment

Harrison Neighborhood Association has been told by Interchange (multi-modal station in downtown Minneapolis) project staff that Linden Yards East was the preferred site for the rail storage/layover facility that will accommodate the needs of the Interchange. The preference for this site is on page 53 of this submitted land use document. On June 22, 2011, HNA

H2

sent a letter requesting a comprehensive environment justice analysis for the rail storage and maintenance facility (scoping) to FTA, EPA, MN Dept. of Transportation, Hennepin County, and city of Minneapolis. The FTA region 5 was the only responder.

In particular, a pending decision to locate the commuter train storage yard at Linden Yards East would substantially compromise the Bassett Creek Valley (BCV) Master Plan, by undermining the Master Plan strategy to use high intensity development in Linden Yards. This creates a threefold adverse impact. First, it effectively reduces or eliminates tax increment funding to finance redevelopment for the larger neighborhood. Second, it removes much of the potential to develop housing, both affordable and market rate. Third, it dramatically reduces the potential for Linden Yards to create a catalytic effect for the larger area.

The Minneapolis Plan for Sustainable Growth

ISIAH references page 1.24 in this comprehensive plan for the city of Minneapolis: "Bassett Creek Valley. Bassett Creek Valley is a designated Growth Center just outside of Downtown Minneapolis that is anticipated to experience intensive office and residential development. Guided by the approved Bassett Creek Valley Master Plan, and with large tracts of City-owned land that are available for development, the area is proposed to include a large new park along Bassett Creek, a neighborhood retail node at Glenwood Avenue and Van White Memorial Boulevard, and high-rise office and residential development along Interstate 394. Redevelopment priorities include ensuring affordable housing, creating living wage jobs, and promoting good design. The City is partnering with public and private entities to assist in this major redevelopment project."

M1

Bassett Creek Valley Master Plan

ISIAH supports the Bassett Creek Valley Master Plan and its implementation.

M1

Minnesota Department of Transportation Comprehensive Statewide Freight and Passenger Rail Plan

Minnesota Department of Transportation is the lead agency in the Chicago-Minneapolis/St. Paul Corridor Work. MNDOT has stated that their preferred location for high speed rail storage and maintenance facility is at Linden Yards East at the Van White Station. Harrison Neighborhood Association is still awaiting response to their correspondence requesting an environmental justice analysis for the proposed high speed rail storage and maintenance facility at Linden Yards East.

M5

References

- [1] http://www.minneapolismn.gov/cped/planning/plans/cped_basset-creek
- [2] "Revitalizing Bassett Creek Valley: Potential Costs and Opportunity Losses of Locating a Train Storage Facility in Linden Yards vs. Mixed-Use Development", December 2009 Prepared for the Harrison Neighborhood Association at the HHH Institute by J. Armstrong, K. Maudal Kuppe, P. Stewart, K. Wayne
- [3] Bassett Creek Valley Master Plan Executive Summary, Hoisington Koegler Group, Inc. with: SRF Consulting, Braun Intertec, Biko Associates, Maxfield Research; January 12, 2007
- [4] <http://www.positivelyminnesota.com/capgrantdocs/MET01.pdf>, page 12

Name:

Johnny Terns

Address:

8543 Reswood Ct
Maple Grove, MN 55309

Phone:

(763) 420-2813

Southwest LRT DEIS Comments

I respectfully submit these comments on the Southwest LRT DEIS.

I support the 3A alignment for the Southwest LRT because of its great potential to connect environmental justice communities to opportunities in the form of jobs, education, cultural resources and other regional amenities. The 3A alignment will also be a catalyst for important redevelopment efforts in the Bassett Creek Valley, bringing jobs and affordable housing to an area of need.

Following are comments specific to sections in the DEIS.

Section 1.4 Project Goals and Objectives

I support SW LRT goals 1, 2 and 5, economic development and cost-effective, efficient travel options.

The 3A alignment for SW LRT is an essential piece of the Bassett Creek Valley (BCV) Master Plan. The Van White and Penn Ave. stations are key connection points between economically depressed North Minneapolis and employment opportunities in the southwest Minneapolis suburbs. In addition, many students from North Minneapolis travel to schools along the route and the LRT service would greatly reduce travel time for them.

The Van White station is the center of the BCV Master Plan. The BCV Master Plan and the SW LRT will work in concert, bringing economic opportunity while boosting ridership.

**Section 3.1.2.4 Segment A [LRT 1A, LRT 3A (LPA), and LRT 3A-1 (co-location alternative)]
Land Use**

The rezoning of Bassett Creek Valley was approved February 2008 by the city of Minneapolis. This rezoning should be mentioned in this section.

Section 6. 3.1.3 Land Use Plans

I share the Harrison Neighborhood Association's concerns with the Van White station planning.

- The planning document clearly advocates for the siting of diesel commuter rail layover at Van White Station. The final document misrepresents the formal Minneapolis city council position on the sale of Linden Yards East. The city directed city staff to explore joint development strategies at Linden Yards East and report back to city council.
- The Van White Station Area Plans illustrations are misleading for policy maker by representing a platform (plinth) that could accommodate development above and rail below. This is misleading because the feasibility work has not been completed and there has been no environmental assessment of siting a rail layover/maintenance facility at the Van White Station.

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Community members have repeatedly been told that the rail layover/maintenance facility cannot be considered as part of the SW LRT EIS analysis, yet this facility could seriously compromise ridership and the effectiveness of economic development and improved land use around the SW LRT project.

Additional Comments

Name: Nancy Wiens
Address: 1499 Osceola Ave, St. Paul, MN 55105
Phone: 651/698-6224

Southwest LRT DEIS Comments

I respectfully submit these comments on the Southwest LRT DEIS.

I support the 3A alignment for the Southwest LRT because of its great potential to connect environmental justice communities to opportunities in the form of jobs, education, cultural resources and other regional amenities. The 3A alignment will also be a catalyst for important redevelopment efforts in the Bassett Creek Valley, bringing jobs and affordable housing to an area of need.

Following are comments specific to sections in the DEIS.

Section 1.4 Project Goals and Objectives

I support SW LRT goals 1, 2 and 5, economic development and cost-effective, efficient travel options.

The 3A alignment for SW LRT is an essential piece of the Bassett Creek Valley (BCV) Master Plan. The Van White and Penn Ave. stations are key connection points between economically depressed North Minneapolis and employment opportunities in the southwest Minneapolis suburbs. In addition, many students from North Minneapolis travel to schools along the route and the LRT service would greatly reduce travel time for them.

The Van White station is the center of the BCV Master Plan. The BCV Master Plan and the SW LRT will work in concert, bringing economic opportunity while boosting ridership.

Section 3.1.2.4 Segment A [LRT 1A, LRT 3A (LPA), and LRT 3A-1 (co-location alternative)] Land Use

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Additional Comments

Name: Phyllis M. Hill

Address: 2422 Clinton Ave. South, Apt. E14, Mpls, MN 55404

Phone: Cell. 701. 8096

Southwest LRT DEIS Comments

I respectfully submit these comments on the Southwest LRT DEIS.

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Additional Comments

Name: Sarah Gleason

Address: 271 Forbes Ave St. Paul MN 55102

Phone: 651-335-4507

Southwest LRT DEIS Comments

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Additional Comments

Name: Eric Howard

Address: 115 2nd ave. S. MPIS 55401

Phone: 9287011954

Southwest LRT DEIS Comments

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Additional Comments

Name: Eleanor Glewwe

Address: 1083 Hague Ave St. Paul, MN 55104

Phone: 952-688-6699

Southwest LRT DEIS Comments

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Additional Comments

Name: Doran Schrantz
Address: 3936 3rd Ave-S Minneapolis MN 55406
Phone: 612-221-4911

Southwest LRT DEIS Comments

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Additional Comments

Name: David Mann
Address: 2024 28th Ave S Mpls, MN 55406
Phone: 612-288-0971

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Additional Comments

Name: *Rev Paul Slack*
Address: *9033 Loch Lomond Blvd*
Brooklyn Park, MN 55443
Phone: *763-425-5062*

Southwest LRT DEIS Comments

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Additional Comments

Name: Elaine J. Gaston

Address: 4556 18th Ave So Mpls, MN 55407

Phone: 612-722-6734

Southwest LRT DEIS Comments

I respectfully submit these comments on the Southwest LRT DEIS.

I support the 3A alignment for the Southwest LRT because of its great potential to connect environmental justice communities to opportunities in the form of jobs, education, cultural resources and other regional amenities. The 3A alignment will also be a catalyst for important redevelopment efforts in the Bassett Creek Valley, bringing jobs and affordable housing to an area of need.

Following are comments specific to sections in the DEIS.

Section 1.4 Project Goals and Objectives

I support SW LRT goals 1, 2 and 5, economic development and cost-effective, efficient travel options.

The 3A alignment for SW LRT is an essential piece of the Bassett Creek Valley (BCV) Master Plan. The Van White and Penn Ave. stations are key connection points between economically depressed North Minneapolis and employment opportunities in the southwest Minneapolis suburbs. In addition, many students from North Minneapolis travel to schools along the route and the LRT service would greatly reduce travel time for them.

The Van White station is the center of the BCV Master Plan. The BCV Master Plan and the SW LRT will work in concert, bringing economic opportunity while boosting ridership.

Section 3.1.2.4 Segment A [LRT 1A, LRT 3A (LPA), and LRT 3A-1 (co-location alternative)] Land Use

The rezoning of Bassett Creek Valley was approved February 2008 by the city of Minneapolis. This rezoning should be mentioned in this section.

Section 6. 3.1.3 Land Use Plans

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3.1.5.1 Effects to Land Use and Socioeconomics; Segment A

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Section 5.1 Economic Conditions

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Section 6.1.1 Methodology

Ridership at the Van White station is underreported. It does not account for the Bassett Creek Valley Master Plan. The ridership model should use the City of Minneapolis comprehensive plan adopted 10/2/09 which includes Bassett Creek Valley Master Plan.

Section 9.4 Reasonably Foreseeable Future Actions

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Community members have repeatedly been told that the rail layover/maintenance facility cannot be considered as part of the SW LRT EIS analysis, yet this facility could seriously compromise ridership and the effectiveness of economic development and improved land use around the SW LRT project.

Additional Comments

Name: Nanna Eder
Address: 336 Apple Lane
Phone: 612-388-5913

Southwest LRT DEIS Comments

I respectfully submit these comments on the Southwest LRT DEIS.

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The Van White station is the center of the BCV Master Plan. The BCV Master Plan and the SW LRT will work in concert, bringing economic opportunity while boosting ridership.

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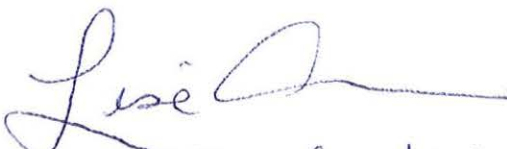
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Additional Comments

Name: **LISA Amman** 
Address: 1162 Thomas Ave, St Paul, MN 55104
Phone: 612 - 242 - 9032

Southwest LRT DEIS Comments

I respectfully submit these comments on the Southwest LRT DEIS.

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Additional Comments

Name: Meghan Grossman

Address: 3540 38th Ave S Mpls MN 55406

Phone: 612-724-9118

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Additional Comments

Name: ANNE ATTEA

Address: 1723 BRYANT AVENUE, MPLS 55411

Phone: 612-424-6211

Southwest LRT DEIS Comments

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Additional Comments

Name: **Chuck MERTENS**
Address: 3473 Lake Johnson Blvd
Arden Hills MN 55122
Phone: (651) 631-9444

Southwest LRT DEIS Comments

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Additional Comments

Name: Irene Jensen
Address: 3815 Glendale Ter # 3 Mpls, MN 55410
Phone: 612-408-2005

Southwest LRT DEIS Comments

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Additional Comments

Name: *Marie Braun*
Address: *4015 Upton Ave No, Mpls 55412*
Phone: *612-522-1861*

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Additional Comments

Name: BARBARA PALMER
Address: 5916 12th Ave. S.
Phone: 612-869-4517

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Additional Comments

Name:

Jim Brown

Address:

4015 Lytle Ave NW
Mpls, MN 55412

Phone:

612 522 1861

Southwest LRT DEIS Comments

I respectfully submit these comments on the Southwest LRT DEIS.

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I support SW LRT goals 1, 2 and 5, economic development and cost-effective, efficient travel options.

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The Van White station is the center of the BCV Master Plan. The BCV Master Plan and the SW LRT will work in concert, bringing economic opportunity while boosting ridership.

Section 3.1.2.4 Segment A [LRT 1A, LRT 3A (LPA), and LRT 3A-1 (co-location alternative)] Land Use

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Additional Comments

Name: Mary Slobig
Address: 4433 Garfield Ave S Mpls MN 55419
Phone: 612 926 8459

Southwest LRT DEIS Comments

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Additional Comments

Name: Brenda Dahlhelmer
Address: 2760 Lancaster Ln N
Plymouth MN 55441
Phone: 320-224-1672

Southwest LRT DEIS Comments

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Additional Comments

Name: Mary Ellen Vetter

Address: 7715 York Lane N Brooklyn Park

Phone: 763 561-1761

Southwest LRT DEIS Comments

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Additional Comments

Name: Joanne Neptack

Address: 121 Washington Ave S #517, Mpls. 55401

Phone: 612 333 2447

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Additional Comments

Name:

Stephen Weinbaum

Address:

6337 Orchard Ave. N. 8 BK 11 Ct. MN 55429

Phone:

763-533-8381

Southwest LRT DEIS Comments

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Additional Comments

Name: Nathan Lind
Address: 3939 Standish Ave, Minneapolis, MN 55407
Phone: 612-724-8925

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Additional Comments

Name: Paula Keller
Address: 3905 12th Ave. So. Minneapolis MN 55407
Phone: 612-822-9122

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Additional Comments

Name: Aneesa Parks
Address: 1500 Queen Ave N.
Phone: Mpls MN 55411
612. 588. 2402

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The 3A alignment for SW LRT is an essential piece of the Bassett Creek Valley (BCV) Master Plan. The Van White and Penn Ave. stations are key connection points between economically depressed North Minneapolis and employment opportunities in the southwest Minneapolis suburbs. In addition, many students from North Minneapolis travel to schools along the route and the LRT service would greatly reduce travel time for them.

The Van White station is the center of the BCV Master Plan. The BCV Master Plan and the SW LRT will work in concert, bringing economic opportunity while boosting ridership.

Section 3.1.2.4 Segment A [LRT 1A, LRT 3A (LPA), and LRT 3A-1 (co-location alternative)] Land Use

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Section 5.1 Economic Conditions

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Section 6.1.1 Methodology

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Community members have repeatedly been told that the rail layover/maintenance facility cannot be considered as part of the SW LRT EIS analysis, yet this facility could seriously compromise ridership and the effectiveness of economic development and improved land use around the SW LRT project.

Additional Comments

Name: Michele Smith

Address: 2521 Garfield Ave S #101

Phone: MPLS, MN 55405

612-804-7358

Southwest LRT DEIS Comments

I respectfully submit these comments on the Southwest LRT DEIS.

I support the 3A alignment for the Southwest LRT because of its great potential to connect environmental justice communities to opportunities in the form of jobs, education, cultural resources and other regional amenities. The 3A alignment will also be a catalyst for important redevelopment efforts in the Bassett Creek Valley, bringing jobs and affordable housing to an area of need.

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Additional Comments

Name: ADAM LUBERT

Address: 2521 GARFIELD AVE S #101 Minneapolis, MN 55405

Phone: 612-805-5428

Southwest LRT DEIS Comments

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Additional Comments

Name: Man, J. Walecha
Address: 1433 18th Street NW, New Brighton, MN 55112
Phone: 651-398-9161

Southwest LRT DEIS Comments

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Additional Comments

Name: Mark Anderson

Address: 3905 12th Ave. S. Mpls. 55407

Phone: 612.822.9122

Southwest LRT DEIS Comments

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Additional Comments

Name:

jacqueline Moen

Address:

1631 Carl St #10 Lauderdale, MN 55108

Phone:

651.647.4570

Southwest LRT DEIS Comments

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Additional Comments

Name:

Amy Blumenshine

Amy Blumenshine

Address:

3156 Elliot Ave. S, Minneapolis, MN 55407

Phone:

(612) 822-6059

Southwest LRT DEIS Comments

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Additional Comments

Name: Laurie A. Eaton

Address: 1240 Nes Lane, Plymouth, MN 55441

Phone: 612-750-1818

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Additional Comments

Name: Nathan Troutman Blumenshine

Address: 3906 Grand Ave. S., Minneapolis, MN, 55409

Phone: 612-709-4375

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Community members have repeatedly been told that the rail layover/maintenance facility cannot be considered as part of the SW LRT EIS analysis, yet this facility could seriously compromise ridership and the effectiveness of economic development and improved land use around the SW LRT project.

Additional Comments

Name: Mariken Wogstad-Hansen

Address: 45 University Ave SE, Unit 508, Minneapolis, MN 55414

Phone: 612-369-7918

Southwest LRT DEIS Comments

I respectfully submit these comments on the Southwest LRT DEIS.

I support the 3A alignment for the Southwest LRT because of its great potential to connect environmental justice communities to opportunities in the form of jobs, education, cultural resources and other regional amenities. The 3A alignment will also be a catalyst for important redevelopment efforts in the Bassett Creek Valley, bringing jobs and affordable housing to an area of need.

Following are comments specific to sections in the DEIS.

Section 1.4 Project Goals and Objectives

I support SW LRT goals 1, 2 and 5, economic development and cost-effective, efficient travel options.

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The Van White station is the center of the BCV Master Plan. The BCV Master Plan and the SW LRT will work in concert, bringing economic opportunity while boosting ridership.

Section 3.1.2.4 Segment A [LRT 1A, LRT 3A (LPA), and LRT 3A-1 (co-location alternative)] Land Use

The rezoning of Bassett Creek Valley was approved February 2008 by the city of Minneapolis. This rezoning should be mentioned in this section.

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Additional Comments

Name: Rachel A. Ackland

Address: 1 W. Lake St., #312, Minneapolis, MN 55408

Phone: 612 - 825 - 7436

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Additional Comments

Name: David Scheir *David Scheir*
Address: 3200 10th Ave S.
mpls, MN 55407
Phone: 612-825-4368

Southwest LRT DEIS Comments

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Additional Comments

Name: Katherine Hagen

Address: 3700 Harriet Ave. Minneapolis, MN 55409

Phone: (920) 850-4639

Southwest LRT DEIS Comments

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Additional Comments

Name: Elena Geiger-Simpson

Address: 5034 35th Ave. S. Minneapolis, MN 55417

Phone: 612-581-5422.

Southwest LRT DEIS Comments

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Additional Comments

Name: Megan Buckingham
Address: 1257 Juliet Ave
Saint Paul, MN 55105
Phone: 612-230-0282

Southwest LRT DEIS Comments

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Additional Comments

I'm very concerned that this project MO consider both environmental and economic justice as it moves forward. Public transit ~~biting~~ needs to take into consideration the needs and voices of the community.

Thank you.

Meghan Buckingham

Name: Sonja Batalden

Address: 1477 Grantham Street, Saint Paul, MN 55108

Phone: 651-644-1972

Southwest LRT DEIS Comments

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Additional Comments



December 16, 2012

Name: Michael Troutman

Address: 3156 Elliot Ave.

Phone: Minneapolis, MN 55407
612-822-6059

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Additional Comments

Sincerely,


Name: Wendy Lee Johnson
Address: 5800 Loring Lane
Golden Valley, MN 55422
Phone: 763-486-2235

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The rezoning of Bassett Creek Valley was approved February 2008 by the city of Minneapolis. This rezoning should be mentioned in this section.

Section 6. 3.1.3 Land Use Plans

I share the Harrison Neighborhood Association's concerns with the Van White station planning.

- The planning document clearly advocates for the siting of diesel commuter rail layover at Van White Station. The final document misrepresents the formal Minneapolis city council position on the sale of Linden Yards East. The city directed city staff to explore joint development strategies at Linden Yards East and report back to city council.
- The Van White Station Area Plans illustrations are misleading for policy maker by representing a platform (plinth) that could accommodate development above and rail below. This is misleading because the feasibility work has not been completed and there has been no environmental assessment of siting a rail layover/maintenance facility at the Van White Station.

- The Van White Station Area plan does not adequately assess Harrison neighborhood property owners, renters and business owners. The Bassett Creek Valley is home to over 170 businesses and over 150 homes all of which are in the ½ mile radius of the Van White Station. Increasing the accessibility to the Van White Station is critically important to provide these environmental justice communities access to jobs along the Southwest LRT.

3.1.5.1 Effects to Land Use and Socioeconomics; Segment A

The description is inadequate and should include mention of the Bassett Creek Valley project area. The Van White station is central to the Bassett Creek Valley project. Because of its significant size and city of Minneapolis site control, this project area deserves mention in this section.

Section 5.1 Economic Conditions

The Metropolitan Council highlighted job linkage to North Minneapolis through the SW LRT corridor in a SW LRT funding application to the Minnesota Department of Employment and Economic Development. This point should be included in the description of the effects on the local economy.

Section 6.1.1 Methodology

Ridership at the Van White station is underreported. It does not account for the Bassett Creek Valley Master Plan. The ridership model should use the City of Minneapolis comprehensive plan adopted 10/2/09 which includes Bassett Creek Valley Master Plan.

Section 9.4 Reasonably Foreseeable Future Actions

A rail layover/maintenance facility in Linden Yards East will have an impact on economic development at the Van White Station. Repeated requests for an environmental assessment of such a facility have gone unanswered by local agencies.

Community members have repeatedly been told that the rail layover/maintenance facility cannot be considered as part of the SW LRT EIS analysis, yet this facility could seriously compromise ridership and the effectiveness of economic development and improved land use around the SW LRT project.

Additional Comments

Name: Bruce E. Pederson
Address: 2501 Pillsbury Avenue
Phone: Minneapolis, MN 55404-1202
612-870-0382

Southwest LRT DEIS Comments

I respectfully submit these comments on the Southwest LRT DEIS.

I support the 3A alignment for the Southwest LRT because of its great potential to connect environmental justice communities to opportunities in the form of jobs, education, cultural resources and other regional amenities. The 3A alignment will also be a catalyst for important redevelopment efforts in the Bassett Creek Valley, bringing jobs and affordable housing to an area of need.

Following are comments specific to sections in the DEIS.

Section 1.4 Project Goals and Objectives

I support SW LRT goals 1, 2 and 5, economic development and cost-effective, efficient travel options.

The 3A alignment for SW LRT is an essential piece of the Bassett Creek Valley (BCV) Master Plan. The Van White and Penn Ave. stations are key connection points between economically depressed North Minneapolis and employment opportunities in the southwest Minneapolis suburbs. In addition, many students from North Minneapolis travel to schools along the route and the LRT service would greatly reduce travel time for them.

The Van White station is the center of the BCV Master Plan. The BCV Master Plan and the SW LRT will work in concert, bringing economic opportunity while boosting ridership.

Section 3.1.2.4 Segment A [LRT 1A, LRT 3A (LPA), and LRT 3A-1 (co-location alternative)]

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Additional Comments

Thanks for your attention to this.

Cordially,

Bruce E. Pederson

DEC 31 2012

BY:

SW Transitway

DEIS Comments

From ISAIAH

46 Individual Comment Letters

Dear Southwest Transitway
Project Planners,

MY NAME IS

I WORK IN THE CITY OF HOPKINS. I
CARE ABOUT THE IMPACT OF THE
SOUTHWEST LRT ON THIS COMMUNITY.
I WANT TO SEE AFFORDABLE HOUSING
PRESERVED AND EXPANDED. I ALSO
WANT LOW-INCOME PEOPLE, IMMI-
GRANTS AND PEOPLE OF COLOR TO BEN-
EFIT FROM NEW LIVING WAGE JOBS
AND ECONOMIC DEVELOPMENT.

SINCERELY,

D E I S C O M M E N T

Estimados Dirige
Southwest Transitway,

MI NOMBRE ES

TRABAJO EN LA CIUDAD DE HOPKINS.
A MI ME IMPORTA EL IMPACTO DEL
SOUTHWEST LRT EN LA COMUNIDAD.
QUIERO QUE PRESERVEN LAS VIVIEN-
DAS ECONOMICAS Y QUE CONSTRUYAN
MAS. TAMBIEN QUIERO QUE LA GEN-
TE DE BAJOS RECURSOS, LOS IMMI-
GRANTES Y LA GENTE DE COLOR SE
BENEFICE DE NUEVOS TRABAJOS CON
SALRIOS JUSTOS Y EL DESARROLLO
ECONOMICO.

ATENTAMENTE,

M5

Dear Southwest Transitway
Project Planners,

MY NAME IS

I LIVE IN THE CITY OF HOPKINS. I
CARE ABOUT THE IMPACT OF THE
SOUTHWEST LRT ON MY COMMUNITY. I
WANT TO SEE AFFORDABLE HOUSING
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SINCERELY,

D E I S C O M M E N T

Estimados Dirigentes del
Southwest Transitway,

MI NOMBRE ES

VIVO EN LA CIUDAD DE HOPKINS. A
MI ME IMPORTA EL IMPACTO DEL
SOUTHWEST LRT EN MI COMUNIDAD.
QUIERO QUE PRESERVEN LAS VIVIEN-
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MAS PARA PODER SEGUIR VIVIENDO
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GRANTES Y LA GENTE DE COLOR SE
BENEFICE DE NUEVOS TRABAJOS CON
SALRIOS JUSTOS Y EL DESARROLLO
ECONOMICO.

ATENTAMENTE,

3670

Dear Southwest Transitway
Project Planners,

MY NAME IS

I LIVE IN THE CITY OF HOPKINS. I
CARE ABOUT THE IMPACT OF THE
SOUTHWEST LRT ON MY COMMUNITY. I
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AND ECONOMIC DEVELOPMENT.

SINCERELY,

Estimados Dirigentes del
Southwest Transitway,

MI NOMBRE ES

----- Jorge Cruz -----

VIVO EN LA CIUDAD DE HOPKINS. A
MI ME IMPORTA EL IMPACTO DEL
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QUIERO QUE PRESERVEN LAS VIVIEN-
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BENEFICE DE NUEVOS TRABAJOS CON
SALRIOS JUSTOS Y EL DESARROLLO
ECONOMICO.

ATENTAMENTE, 612 388 1747

D E I S C O M M E N T

Dear Southwest Transitway
Project Planners,

MY NAME IS

I LIVE IN THE CITY OF HOPKINS. I
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SINCERELY,

Estimados Dirigentes del
Southwest Transitway,

MI NOMBRE ES

----- Ramiro Hernandez -----

VIVO EN LA CIUDAD DE HOPKINS. A
MI ME IMPORTA EL IMPACTO DEL
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BENEFICE DE NUEVOS TRABAJOS CON
SALRIOS JUSTOS Y EL DESARROLLO
ECONOMICO.

ATENTAMENTE, 612 3678 9091

Dear Southwest Transitway
Project Planners,

MY NAME IS

I LIVE IN THE CITY OF HOPKINS. I
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SOUTHWEST LRT ON MY COMMUNITY. I
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AND ECONOMIC DEVELOPMENT.

SINCERELY,

D E I S C O M M E N T

Estimados Dirigentes del
Southwest Transitway,

MI NOMBRE ES

Maria E Perez H

VIVO EN LA CIUDAD DE HOPKINS. A
MI ME IMPORTA EL IMPACTO DEL
SOUTHWEST LRT EN MI COMUNIDAD.
QUIERO QUE PRESERVEN LAS VIVIEN-
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SALRIOS JUSTOS Y EL DESARROLLO
ECONOMICO.

ATENTAMENTE,

Maria E Perez H

Dear Southwest Transitway
Project Planners,

MY NAME IS

I LIVE IN THE CITY OF HOPKINS. I
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SINCERELY,

Estimados Dirigentes del
Southwest Transitway,

MI NOMBRE ES

Ernesto Velasco G

VIVO EN LA CIUDAD DE HOPKINS. A
MI ME IMPORTA EL IMPACTO DEL
SOUTHWEST LRT EN MI COMUNIDAD.
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BENEFICE DE NUEVOS TRABAJOS CON
SALRIOS JUSTOS Y EL DESARROLLO
ECONOMICO.

ATENTAMENTE,

952 9266336

3672

Dear Southwest Transitway
Project Planners,

MY NAME IS

I LIVE IN THE CITY OF HOPKINS. I
CARE ABOUT THE IMPACT OF THE
SOUTHWEST LRT ON MY COMMUNITY. I
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EFIT FROM NEW LIVING WAGE JOBS
AND ECONOMIC DEVELOPMENT.

SINCERELY,

aob@yahoo.com

D E I S C O M M E N T

Estimados Dirigentes del
Southwest Transitway,

MI NOMBRE ES

VIVO EN LA CIUDAD DE HOPKINS. A
MI ME IMPORTA EL IMPACTO DEL
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ECONOMICO.

ATENTAMENTE,

Dear Southwest Transitway
Project Planners,

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SINCERELY,

Estimados Dirigentes del
Southwest Transitway,

MI NOMBRE ES

Melina Sanchez Mtz.

VIVO EN LA CIUDAD DE HOPKINS. A
MI ME IMPORTA EL IMPACTO DEL
SOUTHWEST LRT EN MI COMUNIDAD.
QUIERO QUE PRESERVEN LAS VIVIEN-
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ECONOMICO.

ATENTAMENTE,

3673

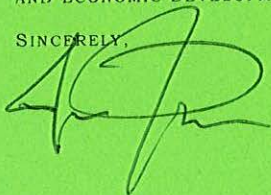
Dear Southwest Transitway
Project Planners,

MY NAME IS

Moses Poreza

I LIVE IN THE CITY OF HOPKINS. I
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SOUTHWEST LRT ON MY COMMUNITY. I
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SINCERELY,



D E I S C O M M E N T

Estimados Dirigentes del
Southwest Transitway,

MI NOMBRE ES

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ECONOMICO.

ATENTAMENTE,

Dear Southwest Transitway
Project Planners,

MY NAME IS

Joshua Satre

I LIVE IN THE CITY OF HOPKINS. I
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Joshua Satre

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ECONOMICO.

ATENTAMENTE,

3674

Dear Southwest Transitway
Project Planners,

MY NAME IS

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SINCERELY,

Estimados Dirigentes del
Southwest Transitway,

MI NOMBRE ES

Felipe Marin Adaya

VIVO EN LA CIUDAD DE HOPKINS. A
MI ME IMPORTA EL IMPACTO DEL
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ECONOMICO.

ATENTAMENTE,

D E I S C O M M E N T

Dear Southwest Transitway
Project Planners,

MY NAME IS

Maria Beltrán Ayala

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SINCERELY,

Estimados Dirigentes del
Southwest Transitway,

MI NOMBRE ES

angelesblt1978@gmail.com

VIVO EN LA CIUDAD DE HOPKINS. A
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ECONOMICO.

ATENTAMENTE,

3675

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Project Planners,

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SINCERELY,

Estimados Dirigentes del
Southwest Transitway,

MI NOMBRE ES

Maria L. Arias

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SALRIOS JUSTOS Y EL DESARROLLO
ECONOMICO.

ATENTAMENTE,

952-935-6264

D E I S C O M M E N T

Dear Southwest Transitway
Project Planners,

MY NAME IS

Ido

I LIVE IN THE CITY OF HOPKINS. I
CARE ABOUT THE IMPACT OF THE
SOUTHWEST LRT ON MY COMMUNITY. I
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SINCERELY,

Ido Mohammed

Estimados Dirigentes del
Southwest Transitway,

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VIVO EN LA CIUDAD DE HOPKINS. A
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ECONOMICO.

ATENTAMENTE,

3676

Dear Southwest Transitway
Project Planners,

MY NAME IS

I LIVE IN THE CITY OF HOPKINS. I
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SINCERELY,

Estimados Dirigentes del
Southwest Transitway,

MI NOMBRE ES

Elena Arias

VIVO EN LA CIUDAD DE HOPKINS. A
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SALRIOS JUSTOS Y EL DESARROLLO
ECONOMICO.

ATENTAMENTE,

Elena Arias

D E I S C O M M E N T

Dear Southwest Transitway
Project Planners,

MY NAME IS

Oscar Ramirez

I LIVE IN THE CITY OF HOPKINS. I
CARE ABOUT THE IMPACT OF THE
SOUTHWEST LRT ON MY COMMUNITY. I
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SINCERELY,

Oscar Ramirez

Estimados Dirigentes del
Southwest Transitway,

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ECONOMICO.

ATENTAMENTE,

3677

Dear Southwest Transitway
Project Planners,

MY NAME IS

Martin Apaez E

I LIVE IN THE CITY OF HOPKINS. I
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SINCERELY,

Estimados Dirigentes del
Southwest Transitway,

MI NOMBRE ES

Martin Apaez Espino

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QUIERO QUE PRESERVEN LAS VIVIEN-
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MAS PARA PODER SEGUIR VIVIENDO
AQUI. TAMBIEN QUIERO QUE LA GEN-
TE DE BAJOS RECURSOS, LOS INMI-
GRANTES Y LA GENTE DE COLOR SE
BENEFICE DE NUEVOS TRABAJOS CON
SALRIOS JUSTOS Y EL DESARROLLO
ECONOMICO.

ATENTAMENTE,

D E I S C O M M E N T

Dear Southwest Transitway
Project Planners,

MY NAME IS

I LIVE IN THE CITY OF HOPKINS. I
CARE ABOUT THE IMPACT OF THE
SOUTHWEST LRT ON MY COMMUNITY. I
WANT TO SEE AFFORDABLE HOUSING
PRESERVED AND EXPANDED SO THAT WE
CAN CONTINUE LIVING HERE. I ALSO
WANT LOW-INCOME PEOPLE, IMMI-
GRANTS AND PEOPLE OF COLOR TO BEN-
EFIT FROM NEW LIVING WAGE JOBS
AND ECONOMIC DEVELOPMENT.

SINCERELY,

Estimados Dirigentes del
Southwest Transitway,

MI NOMBRE ES

Delino P

VIVO EN LA CIUDAD DE HOPKINS. A
MI ME IMPORTA EL IMPACTO DEL
SOUTHWEST LRT EN MI COMUNIDAD.
QUIERO QUE PRESERVEN LAS VIVIEN-
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GRANTES Y LA GENTE DE COLOR SE
BENEFICE DE NUEVOS TRABAJOS CON
SALRIOS JUSTOS Y EL DESARROLLO
ECONOMICO.

ATENTAMENTE,

3678

952 920 9350

Dear Southwest Transitway
Project Planners,

MY NAME IS

I LIVE IN THE CITY OF HOPKINS. I
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SOUTHWEST LRT ON MY COMMUNITY. I
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SINCERELY,

Estimados Dirigentes del
Southwest Transitway,

MI NOMBRE ES

Armando Arrieta

VIVO EN LA CIUDAD DE HOPKINS. A
MI ME IMPORTA EL IMPACTO DEL
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SALRIOS JUSTOS Y EL DESARROLLO
ECONOMICO.

ATENTAMENTE, 612 931 8324

D E I S C O M M E N T

Dear Southwest Transitway
Project Planners,

MY NAME IS

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SINCERELY,

Estimados Dirigentes del
Southwest Transitway,

MI NOMBRE ES

Gerardo Cruz

VIVO EN LA CIUDAD DE HOPKINS. A
MI ME IMPORTA EL IMPACTO DEL
SOUTHWEST LRT EN MI COMUNIDAD.
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ECONOMICO.

ATENTAMENTE, 952 3679 7191

Dear Southwest Transitway
Project Planners,

MY NAME IS

I LIVE IN THE CITY OF HOPKINS. I
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SINCERELY,

Estimados Dirigentes del
Southwest Transitway,

MI NOMBRE ES

Jose Rodriguez

VIVO EN LA CIUDAD DE HOPKINS. A
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SOUTHWEST LRT EN MI COMUNIDAD.
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ECONOMICO.

ATENTAMENTE, 952 693 8727

D E I S C O M M E N T

Dear Southwest Transitway
Project Planners,

MY NAME IS

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SINCERELY,

Estimados Dirigentes del
Southwest Transitway,

MI NOMBRE ES

Hector Ponce

VIVO EN LA CIUDAD DE HOPKINS. A
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SOUTHWEST LRT EN MI COMUNIDAD.
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BENEFICE DE NUEVOS TRABAJOS CON
SALRIOS JUSTOS Y EL DESARROLLO
ECONOMICO.

ATENTAMENTE,

612 206 7067
3680

Dear Southwest Transitway
Project Planners,

MY NAME IS

David Hiserodt

I LIVE IN THE CITY OF HOPKINS. I
CARE ABOUT THE IMPACT OF THE
SOUTHWEST LRT ON MY COMMUNITY. I
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SINCERELY,

952 922 6767

Estimados Dirigentes del
Southwest Transitway,

MI NOMBRE ES

VIVO EN LA CIUDAD DE HOPKINS. A
MI ME IMPORTA EL IMPACTO DEL
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ECONOMICO.

ATENTAMENTE,

D E I S C O M M E N T

Dear Southwest Transitway
Project Planners,

MY NAME IS

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SINCERELY,

Estimados Dirigentes del
Southwest Transitway,

MI NOMBRE ES

antonio arroyo

VIVO EN LA CIUDAD DE HOPKINS. A
MI ME IMPORTA EL IMPACTO DEL
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BENEFICE DE NUEVOS TRABAJOS CON
SALRIOS JUSTOS Y EL DESARROLLO
ECONOMICO.

ATENTAMENTE, 952 293 3834

3681

Dear Southwest Transitway
Project Planners,

MY NAME IS

Alfred H. H.

I LIVE IN THE CITY OF HOPKINS. I
CARE ABOUT THE IMPACT OF THE
SOUTHWEST LRT ON MY COMMUNITY. I
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AND ECONOMIC DEVELOPMENT

SINCERELY,

651-387-6913

Estimados Dirigentes del
Southwest Transitway,

MI NOMBRE ES

VIVO EN LA CIUDAD DE HOPKINS. A
MI ME IMPORTA EL IMPACTO DEL
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ECONOMICO.

ATENTAMENTE,

D E I S C O M M E N T

Dear Southwest Transitway
Project Planners,

MY NAME IS

I LIVE IN THE CITY OF HOPKINS. I
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SINCERELY,

Estimados Dirigentes del
Southwest Transitway,

MI NOMBRE ES

Isidro Gallardo

VIVO EN LA CIUDAD DE HOPKINS. A
MI ME IMPORTA EL IMPACTO DEL
SOUTHWEST LRT EN MI COMUNIDAD.
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BENEFICE DE NUEVOS TRABAJOS CON
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ECONOMICO.

ATENTAMENTE,

024368287181

Dear Southwest Transitway
Project Planners,

MY NAME IS

I LIVE IN THE CITY OF HOPKINS. I
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SOUTHWEST LRT ON MY COMMUNITY. I
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EFIT FROM NEW LIVING WAGE JOBS
AND ECONOMIC DEVELOPMENT.

SINCERELY,

Estimados Dirigentes del
Southwest Transitway,

MI NOMBRE ES

Marcos Vega

VIVO EN LA CIUDAD DE HOPKINS. A
MI ME IMPORTA EL IMPACTO DEL
SOUTHWEST LRT EN MI COMUNIDAD.
QUIERO QUE PRESERVEN LAS VIVIEN-
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SALRIOS JUSTOS Y EL DESARROLLO
ECONOMICO.

ATENTAMENTE,

612 286 0662

D E I S C O M M E N T

Dear Southwest Transitway
Project Planners,

MY NAME IS

I WORK IN THE CITY OF HOPKINS. I
CARE ABOUT THE IMPACT OF THE
SOUTHWEST LRT ON THIS COMMUNITY.
I WANT TO SEE AFFORDABLE HOUSING
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EFIT FROM NEW LIVING WAGE JOBS
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SINCERELY,

Estimados Dirigentes del
Southwest Transitway,

MI NOMBRE ES

Omar Peña

TRABAJO EN LA CIUDAD DE HOPKINS.
A MI ME IMPORTA EL IMPACTO DEL
SOUTHWEST LRT EN LA COMUNIDAD.
QUIERO QUE PRESERVEN LAS VIVIEN-
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BENEFICE DE NUEVOS TRABAJOS CON
SALRIOS JUSTOS Y EL DESARROLLO
ECONOMICO.

ATENTAMENTE,

952 764 6487
3683

Dear Southwest Transitway
Project Planners,

MY NAME IS

I WORK IN THE CITY OF HOPKINS. I
CARE ABOUT THE IMPACT OF THE
SOUTHWEST LRT ON THIS COMMUNITY.
I WANT TO SEE AFFORDABLE HOUSING
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SINCERELY,

Estimados Dirigentes del
Southwest Transitway,

MI NOMBRE ES

Domingo Rosas

TRABAJO EN LA CIUDAD DE HOPKINS.
A MI ME IMPORTA EL IMPACTO DEL
SOUTHWEST LRT EN LA COMUNIDAD.
QUIERO QUE PRESERVEN LAS VIVIEN-
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GRANTES Y LA GENTE DE COLOR SE
BENEFICE DE NUEVOS TRABAJOS CON
SALRIOS JUSTOS Y EL DESARROLLO
ECONOMICO.

ATENTAMENTE, 612 483 6576

D E I S C O M M E N T

Dear Southwest Transitway
Project Planners,

MY NAME IS

Frankie

I WORK IN THE CITY OF HOPKINS. I
CARE ABOUT THE IMPACT OF THE
SOUTHWEST LRT ON THIS COMMUNITY.
I WANT TO SEE AFFORDABLE HOUSING
PRESERVED AND EXPANDED. I ALSO
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GRANTS AND PEOPLE OF COLOR TO BEN-
EFIT FROM NEW LIVING WAGE JOBS
AND ECONOMIC DEVELOPMENT.

SINCERELY,

Frankie

Estimados Dirigentes del
Southwest Transitway,

MI NOMBRE ES

10101 OA

TRABAJO EN LA CIUDAD DE HOPKINS.
A MI ME IMPORTA EL IMPACTO DEL
SOUTHWEST LRT EN LA COMUNIDAD.
QUIERO QUE PRESERVEN LAS VIVIEN-
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BENEFICE DE NUEVOS TRABAJOS CON
SALRIOS JUSTOS Y EL DESARROLLO
ECONOMICO.

ATENTAMENTE,

3684

Dear Southwest Transitway
Project Planners,

MY NAME IS

John J. Wright

I WORK IN THE CITY OF HOPKINS. I
CARE ABOUT THE IMPACT OF THE
SOUTHWEST LRT ON THIS COMMUNITY.
I WANT TO SEE AFFORDABLE HOUSING
PRESERVED AND EXPANDED. I ALSO
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GRANTS AND PEOPLE OF COLOR TO BEN-
EFIT FROM NEW LIVING WAGE JOBS
AND ECONOMIC DEVELOPMENT.

SINCERELY,

John J. Wright@hotmail.com

D E I S C O M M E N T

John Wright

Estimados Dirigentes del
Southwest Transitway,

MI NOMBRE ES

TRABAJO EN LA CIUDAD DE HOPKINS.
A MI ME IMPORTA EL IMPACTO DEL
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BENEFICE DE NUEVOS TRABAJOS CON
SALRIOS JUSTOS Y EL DESARROLLO
ECONOMICO.

ATENTAMENTE,

Dear Southwest Transitway
Project Planners,

MY NAME IS

Mark Tangleo

I WORK IN THE CITY OF HOPKINS. I
CARE ABOUT THE IMPACT OF THE
SOUTHWEST LRT ON THIS COMMUNITY.
I WANT TO SEE AFFORDABLE HOUSING
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SINCERELY,

Mark Tangleo

Tangleo99@gmail.com

Estimados Dirigentes del
Southwest Transitway,

MI NOMBRE ES

TRABAJO EN LA CIUDAD DE HOPKINS.
A MI ME IMPORTA EL IMPACTO DEL
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SALRIOS JUSTOS Y EL DESARROLLO
ECONOMICO.

ATENTAMENTE,

3685

Dear Southwest Transitway
Project Planners,

MY NAME IS

Carlos Ruiz

I WORK IN THE CITY OF HOPKINS. I
CARE ABOUT THE IMPACT OF THE
SOUTHWEST LRT ON THIS COMMUNITY.
I WANT TO SEE AFFORDABLE HOUSING
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SINCERELY,

Olos 612@gmail.com

Estimados Dirigentes del
Southwest Transitway,

MI NOMBRE ES

TRABAJO EN LA CIUDAD DE HOPKINS.
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ECONOMICO.

ATENTAMENTE,

D E I S C O M M E N T

Dear Southwest Transitway
Project Planners,

MY NAME IS

PABLO TAPIA

I WORK IN THE CITY OF HOPKINS. I
CARE ABOUT THE IMPACT OF THE
SOUTHWEST LRT ON THIS COMMUNITY.
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SINCERELY,

Pablo Tapia

Estimados Dirigentes del
Southwest Transitway,

MI NOMBRE ES

TRABAJO EN LA CIUDAD DE HOPKINS.
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BENEFICE DE NUEVOS TRABAJOS CON
SALRIOS JUSTOS Y EL DESARROLLO
ECONOMICO.

ATENTAMENTE,

651-208-7896

3686

Dear Southwest Transitway
Project Planners,

MY NAME IS
JULIA MONTANO B

I WORK IN THE CITY OF HOPKINS. I
CARE ABOUT THE IMPACT OF THE
SOUTHWEST LRT ON THIS COMMUNITY.
I WANT TO SEE AFFORDABLE HOUSING
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EFIT FROM NEW LIVING WAGE JOBS
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SINCERELY,

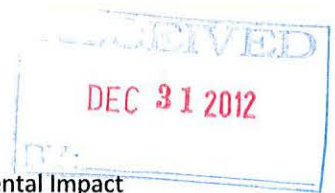
Estimados Dirigentes del
Southwest Transitway,

MI NOMBRE ES
JULIA MONTANO BELTRAN

TRABAJO EN LA CIUDAD DE HOPKINS.
A MI ME IMPORTA EL IMPACTO DEL
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QUIERO QUE PRESERVEN LAS VIVIEN-
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ECONOMICO.

ATENTAMENTE,

D E I S C O M M E N T



To Whom It May Concern:

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

The proposed action of re-routing freight is described in Chapter 1, Section 1.3.2.3. The MN&S Spur tracks are a lightly used spur line within a high density urban, residential setting and directly adjacent to the St Louis Park Senior High. The current freight occurs five days a week, Monday- Friday, during normal business hours. The proposed action of re-routing freight would introduce mainline traffic and the community, residents, and students will be exposed to longer, heavier trains during weekends, evenings, and nighttime. In fact, the re-route will allow a 788% increase in the number of rail car traffic in this area. The increase of freight exposure will directly and negatively impact community health, cohesion of the neighborhoods adjacent to the tracks and educational quality within St Louis Park Schools. In addition, there will be negative impacts to the community at large. These impacts include but are not limited to, increased noise and vibration, increase in diesel fumes from laboring locomotives, loss of mobility with when multiple crossing are blocked simultaneously, decreased safety for home owners and students at the High School, decreased access to small businesses and a decrease in tax base caused by lower property values in the affected area.

C

I oppose the freight rail re-route as outlined in the SWLRT DEIS. I believe it will create an unsafe and unlivable situation for our school children, our local businesses, and our residents.

Thank you,

Name: Rachel Raz
Address: 3031 Alabama Ave S.
City/State/zip: St Louis Park mn 55416
Telephone: 952-928-9225 E-Mail: rraz@usfamily.net

RECEIVED
DEC 31 2012

To Whom It May Concern:

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

The proposed action of re-routing freight is described in Chapter 1, Section 1.3.2.3. The MN&S Spur tracks are a lightly used spur line within a high density urban, residential setting and directly adjacent to the St Louis Park Senior High. The current freight occurs five days a week, Monday- Friday, during normal business hours. The proposed action of re-routing freight would introduce mainline traffic and the community, residents, and students will be exposed to longer, heavier trains during weekends, evenings, and nighttime. In fact, the re-route will allow a 788% increase in the number of rail car traffic in this area. The increase of freight exposure will directly and negatively impact community health, cohesion of the neighborhoods adjacent to the tracks and educational quality within St Louis Park Schools. In addition, there will be negative impacts to the community at large. These impacts include but are not limited to, increased noise and vibration, increase in diesel fumes from laboring locomotives, loss of mobility with when multiple crossing are blocked simultaneously, decreased safety for home owners and students at the High School, decreased access to small businesses and a decrease in tax base caused by lower property values in the affected area.

C

I oppose the freight rail re-route as outlined in the SWLRT DEIS. I believe it will create an unsafe and unlivable situation for our school children, our local businesses, and our residents.

Thank you,

Name:

Marlys Kirk

Address:

2820 Zachary Ave S.

City/State/zip:

St Louis Park Mn 55416

Telephone:

952 927 5533

E-Mail:

MARLYS.KIRK@gmail.com



To Whom It May Concern:

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

The proposed action of re-routing freight is described in Chapter 1, Section 1.3.2.3. The MN&S Spur tracks are a lightly used spur line within a high density urban, residential setting and directly adjacent to the St Louis Park Senior High. The current freight occurs five days a week, Monday- Friday, during normal business hours. The proposed action of re-routing freight would introduce mainline traffic and the community, residents, and students will be exposed to longer, heavier trains during weekends, evenings, and nighttime. In fact, the re-route will allow a 788% increase in the number of rail car traffic in this area. The increase of freight exposure will directly and negatively impact community health, cohesion of the neighborhoods adjacent to the tracks and educational quality within St Louis Park Schools. In addition, there will be negative impacts to the community at large. These impacts include but are not limited to, increased noise and vibration, increase in diesel fumes from laboring locomotives, loss of mobility with when multiple crossing are blocked simultaneously, decreased safety for home owners and students at the High School, decreased access to small businesses and a decrease in tax base caused by lower property values in the affected area.

C

I oppose the freight rail re-route as outlined in the SWLRT DEIS. I believe it will create an unsafe and unlivable situation for our school children, our local businesses, and our residents.

Thank you,

Name: MARK BERG
Address: 2805 Zanther Ave S
City/State/zip: St. Louis Park, MN 55416
Telephone: 952-426-0904 E-Mail: bergbeltrand@hotmail.com



Mary Scarbrough Hunt
<huntms1@aim.com>

01/01/2013 12:00 AM

To undisclosed-recipients;;

cc swcorridor@co.hennepin.mn.us

bcc

Subject Fwd: additional damage (cracks in garage floor)

-----Original Message-----

From: Mary Scarbrough Hunt <huntms1@aim.com>

To: mcamilon <mcamilon@stlouispark.org>

Sent: Wed, Nov 28, 2012 5:08 pm

Subject: additional damage (cracks in garage floor)

I have attached additional photos showing damage done to my home by the constant vibration from the freight trains. This set consists of photos of the garage floor.

05

What were minor cracks when I bought the house 6 years ago (minor enough to not be mentioned by the home inspector)--are now major--extending the entire width of the floor and significantly deeper (indicating sinking). The cracks did not change until the freight rail traffic was rerouted to the east-west line 2 blocks south of my home.

Given that this and all the other damage only started within the last two years or so--roughly the point in time at which the freight rail was rerouted to the Wayzata substation line two blocks south of my property--it is obvious that the heavy trains are the cause. can only be due to the constant shaking of the house.

I will also send this to Julia Ross, my City Council representative.

Please let me know what you can do.

Thanks,

Mary Hunt

7021 West 23rd Street

Saint Louis Park, MN 55426-2702

952-546-1336 (H) / 612-716-5274 (M)

Huntms1@aim.com









Mary Scarbrough Hunt
<huntms1@aim.com>

01/01/2013 12:03 AM

To swcorridor@co.hennepin.mn.us

cc

bcc

Subject Fwd: Further damage to foundation from heavy, constant freight trains

-----Original Message-----

From: Mary Scarbrough Hunt <huntms1@aim.com>

To: mcamilon <mcamilon@stlouispark.org>

Sent: Wed, Nov 14, 2012 5:23 pm

Subject: Further damage to foundation from heavy, constant freight trains

05

Mary Scarbrough Hunt
7021 West 23rd Street
Saint Louis Park, MN 55426-2702
952-546-1336 H) / 612-716-5274 (M)
Huntms1@aim.com











Mary Scarbrough Hunt
<huntms1@aim.com>

01/01/2013 12:13 AM

To swcorridor@co.hennepin.mn.us

cc

bcc

Subject Fwd: more pix of house damage fm trains

Attached are more photos of house damage from the constant shaking of house from heavy freight trains. Though this set may seem trivial, they are but a selection of the extensive damage done to my house inside and out, and are further proof of the constant stress my house has undergone since the freight trains were rerouted 2 blocks south of my house.

I forgot to take photos (but I will) of other things like a light that suddenly appeared one day on the floor of my porch--obviously shaken loose from the constant vibration. It has to be quite significant to do that.

Other cracks I did not photograph (but will) include the window frames that have cracked apart in the room shaken the hardest, wood frames that I caulked and painted (several coats) in 2007. Again, only serious vibration could do such damage. The window frames in the kitchen--on the same side of the house (south) as the MBR--also are cracked all along the frame. The grout around the stainless steel sink cracked completely away and the

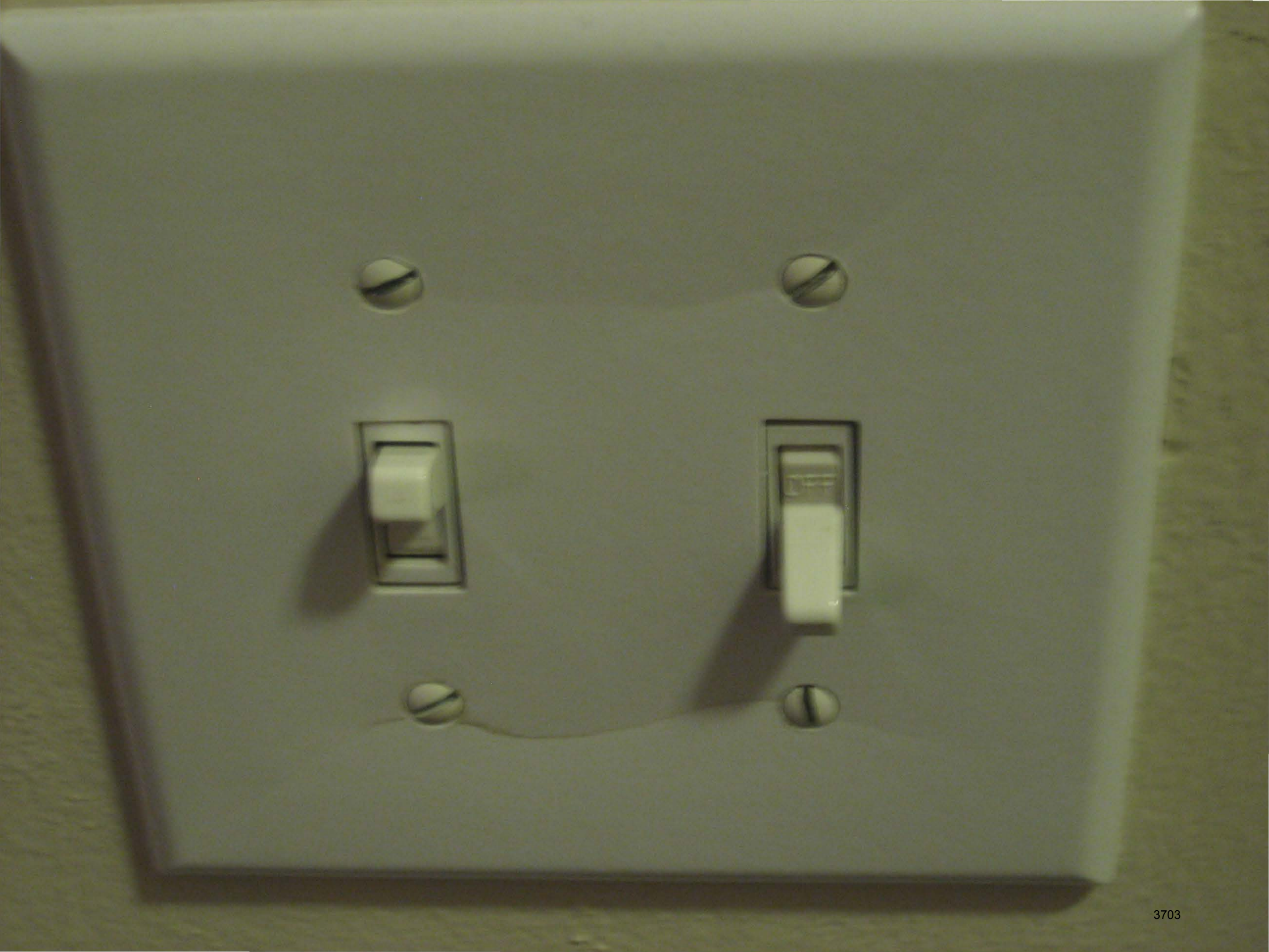
kitchen counter has sunk about 1/4" below the sink.

NO ONE can tell me all this damage is coincidental.

I want you to hold the rail companies responsible for all the damage they have caused. I hold YOU equally responsible for letting them get away with this.

O5







Mary Scarbrough Hunt
<huntms1@aim.com>

01/01/2013 12:15 AM

To swcorridor@co.hennepin.mn.us

cc

bcc

Subject Fwd: Further damage to house fm freight trains (7021 W.
23rd St., St. Louis Park)

Photos showing the separation of front landing from exterior brick and the sinking of the front step and separation from the sidewalk. The crack has become noticeably bigger over the past two years, and the front landing separation crack is new within the past year.

O5











"tjrush@home"
<tjrush@usiwireless.com>
01/01/2013 04:01 PM

To <swcorridor@co.hennepin.mn.us>
cc
bcc
Subject Don't damage the lakes and park!

E0
E4

N2,
N1

I have a unique perspective on the SW Corridor; as a homeowner in the CIDNA neighborhood and a landowner on Nicollet Mall and 9th St. (913/927 Nicollet Mall)

The beauty of the lake and the regional park can not be allowed to be decreased by 250 trains a day going to and from downtown. Keep this area the way it is so that the real estate taxes, home values and livability can remain high in the Cedar Lake and Kenwood area. The rider ship will not be worth the cost.

If there was not a reasonable alternative to going between W. Lake St. and Penn Ave, then for the good of the metro area the line would need to go there. BUT there are other alternatives that would work better, and have more riders.

I don't feel that the full true cost of destroying the regional park, sending a LRT through an area that is not high density and does not have sufficient ground space for parking is being calculated.

I2

I fully believe in light rail transit, but it has to be done correctly so that we don't destroy one area just to save Eden Prairie riders a few minutes more on the train.

Sincerely,

Tom Rush

See Comment #790 for Theme Delineations

SWcorridor/Hennepin
Sent by: Adele C
Hall/PW/Hennepin

To
cc
bcc
Subject Fw: Southwest LRT - Smetana, Mtka Crossing

01/16/2013 03:24 PM

From: Joanne STRATE <strate51@msn.com>
To: Gail Dorfman <gail.dorfman@co.hennepin.mn.us>,
Date: 12/30/2012 11:06 AM
Subject: Southwest LRT - Smetana, Mtka Crossing

Gail Dorfman -

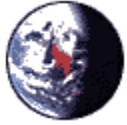
If we have to have a crossing on a very dangerous, steep road adjacent to upper income residential townhomes, woods, and St. Theresa which is travelled frequently by ambulances then at the very least we need the following:

R0

A couple of my neighbors want me to send you a response as it relates to the progression of the 3A line and the PROPOSED Smetana Crossing on the border of Hopkins & east Minnetonka....we are 3 of the 114 units which will be effected with severe noise & vibration as cited by the DEIS study. I have already responded various times regarding this & other issues. I feel it's all in vain and it's politics as usual. I plan to investigate the legal Minnetonka noise levels as well. With that information, I'll probably contact WCCO-TV's reality check so the Met Council & company can't hide the true facts of the matter. Just so happens I work at a TV station and have contacts in the industry. If this waste of tax payer dollars continue and the line remains as the recommended 3A, then we need a QUIET ZONE. Per page 4-88 of the study, Pompano Drive residents are Segment 3, category 2 and it's noted there are 114 severe impacted units. **The Quiet Zone for the Smetana Crossing should be no train whistles and no post-mounted horns on the gates. To protect the citizens, we need only 4 quadrant gates with a median barrier.** A train passing every 7:30 will be impossible to live with and no one can sit outside or open their windows, or sleep normally during 5a-1a. Would you want to live here????? OUR PROPERTY VALUE WILL SUBSEQUENTLY DECREASE, NOT INCREASE AS SOME HAVE BLATANTLY LIED TO US. Don't know if we could even get a buyer for our units!!!

Joanne Strate, 5417 Pompano Drive, 952-935-3999
Marion & David Wolf, 5409 Pompano Drive, 952-938-3962
Austin Miller & Kylie Otte, 5411 Pompano Drive, 612-381-7117

Joanne Strate
952-935-3999
strate51@msn.com



Dean Abbott
<abbot013@umn.edu>
01/02/2013 12:33 PM

To swcorridor@co.hennepin.mn.us
cc
bcc
Subject DEIS Response

31 December 2012

To:

Hennepin County Transit Department

Subject:

The current proposed plan for the Kenilworth corridor SWLRT line as it impacts the Calhoun Isles and ----- condominiums between Lake Street and Cedar Lake Parkway.

I am writing to express serious, real concerns about the following severely negative impacts the proposed LRT plan will have on my dwelling and the dwellings of others living in my neighborhood. As you read this please keep in mind that I am talking about our homes here.

E0

Existing physical conditions at and between CI and -----.

The physical situation between CI and ----- is very tight. The scale is small and intimate. The proposed two LRT tracks will be 20 to 30 feet from dwellings on both sides as they pass through Calhoun Isles and ----- . This will create severe and unacceptable impact conditions relative to the following.

E0
E4

Noise impact

By your own data the 30 to 40 mph LRT will increase the noise level so that we will experience SEL noise levels of 114dB every 3 ½ minutes (17 times an hour) from 6 AM to 12 AM. The current ambient noise level is 44dB. It is higher only 2 to 3 times in 24 hours when freight trains traveling at 5 mph pass by. This single condition is bordering on inhumane and is unacceptable by any reasonable standard.

E4

O1
O11

Visual impact.**E4**

The bridge and ramps up to it will create a major negative visual and noise impact in this extremely tight and small-scaled space.

O1

Threading a new public amenity through tight, sensitive, easily disrupted city fabric conditions is a serious design situation. The above-mentioned impacts that would result from the current LRT plan are extreme and harsh by any humane design standard. They are real problems. They will seriously and negatively affect both the quiet quality of life in our residential neighborhood and the future property value of my home and other's homes. This is unacceptable.

E0**Solution**

Therefore I request that the proposed plan be modified to put the LRT tracks in a tunnel from the proposed Lake Street station to a point beyond the Cedar Lake Parkway crossing. The tunnel should be constructed with vibration and noise dampening techniques and materials.

O1**The result of the solution**

The Kenilworth bikeway/parkway will exist, untouched, on the tunnel deck. The noise and vibration problems will be fixed. The visual impact problems will be fixed. The safety problems will be fixed. The visual problems will be fixed. In addition, the Cedar Lake Parkway bridge, with its attendant visual and noise problems (Reference the monstrosity at Lake St and Minnehaha) will be fixed

E4**E0****O1**

Dean Abbott

Calhoun Isles Condominiums

3151 Dean Ct. Unit 502

Minneapolis, MN 55416

Copies of this letter sent to government officials and Mpls television stations.

SWcorridor/Hennepin

Sent by: Adele C
Hall/PW/Hennepin

01/16/2013 03:25 PM

To

cc

bcc

Subject Fw: SW LRT

Gail Dorfman

**See Comment #598 for
Theme Delineations**

From: <dbfarber@earthlink.net>
To: <gail.dorfman@co.hennepin.mn.us>
Date: 12/29/2012 06:00 PM
Subject: SW LRT

Ms Dorfman,

The following comments are my response to the SW LRT DEIS. I hope you will support our attempt to influence design and engineering improvements to the current, underwhelming and unsatisfactory scheme illustrated in the Draft Environmental Impact Statement.

Thank you,

Damon Farber

1. Chapter 3, Page 3-34, Segment A stipulates that under the co-location Option (LRT 3A-1) three homes on Burnham Road will be taken ("permanently used"). According the DEIS (Chapter 3, page 3-34, Segment A) those homes are" the first three single family homes north of Cedar Lake Parkway along Burnham Road". As many as 57 town homes north of the West Lake Station are also slated for removal. In addition there will be "disturbance" to parkland on the east side of Cedar Lake to accommodate a realigned Burnham Road where it intersects with Cedar Lake Parkway.

Comment:

I questioned this at the November 13, 2012 open house/public hearing and both the Hennepin County and its engineering representative stated that it was an error that three homes on Burnham Road were to be taken. Rather two homes on Burnham Road (2650 and 2642) and one home on Park Lane (42) were the single family homes being considered for removal under the co-location scenario. There is no text describing any taking of private property on Burnham Road or Park Lane under Option LRT 3A, which assumes that

the freight train would be moved to St Louis Park.

2. Chapter 11, Page 11-3 of the DEIS indicates 4 properties, including .81 acres of Cedar Lake Park potentially used permanently.

Comment

Is the .81 acres of park land referenced on page 11-3 the corner north of Cedar Lake Parkway and west of Burnham Road at Cedar Lake Park

In that same table on page 11-3 under the LRT 3A Option it appears that only one property and the historic channel are to be “used” permanently.

Comment:

Is that "one property" a reference to 2650 Burnham Road or is it a reference to Cedar Lake Park? Neither the project engineer nor Hennepin County Community Works and Transit can confirm the addresses in either option. This needs to be clarified. Which properties are being alluded to in the DEIS for Options LRT 3A-1 and LRT 3A?

2. Chapter 4, Environmental effects regarding vibration.

Comment

In October of this year I sent a note to the MPRB and to SW Transit/Hennepin County Community Works asking for detailed information regarding design options for how the intersection of Cedar Lake Parkway with the Kenilworth Trail might be handled. I also asked for more definitive data on noise and vibration testing specific to that crossing. I was referred to the DEIS which it seems to me does not adequately address these aspects in enough detail to allow for reasonable conclusions. I appreciate that the Final EIS will be less general and have a more detailed scope with greater insight into site specific issues and adverse impacts of the LRT upon affected properties neighborhoods. The Hiawatha LRT corridor can prove a substantive, quantifiable example of what we along the Southwest LRT corridor might expect. As such, any references that addressed real construction and real resultant influences related to social, environmental and transportation impacts along the Hiawatha LRT corridor will be especially helpful for the layman to better understand and anticipate the impacts that will result from both construction and implementation along the SW Kenilworth LRT Corridor.

Vibration both during the construction process and after project completion may have serious ramification on nearby properties. I am obviously

concerned about potential structural impacts and cracking to my home at 2650 Burnham Road which is at the corner of Cedar Lake Parkway and Burnham Road, during construction and following project completion. I respectfully request that you provide vibration readings/documentation for all the same locations identified above to ascertain if vibration, along with noise, might be shown from a quantifiable, historical perspective.

3. Chapter 4, page 4-84, 4.7.3.4 summarizes the sound exposure levels used in southwest transitway detailed noise analysis.

Comment

This does not adequately address existing conditions. Quantitatively what is the current noise/decibel level at the intersection of Burnham Road with Cedar Lake Parkway? I assume that decibel readings were taken before, during, and after construction of the Hiawatha Line. For the purpose of comparison what was the noise level - prior to and following completion - inside and outside structures 100 ft and 150 ft from the center line of the Hiawatha LRT at East 32nd and East 53 Streets. Along Hiawatha berms, landscaping (noise cannot be mitigated by plantings) walls and a combination of the two were used. However, that is not possible at crossings. So again, it seems reasonable to ask for real, empirical, historical data to be provided that illustrates noise levels along the Hiawatha corridor at key intersections. Also there are two elevated bridges, one at East 28th and a second that crosses Hiawatha at Crosstown Hwy 62. Will you please provide the same before and after data for those two locations in case an LRT overpass is the final design solution at the Cedar Lake Parkway crossing?

The very thought of bells, whistles and sound emanating from the train as it crosses the historic Grand Rounds System at Cedar Lake Parkway, speeds through passive regional parkland, and imposes itself on the sensitive neighborhoods that abut the Kenilworth Corridor in Segment A is difficult to comprehend

4. Page 4-8 of the DEIS notes that there will be 198 trips between 7 am and 10 pm, 60 LRT trips between 10 pm and 7 am, 48 LRT trips between 6 am and 9 am and another 48 trips between 3 pm and 6:30 pm with speeds ranging from 20 to 50 miles per hour.

Comment

Are the 104 trips between 6:00 am and 9:00 am and 3:00 pm and 6:30 pm in addition to the 258 trips between 7:00 am and 10:00 pm and 10:00 pm and 7:00 am or are they included in that total.

According to a 4/20/2010 technical memo by HDR Engineers, the LRT train will cross Cedar Lake Parkway every 3.75 minutes under the LRT 3A option. Will you please confirm this? Will you please confirm the gates will be down no longer than 30 seconds for each of the 258 or f the 354 trips? What is the design speed of the LRT if it is at grade where it crosses Cedar Lake Parkway? What is the speed if the LRT is elevated above Cedar Lake Parkway. Will you confirm that the bells at crossings will occur no longer than 5 seconds for each of the 354 crossing and will the train horn blast in addition?

Please provide specific answers to each of these questions if the co-location Option(LRT3A1) is selected and if that option is selected exactly how many total freight trains per day should be expected and and at what times of day or night are they anticipated.

5. Chapter 6 notes that vehicular circulation was modeled based upon traffic counts for Cedar Lake Parkway and Burnham Road taken on February 16, 2010 .

Comment

It was determined that pedestrians, were not to be modeled ue to “low pedestrian counts”. This seems shortsighted. Would this same conclusion have been reached had the counts been taken almost at any time during the spring, summer or fall seasons when there is increased vehicular flow and much higher pedestrian traffic and bicycle movement along both Cedar Lake Parkway and the Kenilworth Bike Trail – both of which support a significant volume of pedestrians and bicyclers who use these two avenues for recreation and commuting? Have counts been taken that are not illustrated in the Draft EIS that might support a reassessment of the value and importance of the pedestrian and bicyclist.

The LPA with its flyover bridge proposed in the conceptual engineering plans would not have impacts upon any sensitive receptors.

Comment

The bridge example in photo 3.6-6.where the LRT bridges over Cedar Lake Parkway is completely unacceptable from an aesthetic, historic, sound. Nothing could be worse as a solution except an at grade crossing. From a safety standpoint there can be no question that an at-grade crossing is the least desirable solution. Bikers and pedestrians are regularly being hurt. An at grade crossing is unsafe as my wife can allude to after having been sent to the hospital for stitches after a major fall at the intersection of Cedar Lake Parkway with the railroad tracks.

Not enough study is reflected by the DEIS to adequately address the impact to wildlife, visual and aesthetic character, materials selection, and noise

Any design solution eventually selected the engineers needs to be significantly more sensitive and must incorporate an historic recall and reference to other bridges in the Cedar, Isles, Dean neighborhoods that are integral to the Historic Grand Rounds and Parkway System. Also, a very significant concern beyond those identified above and in the DEIS is the visual impact of a band of light emanating from the LRT train windows from dusk to dawn as the LRT streaks along the Kenilworth Corridor. Light trespass is a very real environmental impact that has not been addressed in the DEIS and it should be.

Recently the MPRB, its consultant and a citizen advisory committee (CAC) proposed a middle ground solution where the LRT tracks begin to recede into a trench from a point north of the West Lake Street station to a point south the 21 Street Station. The historic Cedar Lake Parkway would arch over the recessed tracks from east of Cedar Lake Park and the Beach to meet grade on the east side of the proposed LRT trough. There are, to be sure, still pedestrian/ bike/auto and LRT conflicts where the tracks, Cedar Lake Parkway, Kenilworth Bike Trail and walking paths converge, but such a solution which would keep the LRT "low" and the Parkway with its more pedestrian aspects "higher" seems like a reasonable compromise that could, with some creative engineering and design, allow all properties to remain, address many traffic and safety concerns, and respond to myriad environmental issues within a fiscally responsible approach. This is the creative type of thinking, conceptualization and approach that ought to be considered and endorsed.

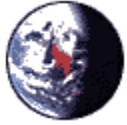
Finally, serious consideration must be given to a tunnel Option for the LRT rather than a bridge or at-grade crossing at Cedar Lake Parkway. New, updated and modified economic data has just been added to the DEIS. Please advise why no analysis has been assigned to a tunnel / LRT underpass solution. I recognize that it is more expensive, including the need for to work outside the current ROW, but it is technically possible and the most environmentally friendly solution.

Respectfully submitted,

Damon and Becky Farber

2650 Burnham Road, Minneapolis, MN 55416

612-298-9446 dbfarber@earthlink.net



Kathy Spraitz
<kathyspraitz@comcast.net>
01/03/2013 08:28 AM

To swcorridor@co.hennepin.mn.us
cc
bcc
Subject DEIS Response

To whom it may concern:

I submitted the enclosed document during the DEIS scoping period. I do not see that it has been addressed; instead, it appears that in Chapter 3 (pages 3-117), the DEIS actively disregards the visual impact of a proposed station in the vicinity of this significant contemporary architectural structure and private home.

N2

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

E4

Thank you for your reconsideration.

I can be reached at this e-mail address or by phone, 612-377-2546, if there are any questions.

Discussion Piece for LRT Impact Statement
Lazor FlatPak House, Minneapolis, Minnesota
October 2008

Anyone familiar with the Kenwood neighborhood can articulate one of its most compelling attributes: its broad array of beautifully maintained, lovingly restored and architecturally relevant historical homes situated adjacent to both parklands and a bustling downtown.

What may be a well-kept secret about this Minneapolis enclave: **Kenwood is also the site of what *Newsweek* magazine called, “the first revolution in American housing in decades”.** The private property at 2024 Thomas Avenue South is both home to the family, and living laboratory, of Charlie Lazor, an award-winning player in modern design.

(Charlie is a founding partner of both Blu Dot furniture company and the FlatPak prefab housing system. He is a Cass Gilbert Professor in Practice at the University of Minnesota School of Architecture and has served as a fellow at the MIT Media Lab for the Simplicity Program and at the Design Institute. He graduated with a Masters Degree in Architecture from Yale University.)

Lazor did not in fact invent the concept of prefab housing. The rise of 20th century assembly line manufacturing gave rise to the ideas that houses could be mass-produced just like other consumer products. Thinkers, academics and inventors ranging from Thomas Edison, Le Corbusier, Buckminster Fuller and Frank Lloyd Wright have all experimented with the concept.

Why, then, is Lazor’s FlatPak system considered a compelling contribution to the history of prefab housing? First, Lazor’s experience as founder and designer for Blu Dot furniture dovetailed with a technological trend: software and high tech tools that helped refuel thinking and an overall resurgence in interest/mid century modern architecture. He also correctly anticipated consumer interest and developed an architectural concept that would democratize access to well-designed space. And, his sensibility about efficient production processes provided a new way to think about building houses: one that is decidedly more ‘green’, from manufacturing to flat packaging delivery to on-site production to future renovations at the housing site.

So, the timing was right. **But why is FlatPak, versus other, current explorations of prefab housing, considered an important innovation in contemporary architecture thinking?** According to Andrew Blauvelt, Architectural and Design Curator at the Walker Art Center, FlatPak’s innovation is its use of a panel system. FlatPak’s base unit is an eight-foot wide, one story tall panel, providing a great flexibility using pre-fabricated components. To build a FlatPak house, the panels – which can serve as walls, floors, or a roof – are articulated on a simple grid. The combination of advanced technological manufacturing combined with an intentionally simple design execution

represents a fundamental point of difference and, more simply put, an architectural innovation.

Lazor's thinking and design drew fast attention within architectural and museum communities, as well as from the mainstream press (see attached articles.) A FlatPak prototype was a centerpiece of the museum show, "Some Assembly Required", which emanated from the Walker Art Center and traveled to the Smithsonian Cooper-Hewitt Design Museum and the Los Angeles County Museum of Art. A film about FlatPak is currently part of the "Home Delivery: Fabricating the Modern Dwelling" show at New York's Museum of Modern Art. His work has also been exhibited at Centre Georges Pompidou. And, in September, the Flat Pak prototype was re-built as a permanent installation in the Minneapolis Sculpture Garden, where it will serve as a Visitor Center as well as an academic study of this touch point in contemporary architectural thinking.

Why is FlatPak important to the neighborhood, and to anyone considering the impact of LRT running thru the Kenilworth corridor? The easy answers may be: the site at 21st and Thomas represents a family's home. And, because of its architectural importance, the family has generously opened its home to community members, in the form of countless non-profit fundraising events, and to national and worldwide media, museum curators and architecture scholars.

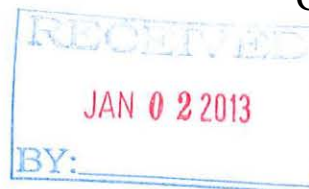
Those visitors are experiencing not only the FlatPak system, but also the neighborhood green space. It is an integral part of this architectural story. No review of the FlatPak home bypasses the obvious: Lazor situated the home and designed it quite literally to work with the green space around it. Every panel of the house anticipates not only human living patterns, but how light, greenery and environment interacts with the home. The reciprocal is true as well: the home's color and wood choices pay particular respect to its natural surrounding.

The beauty of the Kenilworth corridor and the innovation of the FlatPak house are inextricably linked.

Those engaged in planning the LRT, which may indeed pass through the Kenilworth channel area, would do well to consider its impact – and the impact of the planned LRT stop at 21st Street -- on this home and its site. With a nod to those who had the foresight to preserve the area around Frank Lloyd Wright's homes, and Darien, Connecticut's acknowledgment of the future potential of the Philip Johnson Glass House, LRT planners will protect a genuine asset of the Kenwood community if it is able to do so.

S2
E0

Note: This document is meant to add flavor to the LRT impact discussion about relevant properties – both historical and contemporary – in the Kenwood neighborhood. It is not meant to represent the Lazor family; rather, to provide a perspective from the arts and architectural community in hopes contemporary architecture will be considered alongside the beautiful historical heritage of the neighborhood.



To Whom It May Concern:

I am writing in response to the SW LRT Draft Environmental Impact Statement (DEIS),

Thank you for thoughtfully reading and taking my comments into consideration.

I am a person who believes in Light Rail and the possibilities of mass transit. Over the past few weeks I have heard many concerns about the proposed SWLRT and from news stories, thought that perhaps they were concentrated only to one set of residents, or it was perhaps only one city, that was having a problem with this plan.

As I read, and listened more intently I learned that there are many problems posed in this plan of light rail and they are not localized to one neighborhood or community or city.

This is what I understand to be some of the problems but not all.

THE DEIS WAS PRINTED AND RELEASED WITH A 100 MILLION DOLLAR TYPO.

T0

HENNEPIN COUNTY DID NOT NOTIFY THE SURFACE TRANSPORTATION BOARD (STB) OF THE PUBLICATION OF SWLRT DEIS.

L4

THE REROUTE WILL INCREASE FREIGHT TRAFFIC ON MN&S BY 788%; TRAINS WILL BE LONGER, HEAVIER, AND LOUDER THAN EVER BEFORE

THERE ARE 5 SCHOOLS WITHIN A ½ MILE OF THE RE ROUTE PLAN IN ST. LOUIS PARK.

C

SANTORINI'S RESTAURANT, A COMMERCIAL HEATING/AIR CONDITIONING COMPANY, STEVE'S AUTO WORLD, BMO BANK BUILDING AND COSTCO ALL IN EDEN PRAIRIE HAVE EXPRESSED OPPOSITION TO THIS PLAN AND SOME HAVE THREATENED LAWSUITS BECAUSE THEIR CONCERNS HAVE BEEN REPEATEDLY IGNORED.

M2

F0

THERE IS A TYPO ON PAGE 355; STATING THERE ARE 175 PARKING SPACES 44 SPACES EXIST ACCORDING TO LOCAL BUSINESSES.

U

ISSUES OF VIBRATION IMPACTS HAVE NOT BEEN STUDIED ALONG THE RE-ROUTE IN ST. LOUIS PARK

RE-ROUTE FREIGHT TRAFFIC WILL INCREASE THE SPEED LIMIT FROM 10 MPH TO 25 MPH; FREIGHT TRAINS WILL TAKE AT LEAST A MILE TO STOP.

C

ST. LOUIS PARK RESIDENTS WERE DISTINCTLY TOLD NOT TO CONSIDER THE RE-ROUTE WHEN VOTING ON THE LPA. THEREFORE, IT IS QUITE POSSIBLE THAT IF THE RE-ROUTE WAS INCLUDED IN THE SCOPING AS THE FTA INSISTS IT SHOULD HAVE BEEN THE ENTIRE LPA MAY HAVE CHANGED

L2

THE DEIS STUDY IS INHERENTLY FLAWED BECAUSE HCRRA AND ITS ENTITIES ARE PAYING CONSULTANTS FROM LARGE FIRMS OUTSIDE OF THE IMPACTED AREA TO PROVIDE INFORMATION IN THE DEIS BUT THE DATA SHOULD BE GATHERED BY PEOPLE AND COMPANIES THAT WILL BE DIRECTLY IMPACTED BY THE SWLRT.

L4

THE DEIS OMITTS THE FACT THAT COUNTY LAND RECORDS SHOW THAT THE CURRENT FREIGHT RAIL LINE ALREADY LIES IN THE CEDAR LAKE PARKLAND.

U

**AT THE EDEN PRAIRIE LISTENING SESSION.
A RESIDENT VOICED HIS CONCERN ABOUT 9 ACRES HIS FAMILY DONATED TO THE STATE OF MINNESOTA WHICH WERE TO REMAIN PRESERVED AND PROTECTED. THE SWLRT WILL DIRECTLY IMPACT THIS PRESERVED AREA. PETER MCLAUGHLIN SPOKE UP AND WANTED THIS PERSONS NAME AND INFORMATION AFTER THE LISTENING SESSION. INDICATING THAT ANOTHER IMPORTANT POINT WAS MISSED IN THE WRITING OF THE DEIS.**

M3

AND FINALLY,

RECENTLY IN ST. LOUIS PARK, COUNCIL MEMBER, ANNE MAVITY SINCERITY FOR HER SAINT LOUIS PARK CONSTITUENTS CAME INTO QUESTION. WHEN IT WAS POINTED OUT THAT HER FULL – TIME POLICY AIDE POSITION FOR COMMISSIONER GAIL DORFMAN, A LEADER ON THE HCRRA BOARD AND MAIN DRIVER OF THE RE-ROUTE IN SLP, DIRECTLY CONFLICTS WITH HER ELECTED COUNCIL MEMBER POSITION.

SHE WAS ASKED BY SEVERAL RESIDENTS TO RECUSE HERSELF FROM THE ENTIRE RE-ROUTE DISCUSSION DUE TO THIS CONFLICT OF INTEREST.

I must report that initially, I was fighting for just my neighborhood, and my city. But now my perspective has broadened enough to know that multiple problems exist with the SWLRT along the entire line. It is clear to me that these issues have not been properly and fairly addressed.

Until a more balanced fair unbiased plan is proposed, I oppose the SWLRT as it is outlined in the DEIS.

C

I also oppose the Freight rail re-route as outlined in the SWLRT DEIS. I believe that it will create an unsafe and unlivable situation for local residents, businesses and school children.

Thank you.

Karen Scott

Karen Scott

3236 Jersey Ave So.

St. Louis Park, MN 55426

OF ENVELOPE TO THE RIGHT
PRESS, FOLD AT DOTTED LINE

CERTIFIED MAIL™



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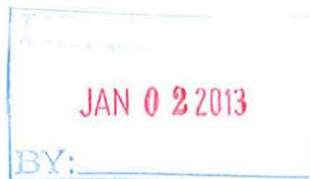
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Hennepin County Housing, Community Works and Transit
Attn: Southwest Transitway
701 Fourth Ave. S., Suite 400,
Minneapolis, MN 55415



To Whom It May Concern: (crossings)

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

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

C

Besides my general concerns about the SWLRT-DEIS, the portion of the report dealing with freight rail trains blocking street crossings (6-38 and 39) causes me the greatest concern. In the SWLRT-DEIS we are told the blocked crossings will not cause significant travel or safety issues. To the consultant sitting miles away the increase may seem insignificant, but to residents who must travel the area and rely on quick responses from emergency vehicles the 580% increase in blocked crossing time is unacceptable.

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

C

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

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

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

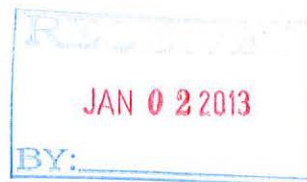
C

Name: Joyce Kautz

Address: 2541 Jersey Ave S.

City/State/zip: St. Louis Park, MN 55426

Telephone: 952-929-8106 email j.kautz@g.com



To Whom It May Concern: (safety)

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

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

C

Besides my general concerns about the SWLRT-DEIS, the portion of the report dealing with Safety (3-132 and 133) causes me the greatest concern. Only a passing reference to safety and the proposed re-route is mentioned in the SWLRT-DEIS; however there are many features about the MN&S, which make it undesirable as a freight, rail main line. The reasons the MN&S is an unsafe main rail line include, but are not limited to the following:

- Multiple grade level crossings
- Proximity to St. Louis Park schools, homes and businesses - many are closer than the length of a rail car
- Number of pedestrians who transverse crossing every day
- Permeable soil under MN&S
- Medical emergency response hindered when crossings are blocked - only one fire station has emergency medical response (page 80)
- Tight Curves. Derailments are more likely to occur on curves than on straight track
- Hazardous materials are being carried on the rail line without sufficient right of way.

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

Name: Joyce Kautz
 Address: 2841 Jersey Ave S
 City/State/zip: St. Louis Park, Mn 55426
 Telephone: 62-929-8106 E-Mail: j.kautz@jg.com

JAN 02 2013

To Whom It May Concern: (Noise/vibration)

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

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

C

Besides my general concerns about the SWLRT-DEIS, the portion of the report dealing with Noise (3-93 and 94) and Vibration (4-117) causes me the greatest concern. The SWLRT-DEIS underestimates the effects of vibration for because it considers only the immediate traffic increase from the re-route and not additional traffic that is likely to occur. Currently trains travel on the MN&S for approximately two hours a month. If the re-route occurs there will be a minimum of 6 hours and 39 minutes or a 232.5% increase in train related vibration will occur each a month. Currently, all vibration and its negative impacts occur five days a week during regular business hours. In the future vibration will occur on weekends and nights as well as during business hours. Not only will the duration of vibration increase, but also the amount of vibration will increase with longer, heavier trains. The assumption stated in the SWLRT-DEIS that the increase in vibration is insignificant is incorrect. Listed below are reasons why the assumptions are incorrect:

C

We are also led to believe that creating a quiet zone will end all of the noise issues. This assumption is incorrect for the following reasons:

1. A quiet zone is not a sure thing.
 - a. Implementation could be denied by the school board because the building of a quiet zone will limit access to the Senior High School
 - b. Locomotive engineers are compelled to blow the horn if they perceive a dangerous situation. What kind of responsible person would drive a train through a series of blind crossings, past several schools without blowing the horn?
2. Quiet zones do not limit locomotive noise
 - a. Multiple locomotives will be necessary for pulling a fully loaded train up the .86% grade if the new interconnect.
 - b. Multiple locomotives laboring with long trains will make more noise than the locomotives that currently use the MN&S
3. Trains traveling west will need to use their breaks to maintain a slow speed going down grade and through curves
4. Train wheels on curves squeal; the tighter the curve the greater the squeal.
5. Bells on crossing arms in a quiet zone will ring the entire time a train is in the crossing.
6. Because there are currently no trains at night, even one night train means diminished livability.

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

Name: Joyce KautzAddress: 2841 Jersey Ave S.City/State/zip: St. Louis Park, MN 55426Telephone: 952-929-8106 E-Mail: j.kautz@g.com



To Whom It May Concern: (DEIS is not Objective)

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

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

C

Riddled with phantom assumptions, unsubstantiated assertions, and inexplicable omissions, the DEIS is not a serious attempt to consider the effect of the proposed re-route.

Chapter 1 of the DEIS states that without the re-route the TC&W's only options for moving its freight will be to access the MN&S tracks by use of the notorious switching wye in St. Louis Park, or to transfer cargo from railcars to highway trucks. The unstated assumption behind this statement is that the current route used by the TC&W will be severed. Presenting the either/or assumption for the switching wye or highway trucks creates the illusion of a fait accompli, when in fact the TC&W's current route through the Kenilworth corridor is a viable alternative.

C

Unsubstantiated assertions include the depiction in the DEIS that the historical character of the Kenilworth corridor (Chapter 3, page 58) would be compromised by its continued use for freight train traffic. The Kenilworth corridor was the home to not just railroad tracks, but an entire railroad yard for over one hundred years, beginning long before the current homes in the area were built.

Inexplicably omitted from the DEIS is how the re-route would be funded (Chapters 5 and 8). The re-route must be considered as part of the SWLRT and even without mitigation construction of the interconnect and upgrading the tracks on the MN&S to handle the heavier traffic is estimated to cost \$125,000,000, money that was not originally included in the projected cost of the SWLRT, but the projected budget for the SWLRT has not been adjusted to recognize the added expense. Also, missing from the cost estimates are the costs for maintaining the interconnect structure after it is built.

T1

T0

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

Name: Joyce Kautz

Address: 2841 Quincy Ave S

City/State/zip: St. Louis Park, MN 55426

Telephone: 952-929-8106

E-Mail: j.kautz@q.com

JAN 02 2013

BY:

To whom it may concern: (The process to choose the Locally preferred Alternative was flawed)

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

The current SWLRT-DEIS has significant flaws and the planned re-route idea either needs to be dropped completely or a great deal more study must be done.

Besides my general concerns about the SWLRT-DEIS, I am particularly concerned with Chapter 12 (Public and Agency Coordination and Comments). NEPA 1500.2(d) states that the leading agency must “encourage and facilitate public involvement in decisions which affect the quality of the human environment.” This regulation was clearly ignored in regards to the potential freight rail re-route issue. Hennepin County did not “encourage and facilitate” public involvement concerning this issue. In fact, Hennepin County refused attempts for public comments and concerns regarding the freight rail issue at all of the outreach meetings listed in table 12.1-1 and all of the community events listed in table 12.1-2. Public comments regarding the freight issue were denied at the 2008 Oct 7, 14, and 23 scoping meetings and the comment period that followed as listed in section 12.1.3.1. Public comments regarding the freight issue were refused at the 2010 May 18, 18 and 20 open houses. Most importantly, public comments regarding the freight issue were denied during the entire LPA section process. This included all of public hearings listed in section 12.1.4.1. In summary, all public comments regarding the freight rail issue were denied at all of SWLRT’s major milestones leading up to the DEIS. Worse, the public was not made aware of the significant environmental impacts caused by SWLRT and the potential freight re-route because the freight issue was not discussed at any of the SWLRT meetings leading up to the DEIS. The only opportunity the public was given by Hennepin County to discuss the freight rail re-route was at the PMT meetings discussed in section 12.1.5. However, any discussion of possible alternatives to the re-route (co-location) or the freight re-route’s connection with SWLRT was strictly forbidden at these PMT meetings. Lastly, the DEIS fails to mention the 2011 April 17 and 28 freight re-route listening sessions that were held by the city of St. Louis Park. Hundreds of St. Louis Park residents voiced their opposition to the freight re-route. Because those opposed to the re-route have been denied comment during the entire SWLRT planning process leading up to the DEIS, the freight rail issue needs to be dropped or significant more work needs to be done on the alternative studies and public outreach.

Thank You,

Name:

Joyce Kautz

Address:

2841 Jersey Ave S

City/State/zip:

St Louis Park, Mn 55426

Telephone:

952-929-8106

E-Mail:

j.kautz@q.com

C

L2

To Whom It May Concern: **Noise and vibration**

JAN 02 2013

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

The proposed action of re-routing freight is described in Chapter 1, Section 1.3.2.3. The MN&S Spur tracks are a lightly used spur line within a high density urban, residential setting and directly adjacent to the St Louis Park Senior High. The current freight occurs five days a week, Monday- Friday, during normal business hours. The proposed action of re-routing freight would introduce mainline traffic and the community, residents, and students will be exposed to longer, heavier trains during weekends, evenings, and nighttime. In detail, the re-route will allow a 250% increase in trains and a 650% increase of rail cars traffic. The increase of freight exposure will directly and negatively impact the community health and cohesion of the neighbors adjacent to the tracks. In addition, there will be negative impacts to the school system and educational quality within St Louis Park, including the decreased safety of students at the High School.

C

Besides my general concerns about the freight rail re-route, the section of the SWLRT DEIS that describes the noise and vibration has flawed methods and conclusions. The vibration and the noise measurements were done with current MN&S traffic. It is important to note that the re-routed freight will be longer, more frequent, and include more locomotives per train.

Vibration, Chapter 4.8.4: The conclusion that vibration will have no insignificant impacts is incorrect. Vibration impacts will be longer in time and the total amount will increase with the heavier freight and additional locomotives.

Noise, Chapter 4.7.5:

Quiet zones: The DEIS fails to describe the real world issues with the quiet zone. The SLP Senior High is both bookended by two blind curves and has athletic facilities on both sides of the tracks. The operating rail company, TC&W, has stated in a public document that it has safety concerns with a quiet zone due to the proximity of the tracks to schools, residents, and businesses. It will be impossible to design a quiet zone that will be both safe for the area while maintaining access for the adjacent Senior High school and local businesses. The quiet zone is listed as mitigation for noise impacts but it is a mitigation that is not supported by the neighborhoods, school board, or the operating rail companies.

C

A quiet zone will not eliminate all noise impacts and the assessment fails to measure other sources:

- the rail to wheel curve squeal from the tight interconnect curve
- the additional noise of the locomotives as it throttles up both the southern interconnect ramp and grade change at the northern connection,
- trains traveling west will need to use their brakes to maintain a slow speed going down grade and through curves
- diminished livability from the introduction of night freight traffic
- the amount of time exposed to the noise impacts of the stationary crossing bells will increase significantly due to increase in train numbers.

The re-routing of freight will negatively impact the safety, livability, and community cohesion of residents, students, and communities. The SWLRT DEIS does not adequately describe the impacts and as such, the freight reroute should not be given any further consideration as a option.

C

Name:

Joyce Kautz

Address:

2841 Jersey Ave S

City/State/zip:

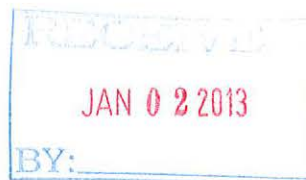
St. Louis Park, Mn 55426

Telephone:

952-929-8106

E-Mail:

j.kautz@g.com



To Whom It May Concern:

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

The proposed action of re-routing freight is described in Chapter 1, Section 1.3.2.3. The MN&S Spur tracks are a lightly used spur line within a high density urban, residential setting and directly adjacent to the St Louis Park Senior High. The current freight occurs five days a week, Monday- Friday, during normal business hours. The proposed action of re-routing freight would introduce mainline traffic and the community, residents, and students will be exposed to longer, heavier trains during weekends, evenings, and nighttime. In fact, the re-route will allow a 788% increase in the number of rail car traffic in this area. The increase of freight exposure will directly and negatively impact community health, cohesion of the neighborhoods adjacent to the tracks and educational quality within St Louis Park Schools. In addition, there will be negative impacts to the community at large. These impacts include but are not limited to, increased noise and vibration, increase in diesel fumes from laboring locomotives, loss of mobility with when multiple crossing are blocked simultaneously, decreased safety for home owners and students at the High School, decreased access to small businesses and a decrease in tax base caused by lower property values in the affected area.

C

I oppose the freight rail re-route as outlined in the SWLRT DEIS. I believe it will create an unsafe and unlivable situation for our school children, our local businesses, and our residents.

Thank you,

Name:

Barbara Nelson

Address:

3445 31st Ave S.

City/State/zip:

Minneapolis, MN 55406

Telephone:

E-Mail:

barbie@iphouse.com



To Whom It May Concern:

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

The proposed action of re-routing freight is described in Chapter 1, Section 1.3.2.3. The MN&S Spur tracks are a lightly used spur line within a high density urban, residential setting and directly adjacent to the St Louis Park Senior High. The current freight occurs five days a week, Monday- Friday, during normal business hours. The proposed action of re-routing freight would introduce mainline traffic and the community, residents, and students will be exposed to longer, heavier trains during weekends, evenings, and nighttime. In fact, the re-route will allow a 788% increase in the number of rail car traffic in this area. The increase of freight exposure will directly and negatively impact community health, cohesion of the neighborhoods adjacent to the tracks and educational quality within St Louis Park Schools. In addition, there will be negative impacts to the community at large. These impacts include but are not limited to, increased noise and vibration, increase in diesel fumes from laboring locomotives, loss of mobility with when multiple crossing are blocked simultaneously, decreased safety for home owners and students at the High School, decreased access to small businesses and a decrease in tax base caused by lower property values in the affected area.

C

I oppose the freight rail re-route as outlined in the SWLRT DEIS. I believe it will create an unsafe and unlivable situation for our school children, our local businesses, and our residents.

Thank you,

Name:

 Mark Scott

Address:

3236 Jersey Ave So

City/State/zip:

St. Louis Pk mn

Telephone:

952-922-4654

E-Mail:

mwscott@tmm.com



Telephone: 952-929-8106 E-Mail: j.kautz@g.com

To Whom It May Concern: (property values)

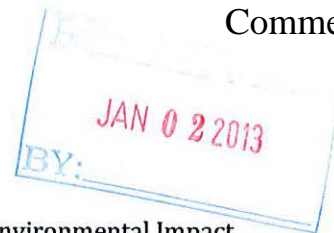
I am writing in response to the Southwest Light Rail Transit (SWLRT) – Draft Environmental Impact Statement (DEIS) published in regard the SWLRT which includes the proposed freight rail re-route in St. Louis Park, Minnesota.

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

C

Besides my general concerns about the SWLRT-DEIS, the portion of the report dealing with loss of property value in the re-route area should be in Chapter 9: Indirect Impacts, but it is not, and this causes me great concern. The SWLRT-DEIS does not mention the impact of re-routed freight trains from a main line freight corridor to a bridge line on property values of the re-route area. Freight rail re-routes are not exclusive to Minnesota and the cost of the re-routes to residents has been documented. For example, according to an article in a 2001 issue of The Appraisal Journal bringing additional freight rail traffic to an area will negatively affect properties 250' feet from the rail tracks by 5-7%. All of the properties along the MN&S are well with in 250'. Based on this article one can conclude that property values along the MN&S will drop more than 7%. Two major questions arise that are not addressed in the SWLRT-DEIS. First, what happens to the tax base of St. Louis Park when the drop in value is realized? Second, how are property owners who lose value because of this government action going to be compensated for their loss? It is unreasonable for the Hennepin County to ask any resident to pay a higher price for the benefits of light rail than others.

Name: Joyce Kautz
 Address: 2841 Jersey Ave S
 City/State/zip: St Louis Park, Mn 55426



To Whom It May Concern: (safety at the high school)

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

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

C

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

C

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

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

Name: Joyce Kautz
 Address: 2841 Jersey Ave S
 City/State/zip: St Louis Park, Mn 55426
 Telephone: 952-929-8106 E-Mail: j.kautz@j.com



To Whom It May Concern: (closing 29th street)

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

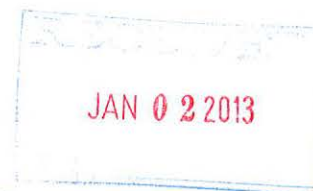
The current SWLRT-DEIS has significant flaws and the planned re-route idea either needs to be dropped completely or a great deal more study must be done. As this action is proposed and described in Chapter 1, Section 1.3.2.3 as rebuilding a little known, lightly-used spur line into a main freight rail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

C

Besides my general concerns about the SWLRT-DEIS, the portion of the report dealing with the closing of the 29th street crossings (Chapter 3/p. 135) causes me the greatest concern. Residents from the Birchwood neighborhood requested on behalf of the Birchwood neighborhood that the grade crossing at 29th Street stay open. According to page 135 of the DEIS the 29th street crossing is being closed as a mitigation measure. However, the closing of the crossing will not benefit the neighborhood; it will, in fact, jeopardize residents because it will make emergency vehicle access difficult—if not impossible—during winter months due to narrowed streets.

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

Name: Joyce Kautz
 Address: 2841 Jersey Ave S
 City/State/zip: St. Louis Park, Mn 55426
 Telephone: 952-929-8106 E-Mail: j.kautz@g.com



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:

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)

N4

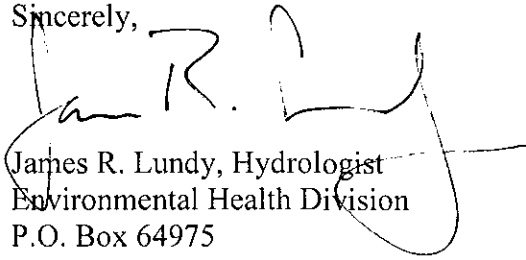
Because the project site overlaps the above-listed DWSMAs and ERAs, carefully plan project activities to avoid unnecessary contamination of the drinking water supplies. In particular the submittal describes temporary and permanent dewatering that may become necessary, and this practice could negatively 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.

N4

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

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

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



From: THE LAKES CITIHOMES

The Lakes CitiHomes consists of 83 townhouses. Many homeowners have resided here since they were constructed in 1984.

We will be substantially affected by both the LRT and the West Lake Station because of our extreme close proximity; both rails and station will be no more than a few hundred feet from our homes.

We have many valid concerns about preserving a quality of life here at the The Lakes. We have chosen to comment on what we feel are the most important issues described in the DEIS.

- 1) Preserving Pedestrian Access in the Neighborhood
- 2) Visual Quality and Aesthetics / Buffers & Barriers
- 3) Support of Freight Rail Re-Route
- 4) Neighborhood Opposition to Park & Ride

Thank you for your consideration,
THE LAKES CITIHOMES ASSOCIATION
3029 Lake Shore Drive
Minneapolis, MN 55416

1)

3.2.2.6 Neighborhoods and Community Cohesion

COMMENT: The infrequency of the current freight trains allow tracks to be easily crossed allowing residences north and west of the tracks to access parks, trails and retail businesses. The natural crossings and paths encourage pedestrian traffic in the area. Proposed LRT will run frequently and clearly alters the linkages within and among the neighborhoods. The Lakes CitiHomes' high - density residential housing will be adjacent to the West Lake Station as well as the proposed line. The casual walking connections need to be preserved for pedestrian connections to retail, activity centers, parks and open spaces. There is also great opportunity to add more natural crossings encouraging local rail riders to walk and bike to the West Lake Station, therefore reducing automobile traffic.

See attached photos:

2)

3.6 Visual Quality and Aesthetics

COMMENT: The Lakes CitiHomes will be heavily affected visually by the LRT and the West Lake Station. Station noise is also an obvious concern for homeowners. Deciduous vegetation, between our homes and the proposed rail line / West Lake Station, is marginal in the summer months and provides no visual barrier in the winter months. Much will likely be removed in construction. Excellent landscape design, including evergreens, land berms, shrubs etc. are crucial for preserving privacy both indoors and outdoors for homeowners. We urge engineers to employ high standards of design to preserve quality of life here at The Lakes CitiHomes. As stakeholders, we ask that our opinions be considered during the planning process.

See attached photos:

E1
E2
P9
M3
N1

N2
E4
O6
M3

3)

Support of Freight Rail Re-Route

COMMENT: The Lakes Cithomes Association supports the freight rail re-route as the only practical option. It is unworkable for freight rail and light rail to share the Kenilworth corridor.

D

4)

6.2.2.4 Transit Station Access

Neighborhood Opposition to Park & Ride

COMMENT: While we understand the necessity for Park & Rides along the suburban stretches of the Southwest LRT corridor, we are baffled by the suggestion of placing one near the proposed West Lake Street Station in a destination neighborhood. The intersections in the vicinity of West Lake Street and Excelsior Boulevard are already oversaturated with automobile congestion. Encouraging even more car traffic into this extraordinarily dense neighborhood by building additional parking would only exacerbate the problem. It would also further worsen the air quality near one of Minneapolis' most scenic locations. And the increased traffic congestion would deter far more people from using the local businesses than if the station were to be accessed only by pedestrians and bicyclists.

E10

P9

I2

Furthermore, a Park & Ride would negatively alter the cultural identity of the neighborhood. The many parks and trails, "green" businesses, and the forthcoming light rail transit itself all help mold West Calhoun into an ecologically progressive neighborhood. To build a Park & Ride here, which, it should be noted, the City of Minneapolis has a policy prohibiting within the city limits, would be a giant cultural step backwards. A Park & Ride built in a destination neighborhood such as this would largely be used by people wishing to visit the second most popular attraction in the entire state of Minnesota, Lake Calhoun, defeating the purpose of using the light rail to get here instead.

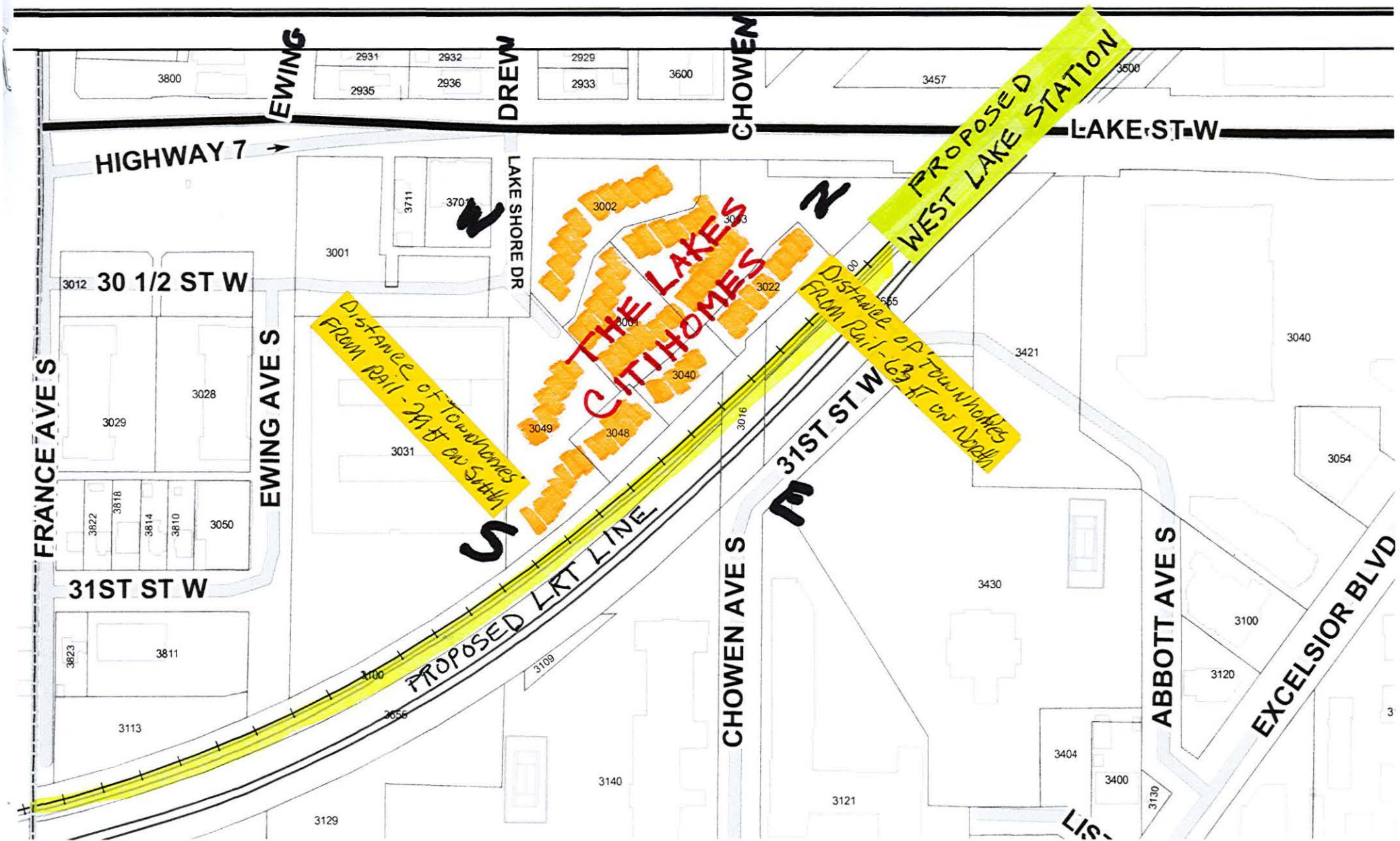
M3

For the above reasons, a Park & Ride at the proposed West Lake Street station would be counterproductive to the sustainability of the neighborhood, the health of its residents, and the very vision of the Southwest Transitway project.



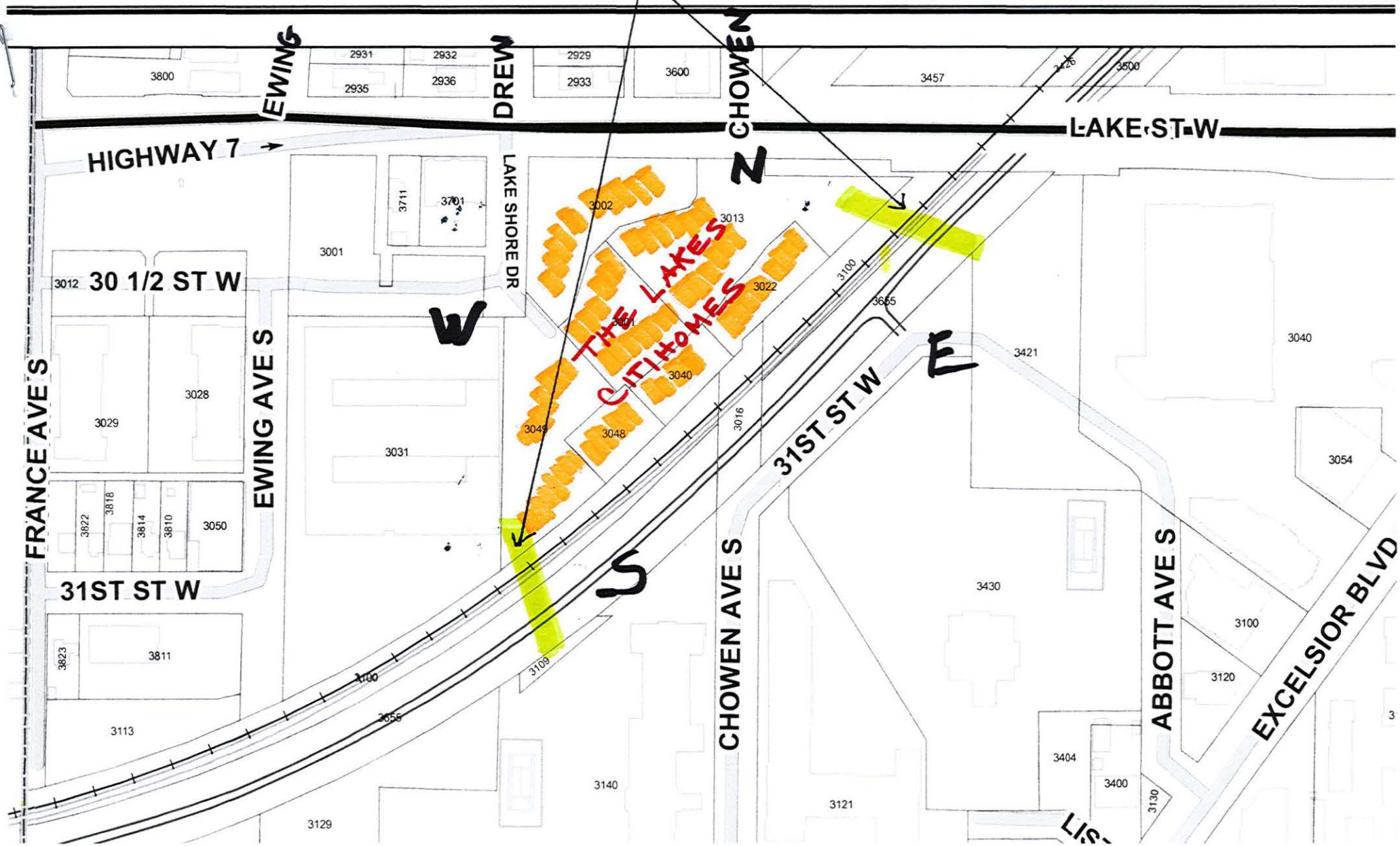
THE LAKES CITHOMES

Proximity to Rails and Proposed West Lake Station





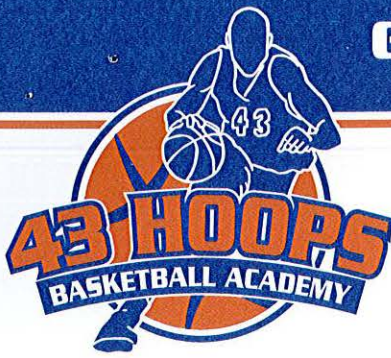
Current Natural Crossings



THE LAKES CITIHOMES ASSOCIATION
3029 Lake Shore Drive
Minneapolis, MN 55416



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



Get Your Game Right!

Comment #778



December 26, 2012

To: Hennepin County
Housing, Community Works & Transit
ATTN: Southwest Transitway
701 Fourth Avenue South, Suite 400
Minneapolis, MN 55415
swcorridor@co.hennepin.mn.us

cc: Marisol Simon, Regional Administrator
Region V Federal Transit Administration
ATTN: Southwest Transitway
200 West Adams Street Suite 320
Chicago, Illinois 60606
marisol.simon@fta.dot.gov

The proposed Blake Station for the Southwest Corridor Light Rail is slated to be located at 1002 2nd St NE, the site currently occupied by 43 Hoops Basketball Academy. We believe, first of all, that this is not the most optimal site for a station intended to serve the surrounding community. Driving to this site from any major freeway or street would require the driver to make multiple turns onto 2nd Street, which is not a major thoroughfare. To improve convenience and reduce congestion, the more optimal location for this station would seem to be on the south side of the tracks, off Excelsior Boulevard (Hwy 3), which is a major thoroughfare.

I2

The 43 Hoops Basketball Academy, moreover, has become an integral part of our local community. First, we bring a thriving business to the local economy. We serve the communities of Hopkins, Minnetonka, St Louis Park, Edina, and Eden Prairie, as well as many other neighboring communities within a 50-mile radius of Hopkins. We have developed successful programs for youth basketball, volleyball, baseball, and soccer. We have served thousands of young adults over the past five years, and for many of them the lessons taught at 43 Hoops have changed their lives. Additionally, we are located in the heart of the Blake Road Corridor, and since we opened in April of 2007, we have been an active member of the Blake Road Corridor Collaborative, a partnership of community and government organizations working to improve the quality of life in the neighborhood. We have thereby developed strong relationships with the Hopkins School District, Hopkins Community Ed, the City of Hopkins, and the Hopkins Police Department. There is no public community center in the area, and we have come to fill that role in many ways. To support the BRCC's mission, we have used our facility to host numerous community meetings, business fares, and even religious gatherings. We have awarded scholarships to area youths to attend our camps, clinics, and training. Last summer, we provided a space for youths and adults in the area to receive a hot lunch through the Hopkins School District. All of this we have done at *no cost*.

I2

M3

I2

If it is deemed necessary to locate a station on the site occupied by 43 Hoops, we would encourage consideration of the following alternative: leave 43 Hoops as is, and utilize the

43 Hoops Basketball Academy

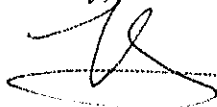
1002 Second St. NE, P.O. Box 157, Hopkins, MN 55343 Phone: 952-294-4667 Web: www.43hoops.org

3750

parking stalls on the site (approximately 150) for LRT users. Our peak parking usage is limited to evenings and weekends, which would likely be off-peak for LRT users. There would be several advantages to this alternative. First, 43 Hoops, a major asset to the corridor, would be allowed to continue serving the community. Second, a significant number of parking stalls (150) would remain available for LRT users. Third, by sharing the site with 43 Hoops, the HCRRA would continue to receive rental income from 43 Hoops – over \$10,000 per month – guaranteeing income for LRT. Even if additional parking were deemed necessary at a later date, there would still be two viable alternatives: (1) secure additional parking on the south side of the tracks (off Excelsior Boulevard), or (2) secure additional parking on the north side, such as the site currently occupied by WH McCoy Gas Station.

We have seen many changes in the Blake Road Corridor over the past five years, most notably a decrease in crime, which we feel is in part a reflection of our commitment to provide the local youth with the opportunity to participate in healthy and productive activities. We recommend that 43 Hoops be allowed to continue serving the Corridor and creating an environment that benefits the local community.

Sincerely,



Tom Schuster
Partner and CFO
43 Hoops, LLC
1002 2nd St NE, Hopkins, MN 55343
tomschuster@43hoops.com



43 Hoops Basketball Academy

1002 Second St. NE, P.O. Box 157
Hopkins, MN 55343

MINNEAPOLIS MN 554

28 DEC 2012 PM 4 L



HENNEPIN County Housing, Com. Wks. Transition

ATTN: SOUTHWEST TRANSITIONARY

701 4th AV. S.

SUITE 400

55415184300 MINNEAPOLIS MN 55415



December 27, 2012

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

Re: Southwest Transitway's DEIS, West Lake Station

To Whom it may concern,

My partners and I own the Calhoun Village Shopping Center at 3266 W. Lake Street. Located at the intersection of Market Plaza Drive and W. Lake Street, just North of Excelsior Blvd. Calhoun Village is adjacent and contiguous to the proposed location of the Southwest Transitway's West Lake Station, near the Lake Street bridge. I want to mention the tremendous development opportunity within the Calhoun Village Property. There is the opportunity of building apartments on our back lot behind Barnes and Noble with an underground parking ramp. There is also vacant land behind our center and contiguous to the land underneath the Lake Street bridge. Thirdly, there is the possibility of building condominiums or apartments above our existing shopping center. I believe this development potential should be considered in determining the exact location of the West Lake Station. There has been discussion of locating the station further to the south and west of the Lake Street bridge. I believe the station should be located closer to Calhoun Village.

E10

M1

I2

G2

As mentioned in the comments from Businesses at The Edge of Lake Calhoun, I share their concerns regarding parking and the accommodation of vehicular traffic during and after the construction of the West Lake Station. We already have parking problems at Calhoun Village and have had to tow many cars, due to people parking in our lot and riding, walking or rollerblading around the lakes or the Greenway Corridor. Ingress and egress to and from Calhoun Village at the intersection of Market Plaza Drive and W. Lake Street can be very challenging during peak traffic hours. I am hopeful that the Southwest Transitway's West Lake Station can be designed and engineered such that the ridership will come from walkers, bikers, roller bladders and buses, in order to minimize the the problems associated with more vehicular traffic to the immediate area.

I2

P4,

P10

E1

Sincerely,

Brad Pfaff



3208 West Lake St #85
Minneapolis, MN 55416

MINNEAPOLIS MN 55416

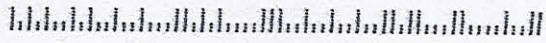
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Hennepin County Housing, Community Works & Transit
ATTN: Southwest Transitway
701 Fourth Avenue South, Suite 400
Minneapolis, MN 55415

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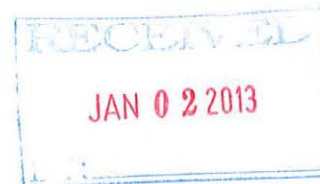
9 Mile Creek

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



**See Comment #621 for
Theme Delineations**

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.
3. Table 2.3-4 lists the Park and Ride Stations Parking Spaces. The development of the Park & Ride stations are not considered linear projects. All impervious surface disturbances and increases will fall under all applicable NMCWD rules.
4. Section 2.3.3.6 – Traction Power Stations. The Traction Power Stations should be included in the project's overall impervious surface calculations. These stations will need to comply with all applicable NMCWD rules.

Board of Managers

LuAnn Tolliver - Minnetonka

Corrine Lynch - Eden Prairie

Jodi Peterson - Bloomington

Steve Kloiber - Edina

Geoffrey Nash - Edina

5. Section 2.3.3.9 – Operations and Maintenance Facilities. All OMFs will need to comply with all applicable NMCWD rules. They are not considered linear projects.
6. Chapter 3 discusses impacts to parks and open spaces but is largely missing any consideration of impacts on wetlands, both those in parks and open spaces, and those not in park lands. The Final EIS should address impacts to wetlands and other water resources in this chapter.
7. Chapter 3 does not discuss the impacts of land use changes on water quality and storm water runoff. What are the impacts of the land use changes on water quality and storm water runoff? This should be address in the Final EIS.
8. Chapter 3 needs to include more discussion on Best Management Practices to mitigate water quality and storm water impacts.
9. Chapter 3 notes that there are no impacts on areas developed for recreational purposes. While the recreational uses may not be impacted, there may be impacts on the water resources and habitat in recreational lands. This section should evaluate the impacts on the water resources and habitat present in recreational areas.
10. Section 4.1 discusses the suitability of soils in the project corridor. This section should also include information on the suitability and capacity of soils to meet NMCWD storm water management and retention requirements.
11. Section 4.1.1 discusses the need for dewater and water appropriations permits. NMCWD requires a permit for water appropriations up to 10,000 gallons per day and up to 1,000,000 per year of water for a nonessential use from a public water basin or wetland within the District that is less than 500 acres in surface size or a protected watercourse that has a drainage area of less than 50 square miles. This should be included in this section.
12. Figure 4.1-8 shows areas of likely dewatering. Birch Island Lake in Eden Prairie is just outside the potential impact area. The NMCWD recently completed a project to restore the water levels of Birch Island Lake and the lake is still susceptible to groundwater impacts. The potential impact area should be expanded to include Birch Island Lake.
13. Section 4.1.61 discussed the need for further geotechnical data collection. Any additional geotechnical data collection and analysis should include an analysis for contamination to determine suitability for storm water retention and treatment.
14. Table 4.2-1 shows the regulatory and permit entities. NMCWD is the Local Government Unit (LGU) for the Minnesota Wetland Conservation Act (WCA) in the cities of Eden Prairie, Edina, and Hopkins but the table does not list this. Please include NMCWD as the WCA LGU for these cities.

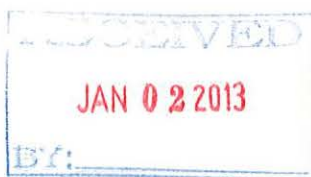
15. Section 4.2.2.2 discusses the need for wetland delineations. All wetland delineations will need to include a Minnesota Rapid Assessment Method (MNRAM) assessment to determine wetland function and value for all wetlands in the vicinity of the project corridor.
16. Please review the NMCWD Wetland Rule for the wetland mitigation and wetland buffer requirements of the NMCWD. The NMCWD requires wetland buffers based on the MNRAM classification on all down gradient wetlands. The NMCWD also has additional wetland mitigation requirements beyond those of WCA.
17. Section 4.2.3.4 – Floodplains. This section describes impacts to the Nine Mile Creek floodplain. NMCWD rules do not allow any fill or impacts to the Nine Mile Creek floodplain without compensatory mitigation. See NMCWD Rule 2.
18. Section 4.2.3.5 – Wetlands and Public Waters. NMCWD regulates impacts to wetlands beyond the MN WCA. Please see NMCWD Rule 3. NMCWD also regulates water body crossings. Please see NMCWD Rule 6.
19. Section 4.2.5 – Mitigation. Floodplain impacts will need to be determined prior to permitting and construction. Floodplain impacts should be evaluated and mitigation needs determined during the design phase of the project prior to submitting to the NMCWD for permit review.
20. Nine Mile Creek is impaired for chlorides and is listed on the State of Minnesota's Impaired Waters list. NMCWD has completed a TMDL for the chloride impairment. The DEIS does not mention the chloride impairment. How will winter maintenance of the rail line, transit stations, park and ride stations, and Operations & Maintenance Facilities be performed to minimize additional chloride impacts? The DEIS should address the chloride impairment.

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,

A handwritten signature in black ink, appearing to read 'K. D. Bigalke', with a stylized flourish at the end.

Kevin D. Bigalke
District Administrator



Central Minnesota Vegetable Growers Association P.O. Box 2006, Inver Grove Heights, Mn. 55076
Office: 612-333-1737 Fax: 651-457-3319 www.mplsfarmersmarket.com

December 19, 2012

Housing Community Works & Transit
Atten: SW Transit Way
701 4th Avenue South
Suite 400
Minneapolis, Minnesota 55415

To whom this may concern,

On behalf of the Central Minnesota Vegetable Growers Association (CMVGA), thank you for the opportunity to comment on the SWLRT EIS.

A member-based, nonprofit association with over 200 members, the CMVGA is proud to operate the Municipal market of the city of Minneapolis, the Minneapolis Farmers Market, directly markets our fruits, vegetables and farmstead products to residents of the 13-county Metro area.

We appreciate the thoughtful, collaborative work that has gone into the EIS, and we look forward to continuing to work together.

Attached please find our comments and submit them into the final records. Thank You.

CMVGA Board Members:

Bonnie Dehn, President
Terry Picha, Vice President
Doug Harvey, Secretary
Xa Lor, Treasurer
Bill Brooks, Board Member
Dave Nathe, Board Member
Chang Vang, Board Member



Central Minnesota Vegetable Growers Association P.O.Box 2006, Inver Grove Heights, Mn. 55076
Office: 612-333-1737 Fax: 651-457-3319 www.mplsfarmersmarket.com

Motion of Support

Southwest Transitway Draft Environmental Impact Statement

The Minneapolis Farmers Market supports the SWLRT DEIS as is. The comprehensive process that produced it has resulted in a document that meets the stated goals and objectives of the project: improving mobility, providing cost-effective and efficient travel option, protecting the environment, preserving quality of life, and, supporting economic development.

A

A significant community asset since 1876, the Minneapolis Farmers Market is a vibrant retail market bustling with visitors seven days a week during the eight-month growing season and on winter weekends. The municipal market of the City of Minneapolis, it is the city's sole farmers market run by growers, the Central Minnesota Vegetable Growers Association (CMVGA), a non-profit association.

M3

In 2012, the Market celebrated 75 years in this location, and its historic red sheds have become a landmark for both residents and tourists. Nationally recognized as one of the top ten farmers markets in the United States, it is a destination for the entire 13-county Metro area and serves up to 10,000 customers on any weekend.



2.1.3

The locally preferred route which sites Royalston Station on Royalston Avenue is ideally sited to provide access to the Minneapolis Farmers Market, Target Field, area residents, and the Downtown business district.

I2

Issue: A proposed rerouting on Border Avenue.

Outcome: As Border Avenue is the actual eastern border of the Farmers Market, this reroute would significantly reduce access to the Market. With access and parking already challenging, the proposed reroute might necessitate relocating the entire Market.

I2

P10

Outcome: Customer access for up to 10,000 customers from Highway 55 to the Market would be lost. The sole remaining automotive access would be by already-clogged West Lyndale Avenue North.

P4

Outcome: Vendor truck access from Highway 55 would be lost. Adding 200+ vendor trucks to the crush of vehicles already backed up on Lyndale Avenue North would bring traffic to a standstill.

P4

Outcome: Without efficient access to Market sheds, vendors will not lease Market stalls. This will result in a loss of income for these small family farmers, as well as a loss of product for customers. Reducing access to fresh, local food is not compatible with the goals of Homegrown Minneapolis.

I2

M2

Outcome: Without vehicular access from Border Avenue, through-traffic within the market would cease, causing gridlock.

I2

P4



Customers would flee in droves, negatively affecting business.

I2

Outcome: A hard-won increase in customer parking on Border Avenue, the result of two years of collaboration between CMVGA and the Minneapolis Traffic Engineering Department, would be lost. Without this close-in parking, customers are unable to carry standard purchases, which are heavy.

M2

Outcome: An outreach program to households who use EBT to purchase fresh fruits and vegetables would end. Without close-in parking, this program, used by over 1000 low-income households a week, will not succeed. This is not compatible with the goals of Homegrown Minneapolis.

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Outcome: The ability of CMVGA to rent parking lots for free customer parking would end.

P10

Outcome: Handicapped parking would be reduced by 50%.

P10

Outcome: Senior ride buses and shuttles would have no place to stop or park for unloading and loading, restricting access for senior citizens who shop the market daily.

P10

Outcome: School tour buses would have nowhere to stop or park, seriously diminishing a thriving school education program.

P10

Outcome: Safety would be compromised with trains running at the foot of the market. An increase in traffic control agents would be necessary to guarantee the safety of patrons. This would be a significant expense.

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Outcome: A study by Center for Urban and Environmental



Studies found the market to be the most diverse public space in Minneapolis; one of the few remaining places where Minneapolitans from all walks of life cross paths. Restricting access would be a loss to the culture of Minneapolis, creating further divisions in an increasingly divided city.

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Outcome: Noise pollution would rise to a level where vendors would be unable to communicate with customers. Any conversation would be difficult; for the 40% of growers who are Hmong, as well as the immigrant customers whose first language is not English, communication will be impossible. This would be an insurmountable handicap.

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3.2

Issue: The Minneapolis Farmers Market is vital as both a regional and a community resource, providing food for the mind, body and soul of our communities.

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Outcome: Recognize this within the EIS.

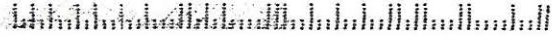


CENTRAL MINNESOTA
VEGETABLE GROWERS ASSOCIATION
P.O. Box 2006
Inver Grove Heights, MN 55076



Housing Community Works + Transit
atten: SW Transit Way
701 4th Avenue South
Suite 400
Minneapolis, Minnesota 55415

5541531843



South West Station, LLC

South West Station Mgmt., LLC

Cheryl L. Boldon, Chief Manager

7887 Fuller Road, Suite 117

Eden Prairie, MN 55344

Tel (952) 934-4135 Fax (952) 934-4419

stmcompany@qwestoffice.net

December 19, 2012

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Page 4-42 4.2.4 Short-Term Construction Effects: "construction activities...may generate sediment laden stormwater...this stormwater runoff...has the potential to affect water quality...BMP's would be used to minimize water quality impacts...the project would include construction of permanent BMP's such as stormwater ponds." See Page 4-43 Mitigation 4.2.5 of impacts to wetlands and Table 4.2-3 and Page 4-44 Summary of Surface Water Impacts.

Page 9-27 9.6.11.1 Trends related to Water resources: "Development...has led to the decline of wetlands because of drainage or filling. More recently, however, developments in suburban areas have

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worked to retain wetland areas. For this reason, wetlands within the study area are most densely concentrated near the proposed western end of the Southwest Transitway, in the vicinity of Segments 1 and 3...The quality of water resources within the corridor has been negatively affected by previous development. Paving and construction for new developments throughout the region, including the study area continue to increase the volume of stormwater runoff by changing ground surfaces from a pervious to an impervious condition. Additionally, these same activities continue to negatively impact water quality because pollutants, deposited on impervious surfaces, are readily transported to receiving waters." Section 9.6.11.2 Anticipated indirect effects: "The anticipated development and redevelopment activities around station areas likely would involve temporary soil disturbance and possible increase in impervious surfaces, which could indirectly impact ester resources." Section 6.6.11.4 Mitigation Page 9-28 "Permanent impacts to wetlands and floodplains will be mitigated according to applicable regulations and temporary and indirect impacts will be mitigated through construction BMP's. RFAAs would follow similar approaches mitigating direct and indirect impacts. No additional mitigation is necessary." A more thorough analysis of impacts at SouthWest Station must be completed and satisfactory mitigation provided.

Air Quality Page 4-76 Mitigation Section 4.6.6: "Temporary impacts from fugitive dust will be minimized or avoided using BMP's. These may include but are not limited to applying water to exposed soil, limiting the extent and duration of exposed soil, and limiting the amount of idle time for construction equipment." We expect the site kept clean from airborne dust and construction debris at all times without exception.

Finally, security issues at LRT stations around the country have greatly increased the number and severity of criminal activities for the neighboring business owners. It appears to me that the DEIS again makes no effort to assume responsibility for the creation of these problems and just adds something else for the landowners and businesses to deal with. Page 3-128 3.7.1.1 "...specific safety and security policies and procedures have not been developed for the SouthWest Transitway." Section 9.6.8 Safety and security Page 9-25 does nothing to address the need for increased safety and security on site due to LRT as it makes the areas adjacent to LRT stops more dangerous. On site security by SouthWest Transitway must be provided at SouthWest Station.

Hennepin County and the City of Eden Prairie want people to believe that the key stakeholders have had some say in the decision to make SouthWest Station a major LRT parking site, when the truth is, we have not. As one of the five original stakeholders brought in to discuss the LRT plan, not one of my many objections has been given due consideration. Worse yet, each revision has made the plan more problematic and intrusive for the existing owners at SouthWest Station. Additionally, when the City of Eden Prairie wanted to set up a business committee to examine LRT plans four years ago, I provided my business card but never heard from anyone.

Page 9-14 to 9-17 Table 9.5-1 shows Resources with potential indirect effects or cumulative impacts. I believe what applies to us: Acquisitions and displacement/relocations, visual quality and aesthetics, safety and security, Geology and groundwater resources, Water resources, air quality, noise, vibration, economic effects, development effects, transit effects, and effects on roadways. Page 9-21 Section 9.6.4.4 Mitigation "All acquisitions associated with the proposed project (direct impacts) would be mitigated through applicable relocation assistance program...No other mitigation for indirect effects and cumulative impacts is proposed." Section 9.6.7.2 Page 9-24 Anticipated indirect effects: Changes to the visual character of the areas around the Southwest Transitway would occur." Section 9.6.7.3 "...SouthWest Transitway project will cumulatively change the views in the study area...and would not be considered adverse impacts (See Table 9.6-1). This assessment is flawed as is not addressing mitigation for direct effects, indirect effects and cumulative effects within the DEIS. SouthWest Station will be one of the hardest impacted sites along the line and yet appropriate mitigation has not been made nor has eminent domain been correctly applied.

Over 40% (\$10.52/square foot or \$147,963.00 for just the retail strip housing Caribou, Dickey's, Chipotle, Noodles, and the former D. Brians) of SouthWest Station, LLC's base rent is real estate taxes, and I was told this was the number one stumbling block for renting vacant space. As such, the

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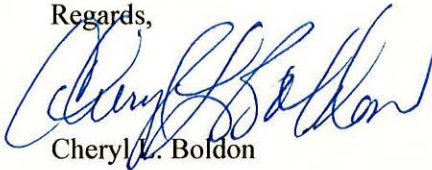
governmental agencies need to recognize where their annual budget dollars come from and respond accordingly by protecting property owners' interests throughout the DEIS and elsewhere. Given the burdensome nature of SouthWest Station real estate taxes, one has to ask why the DEIS specifically ignored SouthWest Station business disruptions and failed to adequately provide mitigation, if it provided any at all. If the LRT line did not go along Highway 5 at this point, removing the stop at SouthWest Station altogether, SouthWest Station would remain the vital and vibrant center it is today. There are significant issues and losses related to the detrimental short-term and long-term impacts and cumulative impacts of the proposed LRT on SouthWest Station known and unknown, seen and unforeseen, asserted and unasserted, alleged and unalleged, visible and invisible that supports an inverse condemnation of SouthWest Station.

N12

Lastly, I'd like to point out that the 1A alignment should be the preferred alternative if given its due consideration. Its transit path has already been created with tax payer dollars, so taxing us twice to create a more expensive, less viable, and slower option seems unthinkable. Therefore, the LRT 3A alignment should be removed from further consideration. Alternatively, the line could end prior to SouthWest Station.

G1

Regards,



Cheryl L. Boldon

South West Station, LLC
South West Station Mgmt., LLC
7887 Fuller Road, Suite 117
Eden Prairie, MN 55344



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



JAN 02 2013

Draft Environmental Impact Statement Comment Form

Southwest Transitway Project

Federal and state environmental rules require that an Environmental Impact Statement (EIS) be prepared for the proposed Southwest Transitway project. The EIS process includes the preparation of a Draft Environmental Impact Statement (DEIS), which must be made available for public review and comment.

The DEIS discusses: (1) the purpose and need for the project; (2) the alternatives considered; (3) the impacts of these alternatives; and (4) the agencies and persons consulted.

Comments on the DEIS will be accepted through December 11, 2012. All comments must be received by that date. Please include a return mailing address with all comments.

Public hearings on the DEIS will be held in November 2012. To learn more about the hearings, please visit www.southwesttransitway.org

It is my personal opinion that the historic fabric of Kenwood would be destroyed if

E10

the plan to TEAR DOWN 90 homes to provide space for the co-location of

M3

the light rail traffic and the freight traffic, as well as for

I2

park and ride parking for commuters here in Kenwood. This historic area

should be preserved. The trails for walkers and bikers should be preserved for our

S3

S4

citizens. Our Lake of the Isles area serves to attract nature lovers of all

ages. Kenwood has preserved a unique and valuable urban environment. The

N1

home-owners here have done this for over a

century. The proposed tear downs & relocation would destroy this.

Name: MRS. MARIAN BAGLEY

Address: 2107 KENWOOD PARKWAY

City/State/Zip: MPLS MN 55405

Telephone: 612 377 5162 Email:

Thank you!



SOUTHWEST
transitway

Fold here

Audubon
 Ayers Bagley
2107 Kenwood Pkwy
Minneapolis, MN 55405

MINNEAPOLIS MN 554

31 DEC 2012 PM 5 L



Hennepin County

Housing, Community Works & Transit
ATTN: Southwest Transitway

701 Fourth Avenue South, Suite 400

Minneapolis, MN 55415

55415184300



Fold here

**The Residents of Calhoun Towers
3430 List Place
Minneapolis, MN 55416**



December 17, 2012

Dear Hennepin County, Met Council and Elected Officials,

This letter is being sent to you from the residents of Calhoun Towers, occupying 107 units in the 22 story building in the West Calhoun Neighborhood of Minneapolis.

We are requesting that further investigation be done on the environmental impact of placing a Light Rail Station for the Southwest Light-Rail Transit line in the proposed "West Lake Station" location. Many of us are actually proponents of the Southwest Light-Rail Line. However, we have concerns specifically related to the increased traffic and parking congestion that will be created.

Over the past few years, we have noted a dramatic increase in traffic congestion, street litter and trash, parking congestion, annoyingly bright nighttime lighting and ever-present construction noise. The area is literally booming with residential and retail expansion, all crammed into a very tight geography.

With the completion of the new apartment tower being constructed on South Chowen Avenue for 180 new units, residents, we are apprehensive about how quickly this neighborhood will have transformed from a quaint and attractive area to one that is overloaded with too many people and vehicles for the space available.

According to the Star Tribune, the Calhoun / Isles / Harriet parkway corridor is by far the most heavily used park system in the Metro area, drawing over 5 million visits annually. Also, the West Lake Street / Excelsior Boulevard/ Dean Parkway/ West Calhoun Parkway traffic corridor is the most highly used thoroughfare in Hennepin County with traffic counts of 39,000 cars daily. This area continues to become more and more congested with commuters and shoppers. The retail growth over the last several years has created far too few parking spaces to accommodate the people traffic it has drawn.

While we, as Calhoun Towers residents, do draw benefits from the retail convenience, we also are forced to live with disadvantages of simply too many people trying to park or drive in too small a space. To witness what we experience, we invite you to visit our building during afternoon rush hour... it is very difficult to pull out onto Excelsior Boulevard, if not impossible, and there isn't enough space to accommodate all of the turning and waiting at semaphores. It must be a concern for the area fire station as well.

We want to be advised and informed to any decisions made regarding the placement of the West Lake Station and the ultimate parking position and traffic flow the station will create.

Signed by the Residents of Calhoun Towers
(Signatures available upon request)
Email: calhounLRT@gmail.com

I2

P4,
P10

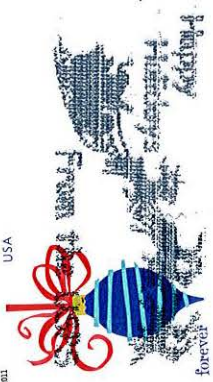
E1

M3

L1

Calhoun Towers Residents
3430 List Place #1501
Minneapolis, MN 55416

MINNEAPOLIS MN 554
31 DEC 2012 PM 4 L



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



Catherine and George Puzak
1780 Girard Ave. S.
Minneapolis, MN 55403
cell 612-250-6846, h 612-374-3624
greenparks@comcast.net

December 30, 2012

**See Comment #617 for
Theme Delineations**

Hennepin County
Housing, Community Works & Transit
ATTN: Southwest Transitway
701 Fourth Avenue South, Suite 400
Minneapolis, MN 55415
via US mail and email to swcorridor@co.hennepin.mn.us

Re: Comments on the Southwest Transitway Draft Environmental Impact Statement

Dear Project Manager:

Please accept these comments on the Draft Environmental Impact Statement (DEIS) for the Southwest Transitway (LRT) project. The comments first address freight rail and LRT track siting issues. Subsequent comments discuss specific Minneapolis locations within the corridor.

Consistent with the DEIS recommendation, freight rail should be rerouted from the Kenilworth Corridor to a different freight rail corridor. Operating both freight and light rail in the Kenilworth Corridor would irreparably harm natural green space. It would destroy sixty homes. It would also eliminate highly used non-motorized recreational and commuter trails. By rerouting freight rail, the outcome of preserving this tranquil, park-like corridor and water channel may be achieved.

Outcomes of LRT track siting: LRT tracks should be placed to preserve as much open space as possible for people, wildlife, and nature. LRT tracks should also allow as much space as possible for mitigation on both sides of the LRT line, especially where residential properties are on both sides of the corridor. These outcomes produce two recommendations.

First, north of Franklin Avenue and below the Kenwood water tower, LRT tracks should hug the base of Kenwood bluff. This design places the tracks on the east side of the corridor. It makes trails and paths into a continuous loop around Cedar Lake without rail obstruction. This "cutting the corner" design would shorten the route and travel time to downtown Minneapolis. The base of Kenwood bluff would absorb noise and vibrations. Most importantly, it would achieve the outcome of preserving open space ("Conservancy") between the SW LRT, the north-east corner of Cedar Lake and the Burlington Northern rail line for people, wildlife, and nature.

Second, between Franklin Avenue west and west Lake Street, LRT tracks should be sited in the center of the corridor. This placement would allow space for mitigation on both sides of the SW LRT line, where it is in closest proximity to peoples' homes.

Comments on Specific Minneapolis Locations

1. Cedar Lake Regional Trail and SWLRT Crossing Area

Outcome: The Cedar Lake Regional Trail, Kenilworth Trail and Cedar Lake pathway should provide a continuous uninterrupted loop around Cedar Lake similar to the loop trails around Lake of the Isles, Lake Calhoun, and Lake Harriet. If the Kenilworth Trail remains east of the LRT tracks, trail users will be forced to cross tracks where 250 LRT trains/day will be passing. Trail users circulating Cedar Lake should have the same safe, efficient, and pleasant experience offered by the regional paths around the other three lakes in the regional trail system. If the Cedar Lake or Kenilworth trails cross the SW LRT line, the trails should be grade-separated from the LRT line.

2. Intersection of West 21st Street and SW LRT tracks

Outcomes: Uninterrupted access to east Cedar Lake beach and to homes on the 2000 block of Upton Avenue South. Station design should enhance safety for Cedar Lake Park users and local residents. Cedar Lake Park and the surrounding corridor should maintain their “up-north” feel. They are quiet spaces with multiple layers of vegetation—grasses, bushes, and trees. An estimated 250 LRT trains/day will mar the tranquil, green setting of this area. Tunneling or trenching LRT tracks and land bridging over them would best mitigate the visual and noise pollution caused by LRT service in this area.

3. Kenilworth Channel and Bridge

Dredging the Kenilworth Channel helped form the Chain of Lakes as a historic and regional amenity. **Outcome:** People and wildlife that are experiencing this area should enjoy naturally occurring lights and sounds. **This location is unique in its lack of artificial light.** No street-grid lighting is located here, due to the expanse of lake water, park land, and open space. Headlights from LRT trains during dark hours would forever change the character and night sky experience of this unique urban space.

4. Cedar Lake Parkway-Grand Rounds

Outcome: Preserve the integrity of the Grand Rounds National Scenic Byway by maintaining the ambiance, views, and park experience at south end of Cedar Lake and Beach. An LRT bridge of Cedar Lake parkway is insufficient. It would spread noise and block views. It would also be visually jarring and inconsistent with the park setting. Tunneling or trenching LRT under Cedar Lake Parkway would minimize the adverse effects at this unique intersection.

Outcome: Provide a continuous, safe, and pleasant trail experience for Kenilworth Trail users at Cedar Lake Parkway. The Kenilworth Trail should be grade-separated from traffic on Cedar Lake Parkway-Grand Rounds. If the trail is on the west side of the LRT tracks, it could directly connect to the South Cedar Beach and provide a continuous trail loop onto the Cedar Lake Pathway at South Cedar Beach. Going south after crossing Cedar Lake Parkway, the trail could use a landbridge to ramp over a depressed LRT line. The Kenilworth Trail would switch to the east side of the LRT tracks, providing access to Park Siding Park and then continue south to intersect with the Midtown Greenway.

Conclusion

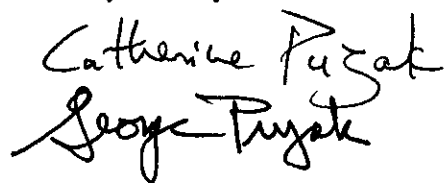
Given the Kenilworth Corridor's value as a critical greenspace and waterway connector and as a non-motorized recreational and commuter pathway, LRT impacts must be substantially mitigated. Minneapolis has a history of mitigating impacts from rail traffic. A nearby example is the 2.8 mile east-west depressed rail trench from Cedar to Hennepin avenues. More recently, Minneapolis built a tunnel for new LRT service at the airport. These examples should apply to any LRT routing through Kenilworth.

One component of the mitigation should include a rail tunnel from Lake Street to Franklin Avenue or to I-394. The length would be approximately one mile. The tunnel would go under Cedar Lake Parkway, the Kenilworth Channel, and West 21st Street. The tunnel would resurface in the open space below Kenwood Hill and the historic water tower.

A tunnel in Kenilworth is essential to mitigate the impacts of 250 daily LRT trains in this sensitive corridor. A tunnel would follow Minneapolis' precedent of rail trenching. It would minimize traffic congestion at Cedar Lake Parkway, a **National Scenic Byway**, and at West 21st Street. Most importantly, the tunnel would help preserve natural assets of regional and state significance—the Kenilworth greenspace, the Minneapolis Chain of Lakes Regional Park, and Cedar Lake Park Wildlife and Nature Preserve.

An LRT route connecting Minneapolis to southwest Hennepin County is a 100-year decision. The environmental impacts of LRT service must be carefully considered. Substantial and meaningful mitigation must be designed, funded, and implemented for the SW LRT line to achieve its full potential.

Thank you for your consideration.

The block contains two handwritten signatures in black ink. The top signature is 'Catherine Puzak' and the bottom signature is 'George Puzak'. Both are written in a cursive, flowing style.

Catherine and George Puzak

1780 Girard Ave. S.
MINNEAPOLIS MN 55403



HENNEPIN COUNTY
HOUSING, COMMUNITY WORKS & TRANSIT
ATTN: SOUTHWEST TRANSITWAY
701 4th Ave. South, suite 400
MINNEAPOLIS, MN 55415



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

**See Comment #499 for
Theme Delineations**

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:

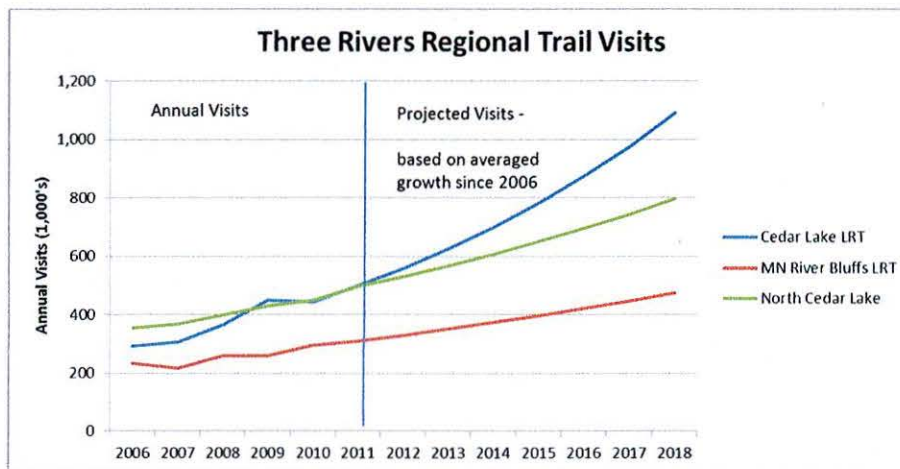
- Pages 6-52 & 6-53 refer to trail use estimates, and Table 6.3-3 provides two-hour snapshots of use. The DEIS trail use estimates do not provide an accurate picture of actual trail use. The Metropolitan Council conducts and publishes an annual use estimate for each park and trail within the regional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

- 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.

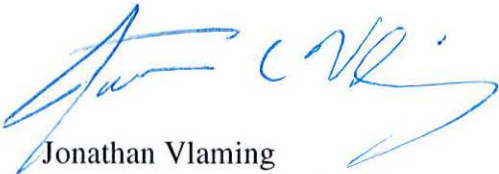
As proposed in the DEIS Appendix F: MN&S Freight Rail Study, the North Cedar Lake Regional Trail will cross the new rail line via a trail bridge. It is unclear how this bridge will be funded. In addition, operation and maintenance of bridges can have significant ongoing costs. As part of the planning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

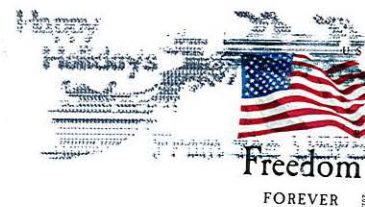


Jonathan Vlaming
Associate Superintendent
Planning, Design & Technology
jvlaming@threeriversparkdistrict.org
763-694-7632

JV/jjs



RECEIVED
JAN 02 2013
BY: _____



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

4156143 003





Larkin Hoffman Daly & Lindgren Ltd.

1500 Wells Fargo Plaza
7900 Xerxes Avenue South
Minneapolis, Minnesota 55431-1194

GENERAL: 952-835-3800
FAX: 952-896-3333
WEB: www.larkinhoffman.com

December 28, 2012

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

**See Comment #791 for
Theme Delineations**

Re: Comments on the Draft EIS for the Southwest LRT Line on behalf of SFI Ltd.
Partnership 54 ("Owner") of the Claremont Apartments located 10745 Smetana Road,
Minnetonka, Minnesota; Our File No. 36,292-00

This Firm represents the Owner of the Claremont Apartments located immediately adjacent to the proposed route of the Southwest Transitway ("Southwest LRT"). This letter is written to submit specific technical comments and concerns regarding the proposed location of the Southwest LRT and to strongly urge public officials responsible for planning the Southwest LRT to consider an alternative route through the Opus Business Park to minimize the impact on public trails and sensitive multi-family residential housing.

I have enclosed the technical memorandum of Jerry Kavan, Project Manager for the Claremont Apartments, which details a number of negative impacts due to the placement of the Southwest LRT line approximately 90 feet from the Claremont Apartments. These impacts include a high level of noise, vibration, adverse light and similar impact, exacerbated due to the high frequency of trains proposed to run 21 hours per day, seven days per week.

The Owner of the Claremont Apartments has invested millions of dollars to upgrade the units, buildings and site which has greatly improved rental income from the property. The proposed route calls for construction of a double rail line directly adjacent to the Claremont Apartments. This location raises serious concerns for the quality of life of residents of these apartments, dramatic loss in rental income, and potential subterranean impact to the building structure.

Without repeating the attached technical memorandum, the operation of the Southwest LRT will create an almost constant impact on the Claremont Apartments, including visual impact from lighting in what is now a darkly forested area, noise from electric engines, train wheels, train horns and train cars from an estimated 2,324 train operations each week, and vibration in an area that has been identified in the 2009 preliminary environmental impact report with soil conditions that transmit vibrations stronger than "normal."

In conclusion, we strongly urge the public officials responsible for the Southwest LRT to pursue an alternative route through the Opus Business Park (as shown in Exhibit C in the attached Technical Memorandum). This route is much more appropriate than the route adjacent to the

Claremont Apartments given the employment base that resides there during daytime hours and the lack of nighttime noise and lighting impact on those land uses. This alternate route may well serve to minimize the substantial negative effects on both the public trail system and the Claremont Apartments. In short, the most costly alternative for this segment of the Southwest LRT is adjacent to the Claremont Apartments because of the real and considerable damages that construction and operation of the LRT line will cause to this sensitive residential land use.

We request the opportunity to meet with those responsible for construction and operation of the Southwest LRT line to discuss reasonable alternatives to the proposed route, as well as a substantial package of mitigative measures to address the impact identified in the DEIS and summarized in the attached technical memorandum.

Thank you.

Sincerely,



William C. Griffith, for
Larkin Hoffman Daly & Lindgren Ltd.

Direct Dial: 952-896-3290
Direct Fax: 952-842-1729
Email: wgriffith@larkinhoffman.com

Enclosure

cc: Members of the Metropolitan Council (by e-mail with enclosures)
Members of the Hennepin County Regional Railroad Authority (by e-mail with enclosures)
Members of the Minnetonka City Council (by e-mail with enclosures)
Elise Durbin, Community Development Supervisor, City of Minnetonka (by e-mail with enclosures)

Memorandum

To: SFI Ltd. Partnership 54

From: Jerry Kavan, Project Manager

Date: December 28, 2012

Re: Summary of Potential Negative Impact of Planned Southwest Light Rail Transit System on Claremont Apartments owned by SFI Ltd. Partnership 54 located 10745 Smetana Road, Minnetonka, Minnesota

General Information: (See Exhibit 'A')

The Claremont Apartments is a 330 unit apartment community which has recently undergone extensive building site and unit upgrades. The Owner has invested millions of dollars making significant improvements including the addition of washers and dryers in each unit, kitchen improvements, installation of a fire sprinkler system, hallway, lobby and elevator upgrades, site improvements and the construction of a high end Clubhouse complete with a large fitness center, an urban café and leasing office. It has been the goal to make this a premiere property within the Twin Cities. The higher rents achieved at the property has validated the capital improvements that ownership has made.

The Twin Cities area, under the direction of the Metropolitan Council and Metro Transit, with the Hennepin County Regional Railroad Authority (HCRRA) as the lead agency, will be constructing a Light Rail Transit System throughout the southwest portions of the metropolitan area starting at the far reaches in Eden Prairie and ending at the Target Center in downtown Minneapolis at a joint station with the existing light rail lines. The route is 15 miles long and includes 17 stations. The closest station to Claremont Apartments will be immediately south at Bren Road West, approximately 1/3 mile from the property. To the north of the Claremont the next station will be south of Excelsior and east of Shady Oak Road, roughly one mile from the property. No intermediate stations or access points will be allowed anywhere along the route.

The City of Minnetonka is a participating agency in the development of the LRT System and has an appointed contact person that has been working on this with the Metropolitan Council for over ten years, Elise Durbin. According to Ms. Durbin, the City has and will continue to conduct public discussions as the new information becomes available and as Preliminary Engineering reaches advanced levels, so that the citizens can be informed and have input before the design is finalized (although the route is now finalized). The City is concerned about the at-grade crossing at Smetana Road adjacent to the Claremont and has determined to

influence the design of this crossing to minimize impact to the neighboring properties as much as possible.

Timetable:

The Draft Environmental Impact Statement (DEIS) has been released to the public for review and comment. Comments are due December 31, 2012 from the public. Preliminary Engineering has begun, and will evolve in response to public comments. The goal is to begin construction in 2014 and start rail operations in 2018.

Route at the Claremont: (See Exhibit 'B')

The route has been established which places the double rail line directly behind the multifamily buildings at Claremont, within 90 feet of most of the buildings. This raises serious concerns for the quality of life for the residents of these apartments. There are five buildings at this community, each with three stories of apartments over a subterranean parking basement. Over half of the apartments at the Claremont face the existing trail to the southwest. The new Light Rail Transit System will be constructed next to this trail and therefore will directly impact all of these apartments on the trail side of the buildings. To exacerbate the impact, initial design information places the trail and LRT are at an elevation in line with the second floor of the three stories of apartments, meaning that sounds created by the passing trains will equally impact all floors and all units.

Operating Hours and Frequency of Trains Passing the Property:

The operational hours for the LRT are reported to be from 4 AM to 1 AM, twenty-one hours per day, 7 days per week. The train frequency EACH WAY will be every 7-1/2 minutes during peak times in the morning and evening (6:30 am to 9:30 am, and 3:30 pm to 7:30 pm), then every ten minutes between the peak hours and every half-hour outside of those times. This equals **332** train passings per day. Due to this high frequency, any visual, noise and vibration impacts from the LRT will have very serious impact on the Claremont.

Impact to the Claremont:

Following are types of impact identified in the initial review of the DEIS and elaboration on each. This is not intended to be a comprehensive list until further review by professional consultants can be obtained:

INTERIM IMPACTS:

1. Construction Disturbance: Directly behind all five buildings construction activities will impact the quality of life for 171 apartments including: tree removal, grading operations, soil compaction operations, and track installation throughout the construction period of over two years.
2. Loss of Tenants: The majority of the tenants facing the Trail selected their units for the peaceful, quiet and serene forest atmosphere outside their windows and will not renew their leases. In addition, they currently pay an increased rent versus the same unit on the opposite side of the building, called a 'View Premium'. Once construction starts tenants

will object to paying this extra cost. In addition to this loss savvy tenants will request a discount from the normal rate, since this side of the building will be less desirable now.

3. Transitional increase in vacancy rate: Tenants that leave because of the construction and the imminent Light Rail operations will not be easily or readily replaced. Transit-Oriented tenants that may desire this location for the transit proximity will not consider this property until the LRT is operational and even then would prefer a unit away from the rails. This increased vacancy period will span the years it will take for the LRT construction to be completed, likely from 2014 to 2018; this reduced occupancy will result in a significant drop in revenue.

PERMANENT IMPACTS:

1. Visual: (332 trains a day, 2,324 trains a week)
 - a. The LRT rails will be installed at roughly the second floor level of the three story buildings, therefore all units on all floors will have visual impact including the sight of trains frequently passing by the windows at roughly 90 feet away.
 - b. A second visual impact will be the headlamps of the trains sweeping the building windows at night as they pass through the curve in the tract to the southwest
 - c. Lights visible from inside the commuter rail cars passing by at night will impact all 171 units. Instead of dark forested areas outside their windows, there will be a regular pattern of the lighted cars passing right-to-left and left-to-right with only a three hour cessation in the middle of the night.
 - d. Perhaps the strongest 'visual' impact will be the psychology of the Tenants as they realize that hundreds of light rail passengers will be passing by each day and night directly outside their windows, with nothing better to do than stare at the apartment buildings, meaning that blinds or shades must be kept closed at all times.
2. Noise: (332 trains a day, 2,324 trains a week)
 - a. Sound of the electric engines as the multi-car train passes by the apartment windows at roughly 90 feet away.
 - b. Sound of the train wheels as the multi-car train passes by the apartment windows
 - c. Screech of the train wheels as the train enters the curve in the tracks directly southwest of the property within 180 feet of the nearest apartment windows
 - d. Train Horns blasting as each train approaches the at-grade crossing of Smetana Road at Feltl Road which will occur for both the northbound and the southbound trains. The horns will blast when the train is less than 100 feet away from two of our buildings for all northbound trains, and 650 feet away from all southbound trains. A typical train horn sound consists of a combination of four long and short blasts which lasts 20 to 25 seconds at a sound level of 99 decibels. During Peak Hours this will occur every seven and a half minutes. (NOTE: The City of Minnetonka currently has a 'Quiet Zone' ordinance in effect that requires operating train traffic within the city limits to avoid horns at all crossings that have been constructed to qualify for 'Quiet Zone' status. The City does not know if this LRT project or the Federal standards for LRT operations will be able to comply with the

ordinance as the at-grade crossing sits on the border between Hopkins and Minnetonka.)

- e. Train Horns as the Southbound LRT approaches Opus Station at the road crossing just north of the station will begin while the LRT is adjacent to the southernmost building on the property.
 - f. Train Horns as the Northbound LRT leaves Opus Station at the road crossing just north of the station with the horns pointing north directly at our buildings which will be approximately 1,100 feet north and will be audible inside the units in the first two southernmost buildings on the property, possibly more.
 - g. Warning Bell ding as the railroad crossing gates at Smetana Road close every time a northbound or southbound train approaches. These gates are 520 feet from our nearest building and an average of 1,250 feet to all units. With the construction of the rail system all trees between this crossing and the buildings will be eliminated allowing a direct line for the noise. Warning Bells could be sounded the entire time the gates remain in the down position at a sound level of 88 decibels, which will be clearly audible within the units, even some of the units on the opposite side of the buildings from the tracks. This will occur every seven and a half minutes during Peak Hours.
 - h. Warning Bell ding at the railroad crossing gates immediately south of the property at Bren Road every time a northbound or southbound train approaches or leaves Opus Station. These gates are 1,300 feet from our nearest building and an average of 1,850 feet to all units. With the construction of the rail system all trees between this crossing and the buildings will be eliminated allowing a direct line for the noise. Warning Bells could be sounded the entire time the gates remain in the down position at a sound level of 88 decibels, which will be clearly audible within the units, even some of the units on the opposite side of the buildings from the tracks.
 - i. I have yet to determine if there will be noise impact on the rest of the units within the community which are not located adjacent to the proposed line.
- j.
3. Vibration: (332 trains a day, 2,324 trains a week)
- a. According to the Federal Transit Authority, Light Rail Transit Systems create unnatural vibrations that are well above the perception levels of human beings. The existing setting at the Claremont is devoid of vibration sources and the introduction of frequent periodic vibration generated by each passing train will be very noticeable to the residents as rumbling, window rattling, or floor movement.
 - b. The initial preliminary Environmental Impact report created in 2009 related to this specific LRT System states that the soils along the majority of the route are not 'normal' but instead calling them 'efficient' in terms of transmitting vibrations, which would make the vibration impacts stronger than normal.
 - c. It is unclear at this point if the vibrations could be sufficient to cause concern for the foundations and parking basement construction at the property. There is a potential for building damage in the long term from the high frequency of vibration impact.

4. Economics:

I would recommend that consultants be hired to determine the extensive, negative economic impact that the Claremont Apartments will suffer if the LRT system is located as proposed.

5. Recommendation for Alternative LRT Route through Opus Business Park

The DEIS identified an alternative route to the route through the public trail corridor and immediately adjacent to the Claremont Apartments. HCCRA, Met Council and Metro Transit should strongly consider an alternate route from Smetana Road southward to the Opus Station. This alternative would construct the LRT line along Feltl Road through part of the Opus Business Park avoiding sensitive public trails and multifamily residential housing. In public comments, the Claremont Apartments have been described as one of the most negatively affected land uses in Minnetonka. (Please see the attached Exhibit C showing the approximate path of this alternate route.) In any case, HCCRA, Met Council and Metro Transit should comply with the City's ordinances requiring a "quiet zone" in proximity to the Claremont Apartments.

Resources:

1. Metropolitan Council Website for the Southwest LRT System:
<http://www.metrocouncil.org/transportation/SW/SouthwestLRT.htm>
2. City of Minnetonka Website Document: Southwest Transit Way Station Area Planning Presentation:
http://www.eminnetonka.com/news_events/show_project.cfm?link_id=southwest_station_area_study&cat_link_id=Planning
3. Interview with Elise Durbin, Community Development Supervisor for the City of Minnetonka on May 14, 2012.
4. Interview with Matthew Murello, President of Lewis S. Goodfriend & Associates, Acoustical Consultant and DEIS Engineer of Record for the Hudson-Bergen LRT, a New Jersey 21 mile LRT adjacent to Manhattan. Interview occurred May 9, 2012.
5. Federal Transit Administration 'Transit Noise and Vibration Impact Assessment,' 2006.
6. Southwest LRT Technical Memorandum No. 9 ENVIRONMENTAL EVALUATION, September 9, 2009.
7. Southwest Transitway Draft Environmental Impact Statement, Approval Date of 9/25 and 26/2012 as prepared by USDOT, FTA and the HCCRA et al.

EXHIBIT 'A'
SOUTHWEST LIGHT RAIL TRANSIT SYSTEM ROUTE MAP IN MINNETONKA

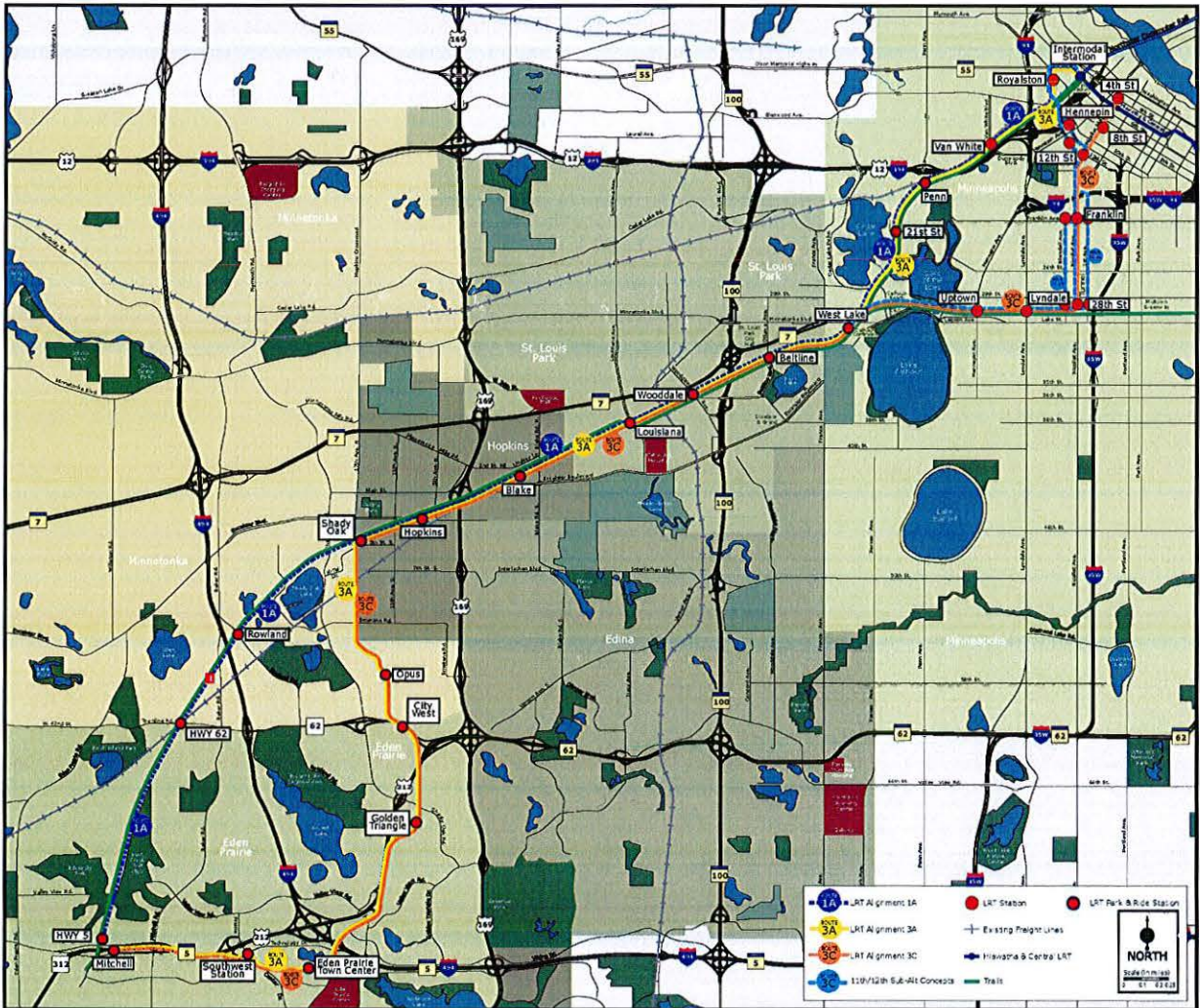


EXHIBIT 'B'
SOUTHWEST LIGHT RAIL TRANSIT SYSTEM ROUTE NEAR THE CLAREMONT
(Note: This will be a Two-Track System not single track as shown)

Southwest LRT Alignment Video



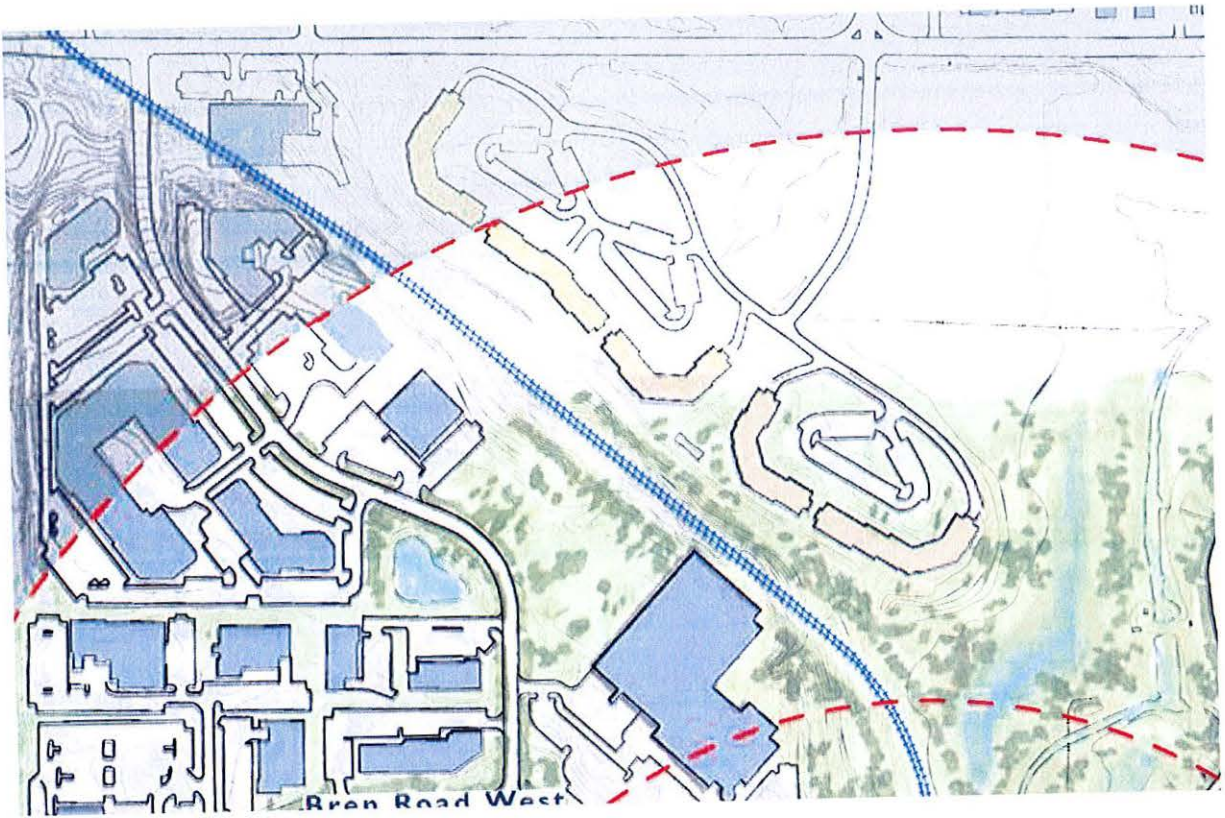


Exhibit C

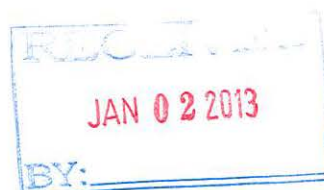
Alternative Route through Opus Business Park



Larkin Hoffman Daly & Lindgren Ltd.

1500 Wells Fargo Plaza
7900 Xerxes Avenue South
Minneapolis, Minnesota 55431-1194

**Larkin
Hoffman**
ATTORNEYS



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



Bryn Mawr Neighborhood Association
452 Newton Avenue South
Minneapolis, MN 55405
www.bmna.org

See Comment #393 for Theme Delineations

December 19, 2012

Hennepin County
Housing, Community Works and Transit
ATTN: Southwest Transitway
701 Fourth Avenue South, Suite 400
Minneapolis, MN 55415
swcorridor@co.hennepin.mn.us

Re: Bryn Mawr Neighborhood Association (BMNA) Comments on the Southwest Transitway Draft Environmental Impact Statement

Dear Project Manager:

The Bryn Mawr Neighborhood Association (BMNA) appreciates the opportunity to respond to the Draft Environmental Impact Statement (DEIS) for the Southwest Transitway project. The BMNA formed a committee to review the DEIS and present these findings. This committee held a public meeting to review what would be presented. Members of the committee also presented issues of concern at the Hennepin County public hearing held on November 13 and at the December BMNA Board Meeting on December 12.

The BMNA has a long record of supporting light rail and has been active in its support of the Southwest Transitway system. Bryn Mawr sees great potential benefits from light rail for Bryn Mawr and Minneapolis and strongly supports the Southwest Transitway project and the findings of the DEIS. We acknowledge the noise impact, construction challenges, access issues and potential increased vibrations. We look to mitigation in the design phase to manage these.

Bryn Mawr has four main points related to the DEIS –

- The BMNA has passed resolutions that strongly support Alternative 3A, the Locally Preferred Alternative – LPA.
- The BMNA strongly opposes Alternative 3A-1, the Co-Location Alternative for all the reasons cited in the DEIS.
- Without the development of the Penn Station to provide access to the light rail and the park systems, Bryn Mawr will be negatively impacted by the transitway project without any of the attending benefits realized.
- The BMNA supports two stations, Penn Avenue and Van White Boulevard, located within Bryn Mawr boundaries, with each station offering distinctly different benefits for the neighborhood.

Bryn Mawr actively participated on the Minneapolis Park and Recreation Board CAC and supports the submittal of the MPRB comments, particularly maintenance of access to and from parks such as Bryn Mawr Meadows. The BMNA supports activities of its bordering neighborhoods, Harrison and Kenwood, as they seek to have their concerns mitigated.

Bryn Mawr has been an active member of the Bassett Creek Valley Redevelopment Oversight Committee since 1997 and supports its plans for development in the Bassett Creek Valley and advocates for the Van White Boulevard station, as critical to potential development in the area. With the Harrison Neighborhood, the BMNA advocates for the improved mobility to the jobs and activity centers in the Minneapolis Business District, as well as along the length of the corridor for reverse-commute trips to the expanding suburban employment centers that the Van White and Penn stations provide.

The BMNA recognizes that the Bryn Mawr neighborhood will realize the benefits identified in the DEIS only if the Penn Station is built, including, but not limited to, improving mobility, efficient travel options, protecting quality of life, and preserving the environment. Consequently, the BMNA support is based on the description of the project as contained in the DEIS, which includes the development of the Penn station.

Our primary concern is with what is not strongly stated in the DEIS. The DEIS does not indicate that without the Penn station, Bryn Mawr would be negatively impacted and would receive few benefits of having light rail traverse our neighborhood.

Again, thank you for the opportunity to provide comments to the DEIS. We look forward to participating in the next steps of the project.

Sincerely,

A handwritten signature in dark ink, appearing to read "Marlin Possehl", written over a horizontal line.

Marlin Possehl, President
Bryn Mawr Neighborhood Association
president@bmna.org
612 377-5662

Enclosure



Bryn Mawr Neighborhood Association (BMNA)

Comments and Notes on the Southwest Transitway DEIS

December 2012

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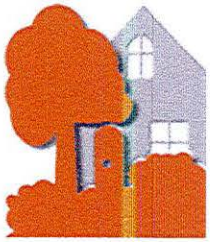


Bryn Mawr Neighborhood Association (BMNA)

Comments and Notes on the Southwest Transitway DEIS

December 2012

<i>DEIS Reference</i>	<i>BMNA Notes and Comments</i>
Introduction and Background	<ul style="list-style-type: none">• The BMNA has a long record of supporting light rail and has been active in its support of the Southwest Light Rail system.• Bryn Mawr has passed resolutions that strongly support Alternative 3A, the Locally Preferred Alternative – LPA.• The BMNA strongly opposes Alternative 3A-1, the Co-Location Alternative for all the reasons cited in the DEIS.• Bryn Mawr has actively participated on the Minneapolis Park and Recreation Board CAC and supports the submittal of the MPRB comments, particularly maintenance of access to and from parks such as Bryn Mawr Meadows.• The BMNA formed a committee to review the DEIS and present these findings. This committee held a public meeting to review what would be presented. Members of the committee also presented issues of concern at the Hennepin County public hearing held on November 13.• The BMNA sees great potential benefits from light rail for Bryn Mawr and Minneapolis and strongly supports the Southwest Transitway project.• The BMNA strongly supports the DEIS findings. We acknowledge the noise impact, construction challenges, access issues and potential increased vibrations. We look to mitigation in the design phase to manage these.• The BMNA supports two stations, Penn Avenue and Van White Boulevard, located within its boundaries, with each station offering distinctly different benefits for the neighborhood.• The BMNA also supports activities of its bordering neighborhoods, Harrison and Kenwood, as they seek to have their concerns mitigated.• The BMNA recognizes that the Bryn Mawr neighborhood will realize the benefits identified in the DEIS only if the Penn Station is built, including, but not limited to, improving mobility, efficient travel options, protecting quality of life, and preserving the environment. Consequently, the BMNA support is based on the description of the project as contained in the DEIS, which includes the development of the Penn station.



Bryn Mawr Neighborhood Association (BMNA) **Comments and Notes on the Southwest Transitway DEIS**

December 2012

<i>DEIS Reference</i>	<i>BMNA Notes and Comments</i>
	<ul style="list-style-type: none"> • Bryn Mawr strongly advocates for the Penn Station, not only for its own neighborhood benefit, but also on behalf of myriad riders who would use this station to access the Minneapolis Parks' Grand Rounds northern amenities. It is the one station on the Southwest Transitway line that brings riders into the Parks' Grand Rounds. • Without a Penn station, Bryn Mawr would realize few benefits of the Southwest Transitway. Without a Penn Avenue station, Bryn Mawr residents would lose the existing ready access to the Cedar Lake Regional Trail and Kenilworth Trail and the Minneapolis Parks' Grand Rounds. • A Penn station, as represented in the DEIS, provides access to broader transportation opportunities to downtown, the Metrodome, Target Field, Mall of America, the airport, St. Paul and both western and eastern suburbs, along with access to the park and lakes. • With no Penn Station, Bryn Mawr is more severely divided into a north and south neighborhood – the connectivities that currently exist within the neighborhood will be disrupted by the Southwest Transitway line and its safety features, if a station is not built at this location. • Our primary concern is with what is not strongly stated in the DEIS. The DEIS does not indicate that without the Penn station, Bryn Mawr would be negatively impacted and would receive few benefits of having light rail traverse our neighborhood. • Because the LPA will be a permanent investment, this new transit service, with its station at Penn Avenue, has the potential to positively influence economic development, consistent with community plans, such as a the Comprehensive Plan (1997), The Bryn Mawr Land Use Plan (2006) and the Capstone Project (2011). These are studies the BMNA conducted, as a neighborhood, which have looked at the development potentials of the Penn Station and the BMNA wants to be assured that their opportunities are not under-estimated. • The BMNA also supports the development of the Van White Station, based on the project description in the DEIS. • Bryn Mawr has been an active member of the Bassett Creek Valley Redevelopment



Bryn Mawr Neighborhood Association (BMNA) ***Comments and Notes on the Southwest Transitway DEIS***

December 2012

<i>DEIS Reference</i>	<i>BMNA Notes and Comments</i>
	<p>Oversight Committee since 1997 and supports its plans for development in the Bassett Creek Valley and advocates for the Van White Boulevard station, as critical to potential development in the area.</p> <ul style="list-style-type: none"> • With the Harrison Neighborhood, the BMNA advocates for the improved mobility to the jobs and activity centers in the Minneapolis Business District , as well as along the length of the corridor for reverse-commute trips to the expanding suburban employment centers that the Van White station provides. • A Van White Boulevard station, as represented in the DEIS, provides access to broaden transportation opportunities to downtown, the Metrodome, Target Field, Mall of America, the airport, St. Paul and both western and eastern suburbs, along with access to the park and lakes.
Chapter 1: Purpose and Need for the Proposed Action	
Page 1-3 – 1.1 Overview of Proposed Action	
	<ul style="list-style-type: none"> • In partnership with the Harrison neighborhood, the BMNA would like to add the proposed Bottineau line to the list of related transportation lines in paragraph 3.
Page 1-14 – 1.3.2.2 Limited Competitive, Reliable Transit Options and 1.4 Project Goals and Objectives	
	<ul style="list-style-type: none"> • Whenever possible, please use 2010 census data. • The BMNA strongly supports that the Southwest Transitway will bring a regional connectivity and travel time reliability that a high capacity transit line offers. • The BMNA strongly supports the Project Purposes, Goals and Objectives as outline in this chapter.
Chapter 2: Alternatives Considered	
Page 2-31 – 2.3.3.2 – LRT 3A (Locally Preferred	



Bryn Mawr Neighborhood Association (BMNA) **Comments and Notes on the Southwest Transitway DEIS**

December 2012

DEIS Reference	BMNA Notes and Comments
Alternative)	
	<ul style="list-style-type: none"> • The BMNA strongly endorses the LPA, including Penn Avenue and Van White Boulevard stations. • Bryn Mawr strongly endorses the relocation of all freight rail traffic out of the Kenilworth Corridor. • Bryn Mawr strongly advocates that the Kenilworth Trail (with 450,000 trips per annum) be left intact in the Kenilworth Corridor, an outcome that is not possible if freight rail and SOUTHWEST TRANSITWAY co-locate in the Kenilworth Corridor
Page 2-52 – 2.3.3.9 Operations and Maintenance Facility	
	<ul style="list-style-type: none"> • The BMNA acknowledges concerns expressed by the Harrison Neighborhood for OFM site – Minneapolis 4 (centered on 5th Street North between 6th Avenue North and 10th Avenue North) and supports further documentation of remediation options to address those concerns before final site selection.
Page 2-54 – Table 2.3-10 – Bus Service Changes	
	<ul style="list-style-type: none"> • The DEIS does not identify the potential to integrate the LPA with the new Bottineau line. This section should reference the possibility of bus shuttle connection to this line and connection to Route 9.
	<ul style="list-style-type: none"> • The DEIS also does not acknowledge that there is no identified bus service to the Van White station to and from Bryn Mawr.
Chapter 3: Social Effects	
Page 3-20 – 3.1.3 Land Use Plans	
	<ul style="list-style-type: none"> • In conjunction with the University of Minnesota’s Humphrey School of Public Affairs, the BMNA conducted a Capstone Project study of development opportunities near the Penn Station site. • The BMNA would like the Capstone Project document added as a study to the City



Bryn Mawr Neighborhood Association (BMNA) **Comments and Notes on the Southwest Transitway DEIS**

December 2012

DEIS Reference	BMNA Notes and Comments
	<p>of Minneapolis section of Table 3.1-2 Summary of Local and Regional Comprehensive Plans and Studies.</p> <ul style="list-style-type: none"> A link for this study is - http://www.bmna.org/images/SWLRT_Bryn_Mawr_Small_Area_Plan_May_3_2011.pdf
	<ul style="list-style-type: none"> On November 14, 2010, the Cedar Lake Park Association and Bryn Mawr Neighborhood Association co-sponsored a Charette that looked at a number of features for the proposed Southwest Transitway, including the Penn Station. The BMNA would like the Charette document added as a study to the City of Minneapolis section of Table 3.1-2 Summary of Local and Regional Comprehensive Plans and Studies. A link for this document is – http://www.bmna.org/images/SWLRT_charrette_drawings_and_photos_11_10.pdf
<p>Page 3-34 – 3.1.5.1 Effects to Land Use and Socioeconomics</p>	
	<ul style="list-style-type: none"> The potential for development and the change in land use associated with the Penn Station are identified in the Capstone Project (2011) for that site. The potential for development and the change in land use associated with the Penn Station are also identified in Bryn Mawr's Land Use Plan (2006) accepted by the City of Minneapolis as a small area plan. The potential for development and the change in land use associated with the Van White Boulevard station are identified in the Bassett Creek Master Plan (2007) incorporated into the City of Minneapolis' Comprehensive Development Plan and approved by the Metropolitan Council. The BMNA stands in strong support of relocation of the TCW line to the MN&S line in St. Louis Park. The BMNA stands strongly in favor of the Kenilworth Trail being left intact at its current location in the Kenilworth Corridor. This off street trail is part of the first federal bicycle commuter route, joining the Cedar Trail that runs through a large segment of Bryn Mawr.
<p>Page 3-37 – 3.1.5.2 Operations and Maintenance</p>	



Bryn Mawr Neighborhood Association (BMNA)

Comments and Notes on the Southwest Transitway DEIS

December 2012

DEIS Reference	BMNA Notes and Comments
Facility	
	<ul style="list-style-type: none"> The BMNA acknowledges concerns expressed by the Harrison Neighborhood for OFM site – Minneapolis 4 (centered on 5th Street North between 6th Avenue North and 10th Avenue North) and supports further documentation of remediation options to address those concerns before final site selection.
Page 3-58 – 3.2.2.6 Neighborhoods and Community Cohesion	
	<ul style="list-style-type: none"> Bryn Mawr was greatly impacted with the building of Interstate 394 and has worked hard to maintain cohesion since it was implemented. We feel there may be the same kind of impact if a Penn Station is not built. The DEIS incorrectly states that “operation of Southwest Transitway service along Segment A is not anticipated to adversely affect community cohesion because Segment A is currently bisected by a freight rail line and adding light rail service does not alter the existing barrier” (3.2.2.6, p.3-58) Adding light rail service would introduce new barriers, such as fences and additional track. Bryn Mawr would be adversely affected by the Southwest Transitway line and experience a decrease in opportunity for community cohesion if no Penn Station is built. The DEIS also indicates that “light rail service would assist in providing a new rapid transit service enabling a more direct connection to downtown Minneapolis and the regional transit network.” (3.2.2.6, p3-58) This is true only if the Penn Station is built. Without the Penn Station, Bryn Mawr would experience little connection with the light rail network. The Van White Station, as currently conceived, offers little access for residential Bryn Mawr without creating connecting direct bus service. The BMNA would like the Segment A section to include comments on the impact to Bryn Mawr of not having the Penn Station. We are concerned that the current access to the parks and Bike Trail system will be curtailed by the need for safety barriers that would be erected. This would greatly limit neighborhood access to the light rail and current access to the commuter bike trail and lakes chain. Further, as stated in the Minneapolis Park and Recreation Board comments, Bryn



Bryn Mawr Neighborhood Association (BMNA) ***Comments and Notes on the Southwest Transitway DEIS***

December 2012

<i>DEIS Reference</i>	<i>BMNA Notes and Comments</i>
	<p>Mawr Meadows is a heavily used sports recreational park, with potential for significant usage of transit at the Penn Station by park users. Maintaining access to and from Bryn Mawr Meadows will encourage continued strong usage of the park.</p> <ul style="list-style-type: none"> • The DEIS incorrectly focuses on distance to downtown Minneapolis as a benefit of both the Penn and Van White Stations. It does not focus sufficiently on the social effects of Southwest Transitway travel westward (reverse commuting) or on ridership that comes from all areas of the region to the "Chain of Lakes region, with connections to parks, trails, the lakes, and community amenities and attractions" (Page 3-50, DEIS), Central Corridor, Hiawatha line and to the Northstar. • The social effects of stations at Penn Avenue and Van White Boulevard are immense. Using current transportation means, it takes upwards of two hours and three transfers to travel from Bryn Mawr and Harrison to jobs in the west. A station at Van White Boulevard and a station at Penn Avenue would drastically reduce travel time.
Page 3-66 – 3.2.5 Summary	
	<ul style="list-style-type: none"> • A Penn Station would improve economic development. Table 3.2-2 only calls out Target Field station as having potential for development. The BMNA strongly believes that there are development opportunities at the Penn Station and that the Southwest Transitway will have tremendous leverage impact on development at the Van White station. • Also, the BMNA believes that many of the metrics listed in Table 3.2-2 assume the building of the Penn Station. Without this station, Bryn Mawr is impacted in several of the metrics. Particularly the metric related to Community cohesion.
Page 3-116 – 3.6.3.3 Build Alternatives	



Bryn Mawr Neighborhood Association (BMNA) **Comments and Notes on the Southwest Transitway DEIS**

December 2012

DEIS Reference	BMNA Notes and Comments
	<ul style="list-style-type: none"> • Bryn Mawr residents are active users of the Minneapolis bike trails, parks and lakes. As such, we have strong concerns about how the intersection of the Southwest Transitway with the Cedar Lake Parkway will be addressed. • The BMNA has been an active participant in the Minneapolis Park and Recreation Board CAC and supports their findings related to the intersection of the Southwest Transitway with the Cedar Lake Parkway. • The BMNA has concerns about the visual impact to the Grand Rounds if a fly-over is built. The fly-over does not seem to fit with the park nature of the area and alternatives should be considered. • The interface of the freight train, motor vehicles, bicyclists and pedestrian is an area of concern as it exists today. The introduction of the light rail provides a great opportunity to do this right and not leap to design decisions without the involvement of interested parties, especially the Minneapolis Park and Recreation Board. • The BMNA is also concerned that the flow of traffic during construction, particularly related to emergency vehicles, will need careful thought for mitigation. The BMNA recommends that this topic be added to the Segment A section for remediation consideration.
Chapter 4: Environmental Effects	
Page 4-111 – 4.8.2.1 Vibration-Sensitive Land Uses	
	<ul style="list-style-type: none"> • While 4.8.2.1 addresses vibration-sensitive land uses, the vibration effects of the relocation of TC&W freight trains currently operating in the Kenilworth Corridor to the portion of the BNSF line west of Penn are not clear. • A neighborhood concern has been raised that the BNSF line west of Penn is over moraine material and the additional TC&W trains may have an impact. • This concern does not seem to be addressed in the DEIS. The BMNA asks that it be made clear in the FEIS whether or not there will be an impact on land adjacent to the BNSF line west of Penn.

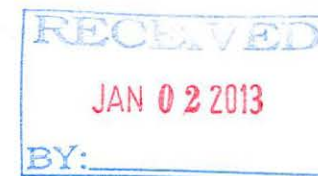


Bryn Mawr Neighborhood Association (BMNA)

Comments and Notes on the Southwest Transitway DEIS

December 2012

<i>DEIS Reference</i>	<i>BMNA Notes and Comments</i>
Page 9-35 9.6.22 – Station Area Development	
	<ul style="list-style-type: none">• The BMNA strongly supports the findings of the DEIS in this section. We see the Bryn Mawr neighborhood as linked in a broader network.• The BMNA also recognizes how important the Penn Station and Van White Station are to our participating in this network.
Chapter 10: Environmental Justice	
BMNA – no comments to this chapter	
Chapter 11: Evaluation of Alternatives	
BMNA – support for recommendation	
	<ul style="list-style-type: none">• The BMNA strongly supports the selection of Alternative 3A (LPA).• The BMNA strongly opposes the selection of Alternative 3A-1 (Co-location alternative).
Chapter 12: Public Agency Coordination & Comments	
BMNA – no comments to this chapter	

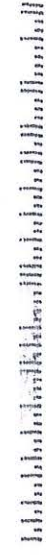


JAY PETERSON
BRINDA
240 UPTOWN SO.
MPLS, MN 55405

HENNEPIN COUNTY
HOUSING, COMMUNITY WORKS AND TRANSIT
701 FOURTH AVENUE SOUTH, SUITE 400
MINNEAPOLIS, MN 55415



ATTN: SOUTHWEST TRAILWAYS



December 29, 2012

Hennepin County
Housing, Community Works & Transit
701 Fourth Avenue South, Suite 400
Minneapolis, MN 55415
swcorridor@co.hennepin.mn.us



Dear Project Manager,

Introduction

This is a comment on the Draft Environmental Impact Statement ("DEIS") for the Southwest Transitway (LRT) project ("LRT Project"). As residential property owners of 2553 Washburn Ave. S., in the Cedar Isles Dean Neighborhood, we are personally and directly impacted by the LRT Project as our property is located between the proposed 21st Street and West Lake Street Stations immediately adjacent to Kenilworth Trail and the Kenilworth Corridor Bridge.

While there are many issues of importance related to the LRT Project, this comment letter will focus on specific themes related to the proposed 21st Street and West Lake Street stations and the area between these stations, as follows:

I2

1. Re-Location of Freight Trains: We support the re-location of freight trains to accommodate light rail, and do not support the co-location alternative:
2. Environmental Effects: The DEIS is flawed in its analysis of noise and vibration implications and does not address light and electromagnetic concerns with regard to the location of the 21st Street and West Lake Street Stations and the area between these stations:
3. Social Effects: The DEIS is flawed in its conclusion that the operation of LRT along Segment A is not anticipated to adversely affect community cohesion.

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Discussion:

1. Re-Location of Freight Trains:

The DEIS concluded (in the final paragraph of Chapter 11, pg. 11-11, 11.2.5) that the co-location of light rail and freight trains do not meet the project's purpose and need and is not a practicable alternative. As a result, co-location is not recommended as the environmentally preferred alternative. As impacted residential property owners, we agree completely with the conclusion that co-location is not a viable option.

D

A decision, however, to co-locate the freight and light rail would have material and detrimental effects on our property as it is not clear whether our property would need to be acquired to complete the project.

D

2. Environmental Effects (Noise, Vibration, Visual, and Electromagnetic Interference): As impacted residential property owners, we are significantly concerned about the environmental impacts of the LRT project due to the high number of trains that will travel by our property daily. The increase from a few freight trains per day to hundreds of LRT trains per day will drastically and severely impact our and our neighbors exposure to noise and vibration.

O1,
O4

As to noise, our property is located in an area that is considered to have a "severe impact", and as a result, significant mitigation will be required. However, the impact of noise level and noise incident frequency has not been properly assessed in the DEIS. As a result, further study needs to be done.

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O5,
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Moreover, the DEIS incorrectly classifies Segment A property as Category 3 land use. However, in FTS's land use categories for Transit Noise Impact Criteria, Category 3 is most commonly associated with institutional land uses. In contrast, Category 1 is for tracts of land where quiet is an essential element on the intended purpose. The property in our neighborhood is aligned with Category 1 use – it is quiet, serene, and park-like. As a result, noise impacts should be re-evaluated under the standards set for Category 1 land uses.

O1

As to vibration, while the DEIS (page 4-118, 4.8.6. Mitigation) provides that detailed vibration analysis will be conducted during the Final EIS, we urge that the range of frequencies and vibration incident frequency be taken into consideration.

O4,
O5,
O6

The DEIS does not examine or discuss the impacts of LRT train light, corridor light, or the impact on presently dark areas of neighborhoods like ours. More analysis is necessary to determine the impacts and mitigation required.

N2

In addition, the DEIS does not discuss potential health hazards related to electromagnetic interference for those people that live in close proximity (40 feet or less) to exposed overhead wires. Such information should be provided to the public and such hazards must be mitigated/avoided.

E6

N11

3. Social Effects Related to Segment A: The DEIS is flawed in its conclusion of the social effects related to Segment A. On page 3-58, the DEIS states that the implementation of LRT along the proposed Segment A "is not anticipated to adversely affect community cohesion because Segment A is currently bisected by a freight rail line and adding LRT service does not alter the existing barrier." This is unsubstantiated and incorrect, as currently, freight trains pass through infrequently, between 4-8 times per day, and the tracks are easily crossed. For

E1

M3

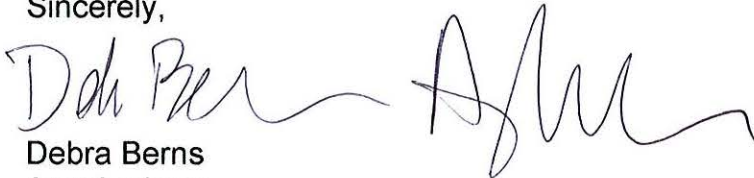
example, there is an informal pathway immediately adjacent to our property that passes over the freight tracks and connects Washburn Ave. to Kenilworth trail, Kenwood Isles neighborhood and the Kenilworth Channel Bridge. High-speed high-frequency trains would absolutely eliminate the informal pathways, and would therefore create a barrier between CIDNA, the Kenilworth Trail and the Kenwood Isles neighborhood.

Conclusion:

As property owners that are directly impacted by the LRT Project, we respectfully request that you consider the above concerns related to the DEIS. We also urge you to consider all factors to assist in mitigation of short-term construction effects and long-term impacts related to noise, vibration, and visual effects of the LRT project between 21st Street and Lake Street. One possible solution could be a tunnel for the LRT to pass between the 21st Street and Lake Street Stations.

Thank you for the opportunity to comment. If you have any questions, please contact Debra Berns at (612) 208-0378 or debra_j_berns@yahoo.com

Sincerely,



Debra Berns
Amy Lederer
2553 Washburn Ave. S.
Minneapolis, MN 55416

E0
E4
E10
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N2

BEANS/LEDGER
2553 Washburn Ave S.
Minneapolis, MN
55416

RECEIVED
JAN 02 2013
BY:



SAINT PAUL MN 550
31 DEC 2012 PM 11

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

55415184300

SWcorridor/Hennepin
Sent by: Adele C
Hall/PW/Hennepin

01/16/2013 03:27 PM

To
cc
bcc
Subject Fw: Southwest LRT

From: Joanne STRATE [<mailto:strate51@msn.com>]
Sent: Monday, December 31, 2012 6:15 PM
To: Wheeler, William (FTA)
Subject: Southwest LRT
Importance: High

TO: FTA
DATE: 12/31/12
RE: Southwest LRT, Region 5, Eden Prairie/Hopkins/Minnetonka/St. Louis Park/Mpls (2015 start)

A couple of my neighbors want me to send you a response as it relates to the progression of the 3A line and the PROPOSED Smetana Crossing on the border of Hopkins & east Minnetonka....we are 3 of the 114 units which will be effected with severe noise & vibration as cited by the DEIS study. I have already responded various times regarding this & other issues...see below. I feel it's all in vain and it's politics as usual. I plan to investigate the legal Minnetonka noise levels as well. With that information, I'll probably contact WCCO-TV's reality check so the Met Council & company can't hide the true facts of the matter. Just so happens I work at a TV station and have contacts in the industry. If this waste of tax payer dollars continue and the line remains as the recommended 3A, then we need a QUIET ZONE. Per page 4-88 of the study, Pompano Drive residents are Segment 3, category 2 and it's noted there are 114 severe impacted units. **The Quiet Zone for the Smetana Crossing should be no train whistles and no post-mounted horns on the gates. To protect the citizens, we need only 4 quadrant gates with a median barrier.** A train passing every 7:30 will be impossible to live with and no one can sit outside or open their windows, or sleep during 5a-1a. Would you want to live here????? OUR PROPERTY VALUE WILL SUBSEQUENTLY DECREASE, NOT INCREASE AS SOME HAVE BLATANTLY LIED TO US. Don't know if we could even get a buyer for our units!!!

J4

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B

M2

Joanne Strate, 5417 Pompano Drive, 952-935-3999
Marion & David Wolf, 5409 Pompano Drive, 952-938-3962
Austin Miller & Kylie Otte, 5411 Pompano Drive, 612-381-7117

FYI...LRT is not the answer to transportation problems!

Starving the rest of our transportation system in favor of a more expensive, less efficient and totally inflexible light-rail system is the epitome of politics trumping common sense! **Using the Met Council's 2010 report**, the cost of a single ride on the Hiawatha line is \$2.46. Riders pay only \$.99 of this cost, leaving almost 60% subsidized by the public. But this isn't the true cost. Add in the 30 year amortized costs of bonding and a single ride actually cost \$6.42 which is an 85% subsidy! This equates to the public spending \$15M PER YEAR. The Northstar line costs \$13M, Central estimated @ \$17M and SW is \$12M. Improve bus service and rebuild critical highway infrastructure. The LRT mode of transportation has a negligible effect on traffic congestion! When you look at the costs, building more light rail lines like the SW LRT is nothing short of a money pit that will bankrupt our state. It's time to cut our losses and stop this madness!

B

T4

G1

Further issues...

TO: Southwest Light Rail Project Staff
ATTN: Deb Sisneros
DATE: 11/16/11

I understand the SW LRT is in the early design and engineering stages now. I'm a resident of Beachside Two-Il town home development in Minnetonka which has 5 Associations. It's established & very large. I have been battling the Metropolitan Council, to no avail, to change the route from 3A to 1A as detailed in the following four very good reasons. It doesn't have to be politics /lobbyists as usual to jam this decision down our throats to satisfy the "Opus World" of wishful thinking occupancy 25 years from now. They can have an adjacent station 4 blocks off Smetana. **Perhaps my concerns & LOGIC will reach a receptive ear and common sense will rule the day!**

ISSUE #1 - Route 1A would run on existing rail lines and would be far cheaper to the general public than 3A. Exact savings I'm sure have been calculated but not shared via the Met Council. Isn't the Federal government trying to cut costs these days due to our ridiculous economy? Does the added cost really justify the 3A route?

ISSUE #2 - The 3A route goes through Opus and crosses Smetana Rd on the way to downtown Hopkins.

I live ONE block from this crossing! This is adjacent to residential zones, not empty lots or commercial property. People sleep here! Note: The average town home price is \$200K+ and we're not an eye-sore community! Trains running every 10:00 from 5a-1a with their vibration and warning bells is a definite "pollution" problem. Per the Met Council, it would be similar decibels to a blender ...I'm sure if you're deaf! And it's supposed to increase home value. Where's the logic in that? I don't live next to a station and would only hear, see, and feel the effects of the continuous trains which would lower my value for such an intrusion ONE block away! I'm 100% sure you wouldn't want to live here. Bad choice with zero disregard to surrounding upscale town homes and the rental apartments on the north side of Smetana!

ISSUE #3 - Safety and congestion concerns are an issue. Smetana is a road with a long, steep grade. During the winter months if it's snowing or icy, it's difficult to navigate. Stopping abruptly at a crossing could be very dangerous. And lots of cars & semi's use this road. I'm assuming some one did a traffic flow assessment to merit my observations. Therefore, I predict car accidents waiting to happen and possibly horrible fatalities which could be prevented. Who wants a death on their shoulders/conscience? Logic doesn't prevail here. Note: There have been accident/deaths on the existing Hiawatha Line already without any of these concerns in play. The congestion would be another headache. Not so with route 1A!

ISSUE #4 - As it relates to human life, St. Therese is an upscale senior high-rise east of the crossing. In the last two days alone, 4 ambulances have sped down Smetana in route to address medical issues. Now imagine waiting for the crossing arm & traffic to clear/subside when every minute counts! This could be your parent's life in jeopardy! Get St. Therese's input. **AGAIN...BAD CHOICE OF CROSSING/ROUTE!**

Put some thought into doing the right thing for all concerned. Share with other decision-makers too. Thank you for your time, understanding & anticipated cooperation. I look forward to a change in the route! (Obviously Gail Dorfman, Mark Fuhrman & company haven't seen the light! Save gas & help traffic is their response!)

Also, by 2030 when this line is supposed to be at it's peak for Opus, which currently has alot of vacancy, people will be working out of their homes. Not even commuting to work. Dah? The undesirables will be using the line for crime instead and the public will pay dearly for their opportunity to ride the rails. Even the Northstar line ridership is having problems already! What about the trees & wildlife effected? What about the St. Louis Park freight lines issues? I guess I could go on & on. Is anyone listening and thinking rationally? Or...politics as usual?

Feel free to give me some real comments and not a canned response.

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P4

R3

J4

L1

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N8

C

L1

**IF NOTHING ELSE...A QUIET ZONE @ THE SMETANA CROSSING. I
DON'T WANT TO MOVE!**

J4

Thank you for your anticipated understanding, compassion, and action,
Joanne

Joanne Strate
952-935-3999
strate51@msn.com

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SWcorridor/Hennepin

Sent by: Adele C
Hall/PW/Hennepin

01/16/2013 03:27 PM

To

cc

bcc

Subject Fw: Comments on the Draft EIS for the Southwest LRT Line on behalf of SFI Ltd., Partnership 54 ("Owner") of the Claremont Apartments located in Minnetonka, MN



"Kulsrud, Geri M."
<gkulsrud@larkinhoffman.com>

12/28/2012 04:32 PM

To: "HCWTmail@co.hennepin.mn.us" <HCWTmail@co.hennepin.mn.us>,
"susan.haigh@metc.state.mn.us" <susan.haigh@metc.state.mn.us>,
"roxanne.smith@metc.state.mn.us" <roxanne.smith@metc.state.mn.us>,
"lona.schreiber@metc.state.mn.us" <lona.schreiber@metc.state.mn.us>,
"jennifer.munt@metc.state.mn.us" <jennifer.munt@metc.state.mn.us>,
"gary.vaneyll@metc.state.mn.us" <gary.vaneyll@metc.state.mn.us>,
"steve.elkins@metc.state.mn.us" <steve.elkins@metc.state.mn.us>,
"mes.brimeyer@metc.state.mn.us" <mes.brimeyer@metc.state.mn.us>,
"gary.cunningham@metc.state.mn.us" <gary.cunningham@metc.state.mn.us>,
"adam.duininck@metc.state.mn.us" <adam.duininck@metc.state.mn.us>,
"edward.reynoso@metc.state.mn.us" <edward.reynoso@metc.state.mn.us>,
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"jon.commers@metc.state.mn.us" <jon.commers@metc.state.mn.us>,
"steven.chavez@metc.state.mn.us" <steven.chavez@metc.state.mn.us>,
"wendy.wulff@metc.state.mn.us" <wendy.wulff@metc.state.mn.us>,
"mike.opat@co.hennepin.mn.us" <mike.opat@co.hennepin.mn.us>,
"commissioner.higgins@co.hennepin.mn.us" <commissioner.higgins@co.hennepin.mn.us>,
"gail.dorfman@co.hennepin.mn.us" <gail.dorfman@co.hennepin.mn.us>,
"commissioner.mclaughlin@co.hennepin.mn.us" <commissioner.mclaughlin@co.hennepin.mn.us>,
"randy.johnson@co.hennepin.mn.us" <randy.johnson@co.hennepin.mn.us>,
"jan.callison@co.hennepin.mn.us" <jan.callison@co.hennepin.mn.us>,
"jeff.r.johnson@co.hennepin.mn.us" <jeff.r.johnson@co.hennepin.mn.us>,
"tschneider@eminnetonka.com" <tschneider@eminnetonka.com>,
"dallendorf@eminnetonka.com" <dallendorf@eminnetonka.com>,
"pacomb@eminnetonka.com" <pacomb@eminnetonka.com>,
"bellingson@eminnetonka.com" <bellingson@eminnetonka.com>,
"twagner@eminnetonka.com" <twagner@eminnetonka.com>,
"bwiersum@eminnetonka.com" <bwiersum@eminnetonka.com>,
"jhiller@eminnetonka.com" <jhiller@eminnetonka.com>,
"edurbin@eminnetonka.com" <edurbin@eminnetonka.com>,

cc:

Subject: Comments on the Draft EIS for the Southwest LRT Line on behalf of SFI Ltd., Partnership 54 ("Owner") of the Claremont Apartments located in



Minnetonka, MN

2 attachments



Letter to Hennepin County Housing, Community Works & Transit.pdf



Summary of Potential Negative Impact of Southwest LRT on Claremont Apartments, Minnetonka, MN.pdf

On behalf of Bill Griffith, attached please find the attached:

1. Letter to Hennepin County Housing, Community Works & Transit; and
2. Memorandum regarding Summary of Potential Negative Impact of Planned Southwest LRT Line on Claremont Apartments.

Please call if you have any questions.

Mary Carlson, for Geri Kulsrud
Legal Secretary

p | 952-896-3285

f | 952-896-3333

www.larkinhoffman.com



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December 28, 2012

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

Via Email and U.S. Mail

Re: Comments on the Draft EIS for the Southwest LRT Line on behalf of SFI Ltd.
Partnership 54 ("Owner") of the Claremont Apartments located 10745 Smetana Road,
Minnetonka, Minnesota; Our File No. 36,292-00

This Firm represents the Owner of the Claremont Apartments located immediately adjacent to the proposed route of the Southwest Transitway ("Southwest LRT"). This letter is written to submit specific technical comments and concerns regarding the proposed location of the Southwest LRT and to strongly urge public officials responsible for planning the Southwest LRT to consider an alternative route through the Opus Business Park to minimize the impact on public trails and sensitive multi-family residential housing.

J6

I have enclosed the technical memorandum of Jerry Kavan, Project Manager for the Claremont Apartments, which details a number of negative impacts due to the placement of the Southwest LRT line approximately 90 feet from the Claremont Apartments. These impacts include a high level of noise, vibration, adverse light and similar impact, exacerbated due to the high frequency of trains proposed to run 21 hours per day, seven days per week.

O6

N2

The Owner of the Claremont Apartments has invested millions of dollars to upgrade the units, buildings and site which has greatly improved rental income from the property. The proposed route calls for construction of a double rail line directly adjacent to the Claremont Apartments. This location raises serious concerns for the quality of life of residents of these apartments, dramatic loss in rental income, and potential subterranean impact to the building structure.

M2

Without repeating the attached technical memorandum, the operation of the Southwest LRT will create an almost constant impact on the Claremont Apartments, including visual impact from lighting in what is now a darkly forested area, noise from electric engines, train wheels, train horns and train cars from an estimated 2,324 train operations each week, and vibration in an area that has been identified in the 2009 preliminary environmental impact report with soil conditions that transmit vibrations stronger than "normal."

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In conclusion, we strongly urge the public officials responsible for the Southwest LRT to pursue an alternative route through the Opus Business Park (as shown in Exhibit C in the attached Technical Memorandum). This route is much more appropriate than the route adjacent to the

J6

Claremont Apartments given the employment base that resides there during daytime hours and the lack of nighttime noise and lighting impact on those land uses. This alternate route may well serve to minimize the substantial negative effects on both the public trail system and the Claremont Apartments. In short, the most costly alternative for this segment of the Southwest LRT is adjacent to the Claremont Apartments because of the real and considerable damages that construction and operation of the LRT line will cause to this sensitive residential land use.

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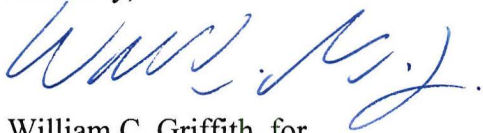
N2

We request the opportunity to meet with those responsible for construction and operation of the Southwest LRT line to discuss reasonable alternatives to the proposed route, as well as a substantial package of mitigative measures to address the impact identified in the DEIS and summarized in the attached technical memorandum.

L1

Thank you.

Sincerely,



William C. Griffith, for
Larkin Hoffman Daly & Lindgren Ltd.

Direct Dial: 952-896-3290
Direct Fax: 952-842-1729
Email: wgriffith@larkinhoffman.com

Enclosure

cc: Members of the Metropolitan Council (by e-mail with enclosures)
Members of the Hennepin County Regional Railroad Authority (by e-mail with enclosures)
Members of the Minnetonka City Council (by e-mail with enclosures)
Elise Durbin, Community Development Supervisor, City of Minnetonka (by e-mail with enclosures)

Memorandum

To: SFI Ltd. Partnership 54

From: Jerry Kavan, Project Manager

Date: December 28, 2012

Re: Summary of Potential Negative Impact of Planned Southwest Light Rail Transit System on Claremont Apartments owned by SFI Ltd. Partnership 54 located 10745 Smetana Road, Minnetonka, Minnesota

General Information: (See Exhibit 'A')

The Claremont Apartments is a 330 unit apartment community which has recently undergone extensive building site and unit upgrades. The Owner has invested millions of dollars making significant improvements including the addition of washers and dryers in each unit, kitchen improvements, installation of a fire sprinkler system, hallway, lobby and elevator upgrades, site improvements and the construction of a high end Clubhouse complete with a large fitness center, an urban café and leasing office. It has been the goal to make this a premiere property within the Twin Cities. The higher rents achieved at the property has validated the capital improvements that ownership has made.

The Twin Cities area, under the direction of the Metropolitan Council and Metro Transit, with the Hennepin County Regional Railroad Authority (HCRRA) as the lead agency, will be constructing a Light Rail Transit System throughout the southwest portions of the metropolitan area starting at the far reaches in Eden Prairie and ending at the Target Center in downtown Minneapolis at a joint station with the existing light rail lines. The route is 15 miles long and includes 17 stations. The closest station to Claremont Apartments will be immediately south at Bren Road West, approximately 1/3 mile from the property. To the north of the Claremont the next station will be south of Excelsior and east of Shady Oak Road, roughly one mile from the property. No intermediate stations or access points will be allowed anywhere along the route.

The City of Minnetonka is a participating agency in the development of the LRT System and has an appointed contact person that has been working on this with the Metropolitan Council for over ten years, Elise Durbin. According to Ms. Durbin, the City has and will continue to conduct public discussions as the new information becomes available and as Preliminary Engineering reaches advanced levels, so that the citizens can be informed and have input before the design is finalized (although the route is now finalized). The City is concerned about the at-grade crossing at Smetana Road adjacent to the Claremont and has determined to

influence the design of this crossing to minimize impact to the neighboring properties as much as possible.

Timetable:

The Draft Environmental Impact Statement (DEIS) has been released to the public for review and comment. Comments are due December 31, 2012 from the public. Preliminary Engineering has begun, and will evolve in response to public comments. The goal is to begin construction in 2014 and start rail operations in 2018.

Route at the Claremont: (See Exhibit 'B')

The route has been established which places the double rail line directly behind the multifamily buildings at Claremont, within 90 feet of most of the buildings. This raises serious concerns for the quality of life for the residents of these apartments. There are five buildings at this community, each with three stories of apartments over a subterranean parking basement. Over half of the apartments at the Claremont face the existing trail to the southwest. The new Light Rail Transit System will be constructed next to this trail and therefore will directly impact all of these apartments on the trail side of the buildings. To exacerbate the impact, initial design information places the trail and LRT are at an elevation in line with the second floor of the three stories of apartments, meaning that sounds created by the passing trains will equally impact all floors and all units.

M3

Operating Hours and Frequency of Trains Passing the Property:

The operational hours for the LRT are reported to be from 4 AM to 1 AM, twenty-one hours per day, 7 days per week. The train frequency EACH WAY will be every 7-1/2 minutes during peak times in the morning and evening (6:30 am to 9:30 am, and 3:30 pm to 7:30 pm), then every ten minutes between the peak hours and every half-hour outside of those times. This equals 332 train passings per day. Due to this high frequency, any visual, noise and vibration impacts from the LRT will have very serious impact on the Claremont.

N2

O6

Impact to the Claremont:

Following are types of impact identified in the initial review of the DEIS and elaboration on each. This is not intended to be a comprehensive list until further review by professional consultants can be obtained:

INTERIM IMPACTS:

1. Construction Disturbance: Directly behind all five buildings construction activities will impact the quality of life for 171 apartments including: tree removal, grading operations, soil compaction operations, and track installation throughout the construction period of over two years.
2. Loss of Tenants: The majority of the tenants facing the Trail selected their units for the peaceful, quiet and serene forest atmosphere outside their windows and will not renew their leases. In addition, they currently pay an increased rent versus the same unit on the opposite side of the building, called a 'View Premium'. Once construction starts tenants

M3

M2

will object to paying this extra cost. In addition to this loss savvy tenants will request a discount from the normal rate, since this side of the building will be less desirable now.

3. Transitional increase in vacancy rate: Tenants that leave because of the construction and the imminent Light Rail operations will not be easily or readily replaced. Transit-Oriented tenants that may desire this location for the transit proximity will not consider this property until the LRT is operational and even then would prefer a unit away from the rails. This increased vacancy period will span the years it will take for the LRT construction to be completed, likely from 2014 to 2018; this reduced occupancy will result in a significant drop in revenue.

M2

PERMANENT IMPACTS:

1. Visual: (332 trains a day, 2,324 trains a week)

- a. The LRT rails will be installed at roughly the second floor level of the three story buildings, therefore all units on all floors will have visual impact including the sight of trains frequently passing by the windows at roughly 90 feet away.
- b. A second visual impact will be the headlamps of the trains sweeping the building windows at night as they pass through the curve in the tract to the southwest
- c. Lights visible from inside the commuter rail cars passing by at night will impact all 171 units. Instead of dark forested areas outside their windows, there will be a regular pattern of the lighted cars passing right-to-left and left-to-right with only a three hour cessation in the middle of the night.
- d. Perhaps the strongest 'visual' impact will be the psychology of the Tenants as they realize that hundreds of light rail passengers will be passing by each day and night directly outside their windows, with nothing better to do than stare at the apartment buildings, meaning that blinds or shades must be kept closed at all times.

N2

2. Noise: (332 trains a day, 2,324 trains a week)

- a. Sound of the electric engines as the multi-car train passes by the apartment windows at roughly 90 feet away.
- b. Sound of the train wheels as the multi-car train passes by the apartment windows
- c. Screech of the train wheels as the train enters the curve in the tracks directly southwest of the property within 180 feet of the nearest apartment windows
- d. Train Horns blasting as each train approaches the at-grade crossing of Smetana Road at Feltl Road which will occur for both the northbound and the southbound trains. The horns will blast when the train is less than 100 feet away from two of our buildings for all northbound trains, and 650 feet away from all southbound trains. A typical train horn sound consists of a combination of four long and short blasts which lasts 20 to 25 seconds at a sound level of 99 decibels. During Peak Hours this will occur every seven and a half minutes. (NOTE: The City of Minnetonka currently has a 'Quiet Zone' ordinance in effect that requires operating train traffic within the city limits to avoid horns at all crossings that have been constructed to qualify for 'Quiet Zone' status. The City does not know if this LRT project or the Federal standards for LRT operations will be able to comply with the

O6

O6

ordinance as the at-grade crossing sits on the border between Hopkins and Minnetonka.)

- e. Train Horns as the Southbound LRT approaches Opus Station at the road crossing just north of the station will begin while the LRT is adjacent to the southernmost building on the property.
- f. Train Horns as the Northbound LRT leaves Opus Station at the road crossing just north of the station with the horns pointing north directly at our buildings which will be approximately 1,100 feet north and will be audible inside the units in the first two southernmost buildings on the property, possibly more.
- g. Warning Bell dinging as the railroad crossing gates at Smetana Road close every time a northbound or southbound train approaches. These gates are 520 feet from our nearest building and an average of 1,250 feet to all units. With the construction of the rail system all trees between this crossing and the buildings will be eliminated allowing a direct line for the noise. Warning Bells could be sounded the entire time the gates remain in the down position at a sound level of 88 decibels, which will be clearly audible within the units, even some of the units on the opposite side of the buildings from the tracks. This will occur every seven and a half minutes during Peak Hours.
- h. Warning Bell dinging at the railroad crossing gates immediately south of the property at Bren Road every time a northbound or southbound train approaches or leaves Opus Station. These gates are 1,300 feet from our nearest building and an average of 1,850 feet to all units. With the construction of the rail system all trees between this crossing and the buildings will be eliminated allowing a direct line for the noise. Warning Bells could be sounded the entire time the gates remain in the down position at a sound level of 88 decibels, which will be clearly audible within the units, even some of the units on the opposite side of the buildings from the tracks.
- i. I have yet to determine if there will be noise impact on the rest of the units within the community which are not located adjacent to the proposed line.

O6

j.

3. Vibration: (332 trains a day, 2,324 trains a week)

- a. According to the Federal Transit Authority, Light Rail Transit Systems create unnatural vibrations that are well above the perception levels of human beings. The existing setting at the Claremont is devoid of vibration sources and the introduction of frequent periodic vibration generated by each passing train will be very noticeable to the residents as rumbling, window rattling, or floor movement.
- b. The initial preliminary Environmental Impact report created in 2009 related to this specific LRT System states that the soils along the majority of the route are not 'normal' but instead calling them 'efficient' in terms of transmitting vibrations, which would make the vibration impacts stronger than normal.
- c. It is unclear at this point if the vibrations could be sufficient to cause concern for the foundations and parking basement construction at the property. There is a potential for building damage in the long term from the high frequency of vibration impact.

O6

O6

4. Economics:

I would recommend that consultants be hired to determine the extensive, negative economic impact that the Claremont Apartments will suffer if the LRT system is located as proposed.

M2

5. Recommendation for Alternative LRT Route through Opus Business Park

The DEIS identified an alternative route to the route through the public trail corridor and immediately adjacent to the Claremont Apartments. HCCRA, Met Council and Metro Transit should strongly consider an alternate route from Smetana Road southward to the Opus Station. This alternative would construct the LRT line along Feltl Road through part of the Opus Business Park avoiding sensitive public trails and multifamily residential housing. In public comments, the Claremont Apartments have been described as one of the most negatively affected land uses in Minnetonka. (Please see the attached Exhibit C showing the approximate path of this alternate route.) In any case, HCCRA, Met Council and Metro Transit should comply with the City's ordinances requiring a "quiet zone" in proximity to the Claremont Apartments.

J6

O6

Resources:

1. Metropolitan Council Website for the Southwest LRT System:
<http://www.metrocouncil.org/transportation/SW/SouthwestLRT.htm>
2. City of Minnetonka Website Document: Southwest Transit Way Station Area Planning Presentation:
http://www.eminnetonka.com/news_events/show_project.cfm?link_id=southwest_station_area_study&cat_link_id=Planning
3. Interview with Elise Durbin, Community Development Supervisor for the City of Minnetonka on May 14, 2012.
4. Interview with Matthew Murello, President of Lewis S. Goodfriend & Associates, Acoustical Consultant and DEIS Engineer of Record for the Hudson-Bergen LRT, a New Jersey 21 mile LRT adjacent to Manhattan. Interview occurred May 9, 2012.
5. Federal Transit Administration 'Transit Noise and Vibration Impact Assessment,' 2006.
6. Southwest LRT Technical Memorandum No. 9 ENVIRONMENTAL EVALUATION, September 9, 2009.
7. Southwest Transitway Draft Environmental Impact Statement, Approval Date of 9/25 and 26/2012 as prepared by USDOT, FTA and the HCRRA et al.

EXHIBIT 'A' **SOUTHWEST LIGHT RAIL TRANSIT SYSTEM ROUTE MAP IN MINNETONKA**

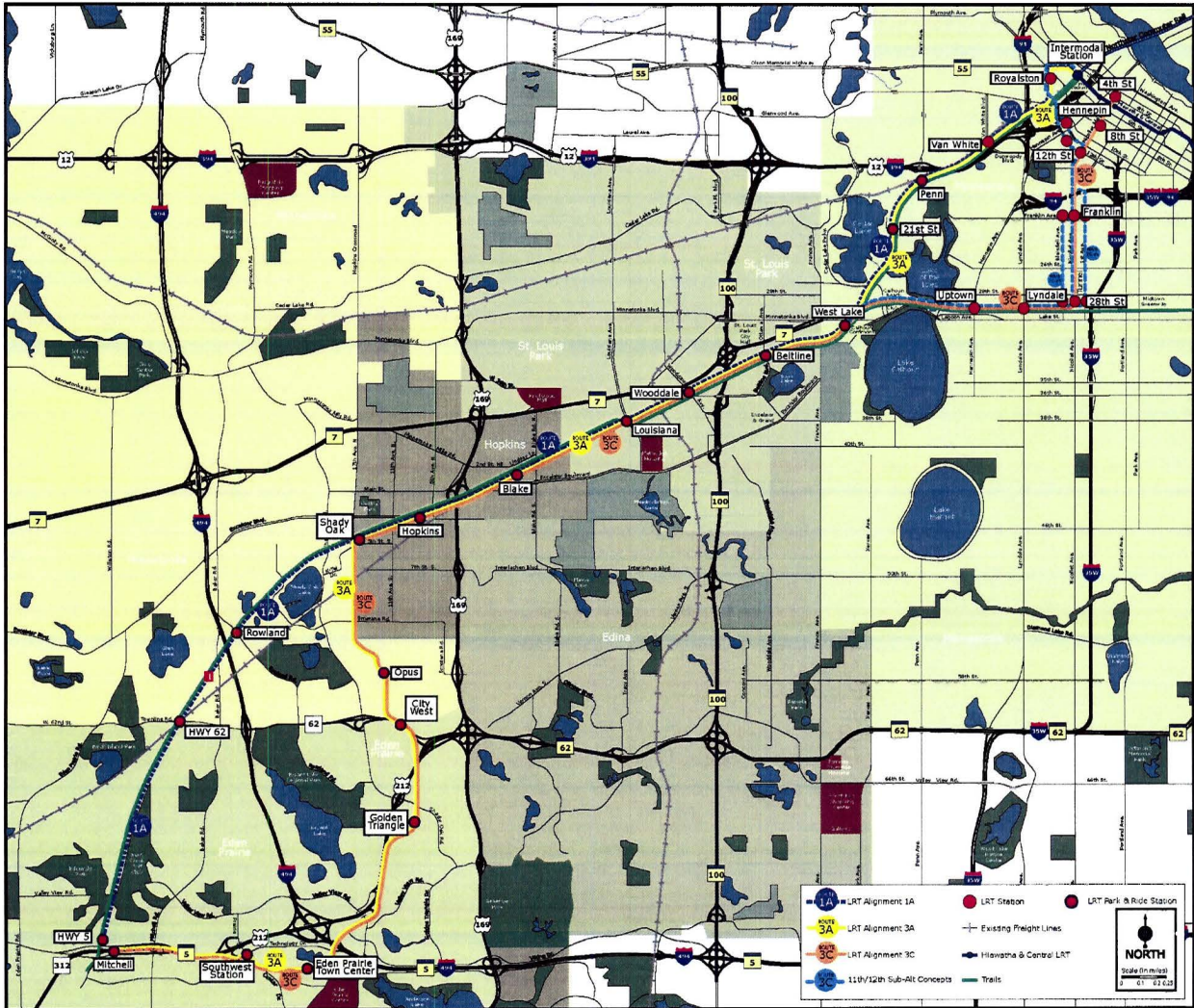


EXHIBIT 'B'
SOUTHWEST LIGHT RAIL TRANSIT SYSTEM ROUTE NEAR THE CLAREMONT
(Note: This will be a Two-Track System not single track as shown)

Southwest LRT Alignment Video



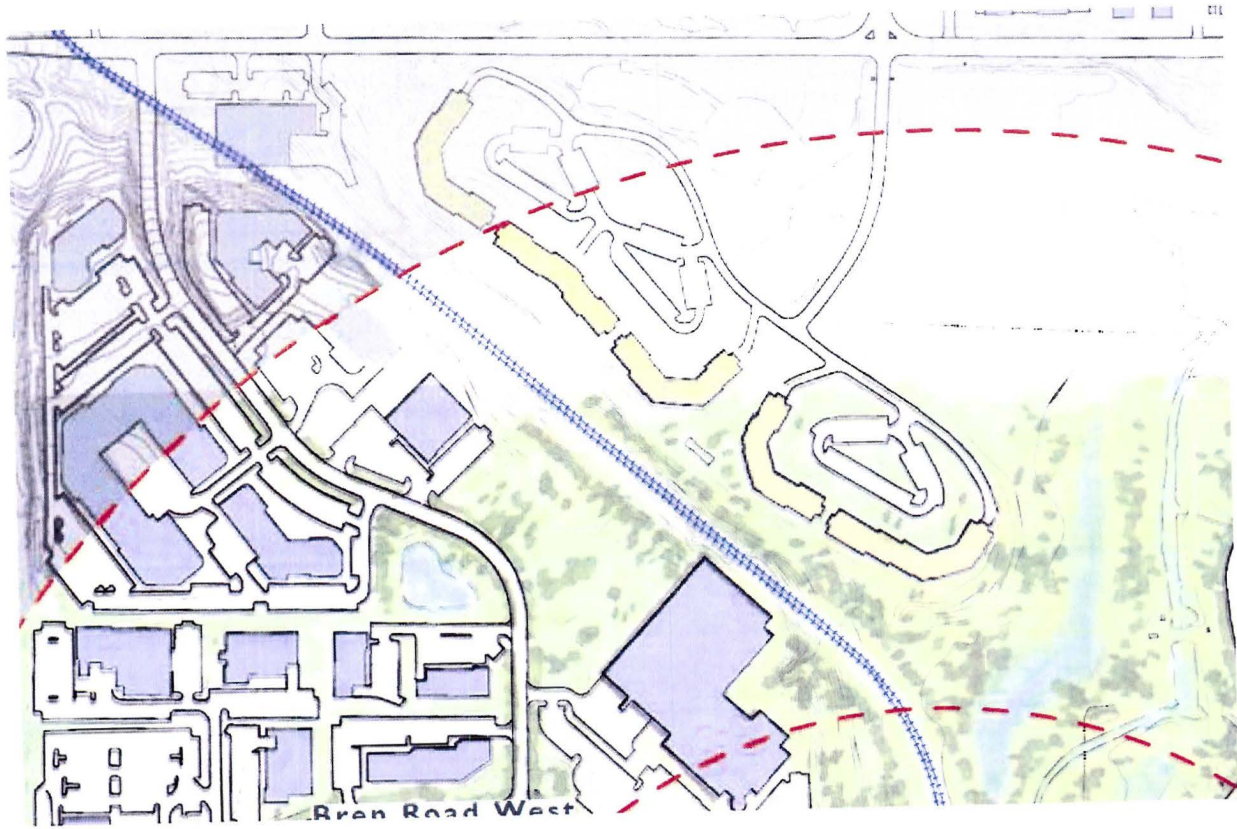


Exhibit C

Alternative Route through Opus Business Park



Draft Environmental Impact Statement Comment Form
Southwest Transitway Project

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Public hearings on the DEIS will be held in November 2012. To learn more about the hearings, please visit www.southwesttransitway.org

~~the~~ Here in Eden prairie, we would like

To see more Jobs, housing, and economic
development

M5

Name: Warsame Elm.

Address: 7505 Scotter

City/State/Zip: Eden Prairie, MN 55346

Telephone: 612-219-1087 Email: _____

Thank you!

The DEIS discusses (1) the purpose and need for the project (2) the alternatives considered (3) the impacts of the alternatives and (4) the agencies and persons consulted.

Comments on the DEIS will be accepted through December 11, 2012. All comments must be received by that date. Please include a return mailing address with all comments.

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The biggest concern we have is not having
Jobs, not enough houses for low income families
and many more staff.

M5

Name: haweya osman

Address: 10418 lee Dr

City/State/Zip: Eden Prairie MN

Telephone: 952-990-0786

Email: _____

Thank you!

the DEIS. (b) any staff, the procedure and need for the program, (c) any alternatives considered, (d) any impacts and (e) any alternatives and (f) the agencies and persons concerned.

Comments on the DEIS will be accepted through December 11, 2012. All comments must be received by that date. Please include a return mailing address with all comments.

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Major staff that this low income
wants to have is more public assistance
so we can have better way of life.

M5

Name: UBAH ABDI
Address: 8080 Eden RD.
City/State/Zip: Eden Prairie MN
Telephone: Email:

Thank you!

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Immigrant Communities Needs To have
an opportunity To create business.

M5

They also would like To have a Low-income
housing in the Southwest

Name: Haddon Maland

Address: 11265 Westwind Dr.

City/State/Zip: Eden Prairie MN

Telephone: 952-246-1274 Email: safety@haddonmail.com

Thank you!

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Housing is our number one need here
in the South West.

M5

Name: Page Aliybw
Address: 235 Nathan Ln N
City/State/Zip: Plymouth MN 55441
Telephone: 612-483-5589 Email: alimad@yahoo.com

Thank you!

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We would like to see ~~an~~ more apartment
build in our city because we have a big
housing issues.

M5

Name: Zaynab M. Ali
Address: 1185 Anderson Lake Pkwy #207
City/State/Zip: Eden Prairie MN 55344
Telephone: 952-~~788404~~ 6881404 Email:

Thank you!

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This project needs to address our
community's problems such as lack of
affordable housing, jobs and
economic development.

M5

Name:

Hassan Hashi

Address:

11405 Westwind Dr

City/State/Zip:

Eden Prairie MN 55344

Telephone:

952-994-2757

Email:

Thank you!

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We need a lot of things from this
project including housing, jobs and
economic development

M5

Name: Hussein Ibrahim.
Address: 8538 Carlisle Ln
City/State/Zip: Eden Prairie Mn 55344
Telephone: 612 644-0645 Email: JeeXdn@yahoo.com.

Thank you!

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1. More jobs for the young youth Somalis.
 2. The city of eden prairie needs more low income houses.
 3. more activities for the youth. I want my ~~children~~ kids to work on the Southwest transitway project.

M5

Name: Fidema hiwale
 Address: 11355 West Wind Dr # C
 City/State/Zip: eden prairie, MN 55344
 Telephone: (952) 944-6268 Email: _____

Thank you!

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We need jobs, we need affordable housing

we need better paying jobs

M5

Name:

Maryam Ali

Address:

13900 Chestnut Dr

City/State/Zip:

Telephone:

952-688-1718

Email:

Thank you!

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I am a high school student, and a senior

This year. I would like to see the SWL&T

Working sooner because it's a cheaper way

for me to travel to my university,

it is a ~~save~~ saver and keep ~~me~~ a lot

of money to my family's pocket.

Name: Najmo Hoosh

Address: 11295 #B

City/State/Zip: MN, Eden Prairie

Telephone: 612-401-3812 Email: wshsoce@hotmail

Thank you!

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We need Housing. it is our problem
here in Eden prairie.

M5

Name:

Ashe Mohamed

Address:

11215 Westwind DR #E

City/State/Zip:

Eden prairie MN 55344

Telephone:

Email:

Thank you!

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Our Immigrant Community needs to have
an affordable housing. This is a big
Challenge to us.

M5

Name: Habiba Matan
Address: 1129 Westwind Dr. Apt. D
City/State/Zip: Eden Prairie MN 55344
Telephone: 612-401-3812 Email: Matan.habiba@hotmail.com

Thank you!

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We need help on housing problems

because ~~we~~ we don't have enough

Low income housing here in Eduprairie

M5

Name:

Maryam Ali

Address:

13900 Chesnut Dr

City/State/Zip:

Eduprairie MN

Telephone:

952-688-1718

Email:

Thank you!

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We need affordable housing here in

M5

Eden prairie

Name:

Ayda Syad

Address:

11235 West wind Dr A

City/State/Zip:

Eden prairie, MN 55344

Telephone:

93

Email:

Thank you!

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We would like to have affordable
housing and economic development.

M5

Here in eden prairie

Name:

MARIAM HAJI

Address:

8556 Cordova LN

City/State/Zip:

Eden Prairie MN

Telephone:

952-212-0140

Email:

Thank you!

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We need housing opportunity

We need jobs that we could be able to

support our families.

M5

Name: Halima Hane

Address: 8560 Cardiff Lane

City/State/Zip: Eden Prairie MN 55344

Telephone: 952-200-0842

Email:

Thank you!

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I am a mother of 5 children, and
would like to have a job that I could
support my family.

M5

The second important thing is to have
affordable housing

Name: Fathi YUSUF
Address: 8577 Cordiff Ln
City/State/Zip: Eden Prairie, MN 55344
Telephone: 952-393-7110 Email: _____

Thank you!

Draft Environmental Impact Statement Comment Form

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I need to have an access to affordable
housing here in my City

M5

Name: fadumo Buluf
Address: 18809 AA Barrington Dr.
City/State/Zip: AA Eden Prairie / Mn / 55346
Telephone: 612-702-6191 Email: danirali@22@gmail.com

Thank you!

Draft Environmental Impact Statement Comment Form
Southwest Transitway Project

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I am a single parent, I need an
affordable transportation that would allow
me to go to Minneapolis and Saint Paul
without asking people to give me a ride

A
M5

Name:

Hawa Ahmed

Address:

11245 Westwind Dr #A

City/State/Zip:

Eden Prairie MN 55344

Telephone:

Email:

Thank you!

Draft Environmental Impact Statement Comment Form

Southwest Transitway Project

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① More low income houses in Eden Prairie ② Our kids to ~~go~~ be on the Southwest Transitway project ③ Want Somalia business in Eden Prairie so we don't have to go all the way to Minneapolis ④ ~~more~~ Jobs for Somalia youth in Eden Prairie

M5

Name: _____

Address: _____

City/State/Zip: Eden Prairie MN

Telephone: _____ Email: _____

0

Thank you!

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I want more jobs for ~~the~~ Somalis youth @ more Somali bussiness in Eden prairie
 ③ more low income houses in Eden prairie ④ want Somali youth to work on
 the Southwest Transitway Project.

M5

Name: Hassan Ali
 Address: 11245 West wind DR #13
 City/State/Zip: Eden prairie MN, 55344
 Telephone: 952-994-5516 Email: _____

Thank you!

Draft Environmental Impact Statement Comment Form

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① Jobs for Somalia youth in Eden Prairie (2) Want Somalia business in Eden Prairie. ③ More low income houses in Eden Prairie ④ Want Somalia Youth to get the opportunities for the Southwest Transitway Project.

M5

Name: _____

Address: _____

City/State/Zip: Eden Prairie, MN

Telephone: _____ Email: _____

Thank you!

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- Create jobs for all the Eden prairie
and residents specially the under-prevalaged
individuals specially the immigrants

M5

Name:

Nur Elmi

Address:

11425 Westwind Dr

City/State/Zip:

Eden prairie, MN

Telephone:

952-994-3405

Email:

e[mi]nur9@gmail.com

Thank you!

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1. Jobs for the youth. 2. more low income
~~houses~~ houses in eden prairie. more opportunities for
the somali community. 2. More homes accept sec 8.

M5

homes

Name: Abdiwali mahamed

Address: 11013 anderson lake pkwy

City/State/Zip: eden prairie, MN 55344

Telephone: 612-913-2355 Email: Wmahamed@gmail.com

Thank you!

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I am Hussein Ibrahim, and would like
to see more jobs, housing opportunity for
the low-income community.

M5

Name: Hussein Ibrahim
Address: 8538 Cardiff Ln
City/State/Zip: Eden Prairie, MN 55344
Telephone: _____ Email: _____

Thank you!

Draft Environmental Impact Statement Comment Form

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If - More affordable housing, jobs, and business development
for immigrants & low-income community in the ~~Southwest~~ Southwest
Area of the twin cities.

M5

Name: Ibrahim Mohamed
Address: 13700 valley view Rd
City/State/Zip: eden prairie MN 55347
Telephone: 952-923-5612 Email: _____

Thank you!

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A

M5

I would like affordable housing, economic development, and accessible public transportation in the southwest area.

Name: Shamudie Hashi

Address: 11275 Westwind Dr. Apt. D

City/State/Zip: Eden Prairie, MN 55344

Telephone: 954-942-7999 Email: hashi0050@gmail.com

Thank you!

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I would like to see more low-income housing
economic development, and ~~and~~ more economic
public transportation

A
M5

Name: Kayse F. Adam
Address: 8090 Eden RD #233
City/State/Zip: Eden prairie, MN 55344
Telephone: 952-583-1213 Email: Kafarah2000@gmail.com

Thank you!

Draft Environmental Impact Statement Comment Form

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I would like affordable housing development and jobs in this area.

M5

immigrants don't have enough housing availability here I De

Name:

Dea Farah

Address:

13700 Valley View Rd

City/State/Zip:

EDEN Prairie MN

Telephone:

612-232-5553

Email:

Thank you!

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We don't have Affordable housing
and economic development in
Eden prairie.

M5

Our community don't have an
opportunity to have Low-income housing.

Name: Bruno Aways
Address: 13945 Anderson Lakes Pkwy #221
City/State/Zip: Eden 503112
Telephone: 952-426-3143 Email: _____

Thank you!

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I need economic help and
Housing To be part of The
Southwest LRT project.

M5Name: Sayrab SicaAddress: ShokodeCity/State/Zip: 612-646-9420

Telephone: _____ Email: _____

Thank you!

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I would love to have affordable housing
in eden prairie and public transportation is
a Must..

A

M5

Name: Liban A. Mohammed

Address: 8703 Columbine Rd

City/State/Zip: Eden Prairie, MN

Telephone: 612 245-7908 Email: _____

Thank you!

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Affordable housing is our number one
need here in the Eden prairie and
other Southwest areas of The Twin Cities

M5

Name:

Abukar Gabire

Address:

8242 Shewale Ln

City/State/Zip:

Eden Prairie, MN 55424

Telephone:

952-807-6171

Email:

Thank you!

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① I would like to see more housing
availability for low income community.

M5

② I would like to see economic development
in this area of the Twin cities.

Name:

Ahmed Elmi

Address:

1471 Grove Drive

City/State/Zip:

Shelton, MD 55379

Telephone:

952-393-6288

Email:

Thank you!

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I would like to see more affordable housing,
Economic Development and accessible
Public transportation.

A

M5

Name: MOHAMED ISMAIL

Address: 9350 Colleen Circle

City/State/Zip: Eden Prairie, MN 55346

Telephone: (952) 426-1938

Email:

Thank you!

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We need more jobs and
Business development here in
eden prairie and southwest.

M5

Name: Faisal Hersi
Address: 8518 Cardiff Ln
City/State/Zip: EDEN PRAIRIE MN 55744
Telephone: 952 465 9876 Email:

Thank you!

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① We need to have housing opportunity in eden prairie

M5

② We need to have economic development

③ We need an opportunity for jobs and livable wages for our community. Thus, SWLRT projects needs to understand these three things

Name: Ibrahim Qirsi
Address: 11265 West Wind Dr
City/State/Zip: Eden prairie MN 55379
Telephone: 612-298-3763 Email: ibrahimq@earthlink.net

Thank you!

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Our Community Needs

1- Housing → affordable / Low Income Housing M5

2- Jobs

3- ~~area~~ business development

Name:

Huiale Khalis

Address:

8522 Cardiff Ln

City/State/Zip:

Eden Prairie MN 55344

Telephone:

952-481-6607

Email:

Thank you!

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I am a single mother with no car to drive, and my son goes to the university of MN, so I would like him to have a public transportation.

A

M5

I would like to own a ~~large~~ business, and would like to have a better living wages.

Name:

Gamer Jiron

Address:

11245 Westwind Dr #D

City/State/Zip:

Eden prairie, MN 55344

Telephone:

952-846-7021

Email:

Thank you!

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I want more jobs for Somali's youth
 More transportation for our kids
 After school programs
 More intation for ESL kids.

A

M5

Name: Sidiyasa Abdi Hussein
 Address: 11215 Westwind Dr
 City/State/Zip: Eden Prairie MN 55344
 Telephone: (612) 886-4087 Email: _____

Thank you!

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* ~~but~~ I support the expansion of the Southwest Transitway project.

A

* We are requesting more business for minority communities.

M5

* We need the development of more affordable housing.

Name: Muhsin Omar

Address: 862 Walling Pl

City/State/Zip: Chaska, MN 55318

Telephone: 612-462-7299 Email: Muhsin_omar@yahoo.com

Thank you!

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- * Transportation
- * Jobs
- * Financial Aid → Education
- Investment
- Micro-finance
- * Cultural Development:
 - African cultural Awareness
 - Different Community Cultural Accumulating Performance

Name: MUSTAFA MOHAMMED

Address: 13875 Chestnut Drive #310

City/State/Zip: 55344

Telephone: 6512357694 Email: refmust@aol.com

Thank you!

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Southwest Transitway Project

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~~house~~ ~~Transit~~ ~~Jobs~~

I Support SWLPT Project for only
Three Things

A

1- Housing opportunities.

2- Access To Public Transportation

M5

3- economic development for
Under-represented People.

Name: Ahdi Fatah Sahid

Address: 17893 Chestnut Dr

City/State/Zip: Eden Prairie MN 55344

Telephone: 552 217 3861 Email: khunye58@hotmail.com

Thank you!

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Southwest Transitway Project

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housing → give Immigrant a better
affordable housing opportunity.

M5

economic development along the SWRT line

A

transportation that would benefit for all

people.

Name:

Favhira Ahmed

Address:

7340 SCOTTRACE

City/State/Zip:

CP

Telephone:

952-564-8024

Email:

Thank you!

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Southwest Transitway Project

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Housing, Transportation; economic
development would be essential success
if SWLRT ~~to~~ protect wants to be
a successful historic project

A

M5

Name: AMINA ALI
Address: 8275 Tamarak Trail
City/State/Zip: Eden Prairie MN 55347
Telephone: 952-829-0043 Email: _____

Thank you!

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Southwest Transitway Project

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Housing → More housing opportunities

Transportation: - access to public

Jobs opportunities for many under employed
Immigrant youth

A

M5

Name:

Hassan Ali

Address:

8775 Tamarak Trail

City/State/Zip:

Eden Prairie MN

Telephone:

952-994-5516

Email:

HassanKhaliff@hotmail.com

Thank you!

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Three Things That We Support The SWLR project

Housing

Jobs

economic development

M5

Name:

Fadumo Duale

Address:

8994 Cardiff Ln

City/State/Zip:

Telephone:

952-944-2143

Email:

Thank you!

Draft Environmental Impact Statement Comment Form

Southwest Transitway Project

Federal and state environmental rules require that an Environmental Impact Statement (EIS) be prepared for the proposed Southwest Transitway project. The EIS process includes the preparation of a Draft Environmental Impact Statement (DEIS), which must be made available for public review and comment.

The DEIS discusses: (1) the purpose and need for the project; (2) the alternatives considered; (3) the impacts of these alternatives; and (4) the agencies and persons consulted.

Comments on the DEIS will be accepted through December 11, 2012. All comments must be received by that date. Please include a return mailing address with all comments.

Public hearings on the DEIS will be held in November 2012. To learn more about the hearings, please visit www.southwesttransitway.org

Somali

awigs oo ah waahid kamido waahid duntu
 doon eden prairie waxaan aad ujeclaan
 lahaa in aan helo guryo ah low incom
 iyo kuwo shahaadado gaar ah waxa kale
 oo aad jeclaan in aan ka gaybo gaar ah
 no taraan ka oo ah wax aad noogu
 ah wax ka weyn oo aad aad ugu
 faahayn lahayn.

English

I am one of the immigrant parents live in Eden Prairie.
 I would like to see more low-income housing in eden prairie
 because currently, we don't have that opportunity or
 it is very limited.

I do support the project 100% and the SWLRT project

Name: Sahra Cabdi Xasan

Address: 8509 Cardiff Lane

City/State/Zip: Eden Prairie MN 55344

Telephone: 952-688-1020 Email: _____

Thank you!

Draft Environmental Impact Statement Comment Form

Southwest Transitway Project

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Somali language

Awiga waa ah hooyo kuwool kaagdo
eden prairie waaan aad ujeedaan
lahaa inaan helno guriga ku filan
famiileedna oo gaar ah shahaado
ama low income ah.
waaan aad ujeedaan lahaa
inaan ka gaar gaar noo taariin ka
kaag oo nooleh wax tar aad u badan
communitigeen soo meelido ee ku nool
eden prairie

English:

I do support the light rail project to impact
on housing, jobs and businesses for the
Somali and other immigrant community.

Name: Ibrahim Mohamed Sahra
Address: 8649 Columbine Rd
City/State/Zip: Eden Prairie, MN 55344
Telephone: 952-217-7172 Email: _____

Thank you!

Draft Environmental Impact Statement Comment Form
Southwest Transitway Project

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I am a father of 5 children and live in

Eden prairie, The problems that I have is the lack of affordable/low income housing. M5

I would like the SWLRT project to put their number 1 goal to build a 4-bedrooms apartments for the low income people in the southwest area.

Name: Omar Muhumed
Address: 8521 Cardiff Ln
City/State/Zip: Eden prairie, MN 55344
Telephone: 952-486-2544 Email:

Thank you!

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Public hearings on the DEIS will be held in November 2012. To learn more about the hearings, please visit www.southwesttransitway.org

Our community need more jobs
more affordable housing and more public
transportation available.

M5

A

Name:

Ahmed Warsame

Address:

17597 Paulde Dr

City/State/Zip:

Eden Prairie, MN 55346

Telephone:

651-366-2325

Email:

Thank you!

Public Comments will be accepted through December 11, 2012. All comments must be received by that date. Please include a return mailing address with all comments.

Public hearings on the DEIS will be held in November 2012. To learn more about the hearings, please visit www.mn.gov/DEIS/2012

Public hearings on the DEIS will be held in November 2012. To learn more about the hearings, please visit www.mn.gov/DEIS/2012

our ~~main~~ problems are no low income houses, no enough jobs and many problems.

M5

Name: Ayan Ali
 Address: 1425 State Street
 City/State/Zip: Clarke MN 55318
 Telephone: _____ Email: _____

Thank you!

Draft Environmental Impact Statement Comment Form

Southwest Transitway Project

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Public hearings on the DEIS will be held in November 2012. To learn more about the hearings, please visit www.southwesttransitway.org

I'm mom who concerning her kids' future we need our kids to be successful in school we need to have a proper housing, jobs and support from the city and the other community

M5

Name: Fosia Ashour
 Address: 1100 anderson lakes park #203
 City/State/Zip: eden prairie mn 55344
 Telephone: 612-205-7764 Email: _____

Thank you!

Draft Environmental Impact Statement Comment Form

Southwest Transitway Project

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Public hearings on the DEIS will be held in November 2012. To learn more about the hearings, please visit www.southwesttransitway.org

Major Concern For our Community are
~~less~~ lack of low income houses, no many jobs
 and help from The government and State

M5

Name: ME SFIN MULUGETA
 Address: 11013 Anderson Lakes PARKWAY
 City/State/Zip: Eden prairie MN
 Telephone: 952-6882870 Email: CenturyLink.com

Thank you!

Draft Environmental Impact Statement Comment Form

Southwest Transitway Project

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Public hearings on the DEIS will be held in November 2012. To learn more about the hearings, please visit www.southwesttransitway.org

*We need more help for our Somali Community
* more ~~ap~~ Pupae house, to take for our kids
pupae housing. And Jobs*

M5

Name: *Abdullahi Sheikh Ibrahim*

Address: *12700 Nicollet AVE APT# A232*

City/State/Zip: *Burnsville MN 55337*

Telephone: *952-484-8404* Email: *YASKA58@Hotmail.com*

Thank you!

Draft Environmental Impact Statement Comment Form

Southwest Transitway Project

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Public hearings on the DEIS will be held in November 2012. To learn more about the hearings, please visit www.southwesttransitway.org

The concern of these community is that we need more opportunity of jobs, public transportation, education. and more help for our children.

M5

A

Name: Sawro Adun
 Address: 8220 mitchell Rd E
 City/State/Zip: eden prairie
 Telephone: 612.701.0673 Email: _____

Thank you!

1) a full description of the project and need for it in your area; 2) a description of the project's location; 3) a description of the project's impact on the community; and 4) a description of the project's cost and benefits.

Comments on the DEIS will be accepted through December 11, 2012. All comments must be received by that date. Please include a return mailing address with all comments.

Public hearings on the DEIS will be held in November 2012. To learn more about the hearings, please visit www.mn.gov/edc/edc.html.

We need ~~an~~ better SOCs, more high paying SOCs and more public housing projects for the under-developed communities in Eden prairie.

M5

Name: Ibrahim Ali
Address: 9700 Pleasant Ave S
City/State/Zip: Bloomington, MN 55420
Telephone: _____ Email: _____

Thank you!

Public comments on the DEIS will be accepted through December 11, 2012. All comments must be received by that date. Please include a return mailing address with all comments.

Public hearings on the DEIS will be held in November 2012. To learn more about the hearings, please visit <http://www.mn.gov/ep/2012>

I would like to see more high paying jobs created in the Southwest Metro Area. I would also like transportation advancement specially public transportation becoming more accessible among all the eden prairie residents. I would also like to see more public housing apartments built for the deserving residents of EP.

M5

A

Name: Sulbano Mohamed
Address: 13945 Abenson lakes Eden prairie, MN 55349 #218
City/State/Zip:
Telephone: Email:

Thank you!

Public Hearing Notice for the Draft Environmental Impact Statement (EIS) for the proposed project.

Comments on the EIS will be accepted through December 11, 2012. All comments must be received by that date. Please include a return mailing address with all comments.

Public hearings on the EIS will be held in November 2012. To learn more about the hearings, please visit www.mn.gov/transportation.

Public hearings on the EIS will be held in November 2012. To learn more about the hearings, please visit www.mn.gov/transportation.

We need more jobs for the Southwest Metro residents. More transportation public

A

M5

Name: Fadiuo Kariye
Address: 2610 W 91st
City/State/Zip: Bloomington, MN
Telephone: _____ Email: _____

Thank you!

Comments on the Draft Environmental Impact Statement (EIS) for the proposed project should be submitted to the project manager by the deadline of December 11, 2012. Comments should be submitted in writing and should include the following information:

(1) the project name and location; (2) the comments being submitted; (3) the name and address of the person submitting the comments; (4) the date of submission; and (5) the name and address of the person to whom the comments should be sent.

Comments on the EIS will be accepted through December 11, 2012. All comments must be received by that date. Please include a return mailing address with all comments.

Public hearings on the EIS will be held in November 2012. To learn more about the hearings, please visit www.mn.gov/transportation.

we need more good paying jobs.
Many of our younger people are simply
jobless or don't have a good job because
their current one pays less.

M5

Name: Ahmed ARDALLA
Address: 8275 Tamarack Trail
City/State/Zip: Eden Prairie, MN
Telephone: _____ Email: _____

Thank you!

Comments on the DEIS will be accepted through December 11, 2012. All comments must be received by that date. Please include a return mailing address with all comments.

Public hearings on the DEIS will be held in November 2012. To learn more about the hearings, please visit www.southcoaststateside.com.

We, the Southwest Metro residents, would like to see many changes occur in our society including: the creation of more jobs and more public housing.

M5

Address:

City/State/Zip:

Telephone:

Email:

Thank you!

Draft Environmental Impact Statement Comment Form

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Waxen and waxen lagoon in
eden prairie has much more baden
on roads limited on roads waxen
shepherds Bakken 8 ks and wax 100
yaxen low income ks mar waxen Jackson
lagoon in eden and waxen waxen
tween the houses.

We would like more houses
more Public Transportation
and more jobs.

M5

A

Name: Hodan Abdi Ali
Address: 7405 Mitchell Rd
City/State/Zip: Eden Prairie MN 55344
Telephone: 651-210-8708 Email: _____

Thank you!

The DEIS describes (1) the purpose and need for the project, (2) the alternatives considered, (3) the impacts of the proposed project and (4) the agencies and persons consulted.

Comments on the DEIS will be accepted through December 11, 2012. All comments must be received by that date. Please include a return mailing address with all comments.

Public hearings on the DEIS will be held in November 2012. To learn more about the hearings, please visit www.mn.gov/transportation.

M5

A

Our Concern For our Community is very big
we need to have avoidable houses, good
Jobs and better Transportation

Name: Habiba Hamza
Address: 4090 Eden Rd.
City/State/Zip: Eden Prairie Mn 55344
Telephone: 952-807-3300 Email: _____

Thank you!

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Public hearings on the DEIS will be held in November 2012. To learn more about the hearings, please visit www.southwesttransitway.org

M5

We need, housing, economic Development

Name: Tatumo Hussain

Address: 8090 Eden rd

City/State/Zip: Eden Prairie MN

Telephone: 952-215-5683 Email: _____

Thank you!

For UGA documents (1) the purpose and need for the project, (2) the environmental impacts, (3) the benefits and (4) the agencies and persons consulted.

Comments on the DEIS will be accepted through December 11, 2012. All comments must be received by that date. Please include a return mailing address with all comments.

Public hearings on the DEIS will be held in November 2012. To learn more about the hearings, please visit www.mn.gov/transportation/transportation.html

This Community is very in need of many things, we want jobs, so we can make our living, and we need shops.

M5

Name: Sahra Hussein

Address: 8090 Eden rd

City/State/Zip: Eden Prairie MN

Telephone: 952-457-2623 Email: _____

Thank you!

The DEIS also includes (1) the purpose and need for the project, (2) the alternatives considered, (3) the impacts of the project, and (4) the agencies and persons consulted.

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Public hearings on the DEIS will be held in November 2012. To learn more about the hearings, please visit www.fdot.com/transportation/DEIS.

A

M5

Community is need for public transportation and public housing and many others.

Name: Fowsiya Warsame

Address: 8511 Cadiff Lane

City/State/Zip: eden prairie mn 55344

Telephone: 612-226-6238 Email:

Thank you!

The DEIS discusses (1) the purpose and need for the project, (2) the environmental impacts of the proposed project, (3) the environmental impacts of the proposed project, (4) the environmental impacts of the proposed project, and (5) the environmental impacts of the proposed project.

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M5
A

my mine issue and the community is Secure Jobs
Good Houses and Transportation.

Name: Ali Hussein

Address: 574- Prairie Center

City/State/Zip: Eden Prairie mn

Telephone: Email:

Thank you!

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I would like to see affordable housing economy
development for Immaculate Community

M5

Name: Ali Shiekh
 Address: 1133 CROSTOWN
 City/State/Zip: CHASKA MA 01915
 Telephone: 615 423-2131 Email: _____

Thank you!



"Jacobson, Nani"
<Nani.Jacobson@metrotransit.org>

01/07/2013 09:40 AM

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

cc

bcc

Subject FW: Public Comment for Southwest LRT

From: Richardson, Mary
Sent: Wednesday, January 02, 2013 6:07 AM
To: O'Connell, Sam; Jacobson, Nani; Steinborn, Melanie; 'katie.walker@co.hennepin.mn.us'
Cc: Kaufman, Robin
Subject: FW: Public Comment for Southwest LRT

From: swlrt [<mailto:swlrt@metrotransit.org>]
Sent: Tuesday, January 01, 2013 7:36 AM
To: Richardson, Mary
Subject: FW: Public Comment for Southwest LRT

From: Todd Carlsen[[SMTP:TODDCARLSEN@MSN.COM](mailto:TODDCARLSEN@MSN.COM)]
Sent: Tuesday, January 01, 2013 7:35:31 AM
To: swlrt
Subject: Public Comment for Southwest LRT
Auto forwarded by a Rule

Dear LRT Representative,

I understand that the public is allowed to submit feedback regarding the Southwest LRT project. I have two related comments to submit:

1. If the Southwest LRT line were to ever expand westward or southwestward, it should follow Highway 212 so that many riders could easily and quickly access the line easily from the highway. The highway would feed the LRT line. That 212 route is wisely used by SW Transit buses, including a station along the highway in Chanhassen. Staying next to Highway 212 makes sense because that is where you would access the population of riders, on the highway, to sustain a westward LRT expansion. The highway was built to accommodate a future LRT line, I was told by a highway engineer, so expanding such a line would not requiring destroying valuable infrastructures.

G2

2. The LRT line should never expand onto the Southwest Corridor biking and recreation train. That recreational trail is very valuable park and a regional treasure. There is some frustration that the LRT designers are not hearing how valuable it is to the citizens. It is a precious infrastructure development to the area and would be destroyed. Please hear what we are saying. You would be destroying something of great value, and that is a big cost. It also makes little sense to use the Southwest Corridor trail since not a large number of people could easily access a LRT line from that trail. The population is sparse along the trail west of Eden Prairie road and not easily accessible, and a LRT rail would not make sense on the Southwest Corridor. Instead, you definitely would want to run the LRT line along Highway 212 where many people from the highway could feed a LRT line. Run the line along Highway 212.

P9

Kind regards,

Todd Carlsen
16974 Hanover Ln
Eden Prairie, MN 55347
952-949-3152

This email is intended to be read only by the intended recipient. This email may be legally privileged or protected from disclosure by law. If you are not the intended recipient, any dissemination of this email or any attachments is strictly prohibited, and you should refrain from reading this email or examining any attachments. If you received this email in error, please notify the sender immediately and delete this email and any attachments.



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

L4

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 Fabummi, 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
CEQ # 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.

U

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.

K0

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.

L4

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-

N5

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.

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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.

U

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.

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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

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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:

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- 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.

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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.

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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.

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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.

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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

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

H3

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.

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- 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.

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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.

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- 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.

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- 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.”

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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.

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- 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.

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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:

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- 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.

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- 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.

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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.”

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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.

N7

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.

S1

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.

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- 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).

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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.

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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 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.

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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?

H2

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.

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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.

N12

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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).

M5

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.

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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.

N9

- 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.

N9

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.

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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.

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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.

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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.

S4

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.

V

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.



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

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. C

It is imperative that Carver County retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS, 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

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

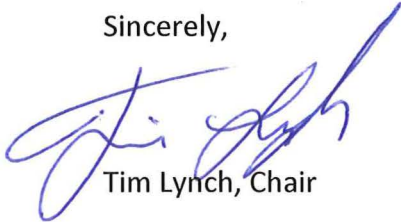
Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reconsider the freight rail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

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.

C

Sincerely,

A handwritten signature in blue ink, appearing to read "Tim Lynch".

Tim Lynch, Chair

A handwritten signature in blue ink, appearing to read "Gayle Degler".

Gayle Degler, Commissioner

A handwritten signature in blue ink, appearing to read "Tom Workman".

Tom Workman, Commissioner

A handwritten signature in blue ink, appearing to read "James Ische".

James Ische, Vice Chair

A handwritten signature in blue ink, appearing to read "Randy Maluchnik".

Randy Maluchnik, Commissioner

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

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NOVEMBER 13, 2012

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REPORTED BY: AMY KRISTINA LIZOTTE

APPEARANCES

PETER McLAUGHLIN, Hennepin County Commissioner and
Chair of Hennepin County Regional Railroad Authority
(HCCRA)

GAIL DORFMAN, Hennepin County Commissioner

JAN CALLISON, Hennepin County Commissioner

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4	RYAN EDSTROM.....	18
5	PETER RICKMEYER.....	20
6	JOSHUA HOUDEK.....	22
7	TODD KLINGEL.....	24
8	RANDY PETERSON.....	26
9	JEANETTE COLBY.....	26
10	RUSS ADAMS.....	28
11	MARK STENSRUD.....	31
12	MALIK HOLT.....	32
13	JOHN HARTWIG.....	36
14	JACK LEVY.....	38
15	KATHLEEN MURPHY.....	40
16	VICKIE MOORE.....	41
17	MARC BALLBACH.....	42
18	ROLF ERICKSON.....	43
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1 (Opening statements off the record.)

2 THE COMMISSIONER: I have a list of
3 people who have signed up, and the first person on
4 the list is Barry Schade. Welcome. Comment #864

5 BARRY SCHADE: Thank you, Mr. Chairman.
6 My name is Barry Schade. I live at 256 Sheridan
7 Avenue South. And I'm here as a representative for
8 the Bryn Mawr Neighborhood Association. We wanted
9 to show up today and let you know that the Bryn Mawr
10 Neighborhood Association supports the DEIS review of D
11 the locally preferred alternative, and we support
12 the finding that it is the environmentally preferred
13 alternative. And that would include, especially in
14 our interest, the Penn station and the relocation of I2
15 the freight rail out of the Kenilworth corridor.

16 We're not particularly naive in ignoring
17 there are some potentially negative impacts on Bryn
18 Mawr, for example, the possible loss of connectivity M3
19 in the neighborhood, as we have yet another possibly
20 divisive thing like 394 that split the neighborhood D
21 years ago. And also we're aware of the possible
22 loss of our easy unconventional access to the biking P9
23 and walking trails by walking across the railroad
24 tracks and going directly onto the trails.

25 However, we think that these negative

1 impacts are significantly offset by benefits that
2 come from the project. And there are five things I
3 would like to highlight.

4 First of all, the station itself would give
5 us better access and connectivity to the light rail
6 and to the regional transportation system. That, of
7 course, is paramount. Secondly, the station at Penn
8 would give us access to trails that we could
9 otherwise lose by construction of the light rail and
10 the construction of fences along the light rail.

11 Thirdly, we think the station at Penn would
12 offer developmental potential, as was identified in
13 the Capstone report that was prepared for the
14 neighborhood by the Humphrey School of Public
15 Affairs. And we see that beyond the neighborhood
16 that the station also offers an opportunity for the
17 near north side to connect with the light rail
18 system and also -- would also provide an important
19 gateway to the parks and trails in Minneapolis.

20 Of course, there are couple of minor things
21 we might want to grumble about and probably will
22 submit those in writing, but we mainly wanted to
23 show up today and express our strong support for the
24 DEIS document and its environmental evaluation and
25 to thank you for the opportunity to appear before

1 you today.

2 THE COMMISSIONER: Thank you very much.
3 Next is Tim Hayes. After that it will be Bob
4 Salmen, just to get yourself ready. Comment #865

5 TIM HAYES: Thank you, Chairman. My
6 name is Tim Hayes. And I'm with LBP Mechanical, 315 I2
7 Royalston Avenue. The impact study shows a lack of
8 understanding of the current conditions of the
9 business operations on Royalston Avenue. We're M2
10 going to be negatively impacted by the alignment of
11 the platform and on the routing of the rail line.
12 These businesses require unfettered access from
13 Royalston, and this will be impacted by the current
14 layout.

15 The long-term effects of the businesses on
16 these sites need to be a priority as we go forward
17 with this study. The DEIS anticipates land use
18 changes with no plan for the implementation. The
19 proposed LRT could have the impact of dislocating or
20 relocating the businesses, and this needs to be
21 developed.

22 While the environmental impact study
23 acknowledges land use change is projected in the
24 future, the existing businesses finding new
25 locations, there's no plan as to how this will

1 happen and when. The mitigation must be identified
2 to ensure that the existing businesses will be able
3 to continue to operate.

4 We depend on street parking, and this will
5 be eliminated with the current proposed routing.
6 Further study of the traffic patterns and
7 identification of measures to ensure that these
8 businesses will continue to operate and have access
9 need to be a priority during the preliminary
10 engineering study. The proposed location of the
11 Royalston station should also be reevaluated. The
12 proposed location will severely impact the Royalston
13 area businesses.

M2

I2

14 The businesses on Royalston Avenue are
15 primarily industrial in nature and employ over 200
16 people currently. And there's nothing in the study
17 that acknowledges these businesses or the
18 contribution to the local economy. Thank you.

M2

19 THE COMMISSIONER: Thank you very much.
20 Next is Bob Salmen, and then Duane Peterson after
21 that.

Comment #866

22 BOB SALMEN: Thank you. Appreciate it.
23 I will first second pretty much everything that Tim
24 had stated. I have the two properties that are just
25 to the west of him, 501 Royalston and 415 Royalston.

1 My name, just to reiterate, is Bob Salmen, and my
2 address is 501 Royalston Avenue. I am a -- we
3 manage, lease, and own the two industrial properties
4 at that location. They are multi-tenant. And we **M2**
5 feel that we would be negatively impacted for the
6 following reasons.

7 First of all, it will be a logistical
8 nightmare. Because, as Tim stated, heavy truck
9 traffic is in and out of our property on a daily **M2**
10 basis. That will be severely restricted both during
11 the construction period and post construction with
12 the rail and inactivity. So that's devastating to
13 some of our tenants who need the access,
14 accessibility, and the circulation that currently is
15 in the location, which will be blocked from
16 Royalston Avenue.

17 There's also some discussion that Royalston
18 Avenue may be converted to a route that goes along
19 Border Avenue. And I just want to comment that if **I2**
20 that does happen, that affects us probably even more
21 negatively for pretty much the same reasons. But
22 that would totally eliminate all of our truck access
23 and traffic access, which is all through the west
24 side of our property -- or properties.

25 Secondly, the construction disruption will

1 have a negative impact on our businesses. And our
2 businesses are three- to five-year tenancies. And
3 instead of a company coming into a construction zone M2
4 for that period, they will probably either eliminate
5 it or our revenues and revenues of those businesses
6 would be anticipated to be very restricted. Whether
7 or not that's the case, time will tell.

8 Taking the central corridor into account, it
9 would probably align more with our fears that
10 there's going to be a disruption that will
11 negatively impact the businesses that are in there, M2
12 or in our case, the businesses that we cannot bring
13 into the property because of that.

14 The light rail itself for the type of
15 businesses that we operate in that neighborhood is
16 probably going to have little impact, even though
17 there are 200, probably 250 soon, employees. Most M2
18 of them drive cars, and for the near future most of
19 those users probably will continue to. So even
20 though there are many benefits to the light rail,
21 the impact in the ridership to this particular area
22 on Royalston is probably very limited.

23 THE COMMISSIONER: Your three minutes
24 is up, if you could wrap up.

25 BOB SALMEN: One last thing, another

1 big concern that we have is the station being put in
2 in front of Stark Electronics on this street will
3 then require either an underground project or an
4 over-the-bridge project to get the train from that
5 station to the interchange itself. And we have seen **I2**
6 nothing to show us what that's going to be like. So
7 we're very nervous that we're going to get cut off
8 from downtown by a large either concrete structure
9 or bridge-type structure. So thank you very much
10 for your time.

11 THE COMMISSIONER: Thank you very much.
12 Duane Peterson is next, and then Art Higinbotham.
13 Welcome, Mr. Peterson. Comment #867

14 DUANE PETERSON: Yes. My name is Duane
15 Peterson. The address is 401 Royalston Avenue
16 North, Minneapolis, Minnesota. The organization
17 would be Stark Electronics, which is our business.
18 I'm going to talk about the access of -- the impact **M2**
19 is going to have on the Royalston Avenue with our
20 business. The LPA has a negative impact on access
21 to the businesses along Royalston Avenue.

22 The businesses along Royalston Avenue are
23 industrial in nature and require unfettered access
24 to the conduct of their businesses. Further study
25 of the traffic patterns and identification of

1 measures to ensure these businesses continue to have
2 access should be prioritized during the primary
3 engineering, the engineering being done now.

12

4 The businesses on Royalston Avenue are
5 industrial and require direct and frequent access
6 with cars, trucks, and semis. We have employees
7 going in and out. The site contains only one access
8 on Royalston Avenue. And the priority of the early
9 P and E should be identifying alternate access to
10 these businesses.

12

11 Further study of Border Avenue route as an
12 alternative to Royalston is necessary to see if
13 there is an alternative that has less impact on the
14 Royalston businesses. If Holden Street is closed,
15 the train alignment as it exists, the rail trench on
16 its way to the Royalston station, the loss of this
17 connection must be migrated by the project opening
18 Border Avenue through one block through a private
19 property through Glenwood Avenue. It is critical to
20 maintain or improve vehicle circulation in this area
21 for existing businesses, future development, traffic
22 circulation, and pedestrian access.

12

23 If the Holden Avenue becomes a dead end,
24 turnaround capability will be required provided that
25 the public right of way and not on private property.

1 Alignment along Royalston Avenue right of way
2 centered west side and east side should be evaluated
3 looking at affects of adjacent businesses way to
4 keeping two-way traffic circulation.

I2

5 The proposal located at Royalston station
6 should be reevaluated. The proposal location will
7 certainly negatively impact the Royalston Avenue
8 businesses.

I2

M2

9 The LPA will have a negative impact of
10 businesses along Royalston Avenue. Again, I think I
11 already said this, they're mostly industrial, but
12 it's going to be over 200 and some jobs going to be
13 impacted. If we have to move, these jobs could be
14 done, gone. It should be a priority to study the
15 impact of the LPA on these businesses with the
16 planned development to ensure that jobs are
17 preserved within the city of Minneapolis. That's
18 all I have to say.

19 THE COMMISSIONER: Thank you very much.

20 DUANE PETERSON: Thank you.

21 THE COMMISSIONER: Art Higinbotham, and
22 then Scott Barriball. Mr. Higinbotham, welcome.

23 ART HIGINBOTHAM: Good afternoon. Art

Comment #868

24 Higinbotham, 3431 St. Louis Avenue, Minneapolis.

25 I'm going to wear the cap of the representative for

1 the West Lake Street station on the Southwest LRT,
2 and my comments will be directed to section 8.0 of
3 the DEIS, the financial analysis.

4 In that section there's a table which shows
5 the expenditure for trackage and guide of
6 \$218,000,000. That number was based on advanced
7 conceptual engineering. When I addressed the
8 question of what advanced conceptual engineering
9 means, Mark Fuhrman, who is the project director,
10 replied, 1 percent of the engineering costs. In
11 other words, it's a guess.

12 The problem is that if any of you have seen
13 the video, a virtual ride from Eden Prairie to
14 Target Field, and Target Field is not really the
15 destination most of these riders are going to be
16 going to, it includes an overpass at 494, an
17 overpass at Highway 212, an overpass at the
18 crosstown, a 3,000 foot bridge over the Minnehaha
19 Creek water shed in Minnetonka, a grade separation
20 at Highway 169, grade separation at Cedar Lake
21 Parkway, grade separation at the Burlington Northern
22 tracks downtown, and over North 7th Street.

23 It seems incredible that all this can be
24 done for \$218,000,000. Secondly, around the West
25 Lake Street station there's no provision for

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1 improved access to the proposed West Lake Street
2 station. The arteries West Lake Street and
3 Excelsior Boulevard already carry 39,000 vehicles
4 per day. And a recent study has shown that they are
5 at saturation today. If we bring in more commuters
6 to that station, either coming in from Uptown or
7 from Linden Hills or Edina, we're going to have
8 virtual traffic jams on the railroads.

9 Furthermore, there is very little parking
10 access. There is a deficiency of spaces today for
11 the two major business centers, Calhoun Commons and
12 Calhoun Village. And there is no funds in the
13 proposal to rectify those shortages. Thank you very
14 much for you time.

15 THE COMMISSIONER: Thank you very much.
16 Scott Barriball, and Craig Westgate on deck.
17 Mr. Barriball, welcome.

Comment #869

18 SCOTT BARRIBALL: Yes, thank you.
19 Hello, my name is Scott Barriball. I am at 200 East
20 Lyndale Avenue, which is commonly known as the
21 Farmers Market Annex. I've been at that site for 28
22 years. I've made over a half-million dollars of
23 improvements. I just recently completed a \$250,000
24 renovation in the back, which I now call the urban
25 garden. I was rezoned from an I zone to a C2 about

1 a year ago. We've been working closely with the
2 Minnesota Twins. And we're developing our facility
3 now for weddings, tailgating, charitable operations,
4 and corporate events.

5 The Farmers Market Annex is a mix of small
6 farmers, food vendors, and individual entrepreneurs.
7 We have almost 150 small businesses. I employ 15
8 full- and part-time people. The building that I own
9 and occupy has two tenants; the Sunrise Early
10 Learning Center, which is a minority owned and
11 operated day care; and the Wrecker Services, which
12 rents 10,000 square feet and has been a tenant of
13 mine for the past 28 years.

14 Currently the plan calls for their storage
15 area to be taken. So I am poised I guess to lose my **M4**
16 long-time tenant which generates over \$60,000 of
17 rent a year. I understand from some of the things
18 that I've heard and looking at the plan that my new
19 urban garden area may need to be cut into. Wouldn't
20 be a great deal for me. My business and the
21 Minneapolis farmers market across the street is
22 totally dependent on access and parking, without
23 that we're pretty much out of business.

24 I'm really concerned about the construction,
25 the staging of the equipment, the parking, and the **M4**

1 congestion I feel will hurt my business. The good
2 side of it is we're only open Saturday and Sunday
3 from May 1 until the end of October. So if there
4 can be some thought put into maybe, you know,
5 lightening that up on the weekends so we could
6 operate as free from the construction process as
7 possible.

M4

8 I also have heard rumblings that the
9 Royalston may turn into the border argument. I
10 don't know where that's coming from. But that would
11 be a catastrophic effect on both the farmers market
12 and my business. There is just simply no way we can
13 lose that parking. And the construction, the two
14 year, two and a half year process, it would just
15 absolutely ruin a lot of people's businesses.
16 That's all I have to say. Thank you very much.

I2

17 THE COMMISSIONER: Thank you for you
18 time, sir. Craig Westgate, and on deck Ryan
19 Edstrom. Mr. Westgate, welcome.

Comment #870

20 CRAIG WESTGATE: Thank you. Craig
21 Westgate. My address is 3523 St. Paul Avenue in
22 Minneapolis. But tonight I'm speaking as the
23 chairman of CIDNA. I'm here on behalf of CIDNA.
24 Our transportation committee has done a wonderful
25 job of preparing a written response for the December

1 11 deadline. With that said, we have many concerns.
2 I'm just going to point out a couple.

3 The first one we believe is the noise.
4 The -- we believe that the impact of the noise level
5 and noise incident frequency has not been properly
6 assessed and will have a major impact on the peace
7 and tranquility for the residents and the users of
8 the Kenilworth corridor and users of the Grand
9 Rounds National Scenic Highway. The flyover bridge
10 at Cedar Lake Parkway is just unacceptable. To
11 quote an area resident, it's something that
12 Mussolini would be proud of.

13 We believe that this is -- we believe that
14 this is the reason that we have in place the
15 Shoreland Overlay District restrictions, so that
16 developers, both private and public, cannot just
17 build what they want. Not only is the bridge too
18 tall, it does not fit in with the neighborhood. It
19 is a monstrosity.

20 We believe that we need a grade separation
21 at Cedar Lake Parkway. With trains every three
22 minutes, that intersection is simply and cannot
23 handle the cars and trains at the street level. We
24 believe that some sort of a better solution of grade
25 separation of LRT underpass, whether it be a tunnel,

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E4

1 cut and cover, we believe that the noise and the
2 visibility issue should not be overlooked going
3 forward. Thank you very much.

4 THE COMMISSIONER: Thank you very much.
5 Ryan Edstrom, and Peter Rickmeyer is next.

6 RYAN EDSTROM: Good evening. Comment #871 My name
7 is Ryan Edstrom. Thanks for the opportunity to
8 speak tonight. My address is 2824 Yosemite Avenue,
9 St. Louis Park, Minnesota. I'm representing myself.
10 I think I could probably speak for others in my
11 neighborhood. Just to kind of give you an idea
12 where we live, we are at Highway 100 and Minnetonka
13 Boulevard. Just west of that area near what would
14 be called the LRT 3A LPA option, the freight rail
15 reroute, within two blocks of that freight rail
16 reroute.

17 I came tonight to speak specifically to goal
18 number four of the DEIS, which is preserve and
19 protect the quality of life in the study area and
20 region. And specifically I wanted to speak to
21 noise, safety, air quality, and property value.

22 Let's start with noise. With the freight
23 rail reroute there's a planned ramp that would be
24 running along Highway 7 that would get the trains
25 across Highway 7 and through our neighborhood. And

1 for those trains to get up that new proposed ramp,
2 they would have to be running full throttle. I
3 don't know if that has been studied in this
4 environmental impact study. So that would
5 definitely affect the residents in that area.

C

6 Further with noise, the trains are going to
7 be bigger. So currently there's two trains running
8 there every day, about ten cars each empty. With a
9 full train, a full coal train or an ethanol train,
10 the noise would be significantly more. The trains
11 are just heavier and longer.

12 Moving on to safety. With the increase in
13 trains, I think there's just an inherent risk of
14 something bad happening in that area, not just
15 because there's added trains, but because of the
16 configuration of the track in that area. There's up
17 to three blind corners in that neighborhood. So the
18 engineers would not be able to see through those
19 corners, making that particular route a lot more
20 dangerous than the LRT 3A coal location route.

C

21 And then air quality, this kind of goes
22 along with the noise. If those trains are rumbling
23 up that grade at full throttle, there's definitely
24 going to be a lot more diesel smoke, and I think
25 that goes against preserving the quality and

C

1 protecting the quality of life that's in this study
2 area.

3 And the last thing here I think is property
4 value. I've heard that freight rail reroutes cause
5 property value impacts from 3 to 12 percent. And
6 there's about 200 houses in our neighborhood that
7 that would directly impact. I think I can probably
8 close with that. Thank you for your time tonight.

C

9 THE COMMISSIONER: Thank you. Is there
10 a second list? That would be good. Next speaker is
11 Peter Rickmeyer, and then Joshua Houdek is next.
12 Thank you. Welcome to the committee.

Comment #872

13 PETER RICKMEYER: Thank you. Peter
14 Rickmeyer, 2118 - 25th Avenue North, Minneapolis.
15 First, the Bryn Mawr neighborhood is a
16 well-respected neighborhood organization within the
17 city of Minneapolis. And I'm aware that the
18 Royalston businesses, I would encourage both groups
19 to get together to work out alternative roads to get
20 in and out. There are two more public hearings, so
21 that would give you enough time to discuss possibly
22 corrections to this plan and give more thought to it
23 to see if something could be worked out. And Bryn
24 Mawr, please work with the farmers market people,
25 too, even though they're way out of your district.

1 I'm here specifically to talk about what the
2 last gentleman was talking about, specifically about
3 noise, environmental impact, and above all, the
4 purpose of it. I believe the purpose of light rail
5 is to reduce the carbon monoxide, dioxide in -- to
6 and from the suburbs, from Eden Prairie into
7 downtown Minneapolis.

8 I believe, first of all, to attack the noise
9 problems with the rails and the bells at the
10 intersections, I believe three layers. The first
11 layer would be bushes, which would decrease the
12 amount of rail noise. The second layer would be
13 medium trees. And the third layer would be tall
14 trees.

E4

O1,
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O9

15 What that would do is that would, first of
16 all, reduce the amount of noise three blocks away
17 from where the light rail is. The second thing that
18 it would do is that it would provide oxygen, so the
19 area from Minneapolis to Eden Prairie would actually
20 improve its air quality, which I think is what we
21 all want.

E4

N9

22 The third impact would be specifically
23 around intersections with the trains. I've taken my
24 time and I've gone up to 38th and Hiawatha, gone
25 about three, four blocks away, and I could hear the

1 bells, and I talked to some people over there. And
2 you can hear it. And I believe by putting some
3 bushes, that would just naturally absorb the sounds
4 of the bells, that would relieve a lot of the
5 complaints or concerns about the excess noise.

O9

6 I can only stress to you that we have been
7 dealing with global warming. And I believe that
8 with the bushes, mid-sized trees, and large trees
9 that would give off a lot of shade in the 20-mile
10 light rail. And that would go a long ways into
11 reducing the global warming, at least in the
12 downtown Minneapolis to the Eden Prairie area.
13 Thank you.

E4

N9

14 THE COMMISSIONER: Your time is up.
15 Thank you very much for your comments. Joshua
16 Houdek, and then Todd Klingel is next. Welcome,
17 sir.

Comment #873

18 JOSH HOUDEK: Thank you, Chair. My
19 name is Joshua Houdek. I'm with the Sierra Club,
20 Northstar Chapter, in Minnesota. Our address is
21 2327 East Franklin Avenue. I wanted to start off
22 with saying that the 30,000 members of the Sierra
23 Club in Minnesota do support a greener, cleaner
24 transportation choice in the southwest metro. And I
25 believe that it's a critical link for a 21st century

1 transit system. We believe that this is a smart
2 investment in the region, like Chairman McLaughlin
3 said earlier.

4 This project will serve over 200,000 jobs.
5 There are problems with the route, the preferred
6 route that is, but -- and it's not perfect, but the
7 region needs to move beyond oil if we are going to
8 remain competitive in the future.

9 The station area planning, I wanted to bring
10 that up, because it's very, very important that good
11 sustainable TOD transit-oriented development happens
12 around these stations that we are planning, not just
13 large park and rides, but good, multiuse,
14 sustainable, compact development. So we want to
15 stress that be continued to keep an eye on that and
16 maximize the amount of density that we can provide
17 around the station areas.

18 And I just wanted to conclude with a
19 quote -- or to quote President Obama's initiative,
20 "We Can't Wait" to be riding this train by 2018,
21 because the region does need to remain sustainable,
22 and this is a great step towards that. Thank you.

23 THE COMMISSIONER: Thank you very much.
24 Todd Klingel, and then Randy Peterson is after
25 Mr. Klingel. Welcome.

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Comment #874

1 TODD KLINGEL: I'm Todd Klingel. I'm
2 president/CEO of the Minneapolis Regional Chamber of
3 Commerce. We also oversee the Bloomington Chamber
4 Commerce and the Northeast Minneapolis Chamber.
5 Thanks for the opportunity to speak on the DEIS
6 today.

7 As many of you already know, we're very
8 strong supporters of transit, light rail transit,
9 particularly in this line. We share in that support
10 with St. Paul Area Chamber of Commerce, the TwinWest
11 Chamber of Commerce, the Edina Chamber of Commerce,
12 the Eden Prairie Chamber of Commerce. And we were
13 pleased to see the DEIS that they understand like we
14 do that, quote, "there's limited additional traffic
15 capacity on existing streets and highways resulting
16 in increased travel time delays and air pollution."

17 I thought it was interesting on Monday when
18 so many of us were caught up in that traffic on the
19 first snow of the season taking three times as long
20 as normal to get to commute, but the trains were
21 going right on time. And that kind of certainty is
22 really helpful.

23 Additionally, the DEIS said that the
24 benefits of Southwest LRT substantially outweigh the
25 impacts. For us in the business community you

A

1 always need to weigh the capital investment plans
2 against the impacts of those plans. They also said
3 the transportation option studied that LRT has the
4 greatest ability to address the needs of the region.
5 We also know that it's the only alternative that the
6 federal government will give us \$650 million for,
7 which we will be happy to use, and that the locally
8 preferred alternative when the LRT 3A is the most
9 cost effective per rider. That LPA fits with the
10 land use and economic development plans of the
11 communities along the line.

12 Certainly we understand from the ones we've
13 heard earlier and the ones I'm sure you'll hear that
14 there are issues along the line with St. Louis Park
15 and moving the freight and some of the other issues,
16 but we're confident that the county can work out the
17 details with those and move ahead with the next
18 finer level of planning.

19 We thank the FTA for the support of this
20 line, the administration for green lighting the
21 line, as one of only two in the country, and for the
22 county for taking the lead role that you have in the
23 regional rail authority. Thank you.

24 THE COMMISSIONER: Thank you,
25 Mr. Klingel. Randy Peterson is next, and then

1 Jeanette Colby. Mr. Peterson, welcome.

Comment #875

2 RANDY PETERSON: Yeah, I am frustrated
3 that Washington Avenue is closed to transportation.
4 I just don't think you did a good plan. I should
5 not use profanity, I understand that, but at the
6 same token, I just -- without using profanity, I'm
7 extremely frustrated that Washington Avenue is
8 closed. Because -- and I think we -- I don't think
9 we should go ahead with this now, because I think we
10 should wait until we get -- until Washington Avenue
11 around the university is open, and then have
12 hearings again maybe after they were running say a
13 year.

14 That's my opinion. You may not -- you may
15 go ahead anyway, but I don't think you should -- I
16 don't think you should do it now. There's also
17 other concerns that should be addressed, and 60 days
18 is not long enough. Thank you.

19 THE COMMISSIONER: Thank you very much.
20 I think you expressed your opinion very well without
21 profanity. Thank you for that. Jeanette Colby, and
22 then Russ Adams.

Comment #876

23 JEANETTE COLBY: Thank you,
24 Commissioner, for your time this afternoon. I'm
25 Jeanette Colby. I live at 2218 Sheridan Avenue

1 South. And I'm here on behalf of the Kenwood Isles
2 Area Association. This -- the locally preferred
3 alternative line will run a little more than a mile
4 through our neighborhood. And we were pleased to
5 see that the DEIS recognized some of the very grave
6 impacts that it will have on our area, especially
7 noise and visual impacts as well as safety.

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8 This line I think has really stressed the
9 transit-oriented development opportunities and other
10 business development opportunities, which is
11 fabulous. In our area we would like to stress the
12 issue of preserving what we have. We have a
13 beautiful, beautiful space in the Kenilworth trail
14 area. We have three freight trains approximately
15 that run through there a day, and will move to 260
16 trains going from 5 a.m. to 1 a.m.

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E2

17 So we are really looking forward to a very
18 strong and creative approach to mitigation. We were
19 a little disappointed to see there wasn't much
20 mitigation talked about in the document. It was a
21 huge document, very thorough in a lot of ways, but
22 not a lot of mitigation proposals.

23 So what we would be focusing on is
24 preserving our unique cultural and natural heritage
25 safeguarding the safety and enjoyment of park and

R2 E0

S2

S3

S4

1 trail users, maintaining the quality of life of
2 residents, and ensuring the tranquility and
3 functionality of the station area proposed for 21st
4 Street. We also join CIDNA in thinking that a
5 bridge over Cedar Lake Parkway would be awful, and
6 we'd like to see some other form of grade separation
7 there. Thank you.

8 THE COMMISSIONER: Thank you very much.
9 Russ Adams is next, and then Mark Stensrud.

10 Mr. Adams, welcome.

Comment #877

11 RUSS ADAMS: Thank you, Mr. Chair. I
12 have one handout for the commissioners, if that's
13 possible. My name is Russ Adams. I'm the executive
14 director of the Alliance for Metropolitan Stability.
15 We're at 2525 East Franklin Avenue in Minneapolis.
16 We first want to say that we support Southwest LRT
17 and the 3A alignment and believe that that will
18 provide significant social and economic
19 opportunities for environmental justice communities
20 along the corridor.

21 We believe it will do that by the extension
22 of the regional transit system by increasing the
23 access to job centers along Southwest LRT, by
24 generating economic development opportunities, and
25 by sustaining economic development opportunities for

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I2

E8

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1 communities like the Harrison neighborhood at the
2 Van White station, with the full build out of the
3 Bassett's Creek Valley Master Plan.

4 Now, I know you'll hear from Harrison
5 neighborhood in a moment, but I do want to touch on
6 them a little bit. In our read of the DEIS we think
7 it needs to recognize that Harrison neighborhood is
8 an environmental justice community with significant
9 interest and opportunity at that Van White station.

M5

10 The reason why it's significant is it's uniquely
11 positioned between two major public transit
12 investments. The map shows this with Southwest LRT
13 to the south and the proposed Bottineau LRT line to
14 the north. You will not find another neighborhood
15 probably anywhere in the region that gets the kind
16 of saturated coverage from transit stations within a
17 quarter mile and half mile walking distance than
18 Harrison. And it also has several stations nearby
19 in the neighborhood as well as close by.

20 We think the DEIS and the Southwest Corridor
21 planners should adopt the definition of equitable
22 development that was endorsed by Corridors of
23 Opportunity Policy Board on November 30, 2011. We
24 will be submitting written comments. We'll include
25 that definition in our comments. I'm not going to

M5

1 read it now. But we think a common definition to
2 work from would be useful for both engineers, as
3 well as planners, community representatives, and
4 public officials.

5 We also noticed that the Hennepin County
6 Community Works uses a term catalytic
7 transit-oriented development. And we want to point
8 out that prioritized public -- there were two
9 aspects to this, prioritized public investments that
10 catalyze private investment and prioritized public
11 investments that catalyze equitable development. We
12 believe both are possible and necessary for the best
13 outcomes on Southwest LRT.

14 I won't go into too much detail on the
15 Harrison neighborhood catalytic TOD opportunity
16 except to say that you do have land that is publicly
17 owned, you have a committed developer, and you have
18 a city that's committed to generating hundreds of
19 new housing units on that site and thousands of new
20 jobs. You also have a number of business owners,
21 property owners that are interested in revitalizing
22 Glenwood Avenue corridor, the old industrial area,
23 and carrying that up in into North Minneapolis. I
24 see that my time is up, Mr. Chair, so I'll leave it
25 at that. Thank you so much.

1 THE COMMISSIONER: Thank you very much.
2 We look forward to getting your written comments as
3 well. Mark Stensrud, and then Malik Holt. **Comment #878**

4 MARK STENSRUD: Mark Stensrud. I live
5 at 3145 Dean Court, which is the grain silos. And
6 our representative from the CIDNA neighborhood,
7 which I belong to, was here. But I'd just like to
8 reiterate that, you know, I realize everybody -- you
9 know, nobody wants anything in their back yard, but
10 my back yard is Cedar Lake. And there's a, I don't **E4**
11 know, a tranquility that during the day it can be a
12 little noisy, but at night I can hear the frogs, I **O1**
13 can hear the geese from the lake.

14 Plus our building is on what will be like a
15 90-degree turn that the light rail is going to take.
16 Our building is so close to the tracks now, I mean,
17 I think people could reach out and touch the light **E4**
18 rail as it goes by. And now we're talking about 260
19 trains a day running right past my residence.

20 And I'd just like to say that I hope that
21 all alternatives are being looked at to quiet this **E4**
22 down. Because I know Dow Chemical makes a track **O5**
23 system that they say will reduce the noise by 5 to 7
24 decibels. So I just hope we're not stuck in the
25 same rut, we did this on Hiawatha, so now we're

1 going to do it here, without looking at the best
2 alternatives.

3 I'm all for the light rail. I realize that
4 our community needs that. But that doesn't mean we
5 keep going along with blinders on, we did it this
6 way here, now that's the way we're going to do it
7 everywhere. Make sure we're looking at all the
8 newest alternatives to keep my neighborhood -- it
9 will never be the same after this, but I'd like to
10 see the damage minimized. And that's all I was here
11 to say. Thank you.

12 THE COMMISSIONER: Great. Thank you.
13 Are there other lists that have been compiled? No.
14 All right. Mr. Holt, Malik Holt, welcome. Comment #879

15 MALIK HOLT: Thank you, Mr. Chair,
16 commissioners. I'm here with Harrison Neighborhood
17 Association, which is located on 503 Irving Avenue
18 in Minneapolis. Harrison neighborhood supports the
19 3A alignment of the Southwest light rail because it
20 brings economic opportunities at the Van White
21 Station and Bassett Creek. My comments will focus
22 mainly on section A of the 3A locally preferred
23 alternative.

24 Harrison Neighborhood Association, an
25 environmental justice community, with people of

1 color 78 percent and a median income of \$21,000.
2 Since 2000, Harrison Neighborhood Association and in
3 partnership with Bryn Mawr Neighborhood Association
4 have been involved in the Bassett Creek Master Plan.
5 The development will revitalize this environmental
6 justice community, that is Harrison, and repair the
7 decades of land use neglect and divestment at the
8 Van White station.

M1

9 For more than a decade Harrison residents
10 have recognized the opportunity for change,
11 investment, and innovation in land use with Bassett
12 Creek Valley. In its existing condition, Harrison
13 right now is dominated by post industrial land use.

14 The following are concerns and comments that
15 we're going to make now for the DEIS, and then we're
16 going to make further in written comment and e-mail
17 from our residents, possibly some of our business
18 leaders. Including the master plan, putting those
19 actual numbers and have those reflected in the DEIS,
20 including the expected redevelopment outcomes of
21 3,000 housing units from Bassett Creek redevelopment
22 plan, 2.5 million square feet of commercial and
23 office retail, 40 acres of new and open green space,
24 and 5,000 to 6,000 jobs.

M1

25 The fulfillment of the Bassett Creek Master

1 Plan will increase ridership and boost the success
2 of the Southwest light rail. Currently there is an **M1**
3 incomplete land use analysis that is in section
4 3.124, segment A. The actual 2008 February city of
5 Minneapolis rezoning needs to be reflected within
6 section 3.124, segment A, in the land use.

7 Harrison also has serious concerns about the
8 station area plan. We sent a letter on February 28 **I2**
9 to Hennepin County, and Harrison is still requesting
10 that station area design without commuter rail
11 layover needs to be met. And we need that question
12 answered.

13 The final document clearly advocates the **N12**
14 siting of rail storage at Van White station. The
15 final document misrepresents the formal Minneapolis **H2**
16 City Council position on the sale of Linden Yards at
17 Van White station. The city directed city staff to
18 explore joint strategies at Linden Yards East and
19 report back to city council. The Van White plan
20 illustrates the misleading for policymakers
21 representing a platform plan that could accommodate
22 development and rail storage below. And this is
23 misleading because the key feasibility work has not
24 been completed and does not include the
25 environmental assessment of siting passenger rail

1 storage and the maintenance facility.

H2

2 My last comment -- and then I also have a
3 handout for you that shows a 1935 map of racialized
4 [sic] -- racialized planning map the City of
5 Minneapolis did of our area. And then also MCEA,
6 which is the -- that is the current condition of our
7 area the way it looks today in terms of
8 neighborhoods.

9 My last comment, Harrison neighborhood does
10 not support locating the operation maintenance
11 facility, this is located in section 3.152, it does
12 not support it at Linden Yards. Four potential
13 locations for operation and maintenance have been
14 identified. Harrison does support the consultants
15 recommendations on appendix H, page 53, of the
16 operation maintenance facility site evaluation, we
17 support Eden Prairie 1, Eden Prairie 2, Eden Prairie
18 scenario 3, and the Minneapolis scenario 4, not
19 Linden Yards.

H1

20 THE COMMISSIONER: Thank you very much.

21 MALIK HOLT: Thank you.

22 THE COMMISSIONER: So far we have no
23 one else who signed up ahead of time, but we would
24 be happy to take testimony from anybody who would
25 like to testify. We'll start with this gentleman in

1 the front row. And then we'll go over here. And
2 then I saw a hand in the back. So I saw three so
3 far. We'll go until people are finished. Please
4 introduce yourself for the tape. Comment #880

5 JOHN HARTWIG: My name is John Hartwig.
6 I live at 3228 Humboldt Avenue South in Minneapolis.
7 I would like to hand out some information to the
8 commissioners.

9 Approximately 200 years ago the federal and
10 the state governments got together and built the
11 Erie Canal. By the time the time the Erie Canal was
12 completed, the Erie Canal was already outmoded, the
13 reason being that the railroads came in and took all
14 the money from the Erie Canal. So in effect, the
15 Erie Canal even to this day is nothing but a
16 boondoggle.

17 What we have here again is another
18 boondoggle, and it's called light rail. We aren't
19 going to need 20 lanes of New Jersey turnpike or 100
20 billion high speed rail lines to save us from
21 gridlock. Is that really where things are headed.
22 The Internet is drastically reducing the importance
23 of distance in human affairs. E-mail has rendered
24 the local post office nearly obsolete. Hundreds of
25 thousands of Americans are already telecommuting,

K0

B

1 and many have launched web-based businesses from
2 their home. People who used to make three trips a
3 week to the mall do more of their shopping today
4 online.

5 The challenge isn't to move more meat. I'm
6 quoting here from this article I gave you. When
7 they say meat they mean people. The challenge is to
8 move more information. The light rail is already **K0**
9 outmoded. If this was 1900, maybe you could do it.
10 But it's nothing more than a reconfigured street
11 car.

12 Here again quoting from here, business
13 parties and social organizations need to take full
14 advantage of the extraordinary efficiencies that the
15 Internet provide. The rush hour rituals of the 20th
16 century really aren't destined to continue until the
17 end of time. Telecommunication, flex time, and
18 mini-commutes to satellite offices will change the
19 way we work.

20 More or less that's what I have to say on
21 this except for one more thing. I used to live in
22 the Kenwood neighborhood, not too far from 21st and
23 Uptown. And I remember when I came in '50, '51 many
24 of the St. Louis freight workers for about five
25 years previously and up until about 1950, the

1 freight workers were obviously working on the
2 tracks. And every so often they forgot to remember
3 where they were. And I remember one instance some
4 railroad worker was sitting on the tracks and a
5 train came by. And he ended up losing both his
6 legs. We went and looked at the stretcher. It was
7 full of blood. And obviously that individual didn't
8 survive.

R2

9 And I think this is what you're going to
10 have, the same thing again. You're talking about
11 200 trains going by during the day or 150 or
12 whatever. First of all, I'm old enough to remember
13 when we had street cars. One street car for
14 whatever reason gets stopped, and you're going to
15 have street cars all the way back one mile, two
16 miles. So in effect, it's an inefficient system.

17 THE COMMISSIONER: If you could wrap
18 up, sir.

19 JOHN HARTWIG: Sure. What we need --
20 we're 87 years away from the 22nd century, and what
21 we need to do is go forward not backward. Thank you
22 for your time.

23 THE COMMISSIONER: Thank you very much.
24 I saw a hand over here, sir.

Comment #881

25 JACK LEVY: Thank you, Commissioner.

1 My name is Jack Levy. I'm on the board of the
2 Kenwood Isles Association, but I'm here to represent
3 myself. Jeanette has already talked about our
4 issues on behalf of the association and the
5 community.

6 What -- so I live on 21st Street between
7 Kenwood Parkway and the station. And one of the
8 things that alarms me is the noise that the light
9 rail will generate, either through the rails
10 themselves or through the bell or the sounds that
11 they will be sounding as they approach the station. **E4**
12 I was disappointed to see a complete lack of
13 mitigation with regard to how that noise was going **O1**
14 to be mitigated. And it wasn't left as, we're not
15 going to address that, but rather we're going to
16 address that later while we're doing the
17 engineering. And I got the sense that it would be
18 too late by that time. So I would like to see some
19 kind of a response on what happens to this pristine
20 quiet community when the train comes and the bells
21 go off and noise impacts the community and changes
22 the character of the entire neighborhood. Thank you
23 for your time.

24 THE COMMISSIONER: Thank you very much.
25 Someone back there? Somebody before you, Vickie, I

1 think, yes. Welcome.

Comment #882

2 KATHLEEN MURPHY: Good afternoon.

3 Kathleen Murphy with Transit for Livable

4 Communities. And I'm at 6601 5th Avenue in

5 Richfield. And I've been a long-time transit rider,

6 because I do not drive. And so I support, along

7 with the Transit for Livable Communities, the

8 opportunity for the Southwest Corridor to have this

9 light rail system.

A

10 I am hearing from a lot of people that there
11 are things that need to be concerned about. And I
12 totally agree with all of that myself. But my
13 concern, along with TLC, is that the future of our
14 light rail system is now and not to put a halt on
15 this because of reconstruction or whatever is
16 happening here with the freight rail is going to
17 intervene with everything.

18 We have to come to an understanding that in
19 our time of our economic situations that this will
20 help people in the southwest communities to be able
21 to prosper and to grow. And I totally am concerned
22 with making the right choices for people to get back
23 to work and for people to have better options with
24 their transit system. So I hope for the best for
25 all of this. Thank you.

1 THE COMMISSIONER: Thank you very much.
2 Vickie Moore. Welcome. Comment #883

3 VICKIE MOORE: Thank you for your time.
4 I live a 2032 Second Avenue North, the Harrison
5 neighborhood. I'm a member of the Harrison
6 Neighborhood Association. I want to really make
7 sure everyone really understands we strongly support
8 the Southwest LRT, the 3A alignment, and in
9 particular we strongly support the Van White
10 station.

11 We do see this as a catalyst for
12 development. We are a neighborhood that not only
13 welcomes development, we welcome city housing.
14 That's something you don't often hear.

15 I also want to point out that our
16 unemployment rate is well over 20 percent. Summit
17 Academy is currently training people who can fill
18 the jobs that are going to be available along the
19 line. That's important to us, not just important to
20 the Harrison neighborhood, but to our neighbors to
21 the north.

22 Hennepin has done a good job with community
23 and citizen involvement. I know there's a lot of
24 really good consultants coming into town to educate
25 people on the council and the county. I would hope

A

1 that the county would open those sessions up to
2 communities so that we can educate ourselves as this
3 process moves forward.

L1

4 And I think one last thing I want to say is
5 I can't cite the section in the DEIS, but it would
6 be nice to see the 2010 census data included in
7 there, not the old census data. Thank you.

M5

8 THE COMMISSIONER: Thank you. Anyone
9 else? Yes, sir. Come on up introduce yourself.

Comment #884

10 MARC BALLBACH: Sure. My name is Marc
11 Ballbach. I live at 5503 Wingwood Court,
12 Minnetonka.

13 THE COMMISSIONER: What's your last
14 name?

15 MARC BALLBACH: Ballbach,
16 B-A-L-L-B-A-C-H. I'm a year-round bike commuter.
17 And I want to strongly encourage you all to take
18 into account the communication needs and overall
19 needs during construction of the bike commuter
20 community. I go pretty much along the rail starting
21 at the Shady Oaks station, and then I work downtown
22 here.

S2

23 My experience this summer with some of the
24 Cedar Lake repaving was that there was poor
25 communication. And I would love if you guys could

1 work with us. And I should also say that I'm really
2 excited about this light rail line, especially if I
3 get a flat tire along the way I can jump on a train.
4 So I'm very much watching this carefully and real
5 excited. Certainly after construction I'm excited
6 to see a good bike infrastructure in the wake of
7 construction as well. And I'll be following that
8 closely.

A

9 During if you could focus on some of the
10 social networking communication methods to alert us
11 when we need to detour, that would be great.

S2

12 THE COMMISSIONER: Anyone else? Yes,
13 sir. Come on up.

Comment #885

14 ROLF ERICKSON: 14520 - 12th Avenue
15 North in Plymouth. And I'm just concerned that
16 we're taking money from a federal government that's
17 wallowing in debt to build 19th Century
18 transportation systems. That's my basic concern. I
19 know I'm a person that does not use mass transit at
20 all. There's very little near me. And if I were to
21 go somewhere like the Mall of America it might take
22 me three or four hours, so I understand I'm biased
23 in that respect. But I do believe it's wrong to
24 keep breaking the government. Thank you.

T3

25 THE COMMISSIONER: Thank you very much.

1 REPORTER'S CERTIFICATE

2
3 STATE OF MINNESOTA)
4 COUNTY OF HENNEPIN) ss.

5
6 I hereby certify that I reported the
7 Southwest Transitway DEIS Open House/Public Hearing
8 on November 13, 2012

9 WITNESS MY HAND AND SEAL THIS 19th day of
10 November, 2011.

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15 Amy Kristina Lizotte
16 Notary Public, Hennepin County, Minnesota
17 My commission expires January 31, 2017.
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Draft Environmental Impact Statement Comment Form

Southwest Transitway Project

Federal and state environmental rules require that an Environmental Impact Statement (EIS) be prepared for the proposed Southwest Transitway project. The EIS process includes the preparation of a Draft Environmental Impact Statement (DEIS), which must be made available for public review and comment.

The DEIS discusses: (1) the purpose and need for the project; (2) the alternatives considered; (3) the impacts of these alternatives; and (4) the agencies and persons consulted.

Comments on the DEIS will be accepted through December 11, 2012. All comments must be received by that date. Please include a return mailing address with all comments.

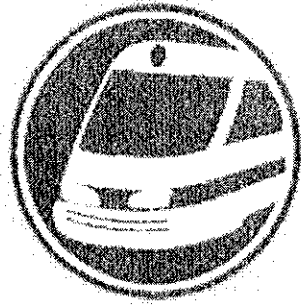
Public hearings on the DEIS will be held in November 2012. To learn more about the hearings, please visit www.southwesttransitway.org

I LIVE IN HERITAGE PARK AND THE VAN
WHITE STOP IS IMPORTANT TO ME. MY CONCERN
IS TO INSURE THAT RESIDENTS IN SURROUNDING
NEIGHBORHOODS HAVE MORE THAN ADEQUATE ACCESS
TO VAN WHITE STATION VIA: CLEAR WALKING PATHS
IN ALL SEASONS. BY BUS, SHUTTLES OR FEEDER MODELS
BIKE TRAILS AND BIKES CAR LINES AND PARKING
PLUS BUT NOT LIMITED TO ZIP LINES.

12

Name: CANDACE BAKIO
Address: 701 OLSON MEMORIAL HIGHWAY Apt 201
City/State/Zip: MPLS MN 55405
Telephone: 612345-5886 Email: CANDY BAKIO@hotmail.com

Thank you!



SOUTHWEST
transitway

Fold here

Place
Stamp
Here

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

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PUBLIC HEARING OF THE
HENNEPIN COUNTY REGIONAL RAILROAD AUTHORITY
ST. LOUIS PARK, MINNESOTA
NOVEMBER 14, 2012
5:00 p.m.

1 P R O C E E D I N G S

2 COMMISSIONER McLAUGHLIN: I'm going to call
3 this hearing of the Hennepin County Regional Railroad
4 Authority to order. I am Peter McLaughlin, the Chair of
5 the County Rail Authority. I am joined by my colleagues
6 Gail Dorfman and Jan Callison.

7 UNIDENTIFIED SPEAKER: Mic, please. Get on
8 mic.

9 COMMISSIONER McLAUGHLIN: There we go.
10 Thank you. The cable guy told me I had to -- I knew I'd
11 need help.

12 Joined by -- I'm Peter McLaughlin. I'm
13 joined by my colleagues Gail Dorfman and Jan Callison.
14 And Tom Barrett from the county attorney's office is to
15 my left, and Katie Walker is to my right. And the -- the
16 stenographer will be taking -- taking down the words that
17 are said here tonight so that there will be an accurate
18 record of all the proceedings.

19 It's a job and pleasure to welcome you here
20 tonight. This is the second of three public hearings
21 that we're having to receive comments on the Southwest
22 Transitway Draft Environmental Impact Statement. We had
23 one in Minneapolis last evening that some of you
24 attended. It's great to see all of you here tonight.

25 The Southwest LRT line will be the region's

1 third LRT line, and it will be part of a -- of a regional
2 system of transit. It's estimated to provide 30,000
3 trips per day and access to what is predicted to be
4 270,000 jobs along the corridor. It also provides access
5 to some of the region's greatest amenities, whether it's
6 the Minneapolis chain of lakes, the regional park system,
7 the Waker Art Institute and Sculpture Garden, Hopkins
8 Center for the Arts, Historic Downtown Hopkins, St. Louis
9 Park; and the list goes on and on.

10 You will be -- there's a connection, as
11 well, through this line for a one-stop ride to the five
12 stops in Downtown Minneapolis that exist currently, and
13 it will carry on to the University of Minnesota along the
14 central corridor to St. Paul.

15 In addition, the line will allow residents
16 in the Southwest Metro to connect easily and quickly to
17 the VA, the Veterans Administration Hospital, the
18 airport, and Mall of America along the Hiawatha Line with
19 one transfer. In addition to that, residents in North
20 Minneapolis and the rest of the region can get access to
21 jobs on the reverse commute out along the southwest
22 corridor.

23 So with that, I would be happy to turn over
24 the podium to Commissioner Dorfman for a few other
25 comments before getting started.

1 COMMISSIONER DORFMAN: Thank you,
2 Commissioner McLaughlin.

3 You know, I wanted to say we had the
4 funeral for former mayor Lyle Hanks. He spent 25 years
5 in this room; and, you know, he loved a big crowd. He
6 would love this today.

7 So let me just -- a couple of introductory
8 comments, and many of you already know this. The
9 Hennepin County Regional Rail Authority, together with
10 our cities, began planning for transit along the
11 Southwest Corridor a decade ago. The mutual goal was to
12 improve transportation and transit within this growing
13 area of our Metropolitan region. And after considerable
14 due diligence, numerous studies, and in-depth analysis,
15 the Rail Authority and our partner cities recommended an
16 LRT route that passes through the Kenilworth area of
17 Minneapolis, continues through St. Louis Park and
18 Hopkins, and then proceeds through the Opus area of
19 Minnetonka and the Golden Triangle area of Eden Prairie.

20 All six cities approved this alignment, as
21 did the Rail Authority. It was then sent to the MAC
22 council, whose members approved the route, called the
23 "locally preferred alternative" in May of 2010. This was
24 the first major milestone that began to move this LRT
25 project from idea to reality. In September 2011, the

1 Federal Transit Administration approved the project to
2 enter into what's called the Federal New Starts Program
3 and gave authority to MAC council to begin preliminary
4 engineering. Southwest LRT is only one of 12 projects
5 nationwide to achieve this status.

6 And recently the Obama Administration
7 designated this LRT line as a We Can't Wait Project,
8 which will help expedite the permit and review process
9 amongst federal agencies. Southwest was one of only two
10 projects nationwide designated for We Can't Wait. At the
11 state level, Southeast LRT received \$2 million in deed
12 money, Department of Employment and Economic Development
13 Funds, further demonstrating the state commitment to this
14 project, on top of an earlier \$5 million in state bonding
15 and \$33 million from the Metro counties on the counties'
16 Transit Improvement Board.

17 And in October, with the release of the
18 DEIS, the document that you're here to talk about
19 tonight, we achieved another milestone. The DEIS is a
20 critical piece in the development of this major
21 infrastructure project. Its purpose is to provide for
22 the disclosure of potential impacts, as well as the
23 potential mitigation of those impacts along this LRT
24 line. Comments submitted on the DEIS will help to shape
25 what is evaluated during preliminary engineering and

1 what's included in the final environmental impact
2 statement.

3 Hennepin County has also established the
4 Southwest LRT Community Works Project to maximize
5 opportunities for economic development, new housing, and
6 jobs along this line; and to help coordinate land use
7 planning with the design and engineering of the LRT line.
8 Community Works seeks to ensure that this major regional
9 transit investment will benefit the residents,
10 businesses, and communities all along the Southwest
11 corridor for Minneapolis to Eden Prairie.

12 Thank you all so much for being here this
13 evening to participate in the DEIS process.

14 COMMISSIONER McLAUGHLIN: So if I might,
15 I'll just give you a quick rundown here about the Draft
16 Environmental Impact Statement and what it is and how it
17 performs within this process.

18 The Draft Environmental Impact Statement
19 provides the public, businesses, agencies, and the
20 general public with a full summary of the potential
21 impacts of the project and also possible ways to mitigate
22 those impacts. The Rail Authority chose to extend the
23 final comment period, the formal comment period from the
24 mandatory 45 days to 60 days to provide the public with
25 additional time to review what is a lengthy document and

1 also to acknowledge the fact that this is happening in
2 and around the Thanksgiving holiday.

3 It's important for the public to comment on
4 the content of this Draft Environmental Impact Statement.
5 These comments will help shape the work of the
6 Metropolitan Council, which will lead the preliminary
7 engineering process, and that work will be reflected in
8 the final Environmental Impact Statement.

9 Tonight we are here, the three of us, as
10 representatives of the County Rail Authority to listen to
11 your comments. The purpose of the hearing and the other
12 two, one yesterday and one in Eden Prairie on the 29th of
13 this month, the purpose is to provide the public with an
14 opportunity to provide verbal comments on the Draft
15 Environmental Impact Statement document.

16 In addition to those verbal comments,
17 comments can also be submitted via e-mail to sw,
18 Southwest, that is, swcorridor@co.hennepin.mn.us. That's
19 swcorridor@co.hennepin.mn.us, or via the U.S. Mail to
20 Hennepin County, 701 4th Avenue South, Suite 400,
21 Minneapolis 55415. That it would be to Hennepin County,
22 701 4th Avenue South, Suite 400, Minneapolis 55415.
23 Comments provided in writing will receive the same weight
24 as comments received orally during these three public
25 hearings.

1 For the Draft Environmental Impact
2 Statement, the County Rail Authority is the state
3 responsible governmental unit, or RGU. If you hear that
4 term, that's what -- that's what the County Rail
5 Authority is. The Federal Transit Administration, which
6 is a part of U.S. Department of Transportation, is the
7 lead federal agency on this project. And the
8 Metropolitan Council is the local project sponsor.

9 Comments received during this comment
10 period, which will extend through December 11th -- so
11 comments are good until December 11th to be officially
12 collected -- are being collected by Hennepin County and
13 will be provided to both the Metropolitan Council and the
14 Federal Transit Administration. All comments received
15 will inform the preliminary engineering and final
16 Environmental Impact Statement phases of project
17 development.

18 The Rail Authority and County will continue
19 to be a strong partner as this project moves forward
20 under the leadership of the FTA and the Metropolitan
21 Council.

22 Before I go on, I would acknowledge the
23 presence -- I saw her -- there she is -- of Sue Sanger
24 from the City Council in St. Louis Park.

25 (Applause.)

1 COMMISSIONER McLAUGHLIN: Applause for the
2 elected officials, but now after that's the done, we're
3 going to try to -- I'm going to ask you to retrain from
4 applause or any other noise-making in terms of what
5 people say, whether you like it or you don't like it,
6 just in terms of decorum and allowing things to proceed
7 in an orderly fashion.

8 Anne Mavity is here, also from the St.
9 Louis Park City Council. Mayor Jacobs, I saw him out
10 front on my way in. I don't know if he's in the room,
11 but he's close by, I'm sure.

12 So we're going to ask -- in terms of
13 speaking tonight, we're going to do what we did last
14 night, which is to provide each speaker with three
15 minutes for their comments. The speakers are going to be
16 given a signal -- two signals, actually, or one signal.

17 We're going to give you a signal with two
18 minutes to go -- two minutes to go, one minute to go, and
19 your time is up. And at that point, we suggest that you
20 try to wrap up, finish your thought, and then just -- I
21 suspect they're going -- there's going to be a large
22 number of people that wish to speak; and in order to
23 facilitate that and to respect the people who are going
24 to be coming later on in the agenda, we'd ask you to try
25 to adhere to the three-minute limit.

1 As I indicated earlier, the comments are
2 being transcribed as a part of a formal record that will
3 be submitted to the FTA and Metropolitan Council. And
4 we'd ask you to -- any speaker coming up to clearly state
5 your name, address, and the organization that you
6 represent, if any. You don't have to represent an
7 organization; but if you do, we would like to have that
8 as a part of the record. And we'd ask you to limit your
9 comments to the Southwest Draft Environmental Impact
10 Statement.

11 Written comments, again, will be accepted
12 and will be added to the formal record. And we had a
13 blue -- we have a box here for the written comments.
14 There's a box out front, the blue box --

15 UNIDENTIFIED SPEAKER: White.

16 COMMISSIONER MCLAUGHLIN: White tonight, a
17 white box tonight. Okay. Sorry.

18 So those -- that's where you can drop your
19 comments. And if you actually have a written version of
20 your statement that you're making tonight, you can feel
21 free to drop that there, as well; but your statement will
22 be transcribed.

23 Again, I would again urge everybody to try
24 to respect one another as we go forward, and I think we
25 can have a good hearing just as we did last evening. I

1 know there are a lot of strong feelings on both sides of
2 this issue, and we want to -- we're here tonight to
3 listen and hear what you've got to say.

4 So with that, I'm going to proceed; and
5 then I have a list of one, two, three -- four pages so
6 far of people who've signed up to speak. And I'm going
7 to ask -- at some point we're going to need to ro -- I
8 don't know how many people are outside, but there's a
9 considerable number. And we're going to have to ask
10 people after they're done speaking, if you could, kind of
11 rotate out, so we could rotate someone else into the --
12 into the room. I think that's the only way we're going
13 to be able to give everybody a chance.

14 So our first speaker is Tom Harmony from
15 the city of St. Louis Park. Welcome to the Rail
16 Authority hearing.

Comment #887

17 MR. HARMONY: Good evening. My name's Tom
18 Harmony, and I'm the city manager of St. Louis Park.
19 Address is 5005 Minnetonka Boulevard, here in St. Louis
20 Park.

21 On behalf of the Mayor and City Council, I
22 want to welcome you to St. Louis Park, and I want to
23 welcome all of you, as well. We thank you for holding
24 this public in St. Louis Park and providing an
25 opportunity for our community to talk to you about this

1 important project.

2 The City of St. Louis Park is going through
3 the whole DEIS document right now. In fact, we had our
4 first conversation with the City Council about it last
5 night, and we will be submitting detailed comments to you
6 by the deadline of December 11th.

7 The Mayor and Council did ask that I
8 reiterate for you the position the City has taken on the
9 whole Southwest LRT project. And we've taken a couple of
10 actions, one in 2010 and one in 2011, a couple of
11 resolutions we've adopted that we've provided to you.

12 First, the Mayor and City Council have gone
13 on record more than once strongly supporting the
14 Southwest LRT project, and that is still very much the
15 case. And, second, and as you well know, the City does
16 have strong reservations about the freight rail reroute
17 option. In fact, the Council has gone on record opposing
18 the reroute of freight rail traffic from the Kenilworth
19 Corridor onto the MN&S, unless it's proven that no other
20 viable alternative exists, and if only -- then only if
21 appropriate and necessary litigation measures are
22 implemented.

23 So the Council asked me to just refresh
24 your memory on that; and -- and, again, I'm sure that you
25 were aware of that. Again, thanks for conducting this

1 hearing, and we really look forward to working with you
2 and the Met Council on seeing this Southwest LRT project
3 become a reality. Thank you.

4 COMMISSIONER McLAUGHLIN: Thank you very
5 much.

6 For the record, there are five cities along
7 the corridor through which the line actually (inaudible),
8 so -- for the record here.

9 Next is Thom Miller, and then Jami LaPray
10 is on deck after that. So I'm just going to give people
11 some understanding here of what the order is.

12 MR. MILLER: These aren't my comments. Comment #888

13 I'm Thom Miller, 2900 LaSalle, St. Louis
14 Park.

15 I would like to understand how this reroute
16 is going to be a win-win for St. Louis Park. That's the
17 way that this has been described to us by Commissioner
18 Dorfman, and I have to say it typifies the HCRRA's
19 attitude toward this reroute.

20 How is it a win-win for St. Louis Park when
21 we know now that colocation is not only a viable
22 alternative, as Tom Harmony just said, but an alternative
23 that's going to cost \$123 million less. Those aren't my
24 numbers. Those are numbers straight out of the DEIS. We
25 know that the colocation alternative is safer. We know

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1 the colocation alternative is better for the railroads.
2 It's just all around a better corridor to run the freight
3 trains. So why is that a win-win for St. Louis Park when
4 we have to pay a portion of that \$123 million in our
5 taxes.

6 How is it a win-win when there's going to
7 be a mile-long ramp that's going to be built, starting at
8 Blake Road and moving up toward the high school, a huge
9 monstrosity of infrastructure, a new bridge built over
10 Highway 7 for tens of millions of dollars where the
11 trains will then ramp up and come right in front of our
12 high school with two blind curves, where the railroads
13 have admitted already that there is no way they can stop
14 if they see a child on the tracks?

15 And these aren't the trains that we've had
16 for tens and tens of years, as many people have said.
17 These are new trains. These are trains that the
18 railroads themselves have said and experts have concurred
19 they will not be able to stop if they see a child on the
20 tracks near the high school. How is that a win-win?

21 How is it a win-win for the north side of
22 our city on 27th, 28th, 29th, that area, where the trains
23 are up on an embankment? They will tumble down if
24 there's a derailment. It sounds like a crazy idea. It
25 just happened two months ago in Maryland. Trains tumble

1 down the embankment, crush everything below them,
2 including two young women who were sitting next to the
3 train. When they found their bodies, their bodies were
4 still in a sitting position because they had no train --
5 no chance to get away from the train. They didn't have a
6 chance to get up and try to get away. The trains were
7 that heavy, and those are types of trains we're talking
8 about. How is that a win-win?

9 How is it a win-win when the instructors at
10 the school have to stop instructing for the period of
11 time it takes for the trains to go by? It's already
12 happening with the small trains we have today. Now they
13 have to stop, wait for the classroom to stop shaking, and
14 how about the time that they can speak over the trains as
15 those locomotives are throttling to get up that grade
16 that I described to you earlier. That's not a win-win.

17 How is it a win-win for the resolutions
18 that have been passed, as Tom Harmony said, for our City
19 leaders? They've passed resolutions, multiple
20 resolutions, one of which Commission Dorfman actually
21 signed when she was the mayor of St. Louis Park. So it
22 puts them in a difficult position. It's not a win-win
23 for them.

24 It seems to us that it's not a win-win at
25 all, because not only are we going to be less safe in St.

1 Louis Park, but we have to pay the bill for it. We've
2 got 1,500 signatures here on petitions, and that's only
3 because we didn't know if petitions would mean anything.
4 We could get 15,000 in probably a couple of weeks if we
5 thought this was a petitionable action. It's not a
6 win-win. It's a lose-lose.

7 And I have to tell you that I would not be
8 the least bit surprised if the actions that are in the
9 DEIS end up in the FEIS. You can expect a lawsuit from
10 several citizens in St. Louis Park against both the
11 HCRRA, as well as the Met Council, as well as potentially
12 our City Council if they renege on our resolutions.
13 Thank you.

14 (Applause.)

15 COMMISSIONER McLAUGHLIN: Do not boo and
16 applaud. We're not going to do it. We're not doing
17 that.

18 UNIDENTIFIED SPEAKER: Too bad.

19 COMMISSIONER McLAUGHLIN: It's not the way
20 the hearings are going to be conducted, and so I would
21 ask you to respect that rule, which has been -- we have
22 used for a long time, which the City of St. Louis Park
23 also uses.

24 Next witness is Jami LaPray, and Joseph
25 LaPray after her. Welcome.

1 MS. LAPRAY: Jami LaPray, 3256 Blackstone
2 in St. Louis Park.

3 Last September I was pleased when the FTA
4 asked the HCRRA to add the freight rail option to the
5 Southwest Light Rail project. DEIS documents are
6 supposed to be an unbiased critical analysis of a
7 situation. I felt hopeful.

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8 In December last year, Commissioner Gail
9 Dorfman said at an HCRRA meeting, which included
10 discussion of the FTA ruling, and I quote: How do we
11 explain colocation being added without people thinking
12 that colocation is on the table in a serious way?
13 Promises were made going a long way back.

14 I have read the entire DEIS, and I know how
15 they've done it now. Let me give you some of the ways in
16 which information has been left out, minimized, and
17 twisted so that no one in their right mind will think
18 that your promises to Kenwood are not being kept. First
19 of all, in Chapter 1, we are told that the TCW will be
20 happy to go north to the Humbolt yards in New Hope.
21 Never mind that Golden Valley, Chrystal, and New Hope
22 have no idea that they are facing increases in rail
23 traffic. Never mind that the fact that the increase in
24 rail traffic will cross Cedar Lake Road. And no analysis
25 in the DEIS was given as to the traffic issues that will

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1 be caused on Cedar Lake Road as the trains pass.

2 We are told in the DEIS document that the
3 railroad companies will own the track -- the new track
4 that will be built and will be expected to maintain it in
5 safe standard. I understand that's correct and is a safe
6 operating procedure, but it leads the reader to believe
7 that all the maintenance is covered. However, there is
8 no mention in the DEIS that I can find that explains who
9 will be responsible for maintaining the interconnect ramp
10 with its huge retaining walls and curved bridge.

11 According to the railroad companies when
12 they commented on the EAW, they will not be responsible
13 for the maintenance of the internet -- interconnect
14 structure. Furthermore, there's no reference in chapters
15 5 or 8, the ones that deal with finance. Finally, since
16 I only have a minute, on page 58, chapter 3, Discussion
17 of Impacts of Colocation; and I quote, it says: With the
18 additional tracks using a wider portion of the HCRRA
19 corridor, the potential to alter historic properties and
20 characteristics of the neighborhood -- and they're
21 talking about Kenilworth.

22 How ludicrous. Kenilworth was a rail yard
23 for -- since the mid-1800s with as many as 14 sets of
24 tracks. What does leaving freight trains in a rail
25 corridor have to do with changing the historic qualities?

1 And I could go on about how the -- St.
2 Louis Park has completely left out and how it will
3 negatively impact our city. Thank you.

4 COMMISSIONER McLAUGHLIN: Thank you very
5 much.

6 Joseph LaPray, and then Brenda Litman after
7 that. Welcome. Comment #890

8 MR. LAPRAY: Hello. Hello. Thank you for
9 this opportunity to speak. My name is Joseph LaPray. I
10 live at 3256 Blackstone Avenue in St. Louis Park.

11 I was concerned when I read the DEIS that
12 there's a lot of things missing in it. There's -- an C
13 example, there is no mention of a very key element to
14 make this freight rerail -- freight rail reroute work, is
15 gaining traffic lights from the Burlington Northern Santa
16 Fe east of the MNS line; and if that's been done, it
17 should have been in DEIS, I think; and if it's not been
18 done, that's a critical element that's in place, and I C
19 think the public deserves to know how much that's going
20 to cost; because the Burlington Northern Santa Fe could
21 pull a lot of strings to make a lot of money off of this
22 thing.

23 The other -- one other thing was if you
24 look -- there's so many things missing from the DEIS.
25 For example, one of the things they say make the strange

1 assertion that the only concern for the freight rail
2 reroute is -- would be -- come from trespassers. As I
3 look before, none of you look like trespassers, but all
4 of you might be motorists, motorists who someday see
5 yourselves driving southbound on Library Lane. The
6 library is behind you.

7 You're coming up to Lake Street. You come
8 to the intersection, there's traffic going east and west
9 on Lake Street. In order to make a smooth transition
10 into the traffic, you pull up to as far as you can. It
11 gives you a better view of the traffic, and it allows you
12 to move more expeditiously into the flow of traffic, but
13 now you're on the crossing. A couple of cars pull up
14 behind you. You can't turn forward because of the
15 traffic on Lake Street. There's cars behind you. You
16 can't back up. And the crossing alarm goes off. There's
17 a train coming. What are you going to do? There's
18 nothing you can do. You're standing there. So -- but
19 you have done nothing wrong. You are not trespassing.
20 You haven't done anything wrong, but your car is in
21 danger and perhaps your life.

22 Now, the train comes. The locomotive
23 engineer has done nothing wrong. He might be the best
24 locomotive engineer in the world, or she, she could be --
25 he could be absolutely alert on the brake, could handle

1 the train perfectly well; but because of the sight lines
2 and the sharpness of the curves, there's no way he can
3 stop that train in time to stop -- keep from hitting you.
4 It's too late for him. It's too late for you, the
5 motorist; but it's not too late for you, the County
6 Commissioners, to stop this as of November 14th.

7 Thank you very much.

8 COMMISSIONER McLAUGHLIN: Thank you.

9 Next, Brenda Litman, and Louise --

10 MS. KURZEKA: Kurzeka.

11 COMMISSIONER McLAUGHLIN: -- Kurzeka.

12 MS. KURZEKA: Thank you.

Comment #891

13 MS. LITMAN: I'm Brenda Litman, 3301

14 Gettysburg Avenue South in St. Louis Park, and a 50-year
15 resident of the suburb.

16 People have really been detailing some of
17 the omissions and things that the DEIS minimizes, so I'm
18 just going to speak to some of the dangers. I strongly
19 am in support of the Southwest Light Rail Transit. I
20 think that's wonderful. I strongly oppose the reroute of
21 the freight trains to St. Louis Park. It's an
22 unnecessary, expensive, governmental move that would
23 create serious safety hazards that have already been
24 detailed for our citizens and our schools.

25 The route is proposed by Hennepin County

1 and the Met Council, not by the railroad. It is not
2 proposed by the railroad. It is truly irrational, really
3 unconscionable in this day and age for any governmental
4 agency to spend an extra \$123 million to move a freight
5 line from a wide, flat area that has historically been a
6 railroad line -- a railroad yard, built to handle freight
7 trains, multiple tracks, and an area that's cert -- where
8 certainly freight line and the light rail could exist in
9 concert. Moving this, relocating freight to a narrow,
10 multicurved bed in St. Louis Park, running through a much
11 more congested area, and next to a major high school, St.
12 Louis Park High School, with multitudes of students often
13 with ear pods, crossing the tracks to McDonald's, to the
14 football field, and just walking along the tracks on
15 their way to school, unconscionable spending of
16 taxpayers' money.

17 While a short -- it was just pointed out a
18 minute ago, while a short, eight-car train can stop in a
19 hundred feet, a 132 car, heavy freight train running at
20 25 miles an hour requires a mile or more to stop; so it
21 really can't stop in time for any hazard. It is a major
22 hazard.

23 In addition, a long freight train, unlike
24 the short trains currently running on the tracks, would
25 be on several tight curves at once exponentially

1 increasing the likelihood of derailment. Since a
2 significant part of the track is elevated as the
3 former -- last speaker said, Mr. LaPray, and close to
4 houses, this is a distinct hazard. Therefore, to say
5 that a narrow, curved track suitable for short eight-car
6 trains running at 10 miles an hour is suitable for long,
7 heavy freight trains running at 25 miles an hour, 253
8 times a day is ludicrous and strains credibility.

9 COMMISSIONER McLAUGHLIN: Thank you.

10 MS. LITMAN: Okay. DEIS ignored all of
11 this. Thank you very much.

12 COMMISSIONER McLAUGHLIN: Thank you very
13 much.

14 Louise Kurzeka and Clark Johnson next.

15 MS. Kurzeka: Good evening. Comment #892 My name is
16 Louise Kurzeka. I live at 3301 Library Lane.

17 I have the unique position of being a
18 lifelong resident of St. Louis Park in that property. My
19 parents had the home built in 1949. So I have lived two
20 blocks away from those railroad tracks my entire life.

21 I want to talk about what I think are
22 flawed perceptions in the DEIS, regarding real world
23 impacts of people. I found it interesting that goal
24 number 4 on your story board states: Preserve and
25 protect quality of life in the study area.

1 So I would ask you how is the quality of my
2 life preserved and protected when the property values of
3 my home and my neighbors' homes and everyone who is
4 within a certain number of feet of that property -- of C
5 that rail line are going to decrease, because we know
6 that there are studies that have been done that show this
7 time and again in other parts of the country? How is
8 this going to preserve and protect the quality of life
9 for us if the safety of our children in those five
10 schools that those tracks with that rerouted traffic
11 passing are going to be affected, especially if those
12 trains with upgraded rail can now go at 25 miles per
13 hour, not 10 miles per hour as they currently do.

14 Of course, I'll remind you that my taxes
15 are what paid for the increase of that freight traffic
16 and for that increased quality of rail. How is my
17 quality of the life preserved and protected when I find
18 that more frequented trains not only cause delays, but
19 have much greater noise levels that affect again teaching
20 in schools, people commuting, and those that live close,
21 and closer than I do?

22 I'm certain that the people in
23 Kenilworth -- in the Kenilworth Corridor will be happy
24 when their property values increase because we do know
25 that, again, from studies, light rail into an area

1 increases the property values. So not only do we lose
2 our property values, we don't get any of the value
3 increase. Somebody else gets that, as well.

4 So I ask you to please think about this
5 reroute as an issue where we look at colocation as a way
6 to preserve the quality of life for all of us who live in
7 this area. Thank you very much.

8 COMMISSIONER McLAUGHLIN: Thank you very
9 much.

10 Clark Johnson is next, and then I'm going
11 to give this one a try Janet Weivoda.

12 Mr. Johnson, welcome.

Comment #893

13 MR. JOHNSON: My name's Clark Johnson. I
14 live at 2749 Blackstone. I've lived there since August
15 of 1972, in the same house.

16 I am in total agreement with everybody that
17 has spoken so far. And my biggest concern is it seems
18 like there is a strong faction going that wants to keep
19 us that live in the neighborhoods in the dark. I'm
20 talking to you guys as a council.

21 Tonight is the first time I've seen a map
22 that actually shows what's going on. The Star Tribune
23 don't work. Something's rotten in Denmark. And, I mean,
24 we're the people that are going to be affected by it, you
25 know; and nobody's ever come out and said what's -- what

1 is going to happen with the houses if you do that
2 reroute. Okay.

3 I counted them a year ago. I can't
4 remember the number, but it's 80 something that are
5 affected, and your figure was about 30. Where's all that
6 money going to come from? And then think of the citizens
7 and voters that you're losing, because there aren't going
8 to be any places to move to in St. Louis Park.

9 So that's about all I got to say.

10 COMMISSIONER McLAUGHLIN: Thank you.

11 Janet Weivoda and Brian Zachek next.

12 COMMISSIONER McLAUGHLIN: How'd I do?

13 MS. WEIVODA: Not bad. You were close.

14 It's Janet Weivoda, with a W; W-E-I-V-O-D-A
Comment #894

15 I live at 2750 Yosemite Avenue South. I don't speak
16 officially for my neighborhood. I'm in Birchwood
17 neighborhood, but I am on the steering committee for
18 Birchwood Neighborhood Association.

19 Like everyone else who has spoken so far, A
20 maybe not everyone, I strongly support light rail coming
21 through St. Louis Park. I -- you know, I think that it's
22 good, and I'm looking forward to it. I think that it's a
23 great improvement. But the reroute of the freight C
24 traffic is -- I don't understand. I'm a CPA. I own
25 three businesses. If I was a business person and I said,

1 one -- and we'll take a step back.

2 The DEIS statement does not include any T3
3 costs for mitigation, which really not only -- I really
4 don't even want to jump to the place where that was going
5 happen, but should we get to the place where you were C
6 saying there's going to be location, freight relocation,
7 and there's going to be mitigation, we haven't taken that
8 cost into account. So to say \$123 million additional
9 cost for freight relocation, plus mitigation, if I was a
10 for-profit business, I would not be thinking about that.
11 We're talking in the range of \$200 million, probably.
12 Those are taxpayer dollars for something that's totally
13 unnecessary.

14 I bike for -- since June I have been biking
15 daily the Kenilworth corridor, the length of the
16 Kenilworth Corridor every day. Every day I say to myself
17 how is it possible that no one thinks that freight rail
18 and light rail can co-exist? There's so much space. And
19 for the pieces, the very small pieces, is not \$200
20 million or \$123 million worth of expense. The tradeoff
21 between that cost and the safety savings for high
22 schools, 500 residences are impacted by freight
23 relocation.

24 I want you to think about it. I came in
25 the room earlier. If we imagine that the screen here is

1 someone's backdoor, any of these people who -- say that
2 they live at Blackstone Avenue. This wall represents the
3 freight train. That wall is roughly the distance of a
4 backyard that that train is going to run through their
5 yard at 25 miles per hour with possible derailment.
6 Trains derail all the time. I think that it's really
7 critical that the City look at how that impacts those
8 people's lives, the lives of students, the lives of all
9 the 500 residents it's impacted.

10 I am not directly impacted. My house
11 doesn't sit on the rail line. But as a neighbor and in
12 those neighborhoods, I can't imagine how that's possible
13 that this council and Met council, City council, anyone
14 thinks that that is a possible thing to do to any of
15 these people where the Kenilworth corridor is a
16 freight -- is a freight line. It was designed for that.
17 It's always had freight traffic. Thank you very much.

18 COMMISSIONER McLAUGHLIN: Thank you very
19 much.

20 (Applause.)

21 COMMISSIONER McLAUGHLIN: Brian Zachek and
22 Sharon Lehrman is after.

23 Mr. Zachek, welcome.

Comment #895

24 My name is Brian Zachek.

25 COMMISSIONER McLAUGHLIN: Zachek. I'm

1 sorry. I misread it. I thought it was an R.

2 MR. ZACHEK: I live at 6108 Minnetonka
3 Boulevard.

4 And I know all about the problems and the
5 dangers of the elevated train because my house is the
6 closest house to the tracks. It's about 34 feet from the
7 tracks, and I know exactly how it goes the rest of the
8 neighborhood, the Birchwood neighborhood. I see all the
9 people walking down the tracks. And I know all about
10 the -- the derailment dangers, but I'll keep this short
11 and Sweet.

12 A few points of my concerns with the DEIS.
13 The MNS Spur rail line is clearly unsafe as a main rail
14 line. Number two, the Great Crossing at 29th Street must
15 stay open. Three, colocation with SW LRT and the TCP and
16 W's current freight rail route through the Kenilworth
17 corridor is viable, superior, and cheaper option for C
18 freight reroute along MNS. Excuse me. Four, the freight
19 reroute will result in a loss of property values along
20 the affected areas, particularly in my neighborhood.

21 I just got a letter from Hennepin County
22 today saying my property value dropped \$21,600. I got
23 that in the mail this morning. I have to think this
24 reroute must be at least partly to do for that. The
25 reroute will block street crossings and impede the

1 response of emergency vehicles, which is a big concern to
2 me. My wife has a disability, and I know lots of
3 disabled people because of her medical treatments. It's
4 not acceptable that emergency vehicles be blocked on the
5 way to Park Nicollet or Methodist Hospital from our side
6 of the -- from our side of St. Louis Park.

7 The reroute will cause dramatic noise and
8 safety issues by the high school. The proposed quiet **C**
9 zones are not adequate mitigation to address this. You
10 said there was five communities along this route.
11 Only -- only one of them has to worry about sending their
12 kids to -- and grandkids to high school, and they would
13 put them in danger of being killed or maimed by a train.
14 That is -- that is the truth.

15 Hennepin County did not encourage and **L2**
16 facilitate public involvement and discussion -- decisions
17 would affect the quality of the human environment **A**
18 concerning the reroute, and the DEIS that describes noise
19 and vibration study has flawed methods and conclusions.
20 SW LRT is a great idea. The freight reroute is not, **C**
21 especially as it's dealt with in the SW L -- in the DEIS.
22 We can do much better for St. Louis Park. And, yes, I am
23 grateful that my house is one slated to be purchased. I
24 needed to say that. But I wish you would afford the same
25 generosity or good thinking to the rest of the citizens

1 along that are affected so deeply by this by creating a
2 greenway or a bikeway that would actually improve the
3 area. Thank you.

4 COMMISSIONER McLAUGHLIN: Next, Sharon
5 Lehrman, and Nancy Brown after Sharon.

Comment #896

6 MS. LEHRMAN: Nancy had to leave.

7 COMMISSIONER McLAUGHLIN: Nancy had to
8 leave. Okay. Then after -- okay. So then after --
9 you're Sharon Lehrman, yes?

10 MS. LEHRMAN: Correct.

11 COMMISSIONER McLAUGHLIN: So after you
12 would be Tom Johnson.

13 MS. LEHRMAN: Okay. So hello. Thank you
14 for this opportunity to speak. I'm Sharon Lehrman. I
15 grew up in the Birchwood neighborhood, in a home on 27th
16 and Zenwood that my parents owned for almost 50 years.
17 My husband and I are homeowners for 18 years in the same
18 neighborhood, on 26th and Vernon. And it's our wedding
19 anniversary tonight. Happy anniversary, Honey. I would
20 have much rather have been -- go out to dinner, but we
21 decided this is a very important issue. We don't have --
22 our kids are grown up. We don't have to worry about kids
23 at the high schools or Peter Hobart, but this is a really
24 important issue for our community.

25 COMMISSIONER McLAUGHLIN: President Obama

1 had that same dilemma.

2 MS. LEHRMAN: Right. Right.

3 So my husband and I are really worried that
4 the rerouting of freight trains is considered a done
5 deal. In a November 4th Star Tribune article, our mayor,
6 Jeff Jacobs is quoted as saying: Opposing the freight
7 reroute is like being opposed to winter. You can oppose
8 it, but it's coming. And in a November 13th Star Tribune
9 article Commissioner Gail Dorfman is quote as saying: I
10 think this is a win-win for St. Louis Park in all
11 respects, as long as we're adequately -- as we
12 adequately mitigate for the freight rail.

13 I just don't see how this is a win-win for
14 St. Louis Park, and that's why I'm here tonight. This
15 will cost taxpayers at least \$123 million more than
16 colocation in the Kenilworth Corridor without any
17 additional cost of mitigation. But the most important
18 issue for me and my husband is the reroute is a disaster
19 waiting to happen, and this really comes down to the
20 safety of our residents.

21 So I'm asking those of you who have the
22 power to make this decision, how will you feel when the
23 first student is killed, the first car is hit on Library
24 Lane, and those cars after the first derailment spill
25 into the backyards of the homes of those people living

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1 along the tracks? Will you be there to console those
2 parents, those families, and those residents? Will you
3 be able to sleep at night knowing you made this decision?
4 Because the decision is made and tracks are built,
5 there's no going back.

6 I implore you to reconsider the colocation
7 option. It's viable with fewer safety concerns and will
8 cost significantly less money. I'm counting on you to do
9 the right thing and uphold our Minnesota Nice standards.
10 Thank you.

11 COMMISSIONER MCLAUGHLIN: Next is Tom
12 Johnson, and Betty Shaw after Mr. Johnson.

13 Welcome.

Comment #897

14 MR. JOHNSON: Hi. My name is Tom Johnson,
15 and I'm president of Railroad and Metallurgic Engineering
16 here in St. Louis Park, 4601 Excelsior Boulevard. I'm an
17 engineering consultant with 31 years of railroad
18 experience. I spent most of my career designing
19 locomotive at the GE locomotive factory in Erie,
20 Pennsylvania. I'm a license professional engineer for 28
21 years. My education is in metallurgic engineering with a
22 bachelor of science degree from the University of
23 Minnesota.

24 I'm certified in accident reconstruction
25 and OSHA regulations. Most of my engineering consulting

1 practice involves investigating, writing reports, and
2 testifying on crossing accidents and derailments. And
3 believe me, I don't want any extra business here in St. C
4 Louis Park. I'm here in opposition to the freight rail
5 reroute for a number of reasons. I will address them all
6 in my written report in response to the DEIS. Cost and
7 construction, railroad crossing accidents, derailment
8 analysis, noise and vibration issues, and mitigation.
9 Tonight I want to talk about crossing accidents.

10 And I want to address Mayor Jacob's
11 comments about the lack of railroad accidents near the
12 high school. There's a reason for that. The trains go
13 slow. A rule of thumb is that you take miles per hour
14 that the train goes, square it, and you get in feet the
15 stopping distance. That's just for a lot of people here
16 a nice, easy calculation. So the eight-car, two
17 locomotive, 750-foot trains, running now at 10 miles an
18 hour stop at 10 times 10, a hundred feet. The new MN&S
19 upgrades will have a 25 mile an hour speed limit.
20 They'll be much longer, heavier trains, like the 132 car,
21 three locomotive, 20,000 ton, 8,000 foot coal trains.
22 Basic stopping distance for -- is going to be 25 times
23 25, or 625 feet. This is for the short trains or general
24 freight, not the coal trains. It must be remembered this
25 is for the small coal trains.

1 Let's look -- I'm going to take one
2 crossing example. For example, coming east and turning
3 north from Highway 7, a train will pass the Walker Street
4 crossing after three curves and an uphill grade. This is
5 the Library Lane crossing. The visibility from the east,
6 I've measured. It's about 200 feet as you come around
7 that corner. The locomotive engineer can't get a good
8 view of what's in the crossing until he passes over
9 Walker Street. At 10 miles an hour, 14.5 feet per
10 second, his train is 13.8 seconds from entering Library
11 Lane. He can stop in front of what he sees.

12 The new 25 mile an hour limit, he could --
13 he's going 10 miles an hour, he'll take 625 feet to stop.
14 He will not be able to stop. I haven't got to the coal
15 trains yet. The engineer in the 10 mile an hour train is
16 in control, and he can make the stop. This analysis is
17 all for the small general freight trains. The large coal
18 trains will obliterate anything in Library Lane and not
19 come to a stop until the head of the train is well past
20 Dakota Avenue. Also, the rear of the 8,000 foot coal
21 train will be back 2,000 to 3,000 feet west of Louisiana.

22 The real issue is safety versus
23 convenience. With the braking distance that I've talked
24 about, the locomotive engineers that will be working
25 don't want -- okay, I'll say one more thing.

1 COMMISSIONER McLAUGHLIN: Yep.

2 MR. JOHNSON: I have a lot to say.

3 But my -- in my profession --

4 COMMISSIONER McLAUGHLIN: You're going to
5 submit this in writing, though, are you not? You're
6 going to have a full written report, aren't you?

7 MR. JOHNSON: Full written report.

8 COMMISSIONER McLAUGHLIN: All right.

9 MR. JOHNSON: My professional opinion about
10 freight rail is keep it in Kenilworth, keep it slow, keep
11 it safe. C

12 COMMISSIONER McLAUGHLIN: I would just say,
13 sir, my -- all of my mother's family worked at the GE
14 plant somewhere else up in Erie, Pennsylvania. I grew up
15 in Coreview.

16 MR. JOHNSON: We'll talk later.

17 COMMISSIONER McLAUGHLIN: Okay. Thank you.

18 MR. JOHNSON: Hope I can change your
19 mind.

20 COMMISSIONER McLAUGHLIN: Next is Betty
21 Shaw, and then Tom Pearson.

Comment #898

22 MS. SHAW: My name is Betty Shaw. I live C
23 at 2649 Huntington Avenue in St. Louis Park. My home is
24 not anywhere reasonably close to the reroute proposed, so
25 I'm not talking about this for my -- for my sake or for

1 my home's sake. My passion is education; and my
2 terrible, terrible fear about this reroute has to do with
3 our schools.

4 My daughter Laura taught at Oltman Junior
5 High in St. Paul Park several years. Oltman Junior High
6 in St. Paul Park is a field away from the freight rail
7 tracks that run through St. Louis Park. And every day,
8 two to three times a day, teaching comes to a complete
9 stop. When the trains slow down, their whistles go
10 longer, and it's not a sweet little toot-toot. It's a
11 whoo. And I think you get the idea.

12 It just -- I mean, teaching is not
13 possible. You have to interrupt it. In St. -- at Oltman
14 Junior High, there has been damage to the windows. The
15 windows shake. And after years and years and years of
16 shaking and shaking and shaking, not only are they no
17 longer energy efficient, which we just spent referendum
18 dollars to make our high school, they don't -- they --
19 the doorjambs no longer fit. The doors do not shut
20 tightly enough that you can lock them, giving access to
21 the school; and vandalism has occurred in the school
22 because the doors don't lock well. There's structural
23 cracks and damages to the school from the constant
24 vibration of trains along this route, and it isn't even
25 remotely as close to those freight rail lines as St.

1 Louis Park is to the proposed reroute -- routed trains.

2 Please think very carefully about what you
3 are doing to that marvelous asset of this community and
4 this state when you propose to put the kind of rail
5 traffic by that high school as close as it is, as
6 frequently as it will go; and think very very much about
7 what that means for the quality of life in the city as a
8 whole. My property values aren't going to go down
9 because my train is close to me, but they sure as heck
10 will if St. Louis Park becomes an undesirable place to
11 send your kids to high school.

12 (Applause.)

13 COMMISSIONER McLAUGHLIN: Next we have Tom
14 Pearson, and then Chad Hayenga. Comment #899

15 MR. PEARSON: Hello. I'm Tom Pearson. I
16 live at 2706 Yosemite. I've lived there for about 24
17 years. We're at Birchwood Park neighborhood. I'm about
18 three blocks from the tracks. I'm going to disagree with
19 one of the former speakers, one of my neighbors. She
20 said our property values would not be impacted. I would
21 disagree with that. I think they definitely will be
22 impacted for a number of reasons. Most of the people who
23 spoke before me had a lot of nice facts and so forth.
24 I'm going to give a kind of overall recap, if you will.

25 The "S" in DEIS stands for study, and I

1 think a clear -- clearly unbiased study would reveal five
2 reasons why it's a bad idea to move the freight through
3 St. Louis Park. And a lot of it's been touched on
4 already, so I'll just recap. Quality of life, especially
5 at the high school, is definitely going to be negatively
6 impacted. There's the noise, the violation. There's the
7 disruption to the flow of traffic, not only at the high
8 school, at the other schools, businesses, and our
9 community around the tracks.

10 Safety, obviously, the proximity to the
11 high school; it's not close to the high school; it's
12 through the campus. It splits the high school building
13 from the -- from the soccer field and football field.
14 What's going to happen when -- when it's time for a game
15 or it's time for -- to go out to gym class out there or
16 to practice, and there's freight train, and you've got to
17 wait for 20 minutes. Safety is obviously an issue, as a
18 lot of people already went through.

19 Property values would definitely take a
20 hit. It's not just for the people who are right along
21 the tracks. It's for those of us who are about three
22 blocks away are also going to take a hit from the noise
23 and the disruption, et cetera. It's a lot less efficient
24 to have the trains moving through these curves and up the
25 grade to get to them than it is to leave them on the path

1 they're on now. And cost, of course, cost. I keep
2 hearing \$123 million. That does not include the
3 mitigation cost that would be required, and I think they
4 are huge.

5 Finally, the one thing that disturbs me --
6 I didn't know this until tonight -- there's several
7 different cards out there, boards that show different
8 ideas for rerouting. Most of them show the freight
9 rerouted through St. Louis Park. There's two boards on
10 the end here that show the light rail not going through
11 Kenwood, but the Light Rail going through Uptown and then
12 further east and then down into the City. Why aren't we
13 talking about that? Leave the freight where it is and
14 reroute the Light Rail to go through Uptown. By the way,
15 if I were a business in Uptown, I would want the Light
16 Rail to be there.

17 Thank you very much.

18 COMMISSIONER McLAUGHLIN: Next we have Chad
19 Hayenga, followed by Carma Hayenga. Welcome. Comment #900

20 MR. HAYENGA: My name's Chad Hayenga, and I
21 am from 2700 Brunswick Avenue here in St. Louis Park. I
22 received my property tax notice in the mail today, and
23 unlike some of you lucky folks, my property taxes went
24 up. So it says that the value of my home has increased
25 in the last year by 3.2 percent; and because the value of