



METRO Green Line LRT Extension (SWLRT)



## Findings of Fact and Conclusions

# Southwest Light Rail Transit

May 15, 2018

Prepared by the  
Metropolitan Council



This page intentionally blank.

## Contents

1	Administrative Background and Statement of Issue.....	1
2	Findings of Fact.....	2
2.1	Project Description.....	2
2.2	Corrections to the Supplemental EA or Changes in the Project since the Supplemental EA was Published.....	4
2.3	Decision Regarding Need for Supplemental Environmental Impact Statement.....	5
2.3.1	Type, Extent, and Reversibility of Environmental Effects .....	5
2.3.2	Cumulative Potential Effects of Related or Anticipated Future Projects.....	11
2.3.3	Extent to Which the Environmental Effects are Subject to Mitigation by Ongoing Public Regulatory Authority.....	11
2.3.4	Extent to Which Environmental Effects can be Anticipated and Controlled as a Result of Other Environmental Studies .....	12
3	Conclusions.....	12

## List of Tables

Table 1-1: Modifications Evaluated in the Supplemental EA .....	1
Table 2-1: Summary by Resource Category for Modification A (Parcel 322A Parking Impact in Minnetonka near Opus Station) .....	5
Table 2-2: Summary by Resource Category for Modification B (Minnehaha Creek Headwall).....	6
Table 2-3: Summary by Resource Category for Modification C (31 <sup>st</sup> Street Realignment) .....	6
Table 2-4: Summary by Resource Category for Modification D (Ground Rounds Historic District – Kenilworth Lagoon WPA Rustic Style Retaining Walls Rehabilitation and Landscaping).....	6
Table 2-5: Summary by Resource Category for Modification E (Right-of-Way Adjustment near 21 <sup>st</sup> Street Station) .....	7
Table 2-6: Summary by Resource Category for Modification F (Cedar Lake LRT Regional Trail Detour).....	7
Table 2-7: Summary by Resource Category for Modification G (Bryn Mawr Meadows – Trail Mitigation)....	7
Table 2-8: Summary by Resource Category for Modification H (BNSF Negotiation Modifications).....	8
Table 2-9: Summary by Resource Category for Modification I (Water Service to Sharing and Caring Hands) .....	9
Table 2-10: Summary by Resource Category for Modification J (New Potential Construction Laydown Areas) .....	9
Table 2-11: Commitments or Mitigation Measures.....	9
Table 2-12: Anticipated Permits and Approvals .....	11

## List of Figures

Figure 2-1: Light Rail Alignment from the Final EIS .....	3
---	---

## List of Appendices

Appendix A: Responses to Agency and Elected Official Comments

Appendix B: Thematic Responses to Public Comments

Appendix C: Agency and Elected Official Letters Received

Appendix D: Public Comments Received

## 1 Administrative Background and Statement of Issue

A Supplemental Environmental Assessment/Amended Draft Section 4(f) Evaluation (Supplemental EA) was prepared for the Southwest Light Rail Transit (LRT) Project (Project) by the Metropolitan Council (Council) in consultation with the Federal Transit Administration (FTA) and was published in February 2018. The Supplemental EA was prepared in accordance with 23 CFR Part 771.130 by the Metropolitan Council and the FTA to address changes in Project design from those analyzed in the Southwest LRT Final Environmental Impact Statement (Final EIS), Record of Decision (ROD), and Adequacy Determination (published in May 2016, July 2016, and August 2016, respectively), which are a result of the Project’s advancement into final engineering.

The Project as identified in the 2016 Final EIS and ROD remains the same except for the modifications evaluated in the Supplemental EA. Modifications evaluated in the Supplemental EA include the changes in the scope and design of the project listed in **Table 1-1**.

**TABLE 1-1: MODIFICATIONS EVALUATED IN THE SUPPLEMENTAL EA**

Modification	Reason for Change
A: Parcel 322A Parking Impact in Minnetonka near Opus Station	Occurred during right-of-way acquisition process
B: Minnehaha Creek Headwall	Occurred during permitting process
C: 31 <sup>st</sup> Street Realignment	Occurred during right-of-way acquisition process
D: Ground Rounds Historic District – Kenilworth Lagoon Works Progress Administration (WPA) Rustic Style Retaining Walls Rehabilitation and Landscaping	Occurred as part of the mitigation plan required by the Section 106 review process
E: Right-of-Way Adjustment near 21 <sup>st</sup> Street Station	Occurred during right-of-way acquisition process
F: Cedar Lake LRT Regional Trail Detour	Occurred during final design
G: Bryn Mawr Meadows – Trail Mitigation	Occurred during final design
H: BNSF Negotiation Modifications	Occurred during BNSF negotiations
I: Water Service to Sharing and Caring Hands	Occurred during final design
J: New Potential Construction Laydown Areas	Occurred during final design

The Supplemental EA analyzed whether there have been significant changes to the proposed action, the affected environment, and the anticipated impacts or the proposed mitigation measures required due to the 10 Project modifications. Under the Minnesota Environmental Policy Act (MEPA), the Supplemental EA served as the state environmental assessment worksheet (EAW) to evaluate the proposed changes to the Project. The analysis documented in the Supplemental EA has been used by the Council to reach an informed and appropriate decision whether to issue a Negative Declaration for the revised Project (pursuant to Minnesota Rules, part 4410.1700) or whether a Supplemental EIS is warranted.

The Supplemental EA was filed with the Minnesota Environmental Quality Board (EQB) and circulated for review and comments to the required distribution list. A “Notice of Availability” was published in the EQB Monitor on March 5, 2018 and in the Star Tribune newspaper. A press release was provided by the Council to media outlets in the Twin Cities area. The Supplemental EA was made available for public review at the Southwest LRT Project Office, located in Suite 500 of the Park Place West Building, 6465 Wayzata Boulevard, St. Louis Park, MN 55426. The Supplemental EA was also available on the project website at [www.swlrt.org](http://www.swlrt.org).

A public town hall meeting for the proposed project was held during the Supplemental EA comment period on March 22, 2018 at Dunwoody College of Technology in Minneapolis. Approximately 35 people attended the public meeting. Information regarding the project history, proposed modifications, and potential social, environmental, and economic impacts of the changes evaluated in the Supplemental EA were presented.

The public comment period for the Supplemental EA/Amended Draft Section 4(f) Evaluation extended from February 23 to April 9, 2018, and 32 comments were received. All comments received during the comment period were considered in determining the potential for significant environmental impacts. Comments were submitted in the form of letters, emails, and testimony and comment cards received at the public town hall meeting. Agencies that submitted comments in response to the Supplemental EA include the U.S. Department of the Interior (DOI), U.S. Environmental Protection Agency (EPA), Minnesota Department of Natural Resources (DNR), Minnesota Department of Transportation (MnDOT), Minnesota Pollution Control Agency (MPCA), and the City of Minneapolis. One comment letter was also submitted by a state representative, state senator, and community member. Copies of these letters are included in **Appendix C**. Copies of comments submitted by members of the public are included in **Appendix D**.

The comments included support for and opposition to the Project and the proposed Project modifications. **Appendices A and B** of this Amended ROD document the FTA's and the Council's responses to all agency and public comments received on the Supplemental EA.

Based upon the information in the record, which is composed of the Supplemental EA for the proposed project, the issues raised during the public comment period, the responses to the comments, and other supporting documents, the Council makes the following Findings of Fact and Conclusions.

## 2 Findings of Fact

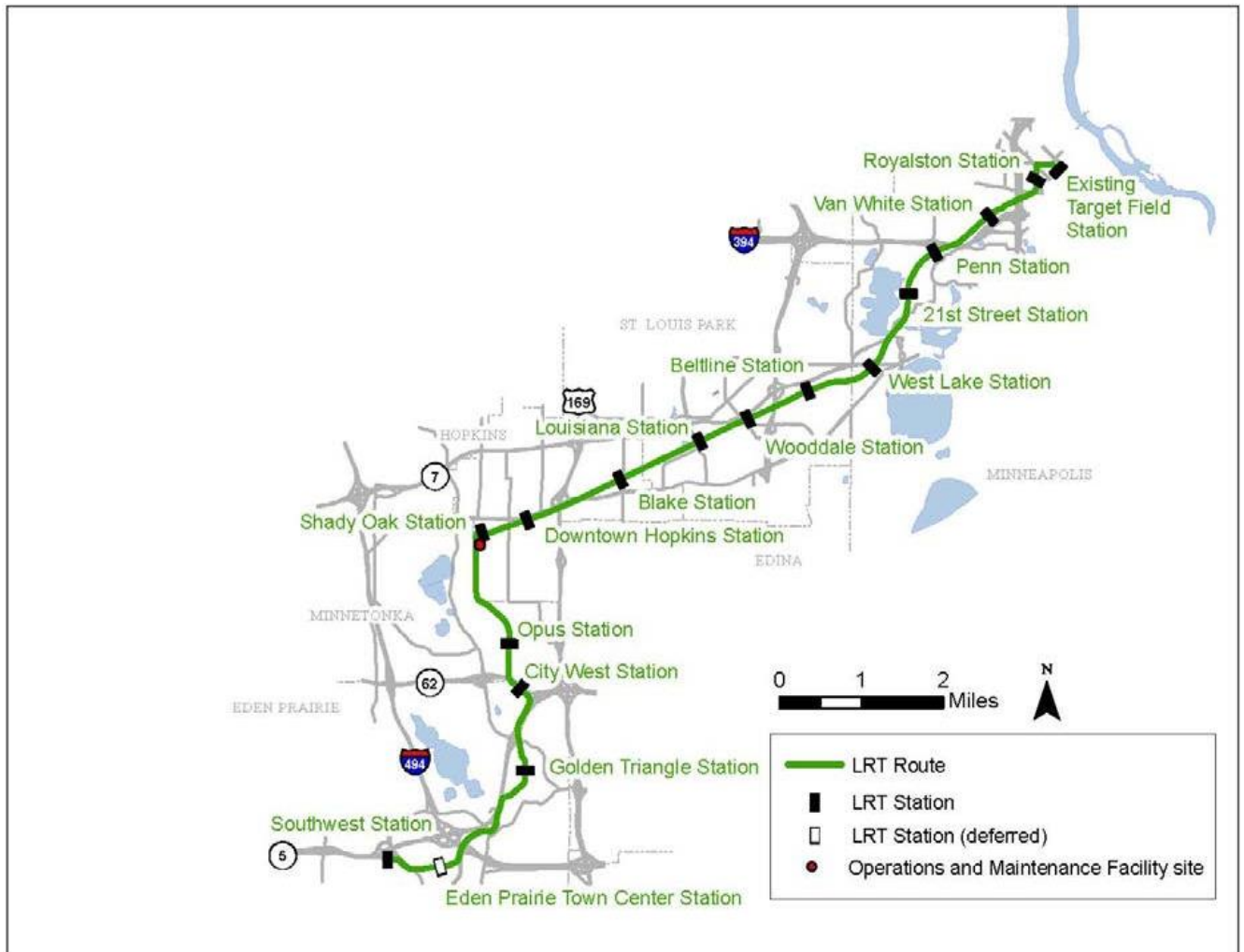
### 2.1 Project Description

As defined in the Final EIS, ROD, and state Adequacy Determination, the Southwest LRT Project is approximately 14.5 miles of new double track light rail alignment planned as an extension of the METRO Green Line (Central Corridor LRT), which will operate from downtown Minneapolis through the communities of St. Louis Park, Hopkins, Minnetonka, and Eden Prairie, passing proximate to the city of Edina. Southwest LRT will operate primarily at-grade, with structures providing grade separation of LRT crossings, roadways, and water bodies at specified locations. For just under one-half mile, it will operate in a shallow LRT tunnel in the Kenilworth Corridor between West Lake Street and just south of the Kenilworth Lagoon, with an at-grade light rail bridge over the lagoon.

The planned light rail alignment from Eden Prairie to Target Field in Minneapolis will have 16 stations: SouthWest, Eden Prairie Town Center (deferred), Golden Triangle, and City West Stations in Eden Prairie; Opus Station in Minnetonka; Shady Oak, Downtown Hopkins, and Blake Stations in Hopkins; Louisiana, Wooddale, and Beltline Stations in St. Louis Park; and West Lake, Penn, 21<sup>st</sup> Street, Van White, and Royalston Stations in Minneapolis (see **Figure 2-1**). Major elements that will be incorporated onto the station platforms include shelters, lighting, furniture, and fencing and railing. All stations will include accessible connections to local street networks and sidewalks. The alignment also includes approximately

2,500 additional park-and-ride spaces, accommodations for passenger drop-off, and bicycle and pedestrian access, as well as new or restructured local bus route connection stations to nearby residential, commercial, and education destinations. Freight rail operations will remain in the existing location in the Kenilworth Corridor. The light rail and freight rail alignments will be co-located for approximately 5.9 miles through the Bass Lake Spur and Kenilworth Corridor, as well as approximately 1.4 miles in the Wayzata Subdivision.

**FIGURE 2-1: LIGHT RAIL ALIGNMENT FROM THE FINAL EIS<sup>1</sup>**



An additional 27 light rail vehicles (LRVs) will be added to the Green Line fleet for the operation of the Project. The additional LRVs will be stored and maintained in the new operations and maintenance facility (OMF) to be located in Hopkins. In general, light maintenance activities and the storage of vehicles not in service will occur within enclosed structures, although some maintenance activities, including moving vehicles between functional areas within the OMF, will occur outside of buildings. Activities on the 15-acre site will include washing, routine cleaning, routine maintenance, and inspections of the trains; parts

<sup>1</sup> Note: Since the publication of the Final EIS, the following stations have changed names: Penn Station is now Bryn Mawr Station, Van White Station is now Bassett Creek Valley Station, and Royalston Station is now Royalston Avenue/Farmers Market Station.

storage; and maintenance-related office functions. The planned Hopkins OMF site will include a network of light rail switching track, an approximately 110-space surface parking lot for employees and visitors, storage and maintenance of nonrevenue vehicles, and office space for employees. An LRV storage barn will include five storage bays (with six vehicles per bay) to accommodate a total of 30 vehicles. The storage barn will be designed to accommodate future expansion on Council property, including a sixth storage bay on the west side of the facility to house a total of 36 vehicles. Heavy maintenance of the Project's LRVs, including wheel truing, major body repair, and painting, will occur at the existing Franklin Street OMF, which is outside of the Project vicinity and will not need to be expanded to accommodate the LRVs added for the Project.

The Project will require facilities to provide signaling and power to the light rail alignment and LRVs. Active devices, such as traffic signals, railroad-type flashers, and bells, are planned to control traffic at locations where the light rail alignment will cross public streets. The Project includes 20 traction power substation (TPSS) facilities that will provide power for the LRVs through an overhead wire system. The TPSS facilities will be completely enclosed and will include perimeter fencing. The Project also includes 25 signal bungalow sites, which will house the equipment to operate and monitor the signals that regulate light rail train movement on the alignment. Appendix E of the Final EIS lists and illustrates the TPSS and signal bungalow sites along the light rail alignment.

Relative to roadways, the Project includes intersection modifications, new traffic signals, changes to existing traffic signals, and other traffic management techniques. Those roadway modifications will be at intersections and at-grade light rail crossings of roadways within the roadways and traffic study area. The Project also includes bicycle and pedestrian improvements that will provide safe bicycle and pedestrian crossings of the proposed light rail alignment. The bicycle and pedestrian improvements will help accommodate the light rail and roadway improvements and will provide bicycle and pedestrian connections to the light rail stations.

The Final EIS also evaluated a range of Locally Requested Capital Investments (LRCIs). LRCIs are improvements proposed by Eden Prairie, Minnetonka, Hopkins, St. Louis Park, and Hennepin County to be undertaken separate from, but contingent upon, implementation of the Locally Preferred Alternative (LPA). These improvements are not needed to support the base function of the LPA, nor do they represent mitigation for any impact of the LPA. These activities may be implemented independently by the stakeholders at a future date and are not conditions of the Project. However, in most cases, implementing a LRCI separately would not be as efficient as constructing the LRCI in coordination with the Project. The Final EIS included LRCIs to show the full range of potential Project components, evaluate the impacts, and ensure mitigation measures are provided for LRCIs, where applicable. No additional LRCIs have been added since the publication of the Final EIS and issuance of the ROD and state Adequacy Determination.

## **2.2 Corrections to the Supplemental EA or Changes in the Project since the Supplemental EA was Published**

Since the Supplemental EA was published, there has been further coordination with the City of Minneapolis that resulted in additional mitigation measures for Modification H. These mitigation measures are related to the Northstar tail track extension on top of the existing Bassett Creek Tunnel and to two watermains located under the corridor protection barrier (CPB) wall. These changes are reflected



in the summary of impacts for Modification H in **Table 2-8** and in the summary of commitments and mitigation measures in **Table 2-11**.

### 2.3 Decision Regarding Need for Supplemental Environmental Impact Statement

Minnesota Rules, part 4410.1700 requires that an EIS be prepared for projects that have the potential for significant environmental effects. In deciding whether a project has the potential for significant environmental effects, the following four factors described in Minnesota Rules, part 4410.1700 were considered:

- Type, extent, and reversibility of environmental effects;
- Cumulative potential effects. The project proposer shall consider the following factors: whether the cumulative potential effect is significant; whether the contribution from the project is significant when viewed in connection with other contributions to the cumulative potential effect; the degree to which the project complies with approved mitigation measures specifically designed to address the cumulative potential effect; and the efforts of the proposer to minimize the contributions from the project;
- The extent to which the environmental effects are subject to mitigation by ongoing public regulatory authority. The project proposer may rely only on mitigation measures that are specific and that can be reasonably expected to effectively mitigate the identified environmental impacts of the project; and
- The extent to which environmental effects can be anticipated and controlled as a result of other available environmental studies undertaken by public agencies or the project proposer, including other EISs.

The Council finds that a Supplemental EIS is not necessary for the proposed Project modifications based on the following factors.

#### 2.3.1 Type, Extent, and Reversibility of Environmental Effects

**Table 2-1** through **Table 2-10** summarize the findings of the Supplemental EA regarding potential environmental impacts of the proposed Project modifications. Full discussion of the potential environmental impacts can be found in Section 3 of the Supplemental EA.

**TABLE 2-1: SUMMARY BY RESOURCE CATEGORY FOR MODIFICATION A (PARCEL 322A PARKING IMPACT IN MINNETONKA NEAR OPUS STATION)**

Resource Category	Impacts Disclosed in Final EIS	New Impacts	Change in Impacts
Acquisitions and Displacements	<ul style="list-style-type: none"> <li>• 12,165 square feet of temporary construction easement</li> <li>• 5,210 square feet of permanent easement</li> <li>• 2,719 square feet of permanent utility or transportation easement</li> </ul>	<ul style="list-style-type: none"> <li>• 12,942 square feet of temporary construction easement</li> <li>• 5,210 square feet of permanent easement</li> <li>• 2,719 square feet of permanent utility or transportation easement</li> </ul>	<ul style="list-style-type: none"> <li>• +778 square feet of temporary construction easement</li> <li>• No change in permanent easement</li> <li>• No change in permanent utility or transportation easement</li> </ul>
Cultural Resources	None	None	None
Parking	12 parking stalls lost	8 parking stalls lost	4 fewer stalls lost

**TABLE 2-2: SUMMARY BY RESOURCE CATEGORY FOR MODIFICATION B (MINNEHAHA CREEK HEADWALL)**

Resource Category	Impacts Disclosed in Final EIS	New Impacts	Change in Impacts
Cultural Resources	None	None	None
Visual Quality and Aesthetics	None	New headwall facing residential properties on the north	Minimal change to surrounding landscape
Surface Water Resources	None	None	None

**TABLE 2-3: SUMMARY BY RESOURCE CATEGORY FOR MODIFICATION C (31<sup>ST</sup> STREET REALIGNMENT)**

Resource Category	Impacts Disclosed in Final EIS	New Impacts	Change in Impacts
Acquisitions and Displacements	<ul style="list-style-type: none"> <li>61,124.7 square feet of temporary construction easement</li> <li>50,352.4 square feet of permanent easement</li> <li>No permanent utility or transportation easement</li> </ul>	<ul style="list-style-type: none"> <li>72,971.4 square feet of temporary construction easement</li> <li>28,100.7 square feet of permanent easement</li> <li>No permanent utility or transportation easement</li> </ul>	<ul style="list-style-type: none"> <li>+11,846.7 square feet of temporary construction easement</li> <li>-22,251.7 square feet of permanent easement</li> <li>No change in permanent utility or transportation easement</li> </ul>
Cultural Resources	None	None	None
Geology and Groundwater Resources	None	None	None
Hazardous and Contaminated Materials	<ul style="list-style-type: none"> <li>13 records identified within 550 feet</li> </ul>	None	None
Utilities	<ul style="list-style-type: none"> <li>Storm sewer catch basins</li> <li>8-inch water hydrants, gate valve manholes</li> <li>Gas main underground</li> <li>Overhead electric</li> <li>Underground communication fiber</li> </ul>	Relocation of existing storm sewer pipe; existing drainage patterns maintained	Relocation of existing storm sewer pipe
Roadways and Traffic	None	None	None

**TABLE 2-4: SUMMARY BY RESOURCE CATEGORY FOR MODIFICATION D (GROUND ROUNDS HISTORIC DISTRICT – KENILWORTH LAGOON WPA RUSTIC STYLE RETAINING WALLS REHABILITATION AND LANDSCAPING)**

Resource Category	Impacts Disclosed in Final EIS	New Impacts	Change in Impacts
Cultural Resources	Alters the historic character of the Grand Rounds Historic District	None – landscaping and wall repair was a mitigation measure for the cultural resource being impacted	None
Visual Quality and Aesthetics	Low visual impact	None	None
Surface Water Resources	<ul style="list-style-type: none"> <li>5,244 square feet of temporary wetland impact</li> <li>129 square feet of permanent wetland impact</li> <li>Removal of 1 cubic yard of floodplain</li> </ul>	None	None
Ecosystems	“No effect” on the Higgins eye (pearly mussel) and Snuffbox mussel	“May affect, not likely to adversely affect” the Rusty patched bumble bee	“May affect, not likely to adversely affect” the Rusty patched bumble bee
Hazardous and Contaminated Materials	None	None	None
Utilities	None	None	None
Section 4(f)	<ul style="list-style-type: none"> <li>A Section 4(f) use with a <i>de minimis</i> impact finding (park)</li> <li>A Section 4(f) use (historic property)</li> </ul>	No change to Section 4(f) impact	No change to Section 4(f) impact

**TABLE 2-5: SUMMARY BY RESOURCE CATEGORY FOR MODIFICATION E (RIGHT-OF-WAY ADJUSTMENT NEAR 21<sup>ST</sup> STREET STATION)**

Resource Category	Impacts Disclosed in Final EIS	New Impacts	Change in Impacts
Acquisitions and Displacements	<ul style="list-style-type: none"> <li>• 504 square feet of temporary easement</li> <li>• 175 square feet of permanent easement</li> </ul>	<ul style="list-style-type: none"> <li>• 1,437 square feet of temporary construction easement</li> <li>• 479 square feet of permanent easement</li> </ul>	<ul style="list-style-type: none"> <li>• +934 square feet of temporary construction easement</li> <li>• +304 square feet of permanent easement</li> </ul>
Cultural Resources	None	None	None
Surface Water Resources	None	None	None
Noise	Noise impact on one property on Thomas Avenue South	None	None
Hazardous and Contaminated Materials	One record within 550 feet	None	None
Utilities	None	None	None

**TABLE 2-6: SUMMARY BY RESOURCE CATEGORY FOR MODIFICATION F (CEDAR LAKE LRT REGIONAL TRAIL DETOUR)**

Resource Category	Impacts Disclosed in Final EIS	New Impacts	Change in Impacts
Pedestrians and Bicycles	Temporary closures of Cedar Lake LRT Regional Trail during construction. The detour for the temporary closure was within the existing Cedar Lake LRT Regional Trail right-of-way.	Closure of Cedar Lake LRT Regional Trail between Excelsior Boulevard in Hopkins (just east of TH 169) to France Avenue in Minneapolis (between Beltline and West Lake Street Stations) during construction	Longer closure of Cedar Lake LRT Regional Trail during construction and inclusion of detour routes

**TABLE 2-7: SUMMARY BY RESOURCE CATEGORY FOR MODIFICATION G (BRYN MAWR MEADOWS – TRAIL MITIGATION)**

Resource Category	Impacts Disclosed in Final EIS	New Impacts	Change in Impacts
Pedestrians and Bicycles	<ul style="list-style-type: none"> <li>• Existing bicycle/pedestrian bridge closed and removed and new bridge constructed.</li> <li>• Closure of north/south access limited to approximately 3-month time period during construction.</li> <li>• A temporary trail within Bryn Mawr Meadows park was identified.</li> </ul>	<ul style="list-style-type: none"> <li>• Existing bicycle/pedestrian bridge removed and closed earlier in construction process. Closure of north/south access during construction of new bridge estimated at approximately 12 months.</li> <li>• Trail detour identified to provide north/south access on existing trails.</li> <li>• Repave section of existing trail in Bryn Mawr Meadows Park.</li> </ul>	<ul style="list-style-type: none"> <li>• Increased closure time during construction period for north/south access over BNSF</li> <li>• Provision for trail detour routes using existing facilities</li> <li>• Repaving existing trail section through park to accommodate higher use.</li> </ul>
Section 4(f)	Section 4(f) use with a <i>de minimis</i> impact finding	No change in Section 4(f) impact	No change in Section 4(f) impact

**TABLE 2-8: SUMMARY BY RESOURCE CATEGORY FOR MODIFICATION H (BNSF NEGOTIATION MODIFICATIONS)**

Resource Category	Impacts Disclosed in Final EIS	New Impacts	Change in Impacts
Neighborhood and Community	None	None	None
Acquisitions and Displacements	<ul style="list-style-type: none"> <li>• 28,953 square feet of temporary construction easement</li> <li>• 219 square feet of permanent easement</li> <li>• 8,407 square feet of permanent utility of transportation easement</li> </ul>	<ul style="list-style-type: none"> <li>• 23,865 square feet of temporary construction easement</li> <li>• 6,270 square feet of permanent easement</li> <li>• 9,212 square feet of permanent easement</li> </ul>	<ul style="list-style-type: none"> <li>• -5,088 square feet of temporary construction easement</li> <li>• +6,051 square feet of permanent easement</li> <li>• +805 square feet of permanent easement</li> </ul>
Cultural Resources	No adverse effect finding on the StPM&M / GN Historic District	Adverse effect on the StPM&M / GN Historic District	Adverse effect on the StPM&M / GN Historic District
Visual Quality and Aesthetics	None	Moderate degree of visual impact	Moderate degree of visual impact
Geology and Groundwater Resources	None	None	None
Surface Water Resources	None	Affected drainage components in areas where the CPB is proposed	Affected drainage components in areas where the CPB is proposed
Ecosystems	None	None	None
Noise	None	None	None
Utilities	None	The CPB wall will cross two existing (a 24-inch diameter watermain located just east of the I-394 bridge crossing adjacent to Bryn Mawr Meadows and a 36-inch diameter watermain located west of the I-94 bridge crossing). The CPB will need foundations consisting of drilled shafts placed every approximately 7 to 15 feet depending on soil conditions.	The CPB wall will cross two existing (a 24-inch diameter watermain located just east of the I-394 bridge crossing adjacent to Bryn Mawr Meadows and a 36-inch diameter watermain located west of the I-94 bridge crossing). The CPB will need foundations consisting of drilled shafts placed every approximately 7 to 15 feet depending on soil conditions.
Freight Rail	None	None	None
Pedestrians and Bicycles	None	None	None
Safety and Security	None	None	None
Section 4(f)	StPM&M / GN Historic District was assessed as a Section 4(f) use with a <i>de minimis</i> impact finding, with a no adverse effect finding under Section 106	4(f) direct use of the StPM&M / GN Historic District	4(f) direct use of the StPM&M / GN Historic District

**TABLE 2-9: SUMMARY BY RESOURCE CATEGORY FOR MODIFICATION I (WATER SERVICE TO SHARING AND CARING HANDS)**

Resource Category	Impacts Disclosed in Final EIS	New Impacts	Change in Impacts
Cultural Resources	Adverse effect finding for two archaeological sites in the vicinity of the Project modification	None	None
Geology and Groundwater Resources	None	None	None
Hazardous and Contaminated Materials	11 records located within 550 feet	None	None
Utilities	None	Relocation of water service	Relocation of water service

**TABLE 2-10: SUMMARY BY RESOURCE CATEGORY FOR MODIFICATION J (NEW POTENTIAL CONSTRUCTION LAYDOWN AREAS)**

Resource Category	Impacts Disclosed in Final EIS	New Impacts	Change in Impacts
Cultural Resources	None	None	None
Noise	None	None	None
Hazardous and Contaminated Materials	None	14 records within 550 feet	14 records within 550 feet
Utilities	None	None	None
Roadways and Traffic	None	None	None
Safety and Security	None	None	None

Measures to avoid, minimize, and mitigate the potential adverse effects of the Project modifications were considered throughout the development of the environmental review process and in coordination with the public and participating agencies.

The mitigation commitments included in **Table 2-11** are summarized from the Supplemental EA. The mitigation measures included in Attachment A of the July 2016 ROD are also applicable to the Project modifications. Modifications A, B, C, D, E, and I did not result in modifications to the mitigation measures defined in the ROD. Any additional future design changes to the project that are inconsistent with this Amended ROD must be evaluated in accordance with 23 CFR Sections 771.129 and 771.130, and if required therein, must be approved by FTA in writing before the Council can proceed with the change.

**TABLE 2-11: COMMITMENTS OR MITIGATION MEASURES**

Project Modification	Construction or Long-Term Issue	Commitment or Mitigation Measure	Responsible Party
F: Cedar Lake LRT Regional Trail Detour	<ul style="list-style-type: none"> <li>Revised trail detour route for the Cedar Lake LRT Regional Trail during construction resulting in a longer closure of Cedar Lake LRT Regional Trail.</li> </ul>	<ul style="list-style-type: none"> <li>Three detour routes will be in place for up to 840 days during construction of the Project to provide pedestrian and bicycle facilities.</li> </ul>	Council, Hennepin County Regional Railroad Authority (HCRRA), Three Rivers Park District
G: Bryn Mawr Meadows – Trail Mitigation	<ul style="list-style-type: none"> <li>Revised trail detour route during the Luce Line bicycle/pedestrian bridge closure, relocation, and construction resulting in a longer closure of the Luce Line bridge.</li> </ul>	<ul style="list-style-type: none"> <li>Trail detour route will be in place for up to one year and will use existing trails to provide pedestrian and bicycle facilities.</li> <li>Project will also include repaving of approximately 1,800 feet of existing trail in Bryn Mawr Meadows Park in Minneapolis prior to use as a detour route.</li> </ul>	Council

Project Modification	Construction or Long-Term Issue	Commitment or Mitigation Measure	Responsible Party
H: BNSF Negotiation Modifications	<ul style="list-style-type: none"> <li>• Drainage modifications for the Northstar tail track extension, required as part of the BNSF negotiations and agreement.</li> </ul>	<ul style="list-style-type: none"> <li>• Council is coordinating with the Bassett Creek Watershed Management Commission to revise the current Development Proposal permit obtained for the Project.</li> </ul>	Council, Bassett Creek Watershed Management Commission
	<ul style="list-style-type: none"> <li>• The Northstar tail track extension alignment is on top of the existing Bassett Creek Tunnel for approximately 870 feet.</li> </ul>	<ul style="list-style-type: none"> <li>• The Council's Civil contractor will perform an internal tunnel inspection and will utilize external utility monitoring points, internal crack gauges, and photometric documentation to monitor the tunnel during construction.</li> </ul>	Council
	<ul style="list-style-type: none"> <li>• Based on the Section 106 assessment of effect analysis conducted by the Minnesota Department of Transportation (MnDOT) Cultural Resources Unit (CRU) under delegation from FTA, FTA has determined that the Project will now have an Adverse Effect on the St. Paul, Minneapolis &amp; Manitoba Railroad / Great Northern Railway Historic District (StPM&amp;M / GN Historic District).</li> </ul>	<ul style="list-style-type: none"> <li>• In accordance with Memorandum of Agreement (MOA) Stipulation III, FTA consulted with the Minnesota Historic Preservation Office (MnHPO) and concurring parties to the MOA to prepare a mitigation plan to resolve the adverse effects.</li> <li>• As required by MOA Stipulation I.A., FTA directed the Council to design proposed changes to Project elements in accordance with the Secretary of Interior's Standards to minimize adverse effects of the Project modifications on the StPM&amp;M / GN Historic District.</li> </ul>	FTA, MnHPO, CRU, Council
	<ul style="list-style-type: none"> <li>• Based on the physical change in visual quality combined with the sensitivity of the view from Cedar Lake LRT Regional Trail users, the level of impact for this Project change will result in a moderate degree of visual impact.</li> </ul>	<ul style="list-style-type: none"> <li>• The visual impact will be mitigated through the Section 106 review process and public outreach to work with the community and Section 106 consulting parties on the design aesthetics of the CPB wall to minimize visual impacts.</li> </ul>	FTA, MnHPO, CRU, Council
	<ul style="list-style-type: none"> <li>• The CPB wall will cross two existing watermain (a 24-inch diameter watermain located just east of the I-394 bridge crossing adjacent to Bryn Mawr Meadows and a 36-inch diameter watermain located west of the I-94 bridge crossing). The CPB will need foundations consisting of drilled shafts placed every approximately 7 to 15 feet depending on soil conditions.</li> </ul>	<ul style="list-style-type: none"> <li>• At each of the watermain crossing points, the City of Minneapolis requires that the part of the watermain under the CPB be replaced and encased in concrete. Concrete encasement design details will be reviewed and approved by the City of Minneapolis.</li> </ul>	Council, City of Minneapolis

Project Modification	Construction or Long-Term Issue	Commitment or Mitigation Measure	Responsible Party
J: New Potential Construction Laydown Areas (Fremont Avenue North site – Laydown Area #5)	<ul style="list-style-type: none"> <li>The laydown site on the west side of Fremont Avenue North is a high-risk area that was not investigated in the Phase I or Phase II Environmental Site Assessments, and using it without first investigating and requesting letters of assurance from the Minnesota Pollution Control Agency (MPCA) creates unacceptable risk and should be avoided.</li> </ul>	<ul style="list-style-type: none"> <li>Council and MnDOT requested a No Association Determination (assurance letter) for the identified releases to soil and groundwater from the MPCA on October 4, 2017 using historical soil and groundwater data for parcels on both the east and west sides of Fremont Avenue North. On January 22, 2018, the MPCA responded that partial acquisition and use of the parcels for construction staging will not associate the Council or MnDOT with the identified releases (see <b>Appendix C</b>).</li> </ul>	Council, MnDOT, MPCA
Listing of rusty patched bumble bee under Endangered Species Act after issuance of the Final EIS/ROD	<ul style="list-style-type: none"> <li>The Project may affect but will not likely adversely affect the rusty patched bumble bee.</li> </ul>	<ul style="list-style-type: none"> <li>The U.S. Fish and Wildlife Service (USFWS) will be notified if vegetation will need to be removed during the active season for rusty patched bumble bees (April 1 to September 30).</li> <li>Disturbed floral habitat will be replanted with a native seed mix.</li> <li>Contractors will prepare an invasive species and noxious weeds management plan and will keep mowed areas to a minimum during the active season.</li> </ul>	Council

### 2.3.2 Cumulative Potential Effects of Related or Anticipated Future Projects

The Project modifications would not affect the cumulative impact analysis presented in Section 3.17 of the Final EIS. As stated in the July 2016 ROD, direct and indirect adverse impacts will be localized, and the Project is not anticipated to generate substantial cumulative impacts for the environmental categories evaluated.

### 2.3.3 Extent to Which the Environmental Effects are Subject to Mitigation by Ongoing Public Regulatory Authority

FTA and the Council are ultimately responsible for monitoring and enforcing mitigation measures. The Council, as well as its contractors, will be responsible for compliance assurance of all related commitments and regulatory permit conditions made or obtained for the Project, including the Project modifications and associated commitments/mitigation measures as detailed in **Table 2-11**.

One permit specific to the Project modifications is anticipated to be required for the construction as identified in **Table 2-12**.

**TABLE 2-12: ANTICIPATED PERMITS AND APPROVALS**

Regulatory Program or Proposed Action	Applicability	Responsible Entity
Bassett Creek Watershed Management Commission	Revise the current Development Proposal permit for drainage modifications for the Northstar tail track extension.	Council

### 2.3.4 Extent to Which Environmental Effects can be Anticipated and Controlled as a Result of Other Environmental Studies

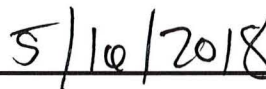
FTA and the Council have been coordinating with the regulatory and permitting agencies for this Project, and find that the environmental effects of the Project can be anticipated and controlled as a result of the assessment of potential issues during environmental review, experience in addressing similar issues on previous projects, and the requirements of the anticipated permit approvals.

## 3 Conclusions

1. All requirements for environmental review of the proposed project have been met.
2. The Supplemental EA and the permit development processes related to the Project have generated information which is adequate to determine whether the Project has the potential for significant environmental effects.
3. Areas where potential environmental effects are identified have been addressed by mitigation measures where impacts are expected to result from Project construction, operation, or maintenance. Mitigative measures have been and will be incorporated into Project design and have been or will be coordinated with state and federal agencies during the permit process.
4. Based on the criteria in Minnesota Rules, part 4410.1700, the Project does not have the potential for significant environmental effects.
5. A Supplemental Environmental Impact Statement is not required for the proposed Southwest LRT Project.



Chair  
Metropolitan Council



Date of Approval



**Appendix A**  
**Responses to Agency and Elected Official Comments**

---

## 1 United States Department of the Interior (DOI)

Comment	Response
<p>The Department’s review concurs with the FTA determinations. The FTA, Metropolitan Council and Minnesota State Historic Preservation Officer (SHPO) have executed a Memorandum of Agreement (MOA) formalizing measures to mitigate effects to the historic property. The Department therefore has no objection to the 4(f) evaluation and concurs with measures to mitigate the adverse effects of the project.</p> <p>The Department has a continuing interest in working with the FTA to ensure impacts to resources of concern are adequately addressed. For issues concerning Section 4(f) resources, please contact Tokey Boswell, Chief, Planning and Compliance Division, Midwest Regional Office, National Park Service, 601 Riverfront Drive, Omaha, Nebraska 68102, or by telephone at 402-661-1534.</p>	<p>The DOI’s concurrence regarding the Section 4(f) evaluation has been incorporated in the Amended Final Section 4(f) Evaluation, included in Appendix F.</p>

## 2 United States Environmental Protection Agency (EPA)

Comment	Response
<p>Based on our review of the SEA, EPA has no additional comments regarding the proposed Southwest LRT project.</p> <p>EPA requests one hard copy of the FTA final amended environmental decision document for the proposed changes to the Southwest LRT project, when it is available.</p>	<p>One hard copy of the Amended ROD will be provided to the United States Environmental Protection Agency when available.</p>

## 3 Minnesota Department of Natural Resources (DNR)

Comment	Response
<p>The DNR does not have comments on the Supplemental Environmental Assessment (Supplemental EA)/Amended Draft Section 4(f) Evaluation for the METRO Green Line Extension Project. However, we’d like to remind the Project Proposers to conduct a new NHIS review prior to any start of construction for this project. NHIS reviews are considered valid for one year, as new information is often gathered. The last NHIS review we have on record is from 2015. Information regarding obtaining an NHIS review and or concurrence can be obtained on the DNR’s website, or by contacting Lisa Joyal (lisa.joyal@state.mn.us).</p>	<p>The Metropolitan Council (Council) will coordinate with the DNR to conduct a new Natural Heritage Information System (NHIS) review prior to the start of construction.</p>

## 4 Minnesota Department of Transportation (MnDOT)

Comment	Response
<p>The corridor protection barrier in Section H is the section of most concern in the Supplemental EA. As these plans are general in nature, the Bridge group will need to approve of adding any structural features next to MnDOT bridges.</p>	<p>The Supplemental EA included schematic diagrams of the corridor protection barrier. MnDOT staff have reviewed the corridor protection barrier design methodology and final detailed design, including locations adjacent to MnDOT bridges. The first step in the review coordination occurred when MnDOT provided the Council a letter on January 30, 2018 indicating that it was satisfied with the corridor protection barrier design methodology. Subsequent to the January 30, 2018 letter, MnDOT provided additional design review comments on the detailed barrier design that have all been addressed to MnDOT's satisfaction.</p>
<p>Please ensure that detours are thoroughly posted so that bicyclists and pedestrians can easily find their way to and through the detours.</p>	<p>The Council has prepared a Construction Communication Plan, which requires the contractor to clearly sign the trail detour routes and provide advance notice of detours.</p>
<p>Any use of or work within or affecting MnDOT right-of-way requires a permit. Permit forms are available from MnDOT's utility website at: <a href="http://www.dot.state.mn.us/utility/index.html">http://www.dot.state.mn.us/utility/index.html</a>.  Please include one set of plans formatted to 11x17 with each permit application. Please submit/send all permit applications and 11x17 plan sets to: <a href="mailto:metropermitapps.dot@state.mn.us">metropermitapps.dot@state.mn.us</a>.</p>	<p>The Council has coordinated with MnDOT to identify required permits on MnDOT property and will complete coordination and permits before or during construction.</p>

## 5 Minnesota Pollution Control Agency (MPCA)

Comment	Response
<p>The MPCA has concluded that the implementation of many of the administrative plan changes and technical modifications outlined in the Supplemental EA will not result in any significant air quality impacts. However, general air quality comments include:</p> <ul style="list-style-type: none"> <li>• Construction of the proposed Project may cause increased concentrations of dust and air pollutants. When roads are closed or operating with reduced capacity, detoured traffic would result in increased traffic on parallel roadways near the Project area. Increased emissions would also be produced by construction equipment, and fine particulates can enter air from exposed earthen materials. The MPCA recommends that the Metropolitan Council (Met Council) implement best management practices during construction to control dust and manage equipment. Traffic control measures should be developed in subsequent stages of the Project to address detours and traffic flow.</li> <li>• The MPCA looks forward to the Met Council achieving its commitments to prioritizing the use of clean diesel equipment at its construction sites. Met Council's investment directions show ambitious plans involving major construction efforts. All construction work relies on the extensive use of heavy duty diesel engines. Older diesel equipment from before 2007 emits extremely high levels of harmful air pollutants. As most, if not all, transitway work is carried out in close proximity to where Minnesotans live, commute, work, and recreate, people's exposure to heavy duty diesel emissions can be a health risk.</li> <li>• The MPCA hopes the Met Council will move ahead soon with implementing its commitment to develop and employ model contract language including vehicle and equipment emission standards that would either require or give additional bid points for companies that agree to using newer, cleaner diesel trucks and equipment. With Project plans spanning for a few years, the contract language should provide for ongoing updates as diesel engines continue to improve their emission standards.</li> </ul>	<p>The Council will implement best management practices during construction to control dust and manage equipment, as committed to in the July 2016 ROD. The construction specifications require use of EPA-recommended measures where applicable, such as using ultra low-sulfur diesel fuel and using exhaust filtration devices. Traffic control measures have been developed to address detours and traffic flow.</p>

## 6 City of Minneapolis

Comment	Response
<b>Modification C: 31<sup>st</sup> Street Realignment</b>	
<p>The 31<sup>st</sup> Street Realignment had previously been included in the final plans with the full cooperation of the City of Minneapolis Public Works Department and the Community Planning &amp; Economic Development Department (CPED), including design input, plan review and overall approval. The original intent was to maximize the potential for future development opportunity.</p> <p>Modification C is considered a further refinement to the street realignment based upon an actual development (the Calhoun Towers) that is currently moving through the City's Development Review process. These changes to the street realignment are being proposed in full cooperation with the City (Public Works and CPED) including design review and approval, and will eventually be reflected in the overall construction plans for GREEN LINE EXTENSION; no further comment is necessary.</p>	<p>The Council acknowledges and appreciates the City's review of Modification C.</p>
<b>Modification D: Grand Rounds Historic District: Kenilworth Lagoon Works Progress Administration (WPA) Rustic Style Retaining Walls Rehabilitation and Landscaping</b>	
<p>This change was included in the final design package with the full cooperation of the City (Public Works Department) including design review and approval; no further comment is necessary.</p>	<p>The Council acknowledges and appreciates the City's review of Modification D.</p>
<b>Modification E: Right-of-Way Adjustment near West 21st Street Station</b>	
<p>This change was included in the final design package with the full cooperation of the City (Public Works Department) including design review and approval; no further comment is necessary.</p>	<p>The Council acknowledges and appreciates the City's review of Modification E.</p>
<b>Modification F: Cedar Lake LRT Regional Trail Detour</b>	
<p>This change was included in the final design package with the full cooperation of the City (Public Works Department) including design review and approval; no further comment is necessary.</p>	<p>The Council acknowledges and appreciates the City's review of Modification F.</p>
<b>Modification G: Bryn Mawr Meadows Trail Mitigation</b>	
<p>This change was included in the final design package with the full cooperation of the City (Public Works Department) including design review and approval; no further comment is necessary.</p>	<p>The Council acknowledges and appreciates the City's review of Modification G.</p>

Comment	Response
<b>Modification H: BNSF Negotiation Modifications</b>	
<p>As a result of the negotiations between the Met Council and the BNSF, a new 1,830 foot long Northstar Commuter Rail tail track, and a new freight corridor protection barrier (CPB) between the LRT tracks and the BNSF freight tracks for 5,582 feet starting at the I-94 bridges and ending at the Bryn Mawr Station, has been proposed.</p> <p>The Public Works Departments outlined these impacts along with identification of requirements for mitigation in two (2) letters to the Metropolitan Council in August of 2017. The letters are attached herein as part of the City's comments on the SEA.</p> <p>In Section 2.8 (page 24) and in Section 4.4 (page 78) of the SEA it is stated that "The CPB is being added to the Project because BNSF requires corridor protection between light rail tracks and BNSF's Wayzata Subdivision freight rail tracks when they run side by side." These statements imply that the CPB is to be designed and located between the proposed LRT tracks and the existing BNSF freight rail track. However, the actual design of the CPB is based upon a BNSF freight rail track that does not actually exist at this time. The design criterion for the CPB (location, height, and width) is based upon the proposed location of a second main line freight rail track desired to be built by the BNSF in the future. This distinction is not identified in the SEA.</p> <p>Section 4.4.4 describes the "avoidance alternatives" to the CPB that were discussed as part of the negotiations between the Metropolitan Council and the BNSF. One possible "avoidance alternative" that was either never discussed during negotiations or not included in Section 4.4.4 was the option of delaying construction of the CPB to a point in the future that coincided with actual planning and construction of a future second freight rail track by the BNSF. If this option (or a variation thereof) was discussed, the Public Works Department requests that the SEA should include a summary of this discussion.</p> <p>The addition of the CPB to the Project as a result of the negotiations between the Met Council and the BNSF, and the subsequent expenditure of public funds for the design and construction of a CPB based upon the proposed future location of a second BNSF main line track is not supported by the Public Works Department.</p> <p>At a minimum, the Public Works Department feels that the SEA should include a narrative describing the design criteria for the CPB as it relates to a future second BNSF freight rail track and include a discussion describing the conditions under which a future freight rail track could actually be built.</p>	<p>Regarding the City's comments that the CPB is designed based on a future second mainline track, this is not consistent with negotiations with BNSF. BNSF is requiring the CPB to be constructed with the Project based on the current track configuration and in consideration of a future potential second mainline. During negotiations the Council discussed the idea of building the CPB coincident to if BNSF builds the second mainline in the future; however, delaying construction of the CPB wall does not meet BNSF's requirements. Because the Project requires BNSF property, the design must comply with BNSF requirements for construction on their property and where the LRT runs alongside their property. The design methodology for the CPB wall is based on the California High Speed Rail design as agreed to with BNSF and as modified to account for the specific conditions of the Wayzata Subdivision, namely freight speed (40 MPH maximum speed), proximity of freight track (both existing mainline and future potential second track), and grade.</p> <p>The CPB wall design criteria are based on requirements by BNSF.</p>

Comment	Response
<p>1. Water Treatment &amp; Distribution Services (WT&amp;DS) does not agree with the SEA as it relates to the Corridor Protection Barrier (CPB) and Utility Impacts and mitigation because of the following reasons:</p> <ul style="list-style-type: none"> <li>a. The CPB crosses two (2) existing watermain; a 24" diameter watermain located just east of the I-394 Bridge crossing adjacent to Bryn Mawr Meadows, and a 36" diameter watermain located west of the I-94 Bridge crossing.</li> <li>b. Utility impacts listed in Table 3-13 on page 53 of the SEA are identified as "None", and in Section 3.8.10 "Utilities" it is stated that "The CPB will need foundations consisting of drilled shafts placed every approximately 7 to 15 feet depending on soil conditions. Any utilities that the CPB will cross have been surveyed, and the drilled shafts will be placed to avoid impacts to the utilities. Therefore, this Project modification does not alter the mitigation measures identified in the Final EIS for utilities."</li> </ul> <p>2. WT&amp;DS will require that additional mitigation in the form of replacing that part of the water main under the CPB and concrete encasement be required at each of the watermain crossing points. Concrete encasement design details shall be included in the plans with the full cooperation of the City (Public Works Department) including design review and approval.</p>	<p>Subsequent to publishing the Supplemental EA, coordination between the Council and the City identified the need for replacing the watermain under the CPB. The Council acknowledges the City's comment that the City will need to review and approve plans for replacing the watermain under the CPB and concrete encasement.</p>
<p>1. Surface Waters &amp; Sewers (SW&amp;S) does not agree with the SEA as it relates to the Corridor Protection Barrier (CPB) and Utility Impacts and mitigation because of the following reasons:</p> <ul style="list-style-type: none"> <li>a. Section 3.3.6 – The previous reviewed plans did not include relocation of the storm sewer pipe adjacent to 31<sup>st</sup> St and Minneapolis Public Works – Surface Water &amp; Sewers (MPLS PW-SWS) has not been notified of a proposed relocation. Verify if this is now proposed and if so coordinate with MPLS PW-SWS.</li> <li>b. Section 3.8.7.2 – In addition to BCWMC approval, coordination with the City of Minneapolis for modifications to the previously reviewed plans and modeling will be required. The project will be required to demonstrate it is still meeting City of Minneapolis stormwater management requirements with the proposed modifications.</li> </ul> <p>2. The following comments relate to the impacts of the Northstar Commuter Rail tail track to the Bassett Creel Tunnel. The Public Works Departments outlined these impacts along with identification of requirements for mitigation in a letter to the</p>	<p>Regarding the City's comments related to the storm sewer pipe adjacent to 31<sup>st</sup> Street, the Council will coordinate further with the City related to this modification and will provide plans for review.</p> <p>The Council is coordinating with the watershed district and will also coordinate with the City to demonstrate the Project design meets stormwater management requirements.</p> <p>Regarding the City's comments about the Bassett Creek Tunnel, the Council has performed extensive structural and soil settlement calculations to determine the impact of additional loading from the Northstar tail track. The Council has also tested concrete cores from the tunnel to verify the in situ concrete strength and has tested soil samples to verify parameters used in the settlement calculations. The Council will continue to coordinate the results of these calculations and testing with the City.</p> <p>Since the Supplemental EA was published the Council has been coordinating with the City to develop additional monitoring and inspection commitments. The Council's Civil contractor will perform an internal tunnel inspection prior to construction and will utilize external utility monitoring points, internal crack gauges, and photometric documentation to monitor the tunnel during construction.</p>

Comment	Response
<p>Metropolitan Council dated August 11, 2017. The letter is attached as part of the City's comments on the SEA.</p> <p>SW&amp;S does not agree with the SEA as it relates to the Northstar Commuter Rail tail track and Utility Impacts and mitigation because of the following reasons:</p> <ol style="list-style-type: none"> <li>a. Section 3.8.10 – Sentence 4 should be revised to reflect the following: The City continues to work with the Council to evaluate whether the concrete and soils surrounding the tunnel are sufficient to support additional loading. As the owner and operator of the tunnel, the City continues to have concern about potential long term impacts to the tunnel and alignment that ensures sufficient access to the tunnel into the future. In ongoing work with the Metropolitan Council, the City has stated there is a need for an extensive monitoring plan in place that will ensure the integrity of the tunnel by performing frequent inspections during construction. This may include 18 external monitoring points along with an interior inspection of the tunnel utilizing crack gauges and photometric documentation of its condition preconstruction, post-construction and during construction of the Green Line Extension.</li> </ol>	
<ol style="list-style-type: none"> <li>1. Public Works does not agree with the SEA as it relates to the Corridor Protection Barrier (CPB) and mitigation for Safety and Security because of the following reasons: <ol style="list-style-type: none"> <li>a. Within Table 3-13, Safety and Security impacts are identified as “None”. However, in the fall of 2017 the Metropolitan Council conducted a series of site tours of the BNSF corridor. During those tours, Public Works staff, elected officials and other stakeholders noted that the construction of the CPB at specific locations adjacent to the Cedar Lake Bike Trail would create a tunnel-like effect resulting in serious safety and security problems. At locations such as the I-394 and I-94 freeway under-bridge spaces the lack of adequate security lighting would be exacerbated by the CPB. Safety and security measures need to be addressed by the SEA and proper Crime Prevention through Environmental Design (CPTED) measures should be included in the Project as mitigation.</li> <li>b. Section 3.8.13 – states that, “The CPB Project modification is designed for safety purposes to keep a derailed freight train from colliding with a light rail train.” This statement is included in the document without further discussion. However, it is the understanding of the Public Works Department that the inclusion of the CPB in the Project is based upon relatively new railroad safety requirements. The specific railroad</li> </ol> </li> </ol>	<p>Regarding the City's comments about safety and security near the I-394 and I-94 bridges, specifically related to lighting and use of Crime Prevention through Environmental Design principles, following the corridor tours and public outreach that occurred in the fall of 2017, the Project incorporated additional lighting under both bridges, increasing the lighting coverage area, and added an emergency phone under each bridge. The Project also added lighting for the trail and area near the Northstar tail track from I-94 east through the Glenwood Avenue Bridge.</p> <p>Regarding the City's comments that the Supplemental EA should include information about the railroad safety requirements and ability to withstand a collision, the design methodology for the CPB wall is based on the California High Speed Rail design as agreed to with BNSF and as modified to account for the specific conditions of the Wayzata Subdivision, namely freight speed (40 MPH maximum speed), proximity of freight track (both existing mainline and future potential second track), and grade.</p>



Comment	Response
<p>requirements are not identified in the document nor does the document include supporting documentation that describes the CPB's actual ability to prevent the prescribed derailment collision.</p> <p>At a minimum, the Public Works Department feels that the SEA should include a narrative describing the design criteria for the CPB as it relates to Safety &amp; Security and include by reference (or Appendix) the BNSF design guidelines.</p>	
<b>Modification I: Water Service to Sharing and Caring Hands</b>	
<p>This change was included in the final design package with the full cooperation of the City (Public Works Department) including design review and approval; no further comment is necessary.</p>	<p>The Council acknowledges and appreciates the City's review of Modification I.</p>
<b>Modification J: New Potential Construction Laydown Areas</b>	
<ol style="list-style-type: none"> <li>1. These areas were previously identified as part of the final design package submitted to the City. It is the understanding of the City of Minneapolis that identification of possible "laydown areas" does not imply an obligation or commitment by the City or any property owner for potential use of these "areas" by the Metropolitan Council (or its Contractor).</li> <li>2. Section 3.10 – Laydown Areas #4 &amp; 5 are located with the 100-year floodplain based on updated modeling completed recently by both the City of Minneapolis and Bassett Creek Watershed Management Commission. Potential impacts related to this should be evaluated.</li> </ol>	<p>Regarding the City's comment about Laydown Areas #4 and 5 being located within the 100-year floodplain, this statement conflicts with the FEMA flood insurance rate maps. The efforts by the Bassett Creek Watershed Management Commission to update flood elevations have not yet gone through the process with FEMA to update the Flood Insurance Rate Maps for official use. Therefore, the Council will coordinate with the City of Minneapolis Community Planning &amp; Economic Development to determine whether the Floodplain Overlay District rules applies to these two parcels. No physical structures are planned that would affect the current state of the floodplain. If it is determined that laydown areas #4 and #5 are regulated by the City's Floodplain Overlay District regulations, the Council will coordinate with the City and adhere to applicable requirements.</p>

## 7 Margaret Anderson Kelliher, State Senator Scott Dibble, and State Representative Frank Hornstein

Comment	Response
<p>In section 4.4.1 of the Supplemental Evaluation, the Met Council states, that "On August 16, 2017 the Council authorized negotiation of agreements with BNSF related to portions of a 1.4 mile-long segment of BNSF's subdivision in Minneapolis." (page 76). As a result of these negotiations, the corridor protection barrier (CPB) wall was agreed to by both parties without prior public notification or engagement. The Wall constituted a major new element that met the criteria for additional environmental review. In a letter to Chair Alene Tchurumoff dated September 20th, 2017, Senator Scott Dibble, Representative Frank Hornstein, Mayor Betsey Hodges, and several members of the Minneapolis City Council formally requested that the Council prepare a Supplemental EAW for the project. In response, the Met Council denied the request, and instead forwarded a post ROD Environmental Review to the FTA. It was only after the Federal Transit Administration ordered the Council to conduct a supplemental environmental review in late 2017, that the report was prepared.</p> <p>The process by which the Met Council entered into negotiations and the resultant wall proposal lacked sufficient public engagement and transparency. While the community has been engaged in assisting with the scoping and public review of the SEA, per the requirements of the Minnesota Environmental Policy Act (MEPA), the Council remains engaged in additional on-going discussions and negotiations with freight rail companies that could have profound community impacts, including but not limited to environmental sound pollution because of 10 foot concrete wall freight train noise, denial of access of foot and bike traffic to current transportation modes of the Cedar Lake Trail and barriers to connections between north and south Minneapolis.</p> <p>The Metropolitan Council, in a final SEA, needs to address a more comprehensive strategy to more fully engage with the community and public stakeholders regarding on-going negotiations with freight rail companies, particularly as related to the safety of freight rail in a co-located corridor with light rail transit.</p>	<p>In late summer 2017, negotiations with BNSF concluded on substantive technical and legal issues, and the railroad required the CPB to allow Project construction on their property. On September 21, 2017, the Council received a letter requesting a Supplemental EIS, not a Supplemental EAW as the comment indicates. At that time, the Council was in the process of following FTA's re-evaluation process, and FTA determined that a Supplemental EA was necessary. The Supplemental EA document is meant to evaluate specific Project modifications known at this time. Other property negotiations have not identified modifications to the Project since the Final EIS.</p> <p>The negotiations with BNSF are not public as they are with a private entity; however, the Council has been as transparent as possible regarding the outcomes of the negotiations and has conducted a robust public engagement process regarding the Project modifications as described in Section 5.1 of the Supplemental EA.</p> <p>The comment references preparation of a final Supplemental EA; however, the next step in the FTA process is documenting the findings of the Supplemental EA in an Amended Record of Decision (ROD), not preparing a final Supplemental EA. This Amended ROD documents the mitigation commitments related to the Project modifications (see Section 3), the public outreach process (see Section 5), all public comments received and responses to those comments (see Section 5.5 for a summary and Appendices A, B, C, and D for copies of the comments and responses), and the determinations and findings of the Supplemental EA (see Sections 6 and 7).</p>

In Section 3.8.4, pertaining to Cultural Features (page 55) and 3.8.5 concerning Visual Quality and Aesthetics (page 56), the Council acknowledges the need for additional work and study on these issues. The document, however, lacks specificity on how these on-going issues will be addressed.

Regarding cultural resources, the Council states, "the introduction of CPB wall to the historic district and removal of historic retaining walls will both directly and indirectly alter characteristics of the historic property that qualify it for inclusion in the NRHP in a manner that would diminish the integrity of the property's design, setting, feeling and association." (page 55)

While acknowledging these potential major issues regarding the NRHP, the council proposes, unspecified "design changes" per FTA directive, "to help minimize adverse effects" While this appears to be a positive step toward mitigating these issues, more specific information must be made available for public scrutiny.

Similarly, regarding visual quality and aesthetics, the Council admits that removal of the historical walls, "will create visual elements that diminish the integrity of...significant historic features" and proposes a "mitigation plan to resolve adverse effects" As is the case with the cultural features section, the visual quality and aesthetics section should also include more specific information on the measures the Council intends to take regarding mitigating these impacts

The Metropolitan Council, in a final SEA, needs to specify how it plans to mitigate impacts on cultural and historical features.

The Draft Amended Section 4(f) evaluation published with the Supplemental EA includes information about how the adverse effect will be resolved per the Section 106 MOA executed prior to the July 2016 ROD, which outlines procedures for addressing adverse effects that result from final design/project modifications:

FTA and the Council have consulted with MnHPO and identified consulting parties per the terms of MOA Stipulation III to prepare a mitigation plan to resolve the adverse effect. One of the measures FTA and the Council agreed to implement as a condition of Project funding was to minimize adverse effects to the extent feasible. To minimize the adverse effect on the StPM&M / GN Historic District, new infrastructure constructed for the Project will be designed in accordance with the SOI's Standard for Rehabilitation that requires "the new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment." To the extent feasible, new infrastructure will also be designed in accordance with the SOI's Standard for Rehabilitation that requires that "new additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired." This will help to minimize the adverse effects on the StPM&M / GN Historic District and minimize harm resulting from the use of the Section 4(f) resource.

As noted in MOA Stipulation III, FTA will consult with MnHPO and consulting parties to the MOA to prepare a mitigation plan that will include options to resolve the adverse effects. This will include measures such as Minnesota Historic Property Record documentation and physical interpretation in the form of interpretive panels, integrated elements, and/or online materials.

The design review process for the CPB wall is still underway. After the Supplemental EA and Amended Draft Section 4(f) Evaluation were published, the FTA prepared a draft mitigation plan to resolve the adverse effects and provided it to the MnHPO and all other consulting parties for review and comment on April 17, 2018. FTA will issue a final mitigation plan after considering comments received on the draft mitigation plan.

Consulting parties were identified per the requirements of Section 106 and include the MnHPO; US Army Corps of Engineers; Hennepin County; the Cities of Eden Prairie, Minnetonka, Hopkins, St. Louis Park, and Minneapolis; the Minneapolis Park and Recreation Board; the Eden Prairie and Minneapolis Heritage Preservation Commissions; St. Louis Park Historical Society; Three Rivers Park District; Cedar-Isles-Dean Neighborhood Association; and Kenwood Isles Area Association. The role of the consulting parties is to provide review and comment on the architecture/history and archaeological areas of potential effect; the results of the surveys/investigations completed for the Project, including NRHP eligibility determinations; and determinations of effect.

Comment	Response
<p>The draft SEA concludes that the "Project change will result in a moderate degree of visual impact", and proposes mitigation, "through the Section 106 review process and public outreach" (page 106). Given the potential for "moderate" impacts, the Council needs to address how will address this issue beyond a review process and public outreach.</p> <p>Visual impacts of a 10-foot concrete barrier wall will be an assault on the landscape and the current relative movement of people from one part of Minneapolis to the other. The Met Council should work with the public and BNSF to shorten the crash wall length, back to Interstate 94 where the corridor is narrow and truly needs some protection.</p> <p>The Metropolitan Council, in a final SEA needs to specify how it will address visual impacts in the Section 106 review process and how it will engage the public in that effort.</p>	<p>The location of the CPB wall is a requirement of BNSF and cannot be reduced in size. As stated in the Supplemental EA, the visual quality impact has been mitigated through the public outreach work with the community on the design aesthetics of the wall. This process informed the aesthetic treatment of the wall and resulted in the incorporation of vines and other vegetation to mitigate for the visual impact.</p> <p>The response to your comment above provides additional information about the Section 106 process to resolve the adverse effect, including the visual impact to historic resources (see Section 7.2.2).</p>
<p>We have expressed serious concerns regarding co-location of freight rail and light rail in the Kenilworth corridor, Bryn Mawr Meadows and Downtown Minneapolis. Our reservations regarding co-location are informed, in part, by the actions and activities of the freight rail industry regarding rail safety in the legislative arena, and the industry's heavy lobbying of the legislature to largely absolve itself of liability in the event that a freight rail accident causes serious damage in a light rail corridor.</p> <p>Furthermore, the industry has resisted legislative efforts to require additional rail inspectors, greater public transparency and scrutiny of safety measures, and requirements for stronger coordination with first responders. The SEA largely ignores these concerns, and does not specify how a CPB will enhance rail safety and why a similar CPB is not required in other parts of this co-located alignment. Freight rail in the area includes large unit trains, that at times involve trains with up to 100 tanker cars carrying highly flammable and dangerous cargoes including Bakken oil, and ethanol.</p> <p>The Metropolitan Council, in a final SEA, must specify the kinds of rail accidents and scenarios that the CPB is intended to mitigate, and how the CPB will prevent or reduce damage from a worse case freight rail scenario in the corridor. A revised SEA must address the need for the wall, under these scenarios, and specify the public costs of the project.</p>	<p>The CPB wall is a requirement of BNSF to construct LRT on their land. In other segments of the Project not on or adjacent to BNSF property, corridor protection barriers are included where there is less than 25 feet between LRT and freight tracks.</p> <p>Per BNSF requirements, the CPB wall has been designed such that in the event of a derailment of either a freight train or a light rail train, neither train would enter the operating envelope of the other train. The design methodology for the CPB wall is based on the California High Speed Rail design as agreed to with BNSF and as modified to account for the specific conditions of the Wayzata Subdivision, namely freight speed (40 MPH maximum speed), proximity of freight track (both existing mainline and future potential second track), and grade.</p>

**Appendix B**  
**Thematic Responses to Public Comments**

---

## 1 Introduction

In addition to the agency and elected official comments addressed in Appendix A, 25 written and verbal comments were received from members of the public on the Supplemental Environmental Assessment (EA)/Amended Draft Section 4(f) Evaluation. Copies of the public comments received are included in Appendix D.

Ten themes were identified in the 25 public comments as summarized in Table 1.

**TABLE 1: PUBLIC COMMENT THEMES**

<b>Code</b>	<b>Theme</b>	<b>Number of Comments</b>
1	General support for light rail transit (LRT) and the Southwest LRT Project	6
2	General opposition to LRT and/or the Southwest LRT Project	6
3	Locally preferred alternative (LPA) decision and process	9
4	Public outreach process	2
5	Negotiations with BNSF	4
6	Location and effectiveness of crash protection barrier (CPB) wall	4
7	Impacts of and mitigation measures for the CPB wall	8
8	Impacts to the Bassett Creek Tunnel	1
9	Cedar Lake LRT Regional Trail and Luce Line Trail impacts and mitigation	1
10	Impacts and mitigation measures for the Southwest LRT Project outside the scope of the Supplemental EA	12

Responses are provided by theme in Section 2. Section 3 provides an index of the 25 comments received and the themes included in each.

## 2 Comment Responses by Theme

Code	Theme	Summary	Response
1	General support for LRT and the Southwest LRT Project	Comments expressed support for the Southwest LRT Project from individuals and the Bryn Mawr Neighborhood Association, a desire to have it built soon, and that the Project will address needs in the community.	Comments noted.
2	General opposition to LRT and/or the Southwest LRT Project	Comments expressed opposition to LRT being located in parkland, concern that the project will be dangerous to those who live nearby, that the cost is too high and the money would be better invested elsewhere, and that the process has been flawed.	<p>The Supplemental EA was limited to the substantive changes to the Project since the issuance of the Final EIS and Record of Decision (ROD) in May 2016 and July 2016, respectively. These Project modifications did not alter the LPA and, therefore, were not subject to the scoping and public outreach requirements associated with selection of an LPA. The Council did engage the public as part of the Supplemental EA through community group meetings and presentations, a community town hall meeting, project newsletters and email distribution updates, the project website, project corridor tours, and community pop-up events. There was also a public comment period on the Supplemental EA. This process is summarized in Section 5 of the Amended ROD.</p> <p>Anticipated impacts of the Project, including impacts to parks, recreation areas, and open spaces and safety and security, have been evaluated and are documented in Section 3.6 and Section 4.6 of the Final Environmental Impact Statement (EIS), respectively. Measures to mitigate these impacts are summarized in Attachment A to the July 2016 Record of Decision (ROD).</p> <p>Additionally, the Supplemental EA (Sections 3,4, and 6) addressed the impacts and defined mitigation measures for the changes to the Project since the issuance of the Final EIS and ROD.</p> <p>After publication of the Supplemental Draft EIS in May 2015, the Council identified cost saving measures that were developed and analyzed in consultation with the Project's local participating agencies. Those cost saving measures included deferring the proposed Eden Prairie Town Center Station and a Project-wide reduction in the total number of park-and-ride spaces. The Council approved the project scope and budget of \$1.858 billion in August 2016. For a detailed response related to</p>

Code	Theme	Summary	Response
			<p>concerns about cost and schedule, see Appendix L of the Final EIS (Attachment 3, theme T).</p> <p>The Project has undergone a multi-step decision-making process that began in 2005. The process used to define the Southwest LRT Project is described in response to Comment Theme 3: LPA Decision and Process.</p>
3	LPA decision and process	<p>One comment noted that there were broad and open discussions prior to the selection of the LPA and that the process to select the LPA should be honored. Other commenters stated that they oppose the LPA route and are concerned about co-location with freight rail and the impacts of the LPA. Commenters also noted that additional routes and modes should have been considered in the initial scoping process and that the route should serve more densely population areas.</p>	<p>The Supplemental EA was limited to the substantive changes to the Project since the issuance of the Final EIS and ROD in May 2016 and July 2016, respectively. These Project modifications did not alter the LPA and, therefore, were not subject to the scoping and public outreach requirements associated with selection of an LPA. The Council did engage the public as part of the Supplemental EA through community group meetings and presentations, a community town hall meeting, project newsletters and email distribution updates, the project website, project corridor tours, and community pop-up events. There was also a public comment period on the Supplemental EA. This process is summarized in Section 5 of the Amended ROD.</p> <p>The LPA was identified through a decision-making process that began in 2005 when the Hennepin County Regional Railroad Authority (HCRRRA) initiated an Alternatives Analysis study of the Southwest Corridor. Based on the findings of the Alternatives Analysis, as well as input from the public, HCRRRA, local jurisdictions, and elected officials, the Metropolitan Council identified the LPA in May 2010 as LRT on the Kenilworth-Opus-Golden Triangle alignment (Alternative 3A the Alternatives Analysis).</p> <p>In the Draft EIS, published in October 2012, the LPA was included within LRT 3A and LRT 3A-1, with the difference between these two alternatives being the “relocation” or “co-location” of TC&amp;W trains currently operating in the Bass Lake Spur and Kenilworth Corridor. The Draft EIS found that LRT in the Kenilworth-Opus-Golden Triangle alignment, with freight rail relocated from the Kenilworth Corridor (LRT 3A), would best meet the Project’s Purpose and Need Statement. In addition, the Draft EIS found that LRT 3A would minimize construction-related impacts, relative to other alternatives studied. Further, the evaluation in the Draft EIS found that LRT 3A would result in benefits that could not be achieved under the No Build or Enhanced Bus Alternatives (e.g., the introduction of an exclusive transit right-of-way throughout the corridor to reduce transit travel times and increase transit reliability). However, the evaluation in the Draft EIS also found that the benefits</p>



Code	Theme	Summary	Response
			<p>associated with LRT 3A could not be achieved without some adverse environmental impacts but that the overall benefits derived from LRT 3A—including increased transit ridership and enhanced mobility—outweigh the potential adverse environmental impacts.</p> <p>Upon the close of the Draft EIS comment period on December 31, 2012, the Council assumed responsibility from HCRRA as the local lead agency for continuation of the environmental process, and the Council and FTA reviewed the comments received on the Draft EIS. Of note was the US Army Corps of Engineers (USACE) determination that LRT 3A-1 (co-location) was the least environmentally damaging practicable alternative. Due to this, the FTA and Council were required to consider LRT 3A-1 in greater detail to satisfy the Clean Water Act. In addition, TC&amp;W, the major freight carrier operating on the existing freight rail line within the colocation segment of the Kenilworth Corridor, expressed serious engineering and operational concerns with LRT 3A; therefore, TC&amp;W and its shippers were opposed to LRT 3A as presented in the Draft EIS.</p> <p>Based on the comments received on the Draft EIS and through meetings with the public, businesses, municipalities, and other groups, the Council initiated a process to develop adjustments to the Project’s design. In April and July 2014, based on the design adjustment process, technical analysis, and agency and public involvement process, the Council identified adjustments to the LPA throughout the approximate 16-mile proposed Project based on the following:</p> <ul style="list-style-type: none"> <li>• The transit elements included in LRT 3A and LRT 3A-1 as described in the Draft EIS and adjusted as described in the Supplemental Draft EIS</li> <li>• The freight rail modifications of LRT 3A-1 (i.e., retention of freight rail service in the Kenilworth Corridor, termed “co-location” in the Draft EIS, with freight rail modifications described in the Supplemental Draft EIS)</li> </ul>

Code	Theme	Summary	Response
4	Public outreach process	Some comments noted that there has been engagement with the Bryn Mawr Neighborhood Association throughout the process and that the neighborhood association supports the Project. Others noted that they appreciated having the Supplemental EA document to comment on and thanked staff for the outreach done as part of the Supplemental EA process.	As discussed in Section 5.1 of the Supplemental EA, the Council held numerous community meetings, events, and presentations throughout the Southwest LRT decision making process. The Council also created a process to ensure meaningful and transparent engagement related to the CPB wall design. Specific public engagement activities that took place regarding the CPB wall included five meetings with the Bassett Creek Valley Working Group, five presentations to community/neighborhood groups, six tours of the corridor (three with elected officials and staff and three public tours), a community open house, and two pop-up events. In addition, the project website hosted information about the proposed changes, including a video describing the proposed corridor protection wall. Generally, the input received at these events was related to a high interest in the design aesthetics for the CPB and concerns regarding the options for pedestrians crossing the railroad and two LRT lines.
5	Negotiations with BNSF	Some comments received were related to negotiations with BNSF over the CPB wall and Northstar tail track. Commenters expressed concerns about lack of transparency in the negotiations and the power of the railroad industry. Comments also noted concerns about the liability of co-locating LRT with freight, the cost of the wall, and the design of the CPB wall.	<p>In late summer 2017, negotiations with BNSF concluded on substantive technical and legal issues, and the railroad required the CPB to allow Project construction on their property. The CPB wall has been designed such that in the event of a derailment of either a freight train or a light rail train, neither train would enter the operating envelope of the other train. The CPB is unique to the requirements of BNSF.</p> <p>The negotiations with BNSF are not public as they are with a private entity; however, the Council has been as transparent as possible regarding the outcomes of the negotiations and has conducted a robust public engagement process regarding the Project modifications as described in Section 5.1 of the Supplemental EA.</p> <p>Specific public engagement activities that took place regarding the CPB wall included five meetings with the Bassett Creek Valley Working Group, five presentations to community/neighborhood groups, six tours of the corridor (three with elected officials and staff and three public tours), a community open house, and two pop-up events on the corridor. In addition, the project website hosted information about the proposed changes, including a video describing the proposed corridor protection wall. Generally, the input received at these events was related to a high interest in the design aesthetics for the CPB and concerns regarding the options for pedestrians crossing the railroad and two LRT lines.</p>

Code	Theme	Summary	Response
6	Location and effectiveness of CPB wall	<p>Comments stated that they did not think the CPB wall would be sufficient to protect against derailment of a freight train and that the wall should not extend as far into the trail area as is planned. Multiple commenters noted that they had safety concerns related to the CPB wall.</p>	<p>The CPB wall has been designed such that in the event of a derailment of either a freight train or a light rail train, neither train would enter the operating envelope of the other train. The design methodology for the CPB wall is based on the California High Speed Rail design as agreed to with BNSF and as modified to account for the specific conditions of the Wayzata Subdivision, namely freight speed (40 MPH maximum speed), proximity of freight track, and grade.</p> <p>The CPB wall is located between the freight tracks and LRT tracks and does not extend into the trail area. The location was determined through the negotiations with BNSF and is a requirement of BNSF to agree to sell a portion of their right-of-way to the Council. In other segments of the Project not on or adjacent to BNSF property, corridor protection barriers are included where there is less than 25 feet between LRT and freight tracks.</p>
7	Impacts of and mitigation measures for the CPB wall	<p>Multiple public comments on potential impacts of the CPB wall. Some indicated that they did not think the wall would be a barrier between neighborhoods, while others are concerned that the wall will be a barrier and will cut off access for bicyclists, pedestrians, and wildlife. Some commenters stated that they did not think the wall would have a visual impact or that the impact would be adequately mitigated, while others think the wall will cause a visual impact. A few comments also expressed concern about noise impacts related to the CPB wall.</p> <p>Comments related to mitigation measures for the CPB wall included support for interpretive panels related to the history of the railroad, concerns about and support for the vegetation to be planted on or near the wall, and concerns about the ability of the public to impact the design of the wall.</p>	<p>Regarding access impacts of the CPB wall, no existing access points will be impacted. As stated in Section 3.8.12 of the Supplemental EA, the project will provide pedestrian and bicycle access points for safe travel north/south across the rail corridor (i.e., Bryn Mawr Station pedestrian bridge, relocated at-grade pedestrian and bicycle trail crossing west of Bryn Mawr Station, I-394 trail overpass and relocated Luce Line pedestrian bridge). These access points were planned as part of the design documented in the Final EIS and remain unchanged with the addition of the CPB.</p> <p>Related to wildlife access, the CPB wall may result in some additional habitat fragmentation, but the change is expected to be negligible as the most likely location for wildlife movement across the BNSF tracks today is near the I-394 bridge. The bridge is near the west end of the CPB wall and such movement would not change substantially as a result of the CPB.</p> <p>The visual quality impact has been mitigated through the public outreach work with the community on the design aesthetics of the wall. This process informed the aesthetic treatment of the wall and resulted in the incorporation of vines and other vegetation to mitigate for the visual impact. The Section 106 process also requires mitigation of visual quality impacts, as discussed in Section 3.8.5 of the Supplemental EA. After the Supplemental EA and Amended Draft Section 4(f) Evaluation were published, the FTA prepared a draft mitigation plan to resolve the</p>

Code	Theme	Summary	Response
			<p>adverse effects and provided it to the Minnesota Historic Preservation Office and all other consulting parties for review and comment on April 17, 2018. FTA will issue a final mitigation plan after considering comments received on the draft mitigation plan.</p> <p>Noise analysis was conducted for the CPB wall following FTA's noise and vibration guidance manual as described in Section 3.8.9 of the Supplemental EA. The results indicate that the presence of the CPB would increase noise levels to the north of the BNSF freight tracks by an imperceptible amount (0 to 0.4 decibels) and that the presence of the CPB would have no effect on the noise levels to the south of the freight tracks.</p>
8	Impacts to the Bassett Creek Tunnel	One commenter expressed concern that relocating the Northstar tail track on top of the Bassett Creek tunnel had not been adequately studied.	<p>The Northstar tail track extension alignment is on top of the existing Bassett Creek Tunnel for approximately 870 feet. The Council has performed extensive structural and soil settlement calculations to determine the impact of additional loading from the Northstar tail track. The Council has also tested concrete cores from the tunnel to verify the in situ concrete strength and has tested soil samples to verify parameters used in the settlement calculations. The Council will continue to coordinate the results of these calculations and testing with the City of Minneapolis.</p> <p>Since the Supplemental EA was published the Council has been coordinating with the City to develop additional monitoring and inspection commitments. The Council's Civil contractor will perform an internal tunnel inspection prior to construction and will utilize external utility monitoring points, internal crack gauges, and photometric documentation to monitor the tunnel during construction.</p>
9	Cedar Lake LRT Regional Trail and Luce Line Trail impacts and mitigation	One member of the public commented on the trail detours associated with Modification F: Cedar Lake LRT Regional Trail Detour and Modification G: Bryn Mawr Meadows – Trail Mitigation. The commenter believes the Cedar Lake LRT Regional Trail detour and the detour during the removal of the Luce Line bridge will be workable, and suggested a different detour for eastbound Luce Line users to access the Cedar Lake Trail.	Trail detours were designed with both bicyclists and pedestrians in mind and with input from bike groups. To make the detours as safe as possible, the detour routes use existing trails rather than on-street facilities to the extent possible.

Code	Theme	Summary	Response
10	Impacts and mitigation measures for the Southwest LRT Project outside the scope of the Supplemental EA	Members of the public commented on impacts and mitigation measures for the Project outside the scope of the Project modifications evaluated in the Supplemental EA. Topics included property impacts, loss of open space, disturbance of wildlife, contamination, construction-related impacts, safety, bicycle and pedestrian access, vegetation, parking, impacts to lakes and groundwater, and neighborhood impacts.	The Supplemental EA was limited to the substantive changes to the Project since the issuance of the Final EIS and ROD in May 2016 and July 2016, respectively. For a summary of impacts and mitigation measures outside the scope of the Supplemental EA, see the July 2016 ROD.

### 3 Index of Public Comments

Comment Number	Name	Date Received	Communication Type	Themes Addressed in Comment										
				1: General support for LRT and the Project	2: General opposition to LRT and/or the Project	3: LPA decision and process	4: Public outreach process	5: Negotiations with BNSF	6: Location and effectiveness of CPB wall	7: Impacts of and mitigation for CPB wall	8: Impacts to the Bassett Creek Tunnel	9: Trail impacts and mitigation	10: Project impacts and mitigation outside scope of Supplemental EA	
1	Matt Muyres	February 27, 2018	Email											✓
2	Richard Adair	February 27, 2018	Email	✓		✓					✓		✓	
3	Cindy Sweiger	March 14, 2018	Email											✓
4	Dik Hedlund	March 22, 2018	Email		✓									
5	Arthur Higinbotham	March 22, 2018	Testimony			✓					✓			✓
6	Barry Schade	March 22, 2018	Testimony	✓			✓				✓			✓
7	Jake Werner	March 22, 2018	Testimony											✓
8	David Rhude	March 22, 2018	Testimony											✓
9	Jeanette Colby	March 22, 2018	Testimony			✓		✓	✓					
10	Benjamin Hertzler	March 22, 2018	Testimony											✓
11	Margaret Anderson Kelliher	March 22, 2018	Testimony	✓				✓	✓	✓				
12	Frank Hornstein	March 22, 2018	Testimony					✓						
13	Arthur Higinbotham	March 22, 2018	Written comment			✓								✓
14	Tim & Heidi Hermes	March 22, 2018	Comment card	✓										
15	Anonymous	March 22, 2018	Comment card		✓									
16	Anonymous	March 22, 2018	Comment card		✓			✓	✓					✓
17	Anonymous	March 22, 2018	Comment card	✓			✓							
18	Trina Porte	March 24, 2018	Email	✓										
19	Edith Black	April 7, 2018	Online comment form		✓	✓								
20	Bruce Jarvis	April 7, 2018	Online comment form							✓				
21	David Klopp	April 8, 2018	Online comment form		✓	✓				✓				✓
22	Judy Kahm	April 9, 2018	Online comment form							✓				
23	Kyla Wahlstrom	April 9, 2018	Online comment form			✓								✓
24	Susu Jeffrey	April 9, 2018	Online comment form		✓	✓				✓				✓
25	George Puzak	April 9, 2018	Online comment form			✓				✓	✓			
Total				6	6	9	2	4	4	4	8	1	1	12

**Appendix C**  
**Agency and Elected Official Letters Received**

---

## **Comments on the Supplemental EA**

---





IN REPLY REFER TO:

# United States Department of the Interior

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

April 9, 2018

9043.1  
ER 18/0096

Marisol Simon  
Regional Administrator, Region V  
Federal Transit Administration  
200 W. Adams Street, Suite 320  
Chicago, Illinois 60606

Dear Ms. Simon:

The Department of the Interior (Department) has reviewed the Supplemental Environmental Assessment and Amended Section 4(f) Evaluation (document) for the Southwest Light Rail Transit project in and around Minneapolis, Minnesota (project). The project sponsor is the Metropolitan Council, and the Federal Transit Administration (FTA) is the lead federal agency for the project. The document considers effects under Section 4(f) of the Department of Transportation Act of 1966 (codified at 49 U.S.C. 303) associated with the project. The Department offers the following comments and recommendations for your consideration:

## **Section 4(f) Comments**

Section 4(f) impacts associated with this project were previously evaluated in the Southwest Light Rail Transit Final Environmental Impact Statement (Final EIS), Record of Decision (ROD), and Adequacy Determination in 2016. This document evaluates additional impacts as a result of the project's advancement into final engineering. The updated project designs present a new impact on the St. Paul, Minneapolis & Manitoba Railroad/Great Northern Railway (StPM&M/GN) Historic District under Section 4(f).

The StPM&M/GN Historic District is an approximately 205-mile-long linear historic district that extends from northeast Minneapolis, west through Minneapolis and its several suburbs, and westward across Minnesota to the state border with North Dakota. Project impacts to the Historic District were previously assessed as a Section 4(f) use with a de minimis impact, with a no adverse effect finding under Section 106 of the National Historic Preservation Act.

Design modifications to the project as described in the Final EIS are required by Burlington Northern Santa Fe (BNSF), for safe and appropriate operations within the rail corridor. The portion of the historic district impacted by project modifications is an approximately two-mile-long segment in Minneapolis beginning roughly at 7th Street North and extending west of Cedar Lake Junction. In the approximately two-mile-long segment of the Project modifications, the historic StPM&M/GN right-of-way is adjacent to and shares the physical space in the railroad corridor with the Minneapolis & St. Louis Railway. The land area of the railroad corridor that was jointly used by the StPM&M/GN and the M&StL will be utilized for the proposed project.

The FTA has determined that the project, with modifications required by BNSF, would result in a Section 4(f) direct use of the StPM&M/GN Historic District, and that the use would be an adverse effect under Section 106 of the National Historic Preservation Act. The FTA has determined that there is no feasible and prudent alternative that would avoid a use of this Section 4(f) resource. In addition, the FTA has determined in accordance with 23 CFR Part 774.17 that all possible planning to minimize harm has been conducted and implemented. Further, FTA and the Council have determined that the alternative that would result in the least overall harm to this historic resource is the existing project alignment, with the proposed project modifications designed in accordance with the Secretary of Interior's Standards to the extent feasible.

The Department's review concurs with the FTA determinations. The FTA, Metropolitan Council and Minnesota State Historic Preservation Officer (SHPO) have executed a Memorandum of Agreement (MOA) formalizing measures to mitigate effects to the historic property. The Department therefore has no objection to the 4(f) evaluation and concurs with measures to mitigate the adverse effects of the project.

The Department has a continuing interest in working with the FTA to ensure impacts to resources of concern are adequately addressed. For issues concerning Section 4(f) resources, please contact Tokey Boswell, Chief, Planning and Compliance Division, Midwest Regional Office, National Park Service, 601 Riverfront Drive, Omaha, Nebraska 68102, or by telephone at 402-661-1534.

We appreciate the opportunity to provide these comments.

Sincerely,

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

Lindy Nelson  
Regional Environmental Officer



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

MAR 19 2018

REPLY TO THE ATTENTION OF:

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

Mark Fuhrmann  
Program Director, Rail New Starts  
Metropolitan Council  
390 Roberts Street North  
St. Paul, Minnesota 55101-1805

Re: Supplemental Environmental Assessment – Southwest Light Rail Transit (SWLRT),  
Hennepin County, Minnesota.

Dear Ms. Simon and Mr. Fuhrmann:

The U.S. Environmental Protection Agency (EPA) reviewed the Federal Transit Administration's (FTA) February 16, 2018, Supplemental Environmental Assessment (SEA) for the Metropolitan Council's (Council) Southwest (METRO Green Line) Light Rail Transit (SWLRT) Project. Our comments are provided pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality regulations (40 CFR Parts 1500-1508), and our NEPA review authority under Section 309 of the Clean Air Act.

The SEA identifies design modifications made to the Project since publication of the 2016 Final Environmental Impact Statement (FEIS), Record of Decision (ROD), and state Adequacy Determination (AD). The focus of the SEA is on whether the modifications affect the environmental impacts and/or mitigation measures, as identified in the FEIS, ROD and state AD.

The SEA addresses the following project modifications:

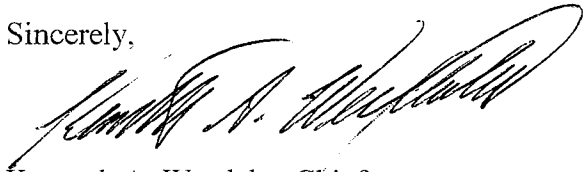
- Parking impact near Opus Station (Minnetonka),
- Minnehaha Creek Headwall Modification (St. Louis Park),
- 31<sup>st</sup> Street Realignment (Minneapolis),
- Grand Rounds Historic District – Kenilworth Lagoon Works Progress Administration  
Rustic Style Retaining Walls Rehabilitation and Landscaping (Minneapolis),
- Right-of-Way Adjustment near 21<sup>st</sup> Street Station (Minneapolis),
- Cedar Lake LRT Regional Trail Detour (St. Louis Park),

- Bryn Mawr Meadows – Trail Detour (Minneapolis),
- BNSF Negotiation Modifications (corridor protection elements including a proposed barrier between freight rail and light rail tracks in Minneapolis),
- Water Service to Sharing and Caring Hands (Minneapolis); and,
- Five New Potential Construction Laydown Sites (St. Louis Park and Minneapolis).

Based on our review of the SEA, EPA has no additional comments regarding the proposed Southwest LRT project.

EPA requests one hard copy of the FTA final amended environmental decision document for the proposed changes to the Southwest LRT project, when it is available. If you have any questions regarding this letter, please contact Virginia Laszewski of my staff at 312/886-7501 or at [laszewski.virginia@epa.gov](mailto:laszewski.virginia@epa.gov).

Sincerely,



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

Cc (email): Reginald Arkell, FTA, Chicago Office, [Reginald.Arkell@dot.gov](mailto:Reginald.Arkell@dot.gov)

**From:** Horton, Becky (DNR) <becky.horton@state.mn.us>  
**Sent:** Thursday, April 5, 2018 10:55 AM  
**To:** swlrt  
**Cc:** Joyal, Lisa (DNR)  
**Subject:** Supplemental Environmental Assessment (Supplemental EA)/Amended Draft Section 4(f) Evaluation for the METRO

Hi Kelcie,

The DNR does not have comments on the Supplemental Environmental Assessment (Supplemental EA)/Amended Draft Section 4(f) Evaluation for the METRO Green Line Extension Project. However, we'd like to remind the Project Proposers to conduct a new NHIS review prior to any start of construction for this project. NHIS reviews are considered valid for one year, as new information is often gathered. The last NHIS review we have on record is from 2015. Information regarding obtaining an NHIS review and or concurrence can be obtained on the [DNR's website](#), or by contacting Lisa Joyal (lisa.joyal@state.mn.us).

Sincerely,

Becky

**Rebecca Horton**

Region Environmental Assessment Ecologist | Ecological and Water Resources

**Minnesota Department of Natural Resources**

1200 Warner Road

St. Paul, MN 55404

Phone: 651-259-5755

Fax: 651-772-7977

Email: [becky.horton@state.mn.us](mailto:becky.horton@state.mn.us)

[mndnr.gov](http://mndnr.gov)



March 23<sup>rd</sup>, 2018

Ms. Kelcie Campbell  
Southwest LRT Project Office  
6465 Wayzata Boulevard, Suite 500  
St. Louis Park, MN 55426

**SUBJECT:** SWLRT Supplemental Environmental Assessment  
MnDOT Review # EA18-001  
LRT from Minneapolis to Eden Prairie  
Hennepin County

Dear Ms. Kelcie Campbell,

Thank you for the opportunity to review the Supplemental Environmental Assessment (Supplemental EA) for the Southwest Light Rail (SWLRT). Please note that MnDOT's review of this Supplemental EA does not constitute a specific approval. As plans are refined, we would like the opportunity to meet with our partners and to review the updated information. MnDOT's staff has reviewed the document and has the following comments:

***Design:***

The corridor protection barrier in Section H is the section of most concern in the Supplemental EA. As these plans are general in nature, the Bridge group will need to approve of adding any structural features next to MnDOT bridges.

For questions on these comments, please contact Joe Nietfeld at 651-755-9881 or [joe.nietfeld@state.mn.us](mailto:joe.nietfeld@state.mn.us)

***Bike/Pedestrian:***

Please ensure that detours are thoroughly posted so that bicyclists and pedestrians can easily find their way to and through the detours.

For questions on these comments, please contact Cameron Muhic at 651-234-7797 or [cameron.muhic@state.mn.us](mailto:cameron.muhic@state.mn.us) of MnDOT's bike/pedestrian team.

***Permits:***

Any use of or work within or affecting MnDOT right-of-way requires a permit. Permit forms are available from MnDOT's utility website at: <http://www.dot.state.mn.us/utility/index.html>

An equal opportunity employer

Please include one set of plans formatted to 11X17 with each permit application. Please submit/send all permit applications and 11X17 plan sets to: [metropermitapps.dot@state.mn.us](mailto:metropermitapps.dot@state.mn.us)

Please direct any questions regarding permit requirements to Buck Craig (651-234-7911) of MnDOT's Metro Permits Section.

***Review Submittal Options:***

MnDOT's goal is to complete the review of plans within 30 days. Submittals sent in electronically can usually be turned around faster. There are four submittal options. Please submit either:

1. One (1) electronic pdf version of the plans. MnDOT can accept the plans via e-mail at [metrodevreviews.dot@state.mn.us](mailto:metrodevreviews.dot@state.mn.us) provided that each separate e-mail is under 20 megabytes.
2. Three (3) sets of full size plans. Although submitting seven sets of full size plans will expedite the review process. Plans can be sent to:

MnDOT – Metro District Planning Section  
Development Reviews Coordinator  
1500 West County Road B-2  
Roseville, MN 55113

3. One (1) compact disc.
4. Plans can also be submitted to MnDOT's External FTP Site. Please send files to: <ftp://ftp2.dot.state.mn.us/pub/incoming/MetroWatersEdge/Planning> Internet Explorer doesn't work using ftp so please use an FTP Client or your Windows Explorer (My Computer). Also, please send a note to [metrodevreviews.dot@state.mn.us](mailto:metrodevreviews.dot@state.mn.us) indicating that the plans have been submitted on the FTP site.

If you have any questions concerning this review, please contact me at (651) 234-7795.

Sincerely,



Josh Pansch  
Senior Planner

**Copy sent via E-Mail:**

Buck Craig, Permits  
Nancy Jacobson, Design  
Hailu Shekur, Water Resources  
Brian Kelly, Water Resources  
Douglas Nelson, Right of Way  
Jason Junge, Traffic  
Gina Mitteco, Multimodal Planning

Cameron Muhic, Multimodal Planning  
Aaron Tag, Area Engineer  
April Crockett, Area Manager  
Ryan Wilson, Transit  
Blake Nelson, Materials and Road Research  
Joe Nietfeld, Transit Office  
Russell Owen, Metropolitan Council



April 3, 2018

Kelcie Campbell  
Environmental Project Manager  
Metropolitan Council Southwest LRT Project Office  
Park Place West Building, Suite 500  
6465 Wayzata Boulevard  
St. Louis Park, MN 55426

Re: Southwest Light Rail Transit Supplemental Environmental Assessment

Dear Kelcie Campbell:

Thank you for the opportunity to review and comment on the Supplemental Environmental Assessment (EA) for the Southwest Light Rail Transit project (Project) in Hennepin County, Minnesota. The Project consists of a new light rail line extending from downtown Minneapolis to Eden Prairie. Regarding matters for which the Minnesota Pollution Control Agency (MPCA) has regulatory responsibility or other interests, the MPCA staff has the following comments for your consideration.

**Air Quality (Item 16)**

The MPCA has concluded that the implementation of many of the administrative plan changes and technical modifications outlined in the Supplemental EA will not result in any significant air quality impacts. However, general air quality comments include:

- Construction of the proposed Project may cause increased concentrations of dust and air pollutants. When roads are closed or operating with reduced capacity, detoured traffic would result in increased traffic on parallel roadways near the Project area. Increased emissions would also be produced by construction equipment, and fine particulates can enter air from exposed earthen materials. The MPCA recommends that the Metropolitan Council (Met Council) implement best management practices during construction to control dust and manage equipment. Traffic control measures should be developed in subsequent stages of the Project to address detours and traffic flow.
- The MPCA looks forward to the Met Council achieving its commitments to prioritizing the use of clean diesel equipment at its construction sites. Met Council's investment directions show ambitious plans involving major construction efforts. All construction work relies on the extensive use of heavy duty diesel engines. Older diesel equipment from before 2007 emits extremely high levels of harmful air pollutants. As most, if not all, transitway work is carried out in close proximity to where Minnesotans live, commute, work, and recreate, people's exposure to heavy duty diesel emissions can be a health risk.
- The MPCA hopes the Met Council will move ahead soon with implementing its commitment to develop and employ model contract language including vehicle and equipment emission standards that would either require or give additional bid points for companies that agree to using newer, cleaner diesel trucks and equipment. With Project plans spanning for a few years, the contract language should provide for ongoing updates as diesel engines continue to improve their emission standards.

Kelcie Campbell  
Page 2  
April 3, 2018

We appreciate the opportunity to review this Project. Please provide your specific responses to our comments and notice of decision on the need for an Environmental Impact Statement. Please be aware that this letter does not constitute approval by the MPCA of any or all elements of the Project for the purpose of pending or future permit action(s) by the MPCA. Ultimately, it is the responsibility of the Project proposer to secure any required permits and to comply with any requisite permit conditions. If you have any questions concerning our review of this Supplemental EA, please contact me by email at [Karen.kromar@state.mn.us](mailto:Karen.kromar@state.mn.us) or by telephone at 651-757-2508.

Sincerely,



Karen Kromar  
Project Manager  
Environmental Review Unit  
Resource Management and Assistance Division

KK:bt

cc: Dan Card, MPCA, St. Paul  
Innocent Eyoh, MPCA, St. Paul  
Teresa McDill, MPCA, St. Paul  
Ken Westlake, USEPA

April 17, 2018


Mr. Jim Alexander  
Project Director  
Green Line Extension (Southwest LRT) Project Office  
6465 Wayzata Blvd., Suite 500  
St. Louis Park, MN | 55426

**RE: SWLRT Supplemental Environmental Assessment (SEA)  
Formal Comments**

Dear Mr. Alexander,

The City of Minneapolis appreciates the ability to comment on the Supplemental Environmental Assessment (SEA) for the Southwest LRT Corridor (Green Line Extension) project. The attached comments were presented to the Transportation and Public Works Committee of the Minneapolis City Council on March 27, 2018 and were approved by the full City Council on April 13, 2018. Please contact me if you have any questions.

Sincerely,



Paul D. Miller - Project Manager  
PW Transportation Planning & Programming  
309 2nd Ave. S., Room 300  
Minneapolis, MN. 55401-1390  
(612) 673-3603

Attachment

**Southwest Light Rail Transit (Green Line Extension)  
Supplemental Environmental Assessment (SEA)/Amended Draft Section 4(f) Evaluation  
City of Minneapolis, Department of Public Works  
Staff Comments**

**Preface to Staff Comments:**

The City of Minneapolis continues to support the Southwest LRT project contingent on adherence to the Memoranda of Understanding reached between the City of Minneapolis and Met Council and between the City of Minneapolis and Hennepin County, both of which were adopted on August 29, 2014.

The purpose of the SEA/Amended Draft Section 4(F) Evaluation is to evaluate modifications to the Green Line Extension Project since the publication of the Final Environmental Impact Statement (FEIS), Record of Decision (ROD), and Determination of Adequacy in 2016. Ten (10) specific modifications were identified as subjects of the SEA, listed as follows:

- Modification A. Parcel 322A Parking Impact near Opus Station (Minnetonka)**
- Modification B. Minnehaha Creek Headwall (Hopkins/St. Louis Park)**
- Modification C. 31st Street Realignment (Minneapolis)**
- Modification D. Grand Rounds Historic District: Kenilworth Lagoon Works Progress Administration (WPA) Rustic Style Retaining Walls Rehabilitation and Landscaping (Minneapolis)**
- Modification E. Right-of-Way Adjustment near West 21st Street Station (Minneapolis)**
- Modification F. Cedar Lake LRT Regional Trail Detour (St. Louis Park/Minneapolis)**
- Modification G. Bryn Mawr Meadows Trail Mitigation (Minneapolis)**
- Modification H. BNSF Negotiation Modifications (Minneapolis).**
- Modification I. Water service to Sharing and Caring Hands (Minneapolis)**
- Modification J. New potential construction laydown areas (St. Louis Park/Minneapolis)**

**Public Works Staff Comments:**

City of Minneapolis, Department of Public Works comments pertaining to the SEA/Amended Draft Section 4(f) modifications are as follows:

**Modification A. Parcel 322A Parking Impact near Opus Station (Minnetonka)**

- No Comment – this modification takes place completely within the City of Minnetonka.

**Modification B. Minnehaha Creek Headwall (Hopkins/St. Louis Park)**

- No comment – this modification takes place completely within the Cities of Hopkins and St. Louis Park.

**Modification C. 31st Street Realignment (Minneapolis)**

- The 31<sup>st</sup> Street Realignment had previously been included in the final plans with the full cooperation of the City of Minneapolis Public Works Department and the Community Planning & Economic Development Department (CPED), including design input, plan review and overall approval. The original intent was to maximize the potential for future development opportunity.

Modification C is considered a further refinement to the street realignment based upon an actual development (the Calhoun Towers) that is currently moving through the City's Development Review process. These changes to the street realignment are being proposed in full cooperation with the City (Public Works and CPED) including design review and approval, and will eventually be reflected in the overall construction plans for GREEN LINE EXTENSION; no further comment is necessary.

**Modification D. Grand Rounds Historic District: Kenilworth Lagoon Works Progress Administration (WPA) Rustic Style Retaining Walls Rehabilitation and Landscaping (Minneapolis)**

- This change was included in the final design package with the full cooperation of the City (Public Works Department) including design review and approval; no further comment is necessary.

**Modification E. Right-of-Way Adjustment near West 21st Street Station (Minneapolis)**

- This change was included in the final design package with the full cooperation of the City (Public Works Department) including design review and approval; no further comment is necessary.

**Modification F. Cedar Lake LRT Regional Trail Detour (St. Louis Park/Minneapolis)**

- This change was included in the final design package with the full cooperation of the City (Public Works Department) including design review and approval; no further comment is necessary.

**Modification G. Bryn Mawr Meadows Trail Mitigation (Minneapolis)**

- This change was included in the final design package with the full cooperation of the City (Public Works Department) including design review and approval; no further comment is necessary.

## Modification H. BNSF Negotiation Modifications (Minneapolis)

- Public Works - Overarching comments

As a result of the negotiations between the Met Council and the BNSF, a new 1,830 foot long Northstar Commuter Rail tail track, and a new freight corridor protection barrier (CPB) between the LRT tracks and the BNSF freight tracks for 5,582 feet starting at the I-94 bridges and ending at the Bryn Mawr Station, has been proposed

The Public Works Departments outlined these impacts along with identification of requirements for mitigation in two (2) letters to the Metropolitan Council in August of 2017. The letters are attached herein as part of the City's comments on the SEA.

In Section 2.8 (page 24) and in Section 4.4 (page 78) of the SEA it is stated that *"The CPB is being added to the Project because BNSF requires corridor protection between light rail tracks and BNSF's Wayzata Subdivision freight rail tracks when they run side by side."* These statements imply that the CPB is to be designed and located between the proposed LRT tracks and the existing BNSF freight rail track. However, the actual design of the CPB is based upon a BNSF freight rail track that does not actually exist at this time. The design criterion for the CPB (location, height, and width) is based upon the proposed location of a second main line freight rail track desired to be built by the BNSF in the future. This distinction is not identified in the SEA.

Section 4.4.4 describes the "avoidance alternatives" to the CPB that were discussed as part of the negotiations between the Metropolitan Council and the BNSF. One possible "avoidance alternative" that was either never discussed during negotiations or not included in Section 4.4.4 was the option of delaying construction of the CPB to a point in the future that coincided with actual planning and construction of a future second freight rail track by the BNSF. If this option (or a variation thereof) was discussed, the Public Works Department requests that the SEA should include a summary of this discussion.

The addition of the CPB to the Project as a result of the negotiations between the Met Council and the BNSF, and the subsequent expenditure of public funds for the design and construction of a CPB based upon the proposed future location of a second BNSF main line track is not supported by the Public Works Department.

At a minimum, the Public Works Department feels that the SEA should include a narrative describing the design criteria for the CPB as it relates to a future second BNSF freight rail track and include a discussion describing the conditions under which a future freight rail track could actually be built.

- Public Works - Water Treatment & Distribution Services (WT&DS):
  1. WT&DS does not agree with the SEA as it relates to the Corridor Protection Barrier (CPB) and Utility Impacts and mitigation because of the following reasons:
    - a. The CPB crosses two (2) existing watermains; a 24" diameter watermain located just east of the I-394 Bridge crossing adjacent to Bryn Mawr



sufficient access to the tunnel into the future. In ongoing work with the Metropolitan Council, the City has stated there is a need for an extensive monitoring plan in place that will ensure the integrity of the tunnel by performing frequent inspections during construction. This may include 18 external monitoring points along with an interior inspection of the tunnel utilizing crack gauges and photometric documentation of its condition pre-construction, post-construction and during construction of the Green Line Extension.

- **Public Works – Safety & Security:**

1. Public Works does not agree with the SEA as it relates to the Corridor Protection Barrier (CPB) and mitigation for Safety and Security because of the following reasons:

- a. Within Table 3-13, Safety and Security impacts are identified as “None”.

However, in the fall of 2017 the Metropolitan Council conducted a series of site tours of the BNSF corridor. During those tours, Public Works staff, elected officials and other stakeholders noted that the construction of the CPB at specific locations adjacent to the Cedar Lake Bike Trail would create a tunnel-like effect resulting in serious safety and security problems. At locations such as the I-394 and I-94 freeway under-bridge spaces the lack of adequate security lighting would be exacerbated by the CPB. Safety and security measures need to be addressed by the SEA and proper Crime Prevention through Environmental Design (CPTED) measures should be included in the Project as mitigation.

- b. Section 3.8.13 – states that, “The CPB Project modification is designed for safety purposes to keep a derailed freight train from colliding with a light rail train.” This statement is included in the document without further discussion. However, it is the understanding of the Public Works Department that the inclusion of the CPB in the Project is based upon relatively new railroad safety requirements. The specific railroad requirements are not identified in the document nor does the document include supporting documentation that describes the CPB’s actual ability to prevent the prescribed derailment collision.

At a minimum, the Public Works Department feels that the SEA should include a narrative describing the design criteria for the CPB as it relates to Safety & Security and include by reference (or Appendix) the BNSF design guidelines.

**Modification I. Water service to Sharing and Caring Hands (Minneapolis)**



- This change was included in the final design package with the full cooperation of the City (Public Works Department) including design review and approval; no further comment is necessary.

**Modification J. New potential construction laydown areas (St. Louis Park/Minneapolis)**

1. These areas were previously identified as part of the final design package submitted to the City. It is the understanding of the City of Minneapolis that identification of possible “laydown areas” does not imply an obligation or commitment by the City or any property owner for potential use of these “areas” by the Metropolitan Council (or its Contractor).
2. Section 3.10 – Laydown Areas #4 & 5 are located with the 100-year floodplain based on updated modeling completed recently by both the City of Minneapolis and Bassett Creek Watershed Management Commission. Potential impacts related to this should be evaluated.

August 11, 2017

Brian Lamb  
General Manager, Metro Transit  
Fred T. Heywood Office Building and Garage  
560 Sixth Avenue North  
Minneapolis, MN 55411-4398

**Subject:** *Requirements for the Bassett Creek Tunnel and Cedar Lake Trail*

Dear Mr. Lamb,

Minneapolis Public Works has been informed that as part of the Southwest Light Rail Transit project (SWLRT), additional tail track to serve the North Star Commuter Rail will be constructed in the vicinity of the I-94 bridge and Target Field (see Attachment A). Construction of the tail track will affect the Bassett Creek Tunnel and the Cedar Lake Trail, which are both owned by the City of Minneapolis and exist by easement on property owned by other agencies, and will require sufficient and timely responsive action by the Metropolitan Council and SWLRT project office.

This letter outlines the minimum technical requirements of the Metropolitan Council and SWLRT project office when performing work affecting these two City assets. Metropolitan Council and the SWLRT project office will adhere to the following minimum standards and specifications. Public Works has prepared this on short notice and without final engineering or construction plans. As such, additional measures related to these two assets may be required at any time during the engineering and construction process, as additional information is available.

#### Protection of the Bassett Creek Tunnel

In early 2017, the City retained Brierley Associates to analyze the Bassett Creek Tunnel ("Tunnel") for surcharge loading associated with potential future re-alignment of the BNSF tail track. Brierley looked at potential static and dynamic loads, considered soil properties, condition of the Tunnel roof and side walls, and depth of overburden. Brierley concluded that the Tunnel roof would experience too much shear stress at the interior wall separating the box culverts with the addition of the train surcharge loads. They also concluded that, both under current and additional loads, the Tunnel exceeds the concrete cracking limits in critical locations. The report recommends a series of core samples to verify assumptions, further evaluate the impacts of additional loads, and to thoroughly understand mitigation measures necessary to maintain the structural integrity of the Tunnel.

Based on the Brierley report recommendations and understanding that the Met Council intends to build BNSF a North Star tail track, the City is requiring that additional analysis be performed on the Tunnel in the area affected by the tail track to minimize the risk of premature deterioration, reduction in the service life, and structural failure. The additional analysis should, at minimum, include a review of the 2014 Barr Engineering Inspection Report, the 2017 Brierley Loading Analysis, and a requisite field work and follow up as detailed below:

- In concert with the City of Minneapolis, develop a coring plan specifying location, pattern and frequency.
- Obtain core samples of the tunnel roof for testing.
- Visually inspect, probe and/or sound to identify and determine the extent of voids outside the liner.
- Photograph and geographically record locations of core and sounding locations.
- Analyze cores for Unconfined Compressive Strength (UCS).
- Calculate static loads using updated UCS values.
- Calculate dynamic loads analysis using updated probing data (Brierley conservatively assumed soil/liner rigidity in their Dynamic FEA analysis).

In coordination with the Department of Public Works and Division of Surface Water and Sewer, the Metropolitan Council must hire a structural engineering consultant to update the static and dynamic load calculations based on the above data and prepare a technical report. The report should at a minimum:

- Recommend structural and non-structural repairs necessary to maintain structural integrity. For example ground modification (increase soil/liner rigidity and prevention of ground loss and groundwater infiltration), internal bracing, structural grout, crack injection, CIPP, slip forming or slip lining, etc.
- Provide a concept for manhole relocation and removal with considerations for loading and unloading stresses associated with new connections.
- Consider possible alternatives for future Tunnel rehabilitation, upgrades and access given alignment of new tail track.

The consultant should submit the technical report to Public Works for review, comment and approval. Following approval of the technical report the consultant should develop a conceptual design to mitigate risks based on the findings of the technical report. Following Public Works review and approval of the conceptual plan, the consultant should develop construction plans and specifications in regular consultation with Public Works. The final construction design should be completed in parallel with the development of a monitoring plan (crack extensometers or other) for the City to use over time to ensure efficient Tunnel maintenance and operation.

As the owner and operator of the Tunnel, the City is foremost interested in the structural integrity and long term service of the Tunnel. Consistent with the easement agreement between the City and Hennepin County Regional Railroad Authority (“HCRRA”) (see attached Exhibit B), BNSF, the Metropolitan Council, and any additional project partners must obtain permission from the City to complete the additional analysis and implement mitigation measures. The analysis, design, and implementation of mitigation measures for the Tunnel in relationship to tail track will be done with

written permission from the City. At the time written permission is granted, additional contractual agreements may be necessary to outline the terms of any work performed on the site.

Reconstruction of the Cedar Lake Trail

If portions of the Cedar Lake Trail require reconstruction as a result of construction of the North Star trail track, the redesign of the trail shall be completed in full coordination with the City. The trail should not be divided and should be reconstructed in a similar fashion as the existing trail. The Metropolitan Council and SWLRT project office must fully analyze avoiding the construction of a divided trail. Regardless of whether the trail must split around an obstruction or not, the City views the proposed new alignment of the trail as less favorable than the current alignment of the trail from both a trail user and trail owner perspective. Thus, the design of the trail along the new alignment must include measures to mitigate the new alignment with respect to users of the trail in addition to meeting or exceeding the City's minimum specifications for trail construction. The City's minimum specifications include:

- Minimum trail width of 14 feet
- Minimum easement width of 18 feet
- Minimum pavement design of 6 inches of class 5 material with 3 inches of bituminous
- Signing and lighting to guide users along new the alignment safely
- Standards are modified accordingly if the trail is divided.

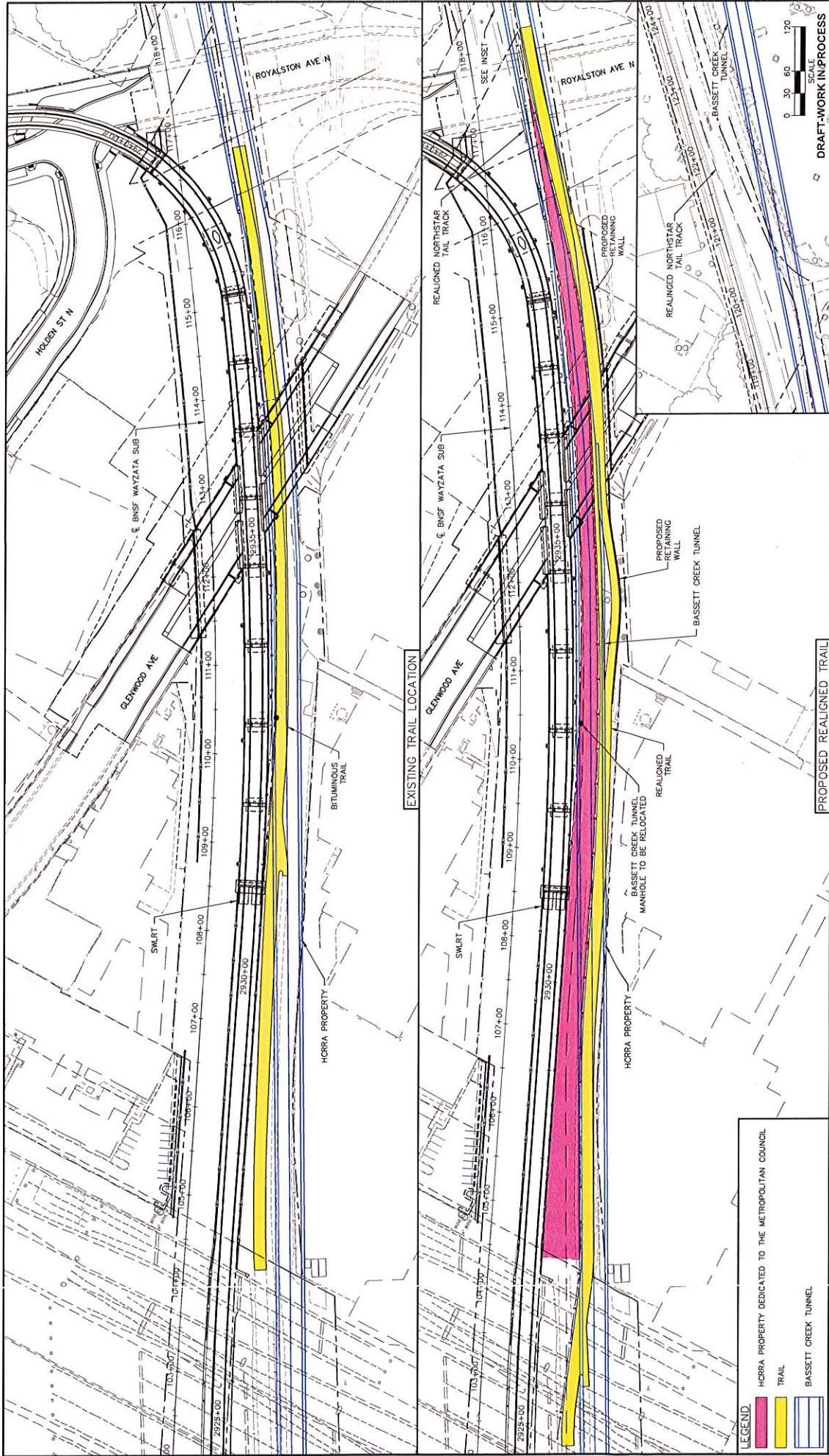
The City has the authority to review all design elements of the realigned trail and make final approvals. The Met Council will need to provide the City with the revised easement documents as part of this work, in accordance with these requirements. Additional contractual agreements may be necessary to outline the terms of any work performed on the site.

Any and all cost associated with requirements outlined for the Basset Creek Tunnel and the Cedar Lake Trail, or any subsequent requirements, will be borne by the Metropolitan Council.

Sincerely,

  
Robin Hutcheson  
Director of Public Works

cc: Lisa Cerney, City Engineer

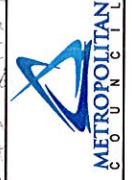
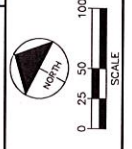


**LEGEND**

	HARRA PROPERTY DEDICATED TO THE METROPOLITAN COUNCIL
	TRAIL
	BASSETT CREEK TUNNEL

**SOUTHWEST LIGHT RAIL**  
 EXISTING TRAIL DESIGN AND  
 PROPOSED TRAIL DESIGN WITH REALIGNED NORTHSTAR TAIL TRACK

08/07/2017



DRAFT-WORK IN-PROCESS



5787804

7522


APPROVED BY CITY COUNCIL

TRANSFER ENTERED  
DEPT. OF PROPERTY TAX & PUBLIC RECORDS

~~JAN 25 1991~~  
City Clerk

JUN 13 1991

UNDERGROUND STORM SEWER TUNNEL  
EASEMENT AGREEMENT

HENNEPIN COUNTY MINN.  
BY  DEPUTY

THIS AGREEMENT is made this 25<sup>th</sup> day of January, 1990<sup>1</sup>,  
by and between HENNEPIN COUNTY REGIONAL RAILROAD AUTHORITY, a  
political subdivision and local government unit, under the laws  
of the State of Minnesota ("GRANTOR"), and the City of Minneapo-  
lis, a Minnesota municipal corporation ("GRANTEE").

1. GRANTOR, in consideration of the sum of One Dollar  
(\$1.00) and other good and valuable consideration to GRANTOR from  
GRANTEE, receipt of which is acknowledged, grants to GRANTEE, its  
successors and assigns, forever, a perpetual 50-foot easement at  
all times to lay, construct, inspect, protect, operate, maintain,  
alter, relocate, replace, substitute, remove, patrol and other-  
wise affect an underground storm sewer tunnel and appurtenances  
thereto in the City of Minneapolis, County of Hennepin, State of  
Minnesota, over, under, across and through the real property  
described on the attached Exhibit A (the "Subject Property").  
Said permanent easement is legally described on the attached  
Exhibit B.

2. GRANTOR also grants to GRANTEE a temporary construction  
easement over, under, across, and through the Subject Property  
for use by GRANTEE, its representatives, agents, assignees, and  
contractors as a work area and service road, including the right  
to move, store, and remove equipment and supplies, and erect and  
remove temporary structures on the land and to perform any other

work necessary and incident to the construction of the Bassett Creek Flood Control Project. Said temporary easement shall expire on September 30, 1992.

3. The easements granted herein are subject to existing easements for public roads and highways, public utilities, railroads and pipelines. The easements granted herein are expressly subject to the rights and interests of the Chicago and North Western Transportation Company as recited in that certain deed dated May 1, 1984 and filed of record in the Office of the Hennepin County Recorder on September 26, 1984 as Document No. 4928955.

4. This grant of easements shall include the right of GRANTEE to ingress and egress to and from GRANTOR's (or it's successors and assigns) property, including the Subject Property, for the purpose of excavating, laying, constructing, inspecting, protecting, operating, maintaining, altering, relocating, repairing, replacing, substituting, and removing the property of GRANTEE, together with the privilege of temporarily placing tools, equipment, material, and dirt on the abutting property for the above-listed purposes. GRANTEE also shall have the right to place signs and markers, subject to the approval of GRANTOR, on the property to protect the interest of the public or property owner or to notify them of GRANTEE's easement.

5. GRANTOR agrees that it will not interfere with GRANTEE's operation of the underground storm sewer tunnel or GRANTEE's easement rights.

6. GRANTEE agrees to bury the underground storm sewer tunnel at the depths as indicated on U.S. Army Corps of Engineers Drawings Stage IV M-34.3-P-64/40 through M-34.3-P-64/43, copies of which have been provided to Grantor by Grantee. GRANTEE shall at all times exercise due care and diligence to avoid injury or damage to buildings, and other personal property of the GRANTOR.

7. GRANTEE agrees that at all times it will indemnify and hold harmless GRANTOR against all claims, demands, actions or causes of action arising or growing out of any loss or damage to property or injury to or death of person which may be due in any manner to the installation, use, maintenance, repair, or presence of said underground storm sewer tunnel and will pay to GRANTOR the full amount of any loss or damage which GRANTOR may sustain, incur or become liable for on account thereof.

8. The terms and provisions of this instrument shall run with the land and shall extend to and be binding upon GRANTOR, its successors, and assigns.



IN WITNESS WHEREOF, the undersigned have signed this Easement Agreement on behalf of the parties.

GRANTOR

HENNEPIN COUNTY REGIONAL  
RAILROAD AUTHORITY

Upon proper execution,  
this agreement will be  
legally valid and binding.

By Mark Andrew  
Chairman, Board of Commissioners

[Signature]  
Assistant County Attorney  
Date: 12-19-90

Approved as to execution:

[Signature]  
Assistant County Attorney  
Date: 3-5-91

GRANTEE

CITY OF MINNEAPOLIS

By: [Signature]  
Its Mayor

By: [Signature]  
Its Assistant City Clerk

By: [Signature]  
Its \_\_\_\_\_

CITY FINANCE OFFICER

Approved as to form:

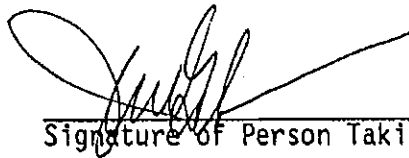
[Signature]  
Floyd B. Olson  
Deputy City Attorney

A:1201EA03.I48

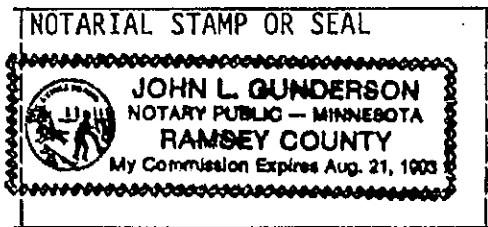


STATE OF  
MINNESOTA }  
COUNTY OF HENNEPIN }

The foregoing was acknowledged before me this 7th day of FEBRUARY,  
1991, by DONALD FRASER, STEVEN RISTUBEN, AND MELVIN WENDORF,  
the Mayor, City Clerk and Finance Officer respectively of the City of  
Minneapolis, a municipal corporation, under the laws of The State of Minnesota,  
on behalf of the corporation.  
*ASSISTANT*



Signature of Person Taking Acknowledgment



This instrument was drafted by:

Holmes & Graven  
470 Pillsbury Center  
Minneapolis, MN 55402

## EXHIBIT A

### Description of Subject Property

That part of the Southwest 1/4 of Section 22, Township 29 North, Range 24 West of the Fourth Principal Meridian, bounded and described as follows: Beginning at the intersection of the West line of 11th Street North with a line running from the Southwest corner of Lot 13, Block 3, Camp and Walker's Addition to Minneapolis, to a point on the West line of Lot 2 in Block 3 of Wilson Bell and Wagner's Addition to Minneapolis distant 28 feet Southeasterly measured at right angles from the Southeasterly right-of-way line of the Burlington Northern Railroad Company; thence Southwesterly along last described line to the West line of said Lot 2; thence Southwesterly parallel with said Southeasterly right-of-way line to a point on the East line of Lot 9 in Block 3 of said Wilson Bell and Wagner's Addition; thence South along said East line to a point 65 feet North from the Southeast corner of said Lot 9; thence Southwesterly to a point on the West line of said Lot 9 distant 30 feet North from Southwest corner of said Lot 9; thence North along said West line to a point distant 28 feet Southeasterly measured at right angles from the Southeasterly right-of-way line of the Burlington Northern Railroad Company; thence Southwesterly parallel with said Southeasterly right-of-way line to a point on the Southerly line of Glenwood (formerly Western) Avenue; thence Easterly along said Southerly line to a point on the Northerly extension of the West line of Lot 3 in Lawrence and Fuller's Addition; thence South along said Northerly extension to the Northwest corner of said Lot 3; thence East along the North line of said Lot 3 to a point distant 20 feet West from the Northeast corner of said Lot 3; thence Southwesterly to a point on the West line of said Lot 3 distant 68 feet Southeasterly measured radially from said Southeasterly right-of-way line of the Burlington Northern Railroad Company; thence Southwesterly parallel with said Southeasterly right-of-way line to its intersection with a line drawn Northeasterly from the Southwest corner of Lot 6 in Lawrence and Fuller's Addition and passing through a point on the East line of said Lot 6 distant 68 feet North from the Southeast corner of Lot 6; thence Southwesterly to the Southwest corner of said Lot 6; thence North 0 degrees 08 minutes West (assumed bearing) along the West line of said Lot 6 a distance of 66 feet (more or less) to a point distant 276.05 feet North 0 degrees 08 minutes West from a point on the North line of Lot 20, Auditor's Subdivision No. 31; thence South 65 degrees 29 minutes West a distance of 274.81 feet; thence South 58 degrees, 12 minutes West a distance of 6.25 feet; thence South 66 degrees 20 minutes West a distance of 161.23 feet; thence Southwesterly 120.25 feet along a tangential curve to the left having a radius of 883.34 feet; thence South 58 degrees 32 minutes West a distance of 134 feet, more or less, to a point on the Easterly right-of-way line of Interstate Highway No. 94; thence Northerly along said Easterly right-of-way line to a point on the Southeasterly right-of-way line of said

Burlington Northern Railroad Company; thence Northeasterly along said Southeasterly right-of-way line to a point on the West line of 11th Street North; thence South to beginning;

ALSO

That part of the Southeast 1/4 of Section 21 and of the North 1/2 of Section 28, Township 29 North, Range 24 West of the Fourth Principal Meridian bounded and described as follows: Commencing at the Northeast corner of Lot 1 of Block 1 in Groveland Addition to Minneapolis; thence North along the Northerly extension of the East line of said Lot 1 a distance of 15 feet; thence West at right angles a distance of 20 feet to the point of beginning of the tract of land herein described; thence continuing Westerly along the last described course a distance of 29.95 feet; thence Southwesterly deflecting left 31 degrees 10 minutes a distance of 149.5 feet; thence Southwesterly deflecting to the right 01 degrees 59 minutes a distance of 148.5 feet; thence Southwesterly to a point on the North line of Linden Avenue distant 252.41 feet Westerly from the intersection of said North line with the center line of vacated Aldrich Avenue North; thence Westerly along said North line of Linden Avenue to a point distant 28 feet Southeast-erly measured at right angles from the Southeasterly right-of-way line of the Burlington Northern Railroad Company; thence South- westerly parallel with said Southeasterly right-of-way line to a point on the West line of Bryant Avenue North; thence Southerly along said West line to a point on the South line of vacated Linden Avenue; thence Westerly along said South line of vacated Linden Avenue to a point distant 53 feet Southeasterly measured at right angles from the Southeasterly right-of-way line of said Burlington Northern Railroad Company; thence Southwesterly parallel with said Southeasterly right-of-way line to a point on the East line of Colfax Avenue North; thence Southerly along said East line to a point distant 65.5 feet Southeasterly measured at right angles from said Southeasterly right-of-way line; thence Southwesterly parallel with said Southeasterly right-of-way line to a point on the North line of Hawthorne Avenue; thence South- westerly to the Northeast corner of Lot 12 of Block 41 in Groveland Addition to Minneapolis; thence Southwesterly to a point on the North line of Lot 11 in said Block 41 distant 62 feet Easterly from the Northwest corner of said Lot 11; thence Southwesterly to the Southwest corner of said Lot 11; thence Northerly along the West line of said Lot 11 to a point distant 28 feet Southeasterly measured at right angles from said South- easterly right-of-way line; thence Southwesterly parallel with said Southeasterly right-of-way line to a point on the West line of Dupont Avenue North; thence Southerly along said West line to a point distant 65.5 feet Southeasterly measured at right angles from said Southeasterly right-of-way line; thence Southwesterly parallel with said Southeasterly right-of-way line to a point on the North line of Laurel Avenue; thence Westerly along said North line to a point distant 28 feet Southeasterly measured at right angles from said Southeasterly right-of-way line; thence South- westerly parallel with said Southeasterly right-of-way line to a

point on the South line of said Laurel Avenue; thence Easterly along said South line to a point distant 14.73 feet East from the Northwest corner of Block 44 in Groveland Addition to Minneapolis; thence Southwesterly 489 feet to a point on the West line of said Groveland Addition distant 16.8 feet South from the North line of Ontario Avenue; thence Southwesterly to a point on the North line of Lot 3 in Block 3 of Spring Lake Addition to Minneapolis, distant 40 feet West from the Northeast corner of said Lot 3; thence Southwesterly to a point on the West line of said Spring Lake Addition distant 6.2 feet South from its intersection with the Westerly extension of the North line of Lot 15 in Block 3 of said Spring Lake Addition; thence Southwesterly a distance of 250 feet to a point distant 75 feet Southeasterly measured radially from the center line of the St. Paul, Minneapolis & Manitoba Railway as originally located; thence Southwesterly parallel with said center line to the South line of Government Lot 5 of Section 28, Township 29, Range 24; thence Westerly along said South line to a point distant 22 feet Southeasterly measured radially from said center line of the St. Paul, Minneapolis & Manitoba Railway as originally located; thence Northeasterly parallel with said center line to a point distant 90 feet Northeasterly measured along said parallel line from the West line of Groveland Addition to Minneapolis; thence Northeasterly a distance of 245 feet more or less to a point distant 50 feet Southeasterly measured at right angles from said center line and distant 358 feet Northeasterly measured parallel with said center line from the West line of said Groveland Addition; thence Southwesterly parallel with said center line to its intersection with the Southeasterly right-of-way line of the Burlington Northern Railroad Company; thence Northeasterly along said right-of-way line to a point distant 20 feet West measured at right angles from the Northerly extension of the East line of Lot 1 of Block 1 in said Groveland Addition; thence Southerly parallel with said Northerly extension to the point of beginning;

ALSO

The right of way of the Chicago and North Western Transportation Company in the Southeast Quarter of the Southeast Quarter of Section 21, the Southwest Quarter of the Southwest Quarter of Section 22, and the Northeast Quarter of the Northeast Quarter of Section 28, all in Township 29 North, Range 24 West, Hennepin County, Minnesota, which lies Westerly of a line run parallel with and distant 345 feet Easterly of the East line of Lyndale Avenue North and Easterly of a line run parallel with and distant 20 feet Westerly of the West line of said Lyndale Avenue North.

EXHIBIT B

Description of Easement

Those portions of the Subject Property, located in Township 29 North, Range 24 West, Hennepin County, Minnesota, described as follows:

A permanent easement for underground storm sewer tunnel purposes over, under, across, and through that part of the Subject Property lying a distance of 25 feet on each side of the following described centerline: Commencing at the most easterly corner of Block 85, Hoag's Addition to Minneapolis, Hennepin County, Minnesota having established grid coordinates of (x) 2187652.72, (y) 723666.31 of the Minnesota Coordinate System of 1927, South Zone; thence North 45 degrees 19 minutes 06 seconds West, along the Northeasterly line of said Block 85 (bearings based on grid meridian of said South Zone) a ground distance of 281.55 feet; thence North 80 degrees 09 minutes 16 seconds East 69.89 feet to the point of beginning of the line to be described having grid coordinates of (x) 2187521.41, (y) 723876.21, said South Zone; thence South 80 degrees 09 minutes 16 seconds West 311.77 feet; thence 63.06 feet Southwesterly along a tangential curve concave to the southeast having a central angle of 36 degrees 07 minutes 44 seconds and a radius of 100 feet; thence South 44 degrees 01 minute 32 seconds West, tangent to said curve, 449.02 feet; thence South 42 degrees 14 minutes 12 seconds West 626.62 feet; thence Southwesterly 13.71 feet along a tangential curve concave to the Northwest having a central angle of 7 degrees 51 minutes 21 seconds and a radius of 100.00 feet; thence South 50 degrees 05 minutes 33 seconds West, tangent to said curve, 939.76 feet; thence Southwesterly 11.50 feet along a tangential curve concave to the Northwest having a central angle of 6 degrees 35 minutes 16 seconds and a radius of 100.00 feet; thence South 56 degrees 40 minutes 49 seconds West, tangent to said curve, 351.30 feet; thence Southwesterly 7.75 feet along a tangential curve concave to the Northwest having a central angle of 4 degrees 26 minutes 34 seconds and a radius of 100.00 feet; thence South 61 degrees 07 minutes 23 seconds West, tangent to said curve, 1871.35 feet; thence Northwest-erly 139.89 feet along a tangential curve concave to the north having a central angle of 80 degrees 08 minutes 58 seconds and a radius of 100.00 feet and there terminating.

August 14, 2017

Brian Lamb  
General Manager, Metro Transit  
Fred T. Heywood Office Building and Garage  
560 Sixth Avenue North  
Minneapolis, MN 55411-4398

**Subject:        *Questions Regarding Proposed Barrier Wall***

Dear Mr. Lamb,

Last week I submitted a letter to you with the City's requirements for the Bassett Creek Tunnel and the Cedar Lake Trail associated with any actions taken by the Metropolitan Council that may affect these City assets.

We understand that a barrier wall is being considered for inclusion between light rail and freight rail in the same vicinity as the above mentioned assets, on property the City does not own. During the development of the SWLRT project, City staff has consistently maintained the position that barrier walls would be a detriment to the project and to the community. Considerable attention on the part of our teams has been devoted to the minimization and mitigation of any proposed walls. As such, Public Works is seeking answers to the following questions regarding the proposed wall:

- Can you confirm that a barrier wall is proposed, and in what exact geographic location?
- What is the purpose of the wall?
- What other options have been considered?
- Who is requiring the wall?
- Would it be included in SWLRT project costs? Who would cover the cost?
- How much does it cost?
- How would the City of Minneapolis be engaged in further discussion and design of the proposed wall?
- How has the community been informed and engaged in decisions related to the addition of a wall to the SWLRT project? How would they be involved if this moves forward?
- Have there been any engineering studies to justify the presence of the wall?
- How are the environmental impacts of the wall being analyzed?
- Does the consideration of this wall have implications for any future transit project that Met Council is considering?

If this proposed barrier wall is included in the SWLRT project, Public Works would like additional answers to these questions:



Will the wall have any impact on the Cedar lake Trail?  
How will the presence of the wall be mitigated for trail users and adjacent neighborhoods?  
How will the presence of the wall impact viewshed, and how will it be mitigated?  
How long will the wall be?  
How tall will the wall be?  
How thick will the wall be?  
What materials will be used to construct the wall?  
How will you design it in such a way that it fits within the surrounding context of this portion of the SWLT project?

Similar to discussion that occurred during project development, the City will expect to have a robust forum in which we may represent the concerns of our communities appropriately, and can continue to ask critical questions of the project team.

Sincerely,

  
Robin Hutcheson  
Director of Public Works

cc: Lisa Cerney, City Engineer

**From:** Frank Hornstein <[rep.frank.hornstein@house.mn](mailto:rep.frank.hornstein@house.mn)>  
**Sent:** Monday, April 09, 2018 4:57 PM  
**To:** swlrt <[swlrt@metrotransit.org](mailto:swlrt@metrotransit.org)>  
**Cc:** [fhornstein@msn.com](mailto:fhornstein@msn.com); [scottd@senate.mn](mailto:scottd@senate.mn)  
**Subject:** Re: Supplemental Environmental Assessment (SEA)/Amended Draft Section 4(f) Evaluation

Attn. Kelcie Campbell  
Environmental Project Coordinator

## Re: Supplemental Environmental Assessment (SEA)/Amended Draft Section 4(f) Evaluation

Our comments concerning the document pertain to:

- 1) On-going concerns regarding transparency in the Met Council's negotiations with BNSF and other freight rail companies (pg. 76),
- 2) Lack of specificity in how the Council will mitigate impacts on historical features in the study area (pp. 55-56),
- 3) Need for additional information addressing visual impacts of the proposed barrier wall (pg. 102),
- 4) Need to address the relationship between the CPB wall and broader freight rail safety concerns.

### 1. Public Engagement Regarding Freight Rail Agreements

In section 4.4.1 of the Supplemental Evaluation, the Met Council states, that "On August 16, 2017 the Council authorized negotiation of agreements with BNSF related to portions of a 1.4 mile-long segment of BNSF's subdivision in Minneapolis." (page 76). As a result of these negotiations, the corridor protection barrier (CPB) wall was agreed to by both parties without prior public notification or engagement. The Wall constituted a major new element that met the criteria for additional environmental review. In a letter to Chair Alene Tchurumoff dated September 20th, 2017, Senator Scott Dibble, Representative Frank Hornstein, Mayor Betsey Hodges, and several members of the Minneapolis City Council formally requested that the Council prepare a Supplemental EAW for the project. In response, the Met Council denied the request, and instead forwarded a post ROD Environmental Review to the FTA.

It was only after the Federal Transit Administration ordered the Council to conduct a supplemental environmental review in late 2017, that the report was prepared.

The process by which the Met Council entered into negotiations and the resultant wall proposal lacked sufficient public engagement and transparency. While the community has been engaged in assisting with the scoping and public review of the SEA, per the requirements of the Minnesota Environmental Policy Act (MEPA), the Council remains engaged in additional on-going discussions and negotiations with freight rail companies that could have profound community impacts, including but not limited to environmental sound pollution because of 10 foot concrete wall freight train noise, denial of access of foot and bike traffic to current transportation modes of the Cedar Lake Trail and barriers to connections between north and south Minneapolis.

*The Metropolitan Council, in a final SEA, needs to address a more comprehensive strategy to more fully engage with the community and public stakeholders regarding on-going negotiations with freight rail companies, particularly as related to the safety of freight rail in a co-located corridor with light rail transit.*

## 2. The lack of specificity in mitigating impacts on cultural and historical features

In Section 3.8.4, pertaining to Cultural Features (page 55) and 3.8.5 concerning Visual Quality and Aesthetics (page 56), the Council acknowledges the need for additional work and study on these issues. The document, however, lacks specificity on how these on-going issues will be addressed.

Regarding cultural resources, the Council states, "the introduction of CPB wall to the historic district and removal of historic retaining walls will both directly and indirectly alter characteristics of the historic property that qualify it for inclusion in the NRHP in a manner that would diminish the integrity of the property's design, setting, feeling and association." (page 55)

While acknowledging these potential major issues regarding the NRHP, the council proposes, unspecified "design changes" per FTA directive, "to help

minimize adverse effects" While this appears to be a positive step toward mitigating these issues, more specific information must be made available for public scrutiny.

Similarly, regarding visual quality and aesthetics, the Council admits that removal of the historical walls, "will create visual elements that diminish the integrity of...significant historic features" and proposes a "mitigation plan to resolve adverse effects" As is the case with the cultural features section, the visual quality and aesthetics section should also include more specific information on the measures the Council intends to take regarding mitigating these impacts

*The Metropolitan Council, in a final SEA, needs to specify how it plans to mitigate impacts on cultural and historical features.*

### 3. Visual impacts

The draft SEA concludes that the "Project change will result in a moderate degree of visual impact", and proposes mitigation, "through the Section 106 review process and public outreach" (page 106). Given the potential for "moderate" impacts, the Council needs to address how will address this issue beyond a review process and public outreach.

Visual impacts of a 10-foot concrete barrier wall will be an assault on the landscape and the current relative movement of people from one part of Minneapolis to the other. The Met Council should work with the public and BNSF to shorten the crash wall length, back to Interstate 94 where the corridor is narrow and truly needs some protection.

*The Metropolitan Council, in a final SEA needs to specify how it will address visual impacts in the Section 106 review process and how it will engage the public in that effort*

### 4. Larger concerns regarding freight rail safety in a co-located LRT corridor

We have expressed serious concerns regarding co-location of freight rail and light rail in the Kenilworth corridor, Bryn Mawr Meadows and Downtown Minneapolis. Our reservations regarding co-location are informed, in part, by the actions and activities of the freight rail industry regarding rail safety in the legislative arena, and the industry's heavy

lobbying of the legislature to largely absolve itself of liability in the event that a freight rail accident causes serious damage in a light rail corridor.

Furthermore, the industry has resisted legislative efforts to require additional rail inspectors, greater public transparency and scrutiny of safety measures, and requirements for stronger coordination with first responders. The SEA largely ignores these concerns, and does not specify how a CPB will enhance rail safety and why a similar CPB is not required in other parts of this co-located alignment. Freight rail in the area includes large unit trains, that at times involve trains with up to 100 tanker cars carrying highly flammable and dangerous cargoes including Bakken oil, and ethanol.

*The Metropolitan Council, in a final SEA, must specify the kinds of rail accidents and scenarios that the CPB is intended to mitigate, and how the CPB will prevent or reduce damage from a worse case freight rail scenario in the corridor. A revised SEA must address the need for the wall, under these scenarios, and specify the public costs of the project.*

Thank you for your consideration

Sincerely,  
Margaret Anderson Kelliher  
Bryn Mawr Resident and member of the Bassett Creek Valley Working Group

Scott Dibble  
State Senator, District 61

Frank Hornstein  
State Representative, District 61A

Frank Hornstein  
*State Representative (61A)*  
243 State Office Building  
100 Rev Dr Martin Luther King Jr Blvd  
St. Paul, MN 55155  
Phone: 651.296.9281  
[www.house.mn/61a](http://www.house.mn/61a)

*Claire Steven, Legislative Assistant*

[claire.steven@house.mn](mailto:claire.steven@house.mn)

651.296.5408

*(email for the quickest response)*

## **Agency Correspondence**

---

January 22, 2018

Jim DeLuca  
Office of Environmental Stewardship  
Minnesota Department of Transportation  
395 John Ireland Boulevard  
Mail Stop 620  
Saint Paul, MN 55155

Kelcie Campbell  
Environmental Agreements  
Metro Transit  
6465 Wayzata Boulevard  
Suite 500  
St. Louis Park, MN 55426

RE: No Association Determination  
Southwest LRT, Fremont Avenue Construction Staging  
MPCA Site ID: VP31670  
Billing ID: 185742  
PINs: 2102924430089, 2102924430090

Dear Kelcie Campbell and Jim DeLuca:

This letter is in response to your request for a determination under Minn. Stat. § 115B.178, that certain actions proposed to be taken by Met Council and the Minnesota Department of Transportation (MnDOT) at two parcels in the vicinity of the proposed Bassett Creek Valley Station, part of the Southwest LRT (the Site), will not constitute conduct associating Met Council or MnDOT with the release or threatened release of hazardous substances, pollutants, or contaminants at the Site for the purpose of Minn. Stat. § 115B.03, subd. 3(4) (2017).

The Minnesota Pollution Control Agency (MPCA) staff in the Voluntary Investigation and Cleanup (VIC) Program has reviewed the documents submitted for the Site. Post occupants of the Site parcels have included a chemical supply company, a laundry supply, an electric equipment company, an x-ray equipment supplier, a motor vehicle warehouse and an engine parts shop. Metro Transit plans to acquire portions of the Site parcels in order to facilitate the construction of the Southwest LRT.

Soil and groundwater samples were collected from on or adjacent to the Site parcels in 2002, 2003, and 2006. Soil samples from those investigations encountered tetrachloroethene (PCE), antimony, arsenic, copper, lead, mercury, and polynuclear aromatic hydrocarbons (PAHs) in soil as well as antimony, cadmium, lead, nickel, selenium, thallium, PCE, and trichloroethene (TCE) in groundwater. For the purpose of this No Association Determination, the Threatened Release at the Site is comprised of antimony, arsenic, copper, lead, mercury, PAHs and PCE in soil and antimony, cadmium, lead, nickel, selenium, thallium, TCE and PCE in groundwater (the Identified Release).

Based upon a review of the information provided to the MPCA VIC Program, and subject to the conditions set forth in this letter, a determination is hereby made pursuant to Minn. Stat. § 115B.178, subd. 1 that the Proposed Actions listed below will not associate Met Council or MnDOT with the Identified Release for the purpose of Minn. Stat. § 115B.03, subd. 3(4) (2017). This determination applies only to the following Proposed Actions:

- Partial acquisition of the parcels comprising the Site; and



January 22, 2018

- Use of the parcels for construction staging, including equipment and materials storage.

This determination is made in accordance with Minn. Stat. § 115B.178, subd. 1, and is subject to the following conditions:

1. The Proposed Actions shall be carried out as described in the Letter (or herein);
2. Met Council and MnDOT shall cooperate with the MPCA, its employees, contractors, and others acting at the MPCA's direction, in the event that the MPCA takes, or directs others to take, response actions at the Site to address the Identified Release or any other as yet unidentified release or threatened release of a hazardous substance, pollutant, or contaminant, including, but not limited to, granting access to the Site so that response actions can be taken;
3. Met Council and MnDOT shall avoid actions that contribute to the Identified Release or that interfere with response actions required under any MPCA-approved response action plan to address the Identified Release;

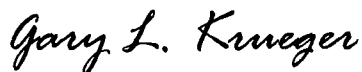
Pursuant to Minn. Stat. § 115B.178, subd.1, when Met Council or MnDOT take the Proposed Actions in accordance with the determination in this letter, subject to the conditions stated herein, the Proposed Actions will not associate Met Council or MnDOT with the Identified Release for the purpose of Minn. Stat. § 115B.03, subd. 3(4) (2017).

The determination made in this letter applies to Met Council or MnDOT's successors and assigns if the successors and assigns: 1) are not otherwise responsible for the Identified Release at the Site; 2) do not engage in activities with respect to the Identified Release which are substantially different from the activities which Met Council or MnDOT propose to take, as described in the Letter.

Please be advised that the determination made in this letter is subject to the disclaimers found in Attachment A and is contingent on compliance with the terms and conditions set forth herein.

If you have any questions about the contents of this letter, please contact Andrew Nichols, Project Manager, at 651-757-2612 or by email at [andrew.nichols@state.mn.us](mailto:andrew.nichols@state.mn.us).

Sincerely,



*This document has been electronically signed.*

Gary L. Krueger

Supervisor

Site Remediation & Redevelopment Section

Remediation Division

GK/AN:bhj

Enclosure

cc: Tom Frame, City of Minneapolis (electronic)  
John Evans, Hennepin County (electronic)

**Disclaimers**

**Southwest LRT**

**MPCA Site ID: VP31670**

**PINs: 2102924430089, 2102924430090**

1. Reservation of authorities

The Minnesota Pollution Control Agency (MPCA) Commissioner reserves the authority to take any appropriate actions with respect to any release, threatened release, or other conditions at the Site. The MPCA Commissioner also reserves the authority to take such actions if the voluntary party does not proceed in the manner described in this letter or if actions taken or omitted by the voluntary party with respect to the Site contribute to any release or threatened release, or create an imminent and substantial danger to public health and welfare.

2. No MPCA assumption of liability

The MPCA, its Commissioner and staff do not assume any liability for any release, threatened release or other conditions at the Site or for any actions taken or omitted by the voluntary party with regard to the release, threatened release, or other conditions at the Site, whether the actions taken or omitted are in accordance with this letter or otherwise.

3. Letter based on current information

All statements, conclusions and representations in this letter are based upon information known to the MPCA Commissioner and staff at the time this letter was issued. The MPCA Commissioner and staff reserve the authority to modify or rescind any such statement, conclusion or representation and to take any appropriate action under his authority if the MPCA Commissioner or staff acquires information after issuance of this letter that provides a basis for such modification or action.

4. Disclaimer regarding use or development of the property

The MPCA, its Commissioner and staff do not warrant that the Site is suitable or appropriate for any particular use.

5. Disclaimer regarding investigative or response action at the property

Nothing in this letter is intended to authorize any response action under Minn. Stat. § 115B.17, subd. 12.

6. This approval does not supplant any applicable state or local stormwater permits, ordinances, or other regulatory documents.



## United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Ecological Services  
Minnesota-Wisconsin Field Office  
4101 American Boulevard East  
Bloomington, Minnesota 55425-1665



March 28, 2018

Mr. William Wheeler  
Federal Transit Administration  
1200 New Jersey Avenue Southeast  
Washington, D.C. 20590

RE: Request for concurrence  
Southwest Light Rail Project  
FWS TAILS No. 03E19000-2012-I-0121-R002

Dear Mr. Wheeler:

This letter is in response to your request for an updated concurrence with the determination that activities associated with construction of the Southwest Light Rail Project (Metro Green Line) from Minneapolis to Eden Prairie may affect, but are not likely to adversely affect the rusty patched bumble bee (*Bombus affinis*), a species federally listed as endangered on March 21, 2017. The U.S. Fish and Wildlife Service (Service) previously concurred on September 25, 2015 that proposed activities may affect, but were not likely to adversely affect northern long-eared bat (*Myotis septentrionalis*).

The Federal Transit Administration (FTA) has determined that construction within the proposed action area and operation of the Metro Green Line will result in insignificant or discountable impacts to the rusty patched bumble bee. Further, impacts to the northern long-eared bat have already been evaluated or covered by the final 4(d) Rule and any potential impacts are being substantially reduced by avoiding tree removal during the June 1 to July 31 pup season.

We concur with your determination that the proposed project may affect but will not likely adversely affect the rusty patched bumble bee. Only a portion of the proposed action area is inside the identified High Potential Zone and of that, only 13.4 acres of forested habitat and 4.7 acres of floral habitat are anticipated to be suitable for the species. Based on a site visit conducted on October 16, 2017, we believe that it is highly unlikely that the rusty patched bumble bee will use the forested habitat within the boundaries of the proposed action given the ongoing disturbance in the area, lower quality habitat present, and high quality forest communities that are available for overwintering habitat in close proximity. The floral habitat is a planted prairie currently located along the pedestrian paths in the Kenilworth Corridor. Temporary disturbance of this area is anticipated to occur mid-September 2018 at the earliest. Disruption of the habitat at that time is not anticipated to result in significant impacts to the species since the colony would have already produced new queens that would have likely

dispersed from the habitat, and the rest of the colony would be near or past the end of the active foraging and nesting season. As additional details develop over the timeline of construction within this habitat, we request that we be notified if it appears that the vegetation will need to be removed during the 2019 active season (April 1 to September 30).

Mortality from light rail collisions is not anticipated, as we do not expect rusty patched bumble bees to be foraging or nesting on the tracks, where there are little or no floral resources or suitable nesting conditions. We anticipate that the bees will instead be using the available floral resources and nesting habitat that are located away from the proposed tracks. Furthermore, because there are so few rusty patched bumble bees distributed over a large area, and the trains are present for a short duration at any point on the tracks, we believe that there is little to no likelihood that individuals will be frequenting the area to the point that they would be struck by a train.

Conservation measures will be incorporated by replanting the disturbed floral habitat with a native seed mix that will benefit the rusty patched bumble bee and other pollinator species. Additional habitat is also anticipated to be planted along the rail line and the project design minimizes vegetation removal as much as is practicable. Contractors on the project will prepare an invasive species and noxious weeds management plan, and mowed areas during the active season will be kept at a minimum.

This concludes consultation under Section 7 of the Endangered Species Act, as amended. Please contact our office if this project changes or new information reveals effects of the action to proposed or listed species to an extent not covered in your original request. If you have questions, please contact Mr. Andrew Horton, Fish and Wildlife Biologist, at 952-252-0092 (extension 208) or via email at [andrew\\_horton@fws.gov](mailto:andrew_horton@fws.gov).

Sincerely,



Peter Fasbender  
Field Supervisor

cc: (email only)

Elizabeth Breiseth, Federal Transit Administration  
Kelcie Campbell, Metro Transit  
MarySue Abel, Metro Transit

**Appendix D**  
**Public Comments Received**

---

**COMMENT NUMBER: 1**

**From:** matt muyres <[REDACTED]>  
**Sent:** Tuesday, February 27, 2018 9:38 AM  
**To:** swlrt <swlrt@metrotransit.org>  
**Subject:** LRT Environmental Terrorism

I hope you dont mind that we catalog, **document** and publish all environmental destruction, eminent domain and the **widespread** loss of open spaces left....?

Ill give you the link soon...

You guys are stuffing an aprt complex near the cedar lake regional trail...no room for it...UNLESS...you cut down **trees**....thats always the development mantra.

Good luck,  
Matt

Ms. Kelcie Campbell, Environmental Project Manager  
Metro Transit - Southwest LRT Project Office  
6465 Wayzata Blvd., Suite 500  
St. Louis Park, MN 55426  
Email: [SWLRT@metrotransit.org](mailto:SWLRT@metrotransit.org)



**COMMENT NUMBER: 2**

**From:** Richard Adair <[REDACTED]>

**Sent:** Tuesday, February 27, 2018 3:06 PM

**To:** swlrt <swlrt@metrotransit.org>; Ginis, Sophia <Sophia.Ginis@metrotransit.org>

**Subject:** comments on SEA/Amended Draft Section 4(f) Evaluation

Comments on the SWLRT Supplemental Environmental Assessment/Amended Draft Section 4(f) Evaluation

From: Richard Adair, [REDACTED]

Note: I am a resident of the Bryn Mawr neighborhood and a long-term observer of the SWLRT project who has attended most of the public meetings over the last 10 years. Most of my comments are directed to the portions of SWLRT near my neighborhood where I feel I have useful information to offer.

Section 1.2. Purpose and Need

Since the publication of the Final EIS, the following factors have increased the need for this project:

- a. Increased traffic congestion, especially severe during road construction and after even minor snowfalls.
- b. A growing residential population in downtown Minneapolis.
- c. Increasing racial disparities in the Twin Cities in income, home ownership, transit dependence, and incarceration. Racial tension has increased following two highly publicized killings of black men by police. In the 2017 Minneapolis mayoral election all candidates listed race relations and economic disparity as primary concerns. Several advocated investing in transit to provide access to better-paying jobs across the metro area as a major tool to address this problem. Objective evidence recently published from a large Harvard sociological study supports this approach (<http://www.nytimes.com/2015/05/07/upshot/transportation-emerges-as-crucial-to-escaping-poverty.html>).
- d. Advancing signs of global warming and climate change, with calls for local governments to take the leadership in decreasing carbon emissions (for example, by increasing transit use and decreasing automobile dependence).

Section 1.3. Project Description. Figure 1-1 uses outdated names for the Bassett Creek Valley and Bryn Mawr stations.

Section 2.6. Modification F: Cedar Lake LRT Regional Trail Detour. I am an avid cyclist who is familiar with all these trails. I think the detours described will be quite workable, especially substituting the North Cedar Lake Trail to get from Hopkins to downtown. I frequently ride both the north and south arms of the Cedar Lake Trail, and they take about the same time.

Section 2.7. Modification G Bryn Mawr Meadows—Trail Mitigation. The proposed detour of N-S bicycle traffic after removal of the spiral Luce Line Trail bridge at the east end of Bryn Mawr Meadows (before completion of the new bridge to the Bassett Creek Valley Station) is workable. But I would suggest a more direct and less expensive detour allowing eastbound Luce Line riders to access the Cedar Lake Trail: leave the Luce Line Trail by



turning left at Cedar Lake Rd, right on 2nd Av N, right on the Van White Trail. Second Av is smooth with very little traffic and currently used by experienced bicyclists for this reason. Cedar Lake Road was repaved in 2016. Striped bicycle lanes on these roads would suffice.

Section 3.82. Neighborhood and Community. I don't believe the idea that the CPB would be a "perceived barrier" between neighborhoods is widely shared. I think the opposite is true—that the overpass allowing pedestrians and bicycles to access the Bryn Mawr station will provide a new and safer connection between the Bryn Mawr and Harrison neighborhoods to the north and the Kenwood and Cedar-Isle-Dean neighborhoods to the south. Instead of scrambling down the bank south of Penn Ave and illegally crossing active rail lines at grade, one will be able to cross the BNSF and TC&W rail lines on a skyway, take the elevator down to the Bryn Mawr station and head off on the nearby trails.

In any case, I feel that the function of the CPB (to save lives during a derailment) outweighs such psychological considerations. Trains travel at high speeds in this area.

Section 3.85. Visual quality and Aesthetics. The visual impact of the CPB from Bryn Mawr Station and from Bryn Mawr Meadows will be very small and mitigated by plantings, including vines as requested by the neighborhood and various working groups, as well as varying heights of the CPB related to use of earthen berms in some places. In fact, the visual appeal of a view across the valley between the Kenwood and Bryn Mawr bluffs will be improved greatly by having LRT in this area instead of piles of concrete and other items being recycled.

Section 3.88. Ecosystems. Wildlife especially deer do move between Cedar lake and Bryn Mawr meadows, as judged by their tracks in the mud and snow under the I 394 bridge in the vicinity of a paved bicycle path just east of Penn Ave. These animals will still be able to move under I 394 in this area by crossing the light rail and BNSF tracks west of the Bryn Mawr station and following the vegetated bluff line until they encounter this bicycle path. In other words, they can make an "end run" around the CPB, which ends east of the Bryn Mawr station. My observations independently support the Supplement Environmental Assessment's findings.

Section 4.4.3. Potential Impacts to the StPM&M/GN Historic District. I've lived in Minneapolis for 28 years without thinking much about the history of the railroad lines and switchyards west of downtown Minneapolis, other than noticing the massive limestone blocks in old retaining walls near Target Field. Then I discovered the interpretive panels with old photographs along the Cedar Lake Trail under the Cedar Lake Parkway bridge, and those near the Stone Arch bridge downtown. I began to understand how Minneapolis grew as a milling destination for grain from the vast prairies west of here. I could also see how the geography of the city lakes and bluffs restricted railroad use to certain corridors including Kenilworth. If these are examples of 4 (f) mitigation, I can imagine passenger rail riders experiencing something similar--learning about railroad history in interpretive panels while waiting for a train, and then riding downtown along the historic rail route and looking at the bluffs rising on either side.

Section 4.4.5 Avoidance Alternatives Analysis. I attended almost all the early meetings in which alternative routes 3C and others were discussed in great detail before the locally preferred option was selected. This was a wide-ranging and wide-open discussion, sometimes quite heated, especially at the well-attended meetings in St. Louis Park and Minneapolis. I think objective people present at these meetings would reject the assertion that project staff predetermined the result. Staff did bring a sense of reality (cost and

ridership estimates) and transit principles (trains for long hops, buses for short hops) to the table. There is no new information to add except possibly increased ridership on 3A associated with bus rapid transit in North Minneapolis. A major question was “could the TC & W be induced to relocate?” Even though an independent analysis suggested by the governor found this was feasible, the railroad declined to move or abandon its operations. Many people living near the Kenilworth corridor said they wanted to protect the park-like nature of this area but seemed to discount its long history as an active rail corridor, or that Hennepin County purchased right of way decades ago with the explicit purpose of using it for light rail.

Many people at these meetings also discussed the value of access to SWLRT at the Royalston, Bassett Creek Valley, and Bryn Mawr stations for low-income people living in North Minneapolis. (Royalston will serve as the transfer point between the Green Line LRT and the C Line BRT.) Many advocated for keeping costs and taxes down by using an available and publicly owned diagonal piece of real estate leading directly downtown, and against squeezing a rail line through a built-up urban neighborhood with existing bus service. Disruption of historically significant areas by route 3C was considered equal or greater than with route 3A.

I think it’s very important that we honor the testimony of all the people who came to those meetings and the process whereby the locally preferred option was selected.

5.1 Public engagement. As noted in the supplement, the Bryn Maw Neighborhood Association has consistently and strongly supported this project.

**COMMENT NUMBER: 3**

**From:** Sweiger, Cindy <[REDACTED]>

**Sent:** Wednesday, March 14, 2018 9:29 AM

**To:** swlrt <swlrt@metrotransit.org>

**Subject:** SWLR Opus Area

Where can I view an exact map that lists the specific route? What roads will it follow and what wet lands will be affected by the construction and traffic of the actual LR?

You may say it's quiet and won't disturb the wildlife, but I disagree. It will disturb me even when I am on the trails.

Thank you.

Cindy

**COMMENT NUMBER: 4**

From: Hedlund Dik <[REDACTED]>  
Sent: Thursday, March 22, 2018 6:08 PM  
To: swlrt <swlrt@metrotransit.org>  
Subject: SW Light Rail

This Southwest light rail is the most ridiculous idea ever fostered by the city of Minneapolis. This corridor is the most pristine area of Minneapolis with walking/biking trails through wooded terrain in the prime lakes area. What were they thinking? Is the almighty dollar worth disrupting this beautiful respite putting 250 trains a day through this gorgeous parkland? Idiocy!!

Dik Hedlund  
[REDACTED]  
Minneapolis, 55405

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

SOUTHWEST LIGHT RAIL TRANSIT  
PUBLIC MEETING

\*\*\*

Held on March 22, 2018, at 6:00 p.m.  
at Dunwoody College of Technology, McNamara  
Center, 818 Dunwoody Boulevard, Minneapolis,  
Minnesota.

\*\*\*

Reported by: Rachel C. Graham

\*\*\*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

A P P E A R A N C E S

Gail Dorfman, Cara Letofsky - Met Council  
Marion Greene - County Commissioner

\*\*\*

T E S T I M O N Y

TESTIMONY BY:	PAGE
Arthur Higinbotham.....	3
Barry Schade.....	5
Jake Werner.....	8
David Rhude.....	12
Jeanette Colby.....	13
Benjamin Hertzell.....	15
Margaret Anderson Kelliher.....	17
Frank Hornstein.....	20

1 MS. DORFMAN: I will call up Art  
2 Higinbotham.

3 MR. HIGINBOTHAM: I have a copy of  
4 my remarks here, to whom do I submit those?  
5 Thank you. I'm going to turn this (indicating)  
6 this way, because my remarks are directed to  
7 the people as voters as much as they are to the  
8 Met Council.

9 My name is Arthur Higinbotham. I'm  
10 a former 24-year resident of Cedar Lake Shores  
11 Townhome Association, and past chair of the  
12 Cedar-Isles-Dean Neighborhood Association.  
13 Two years ago I moved to St. Paul to be closer  
14 to my family, as well as to escape the terrible  
15 consequences of the Met Council proceeding with  
16 co-location of the Southwest LRT, and frankly  
17 on the Kenilworth corridor.

18 Those who remain in the  
19 neighborhood will witness the destruction of  
20 thousands of trees along the corridor.  
21 Construction of unsightly walls separating the  
22 light freight and Light Rail from the  
23 pedestrian and bike path that's used by over  
24 half a million Minnesotans every year.

25 And, also, unknown contamination of

COMMENT  
NUMBER: 5

1 our chain of lakes by contamination from the  
2 LRT. More significantly, these neighbors will  
3 run the risk of having the 14-story Calhoun  
4 Isles Condominium grain elevator collapse into  
5 the LRT tunnel during construction, due to  
6 vibration caused by digging the tunnel less  
7 than two feet from the base of the foundation  
8 of the grain elevator.

9           Lastly and most important is the  
10 threat of derailment and explosion of tankers  
11 carrying flammable ethanol and high volatility  
12 Bakken crude in the corridor, right over the  
13 LRT tunnel, which will contain 18,000 volt  
14 overhead power lines, incinerating everyone in  
15 the tunnel, and trains, and destroying many  
16 homes in the neighborhood.

17           The catastrophes west of Fargo, and  
18 Lac-Mégantic in Quebec, and scores of other  
19 locations across the United States demonstrate  
20 that this is a real possibility with the  
21 current design.

22           The St. Louis Park alternative for  
23 the LRT was undoubtedly flawed, but the Met  
24 Council has failed to open up the docket to  
25 consider other alternatives. One of those



1 would be to run the LRT down the Midtown  
2 Greenway, a much highly, densely populated  
3 area, and becoming evermore so, to the I35  
4 corridor and down 3rd Avenue to 5th Street,  
5 where it would join the Hiawatha and the St.  
6 Paul lines.

7 This alternative, which was pointed  
8 out long ago in this discussion, would serve  
9 much more of downtown Minneapolis than the  
10 current one, which runs north of the downtown  
11 area and loops around the Target Center.

12 Another option is to run the  
13 Southwest LRT down the BNSF corridor to the  
14 vibrant Westend of St. Louis Park to Eden  
15 Prairie along Louisiana Avenue. Unfortunately,  
16 we have not had any interest in looking at  
17 these options, which would avoid serious  
18 problems for people in the city of Minneapolis.  
19 Thank you very much for your time.

20 MS. DORFMAN: Thank you, Art.  
21 We'll make sure that the entirety of your  
22 remarks are documented. Next is Barry Schade.

23 MR. SCHADE: I'm Barry Schade, and  
24 I live in Bryn Mawr, where I'm part of the Bryn  
25 Mawr Neighborhood Association Board. And I've

COMMENT  
NUMBER: 6

1 been involved with this project on behalf of  
2 the neighborhood since I was a young man, it  
3 seems like.

4 I think our main concern is that  
5 the project move forward. I think that  
6 reflects, by and large, the attitude of the  
7 neighborhood. It's certainly not a unanimous  
8 one, we never have a 100 percent consent on  
9 anything. But, by far, the common response  
10 from the neighborhood is that we want to see  
11 this project built soon.

12 The Bryn Mawr Neighborhood  
13 Association's past resolution has been in  
14 support of the project over the years. And  
15 from the beginning, our concern hasn't been  
16 about the project itself, except to the degree  
17 that it would interfere with our access to the  
18 trails.

19 That has been our arch concern over  
20 the years, of whether our use of the trails  
21 would be interfered with by the construction,  
22 the operation of this project.

23 Quite frankly, the last minute  
24 addition of a crash wall really gave us  
25 heartburn. It raised a number of questions, it

1 was a big surprise, and we saw all kinds of  
2 things that were unanswered at that point.

3 On October 10th of this past year,  
4 we passed a resolution petitioning the Met  
5 Council to prepare an EA work -- environmental  
6 assessment worksheet before adding the crash  
7 wall. And I just want to report today that  
8 it's my assessment that the SEA that we're  
9 considering today addresses the issues to be  
10 raised in that resolution last October.

11 The neighborhood also had the  
12 opportunity of participating in the Light Rail  
13 Bassett Creek Valley Working Group that was set  
14 up primarily to look at the aesthetics of the  
15 crash wall.

16 In the process of doing that, we  
17 also looked at a number of other issues related  
18 to the wall. But on December 19th, we issued a  
19 report confirming that the aesthetics of the  
20 wall were being adequately addressed, and  
21 raised concerns about the need for  
22 environmental review, which I believe the SEA  
23 provides that kind of review.

24 The Bryn Mawr Neighborhood  
25 Association, I guess that is overwhelmingly in

1 support of the project, concerns I hear are  
2 mainly when is it going to get done.

3 But I want to, again, confirm that  
4 access to the trails is a lingering concern  
5 that we'll be paying attention to during the  
6 years of construction, and when the project is  
7 operational. Thank you.

8 MS. DORFMAN: Thank you very much,  
9 Barry. Jake Werner.

10 MR. WERNER: I'm afraid I won't be  
11 done in three minutes. I'm not representing  
12 any neighborhood organization. My name is Jake  
13 Werner. I live on the west side of Cedar Lake,  
14 I've been over there for about 26 years now.

15 I'm going to call this the  
16 contentious, litigious bridge at Kenilworth  
17 Lagoon. I believe the Met Council and  
18 Southwest Light Rail has a unique opportunity  
19 to offer an olive branch, if you will, to the  
20 communities impacted by the Light Rail project.

21 This opportunity is to provide or  
22 initiate a longstanding, never realized plan of  
23 Theodore Wirth, which would enhance the  
24 recreational ambiance and convenience of the  
25 area through Kenilworth Channel.

COMMENT  
NUMBER: 7

1                   Just a bit of history. Theodore  
2                   Wirth acquired the shoreland around Cedar Lake  
3                   and the parkland through the Kenilworth Channel  
4                   in 1933. His intent was to render the entire  
5                   shoreland of Cedar Lake available to the  
6                   public, like the other city lakes.

7                   He also intended to connect Cedar  
8                   Lake to Lake of the Isles through the  
9                   Kenilworth Channel, not only by water, but also  
10                  for pedestrians to walk along the channel. The  
11                  park board owns approximately 40 feet on the  
12                  south side of the channel. And in some cases,  
13                  175 to 200 feet north on the side of the  
14                  channel.

15                  What happened? The Great  
16                  Depression, which stopped any improvements from  
17                  occurring. And following that, World War II.  
18                  After these events, Wirth had retired, and the  
19                  plans for Cedar were never acted on.

20                  In 1997, the Wirth plans surfaced  
21                  again. The entire Chain of Lakes were being  
22                  renovated. The park board hired a consulting  
23                  firm, Michael Van Valkenburgh and Associates, a  
24                  world-renowned landscape architect firm out of  
25                  Boston, Massachusetts.

1 Van Valkenburgh made separate plans  
2 for each of the Chain of Lakes. His Cedar lake  
3 plan echoed the original Wirth plan. A path, a  
4 pedestrian path around the lake, the entire  
5 lake, and ped paths through the Kenilworth  
6 Channel, linking up to Lake of the Isles.

7 We can see the value of this  
8 pedestrian linkage at the channel from Isles to  
9 Calhoun. It has a great recreational feel, and  
10 it provides park users with a safe and pleasant  
11 connection to the lakes.

12 So when the old bridge is torn  
13 down -- a bridge, by the way, that Theodore  
14 Wirth intensely disliked and wanted torn down  
15 at the earliest opportunity -- when it's torn  
16 down as part of the construction process, the  
17 pedestrian access could/should be included in  
18 the construction process.

19 Let's not miss the opportunity to  
20 incorporate this great enhancement to the area.  
21 It would be a safe and scenic passageway to  
22 each lake, and avoid the horrible, dangerous  
23 Cedar Lake Parkway/Dean Parkway connection.  
24 The Kenilworth bike trail, I can remember when  
25 there was no bike trail there, just a cow path

1 surrounded by vegetation -- weeds, actually.

2 The construction of the temporary  
3 bike path really showed how starved people were  
4 for some sort of a connection through this  
5 area. I believe the previous speaker said over  
6 500,000 people, and that's correct. It became  
7 not only a bike commuter trail, but even more a  
8 recreational trail for residents and regional  
9 bikers.

10 I believe the lack of pathways  
11 around Cedar Lake certainly enhanced the  
12 recreational value of the Kenilworth bike  
13 trail, because it was some access. And, of  
14 course, the connection of the Midtown Greenway  
15 and the Cedar Lake bike trail.

16 It also supports, by the way, the  
17 Met Council's initiatives for regional parks  
18 and trails. Their access -- 2,040 plans for  
19 regional parks. The construction of the new  
20 bridge is a perfect opportunity to initiate  
21 this outstanding landscape design of a  
22 pedestrian passageway through the channel to  
23 link up with Lake of the Isles. Thank you.

24 MS. DORFMAN: Thank you very much,  
25 Jake. Next on my list is David Rhude. While

1 David's coming up, I will note that we've been  
2 joined by State Representative Frank Hornstein.  
3 And also former State Representative and  
4 Speaker of the House, Margaret Kelliher, is  
5 here. Thank you both.

COMMENT  
NUMBER: 8

6 MR. RHUDE: Thanks for having me.  
7 My name is David Rhude. I live just south of  
8 Cedar Lake, CIDNA, here in Minneapolis. I'm  
9 not as eloquent as the previous three speakers,  
10 sorry.

11 Couple things. Speaking of the,  
12 what we call the connector piece, the waterway  
13 between Lake of the Isles and Cedar.  
14 Obviously, during some of the construction,  
15 it's probably going to need to be closed, but I  
16 haven't heard how much. I've heard rumors that  
17 it could be closed for years.

18 Not only are there a lot of  
19 paddlers, the rare swimmer and fish that go  
20 through there, but cross-country skiers and  
21 walkers through the winter. The City of Lakes  
22 Loppet, um -- it's just, I hope it's considered  
23 a big deal -- passes through there, and it  
24 would be a shame if we couldn't ski through  
25 there in the wintertime. So that passageway,



1 what kind of timetable, and what kind of  
2 closures might happen, I have heard nothing  
3 except some bad rumors.

4 I'm also a bicyclist. I've talked  
5 with some of the staff. There's some pretty  
6 dodgy bicycle interaction points, particularly  
7 the Van White Road. If people are traveling  
8 sort of south on that road, the vehicles really  
9 hit a high speed.

10 With the changes, they're going to  
11 probably expect most of the bicyclists to now  
12 not going under the bridge, but be at grade.  
13 And I expect there's going to be some real  
14 serious problems there. So keep the bicyclists  
15 in mind. Thank you.

16 MS. DORFMAN: Thank you very much.  
17 Next, I have Gary Kehrberger. And then  
18 Jeanette Colby after Gary. Gary Kehrberger?  
19 Jeanette, do you want to come up, and then  
20 we'll try Gary again after.

21 MS. COLBY: Hello, everyone.  
22 Marion and Gail, thank you for having me. I  
23 haven't planned any remarks, but I was kind of  
24 surprised to hear the presenter, who I haven't  
25 become familiar with yet, say that most of the

COMMENT  
NUMBER: 9

1 changes are to the areas in Minneapolis, and  
2 she said there's no particular reason for that,  
3 but that's what the fact is.

4 Well, actually, there is a  
5 particular reason for that, and it's  
6 co-location. Co-location, which we've talked a  
7 lot about, and is the consequence of poor  
8 initial planning and scoping at the beginning  
9 of this whole process.

10 We are going to spend tens of  
11 millions of dollars to accommodate co-location,  
12 hundreds of millions. This wall is a concern  
13 in that it costs \$20 million. That's a lot of  
14 taxpayer dollars that we should really be  
15 spending on transit. This isn't transit.

16 Additionally, I just wanted to say  
17 that the presence of this wall and the failed  
18 negotiations with TCNW, which we read about in  
19 the newspaper yesterday, or was it today,  
20 raised even greater questions about safety in  
21 the rest of the corridor than we had already  
22 expressed when we testified regarding the final  
23 EIS.

24 So I think -- I know there are  
25 factors that contribute to the idea that we are

1 safer in a narrower area in Kenilworth, even  
2 without a wall, related to the curvature of the  
3 rail and so forth, and the related speed  
4 limits. But it's hard for me to take seriously  
5 what the Met Council is telling us when we know  
6 that the industry experts, TCNW and BNSF, are  
7 so deeply concerned about the potential  
8 liabilities of co-location.

9 I and my neighbors don't want to be  
10 victims of some more mistakes. Thank you very  
11 much.

12 MS. DORFMAN: Thank you so much,  
13 Jeanette. Next is Benjamin Hertzfel.

14 MR. HERTZEL: Hi. I've been told  
15 I'm hostile, so sorry if I'm hostile. My focus  
16 is actually really, really narrow on this; I'm  
17 not a part of the larger scheme that everybody  
18 else is talking about.

19 The environmental impact that I  
20 think we're talking about here doesn't really  
21 seem to take the environment that you're  
22 putting in into account. I'm speaking  
23 specifically of the drawings that I've seen  
24 here that include birch trees, which are not  
25 native to this part of the state.

COMMENT  
NUMBER: 10

1                   It's lazy and shopping-mall  
2     planting to put them in. It's incredibly  
3     stupid. They don't grow here. You can plant  
4     them and they will live for a while, but not  
5     very well. They're a northern tree. In the  
6     past 30 years, our northern forests have moved  
7     farther and farther north, which means birch  
8     trees are going to grow here with more and more  
9     difficulty, and you're going to waste money  
10    putting them in.

11                  Also, there's no diversity. None.  
12    You have alders and you have birch. And that's  
13    it. You have a clump and grass and a clump and  
14    grass. It looks like a shopping mall. It's  
15    ridiculous. It's absolutely ridiculous. And I  
16    don't believe the people that put it together  
17    are qualified to do this kind of stuff.

18                  You should be putting in a large  
19    variety of trees. You need diversity if you  
20    want these to succeed. You need spruce trees.  
21    You need things where the birds are going to  
22    go. You're going to need willows in the wet  
23    areas. You're going to need hickory. You need  
24    shrubs.

25                  You can't put in a clump of birch,

1    mow the lawn, and a clump of alder, and think  
2    it's going to succeed. It will not succeed.  
3    It's also going to be really ugly. You plant  
4    the wall with these vines, and they die in the  
5    winter. Now you have a concrete wall covered  
6    with dead vines. Why are you doing that?

7                    You should be planting spruce trees  
8    along the walls that will give cover  
9    year-round. They grow, they last, they'll live  
10   200 years, they're provide habitat, and you  
11   will not waste your money. Thank you.

12                   MS. DORFMAN: Thank you very much.  
13   We'll go back to Gary Kehrberger. Those are  
14   all the names that I have. Is there anyone  
15   else who would like to address us tonight and  
16   comment? Margaret.

17                   MS. KELLIHER: Margaret Anderson  
18   Kelliher, I live in the Bryn Mawr neighborhood.  
19   I did sit on the project looking at the  
20   treatment of the wall. So, first, I want to  
21   echo what Barry Schade said; that for a long  
22   time our neighborhood has been supportive of  
23   Light Rail. There's no doubt about that. We  
24   do see Light Rail as a value.

25                   I do also want to echo what

COMMENT  
NUMBER: 11

1 Jeanette Colby said. The reason we're all  
2 sitting here, and a little teeth on the edge,  
3 is because of the co-location issue. And then,  
4 frankly, what I would say was really a huge  
5 mistake at the end of this, and that is a  
6 nontransparent negotiation with a failed  
7 decision on a wall.

8 When we came to the committee, one  
9 of the surprising things was there was -- and I  
10 want to compliment the staff, I think they did  
11 a very nice job. It is not their fault that at  
12 the negotiation table something was agreed to.  
13 They did a nice job of walking us through this.

14 But the reality here is it cuts off  
15 access in many, many different ways. It cuts  
16 off access for our wildlife. It cuts off  
17 access for humans. If one of the big goals is  
18 to connect north and south Minneapolis, which  
19 we live in the space between, this will not do  
20 it now.

21 And we have no ability to impact  
22 the design of this wall. I ask, why can't it  
23 look like James J. Hill's great design? That  
24 seems to have stood the test of time. Big  
25 arches, open arches.

1 Believe me, if this train derailed,  
2 the freight train, we don't have a shot at  
3 living with a fiery -- whatever. This wall is  
4 not going to save the people. But what could  
5 save this project is if you would go back and  
6 put some pressure on the railroad about the  
7 actual design of the wall at this point.

8 I really have given up on thinking  
9 that we're naive enough to look at a new route,  
10 and all of those things. That'd be naive. But  
11 you could do something, yet. And that is go  
12 back to the negotiating table.

13 There is no reason this wall has to  
14 extend as far out into the trail area as it  
15 does today. It could stop. There's a reason  
16 why it needs to be closer by Catholic Charities  
17 and others.

18 And like I said, nontransparent  
19 negotiation that shows up one day with the  
20 power of the railroad and the power of  
21 government was really something that is a  
22 disappointment in this.

23 So I think the committee worked  
24 hard to make this -- give the suggestions that  
25 we did. But, honestly, the access for

1 pedestrians, bikers, everything else has really  
2 been diminished by this decision.

3 MS. DORFMAN: Thank you.

4 Representative Hornstein.

5 MR. HORNSTEIN: Thank you so much,  
6 Council Member Dorfman and members. Well,  
7 Speaker Kelliher really inspired me and got me  
8 going, in terms of wanting to just make a  
9 couple brief comments. And I want to echo,  
10 also, what Ms. Colby said.

11 I am very concerned about these  
12 negotiations with the freight rail industry.  
13 And it's an industry. They're behind closed  
14 doors. They have tremendous impact on our  
15 community. I just want to relate a story to  
16 you that happened last night at the  
17 legislature.

18 In an amendment to the  
19 Transportation Bill, we're asking the freight  
20 rail industry just to fund two additional rail  
21 inspectors. Two inspectors. Minnesota has  
22 more track and less inspectors than many states  
23 in the country. This is a way to prevent  
24 accidents from happening.

25 The railroad industry lobbied very

COMMENT  
NUMBER: 12



1 hard, and this amendment never really saw the  
2 light of day. But that's what's happening  
3 every day at the Capitol. And I was very, very  
4 frustrated that we have -- now in state law,  
5 that railroad companies don't have to pay  
6 liability in this corridor in case of an  
7 accident.

8 So I want to echo what Speaker  
9 Kelliher said, because I would like to see a  
10 much more transparent negotiation, and start  
11 from scratch because we're not getting  
12 information. And what we are getting is very  
13 unsettling.

14 So I just wanted to say that on the  
15 record. And thank all of you for coming. And  
16 I appreciate the fact that we now do have a  
17 document that we can react to and comment on.  
18 And I believe Madame Chair said until April  
19 9th, so the public can weigh in until  
20 April 9th. Thank you very much.

21 MS. DORFMAN: Thanks, Frank. Is  
22 there anyone else who would like to make some  
23 public testimony tonight? Again, staff are  
24 going to stay, if you want to ask questions.  
25 Rachel, our court reporter, is happy to take

1 testimony as well. And then you can write  
2 comments on cards and leave them, too.

3 So if there's nobody else who would  
4 like to testify, we'll close this. Thank you  
5 again for taking the time and being here  
6 tonight. We look forward to hearing and  
7 reading your comments. And, again, look for  
8 them being posted on the southwestlrt.org site  
9 with comments, too. So thank you, again.

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25



## COMMENT NUMBER: 13

### COMMENTS TO MET COUNCIL ON SWLRT

My name is Arthur Higinbotham. I am a former 24 year resident of Cedar Lake Shores townhomes and past Chair of the Cedar Isles Dean Neighborhood Association. Two years ago I moved to St. Paul to be closer to family as well as to escape the terrible consequences of the Met Council proceeding with colocation of the SWLRT and freight rail on the Kenilworth corridor. Those who remain in the neighborhood will witness the destruction of thousands of trees along the corridor, construction of unsightly walls separating freight and light rail from the bike/pedestrian corridor used by half a million Minnesotans every year, and unknown contamination of our chain of lakes by the LRT. More significantly, they will run the risk that the 14 story Calhoun Isles condominium grain elevator will collapse into the LRT tunnel during construction due to vibration caused by digging the SWLRT tunnel less than 2 feet from the base of the grain elevator tower. Lastly, and most important, is the threat of derailment and explosion of tankers carrying flammable ethanol and high volatility Bakken crude oil in the corridor, right over the LRT tunnel which will contain 18,000 volt overhead power lines, incinerating everyone in trains in the tunnel and destroying many homes in the neighborhood. The catastrophes west of Fargo, Lake Megantic in Quebec, and scores of other locations demonstrate that this is a real possibility. The decision by Judge John Tunheim to throw out the suit brought by the Minneapolis Lakes and Parks Alliance, which challenged the legality of the Hennepin County Commissioners and the Metropolitan Council decision to restrict the route consideration to the colocation proposal, which was not on the table when the project was initiated, was made in error. The St. Louis Park alternative for the LRT was undoubtedly flawed, but the Met Council failed to open other alternatives which would be less dangerous and better serve the community. One such proposal is to run the SWLRT down the Midtown Greenway to the I35W corridor, following that corridor down 3<sup>rd</sup> Av. To 5<sup>th</sup> St., where it would link to existing Hiawatha and St. Paul light rail lines in a smooth curve under the Hennepin County building plaza; this would serve the Convention Center, Orchestra Hall, St. Thomas University, the theater district, the Allina and Children's Hospital complexes, and major businesses in the southwest part of downtown. Another option is to run the SWLRT through the BNSF corridor to the vibrant west end of St. Louis Park and thence to Eden Prairie along Louisiana Avenue. Competent leaders would send the project back to the drawing board to consider these. Instead, we have political appointees instead of transportation experts managing this project. While I have no time for the moral lassitude and abhorrent policies of the Trump administration, I deplore the positions of our state and local officials in managing this project. As a lifelong Democrat, I will be forced to vote for a Republican governor this fall, whether it be Tim Pawlenty, Jeff Johnson or Kurt Daud to stop this project.

March 22, 2018

# Comment Card



Date 3-22-2018

<sup>We are</sup>  
Comment: HAPPY TO FINALLY SEE SOME ACTION ON  
PUBLIC TRANSIT IN THIS AREA. WE'VE LIVED IN SLP  
FOR 21 YRS AND ARE NOW SHOPPING FOR A HOUSE IN  
MPLS. NEAR THE GREEN LINE. WE <sup>LITERALLY</sup> CAN'T WAIT FOR  
THIS ROUTE TO BE COMPLETED.

Tim + Heidi Hermes  
ST LOUIS PARK 55426

## Comment Card



Date 3/22/18

Comment: I Believe there are many better things  
we could do with this money. We are destroying  
a park land that can never be replaced.

# Comment Card



Date 3/22/18

Comment: liability → capped at \$3 million, who is going to pay the rest? This is nothing!

danger → why only wall for BNSF? what about co-location w/ freight south of that?

parking in neighborhoods → 21st St station

SWLRT should not be built. Waste of \$ and dangerous to those who live in area.

## Comment Card



Date 3-22-18

Comment: THANK YOU FOR THE WORK  
AND OUTREACH ON THE SUPPLEMENTAL  
ASSESSMENT, IT'S IMPORTANT THAT THIS  
PROJECT GO FORWARD.



**COMMENT NUMBER: 18**

**From:** [REDACTED]  
**Sent:** Saturday, March 24, 2018 2:46 PM  
**To:** swlRt <swlRt@metrotransit.org>  
**Subject:** light rail extension public comment

The LRT extensions are critical for much-needed access because Minneapolis-St. Paul has high taxes and high rents, and LRT extensions would allow the many people who cannot afford to have a car or pay M-SP costs to access living wage M-SP jobs in city, county, and state government. LRT also would allow for M-SP residents who need to live in M-SP for services like medical care to be able to access suburban jobs, as many companies have relocated their headquarters outside of M-SP. There is also a substantial need to reduce our ecological footprint and ease traffic congestion, both of which LRT does better than any other form of transportation. Please accept this as a resounding letter of support for LRT extensions.

Thanks you very much for your work to extend LRT,

Trina Porte  
[REDACTED]  
Minneapolis MN 55414

---

**[Constant Fatigue Is A Warning Signâ€™ Here's The Simple Fix](http://thirdpartyoffers.juno.com/TGL3132/5ab6ab4c434e92b4c6921st01duc)**  
[gundrymd.com](http://thirdpartyoffers.juno.com/TGL3132/5ab6ab4c434e92b4c6921st01duc)  
<http://thirdpartyoffers.juno.com/TGL3132/5ab6ab4c434e92b4c6921st01duc>

Sponsored Links 

**COMMENT NUMBER: 19**

2018-04-07 16:24:12

Edith Black



Minneapolis MN 55405 United States

Resident of:

Minneapolis

Comments relate to:

Letter timing

Comments:

Representatives Hornstein and Dibble: How pathetic is this to send out a letter with only two days to comment on the issues involved. (Dated 4/4, delivered to homes Friday, 4/6, comments accepted until 4/9, with the offices closed on the weekend.)

This is another egregious example of how this entire highly flawed project has been handled from its inception.

A stated goal of the Minneapolis section of the project has been to ""serve the people of Minneapolis."" Yet, 75% of the line goes through basically unpopulated areas of the city, with stations serving only a very small number of Minneapolis citizens.

Representatives Hornstein and Dibble, how, in conscience, can you support this segment of the project which does not serve the people of Minneapolis in its denser population areas?

Look at the 40+ apartments that have been built along the Greenway in the past 5 years, with more coming on? Nothing, nothing, can be built along the SWLRT projected route that traverses the 4 miles of woodlands and grasslands along the Kenilworth corridor, the Bryn Mawr ballfields, and on to downtown.

Rerouting could accomplish the goal of reaching the populated areas of Minneapolis via several of the alternative routes.

I urge you to oppose this project along it's present projected route through the Kenilworth corridor.

Edith S. Black

**COMMENT NUMBER: 20**

2018-04-07 16:40:22

Bruce Jarvis



Minneapolis MN 55405

Resident of:

Minneapolis

Comments relate to:

BNSF agreement modifications (corridor protection elements including a barrier between freight rail and light rail tracks in Minneapolis, pursuant to an agreement between the Metropolitan Council and BNSF Railway).

Comments:

In response to a letter from Representative Hornstein and Senator Dibble,

I have read the part of the Supplemental Environmental Assessment, p. 78, that pertains to the barrier wall. I note that it is now to be 1 foot higher on the freight rail side and that ""visible height on LRT side will vary."" [vague]

I am concerned about noise deflection from freight trains into the park and neighborhoods north of 394 and from LRT into neighborhood to the south of the tracks.

We live a bit northwest of the proposed Bryn Mawr station. We hear freight trains now as it is without any wall to bounce the sound.

I remain opposed to the current route and barrier wall for this reason.

Bruce Jarvis

Bryn Mawr

**COMMENT NUMBER: 21**

2018-04-08 22:03:04

David Klopp



Golden Valley MN 55416

Resident of:

Another part of Hennepin County

Comments relate to:

Safety of project

Comments:

Hello Met Council,

The Minnesota legislature has FULLY FUNDED every light rail project that the Met Council has proposed. The Hiawatha line, Central Corridor and Northstar.

But NOT the Southwest Light Rail. There must be a good reason why so many at the Capitol have said NO to the SWLRT.

SAFETY

It is just plain STUPID to Co-locate a high voltage LRT next to a heavy freight rail where the primary freight is a class 3 flammable liquid such as oil and ethanol

The railroads all know this and this is why they are requiring a massive "BLAST WALL"

The railroads also have in the negotiations an insurance clause, Relieving them of financial burden in the event of an Accident. It will most likely be not if, but when an accident occurs

The BLAST/CRASH wall does not cover the other eight miles of Co-location.

This is area of St. Louis Park, Hopkins, Minneapolis, Minnetonka.

CHAIN OF LAKES AFFECTED

The groundwater is poorly mentioned in the report and the hydrology is lacking completely.

ALL GROUNDWATER IN HENNEPIN COUNTY DRAINS EAST TOWARDS MISSISSIPPI RIVER

Excavating a "cut and cover tunnel" will be a mistake.

Flooded basements and expensive pumping will occur next to Cedar Lake.

Look at how the neighbors at Lake Nokomis are having trouble.

A BAD ROUTE FOR LRT

This route does little to help people move in the city or a business prosper

33 acres of urban forest will be lost. Poor choice to locate in a park.

Parks are not able to be developed and must be protected.

COST

The cost of this project is crazy for Hennepin County Taxpayers. And with the Railroads getting a ""FINANCIAL PASS"" when a rail disaster occurs in the corridor.

BEST IDEA

Put the train where the people are. This is not in Cedar Lake Park.

**COMMENT NUMBER: 22**

2018-04-09 23:37:44

Judy kahm



st. Louis park Minnesota 55416

Resident of:

St. Louis Park

Comments relate to:

BNSF agreement modifications (corridor protection elements including a barrier between freight rail and light rail tracks in Minneapolis, pursuant to an agreement between the Metropolitan Council and BNSF Railway).

Comments:

I understand the reason for the wall but feel it will have a very negative impact on our neighborhood. It will cut off people from the bike/walking trails or having access to the ball park from the trail and destroy the visual openness of the area. It will no doubt be a target for graffiti as well.

## COMMENT NUMBER: 23

2018-04-09 22:36:18

Kyla Wahlstrom

  
Minneapolis Minnesota 55405 United States

Resident of:

Minneapolis

Comments relate to:

Grand Rounds Historic District: Kenilworth Lagoon Works Progress Administration (WPA) rustic style retaining walls rehabilitation and landscaping (Minneapolis)

Right-of-way adjustment near West 21st Street Station (Minneapolis)

BNSF agreement modifications (corridor protection elements including a barrier between freight rail and light rail tracks in Minneapolis, pursuant to an agreement between the Metropolitan Council and BNSF Railway).

Comments:

After reading the 109 page document, I still do not see any clear explanation of how the LRT trains and the BNSF freight trains will be sufficiently separated at the ""pinch point"", in the area from the Lake St. station to the 21st St. station, in the case of a catastrophic fire resulting from an electric spark igniting a BNSF rail car carrying oil or gas. There is no room for error or even an estimate of a miniscule percentage of such an occurrence. And once the landscape is forever changed by the construction of the SWLRT, without those concerns for safety being directly AND COMPLETELY addressed, this project should not go forward.

Beyond the safety concerns which seem to be either overlooked or ignored, there are no descriptions of how the 21st St. station will be accommodated within an existing neighborhood. The estimate of ridership using that station is incomprehensible--the Metro Transit buses which go past my house every day are mostly empty, and several years ago Metro Transit cut back service in our area to only 3 hours in the morning rush hour and 3 hours in the evening rush hour. The money being wasted to build that station is a sad substantiation of the adage: ""Garbage in, garbage out."" The ""garbage numbers"" of estimated riders using the 21st St. station will result in spending ""garbage money"" to build an LRT station that is a waste of resources and a blight on a neighborhood for a station that will not be used, but by a few.

I support the benefits of light rail, but the route of the SWLRT as it is now does NOTHING to support the high density housing that is emerging all over the Uptown area. The LRT needs to go through Uptown to capture all of the new residents that are, and will be, living there in increasingly dense housing. If we can keep those thousands of cars off the streets by providing light rail service to downtown and out to the suburbs, then the LRT has done its job. The 3C-1 and 3C-2 alternatives address the concerns of the needs where housing is dense, but get hardly a mention in the SEA. Yes, making a change to those


alternatives will cost more in the short run to build, but the long-term FOREVER benefits strongly outweigh the current route through the Kenilworth Corridor. The current plan is incredibly short-sighted.

Finally, the loss of the ""gem of our city--our beautiful chain of lakes and trails"" will be a regret forever once the LRT is built. This is a ""forever decision"". The loss of income to Minneapolis in the form of high real estate taxes currently collected on homes near Cedar Lake and Lake of the Isles will never recover once the LRT is built and the resulting outcome is that the large homes will fall in price. I do not see any reference to this loss of income nor the interruption of the ideal of the chain of lakes anywhere in the SEA document. This is a huge failing on the part of the Met Council and the persons who crafted only a partial report of outcomes in the SEA.



**COMMENT NUMBER: 24**

2018-04-09 21:14:12

Susu Jeffrey  


Resident of:  
Minneapolis

Comments relate to:

Minnehaha Creek headwall modifications (St. Louis Park)

Grand Rounds Historic District: Kenilworth Lagoon Works Progress Administration (WPA) rustic style retaining walls rehabilitation and landscaping (Minneapolis)

BNSF agreement modifications (corridor protection elements including a barrier between freight rail and light rail tracks in Minneapolis, pursuant to an agreement between the Metropolitan Council and BNSF Railway).

Bryn Mawr Meadows trail mitigation (Minneapolis)

Comments:

Mass transit like the proposed SWLRT should be scoped to service populated areas, in this case Uptown or the Northside. SWLRT was designed to avoid populated areas according to the G.W. Bush priorities under which it was planned.

The various wall discussions fail to address safety concerns of the idea of co-locating electric and ethanol trains.

Hennepin County residents could be bankrupted by the unbalanced agreements foisted upon appointed deciders who repeatedly put LRTs in parkland.

The tunnel is a theory that works only on paper. How it would harm the top of the Chain of Lakes and the clean Minneapolis reputation and tourist draw has never been addressed.

SWLRT is too expensive, environmentally poorly planned, does not serve the people of the largest city in the state, and has been rejected by the state legislature as a worthy investment.

**COMMENT NUMBER: 25**

2018-04-09 16:53:24

George Puzak



Minneapolis MN 55403 United States

Resident of:

Minneapolis

Comments relate to:

BNSF agreement modifications (corridor protection elements including a barrier between freight rail and light rail tracks in Minneapolis, pursuant to an agreement between the Metropolitan Council and BNSF Railway).

Failure to include commuter rail and freight rail in SWLRT initial scoping

Comments:

Dear staff of FTA and Met Council and elected officials,

I am writing to comment on the SWLRT Supplemental Environmental Assessment (SEA).

The SEA was triggered when Burlington Northern Santa Fe (BNSF) demanded that the Met Council build and pay for a 1.4 mile-long, 10-foot tall concrete barrier protection wall separating SWLRT from BNSF freight rail. In addition, BNSF demanded that Northstar Commuter Rail be included in the project. More specifically BNSF is demanding that storage tracks for Northstar Commuter Rail be moved at least 1,800 feet west onto property directly above Bassett's Creek Tunnel; the impact of storing commuter rail cars on top of Bassett's Creek Tunnel was never studied or commented on and the tunnel will need to be re-built to accommodate the weight of Northstar's commuter rail cars.

Even though the National Environmental Policy Act (NEPA) requires that all affected modes of transport be included in a project's initial scoping document, neither Northstar commuter rail nor freight rail were included in SWLRT's 2009 initial scoping document. Since these two modes were omitted from initial scoping, the public's legal right to comment on and shape the initial project was obstructed. The SEA is insufficient to address these omissions because the public is limited to commenting on a continually-changing plan that includes new modes of transport, rather than shaping the plan when all modes are included from a project's beginning.

The impacts of the newly proposed barrier wall and of the commuter rail car storage on top of Bassett's Creek Tunnel have not been sufficiently studied. For example, the wall will affect the free flow of wildlife from Theodore Wirth Park and Bassett's Creek valley to the Chain of Lakes. The wall will also cause noise from freight rail and LRT to reverberate off the concrete barrier wall. These effects must be thoroughly studied in a supplemental EIS.

For all these reasons, the FTA should order that the Met Council re-open scoping to include all modes of transport in this project—light rail transit, freight rail, and commuter rail. Neither the effects of the barrier wall nor the impacts on Bassett's Creek were ever included in the Draft EIS, the Supplemental EIS

or the Final EIS. At a minimum, the FTA should require that the Met Council complete a supplemental environmental impact statement (SEIS) for SWLRT.