

**Central Corridor
Light Rail Transit**



**Central Corridor LRT: Record of
SDEIS Scope Comments Received**

(Rev. 1.0)

April 2008

**Submitted by
The Central Corridor Project Office**

**On behalf of
The Metropolitan Council**

Overview

Consistent with Minnesota Rules, on February 25, 2008 the Metropolitan Council published a Notice of Preparation for the Central Corridor Supplemental DEIS (SDEIS) in the *EQB Monitor*. As part of this notice, the public was invited to submit comments on the scope of the Supplemental DEIS. Minnesota rules provide 20 days from publication of the notice of preparation to submit comments on the scope of the supplement and a closing date for comments of March 17 was noted in the State Notice of Preparation.

The Metropolitan Council, in partnership with the Federal Transit Administration (FTA), published an NOI on February 25 in the *Federal Register* and solicited comments on the action with a closing date of March 26.

Since there was a discrepancy between the required 20-day State public comment period and the optional 30-day Federal comment period, the Metropolitan Council accepted comments on the scope of the SDEIS through March 26, 2008. All comments received by the Metropolitan Council on the proposed scope of the Central Corridor LRT SDEIS were collected and collated for review. A summary of comments received follows. All comment correspondence received, along with a summary of the comment evaluation process and the outcome of the process will be responded to in the SDEIS, which is currently planned for publication in late June 2008.

Summary of Scope Comments Received

Agencies / Entities and Individuals Commenting

Public agencies and entities providing comments on the SDEIS included the following:

- United States Environmental Protection Agency
- Mississippi Watershed Management Organization
- University of Minnesota

Private entities, community groups and non-profit organizations providing comments included the following:

- Fairview Health Services
- Southeast Como Improvement Association of Southeast Minneapolis
- Alliance for Metropolitan Stability
- Jewish Community Action
- District Councils Collaborative of Saint Paul and Minneapolis
- Transit for Livable Communities
- St. Paul District Council 13
- Aurora / St. Anthony Neighborhood Development Corporation
- Marcy Holmes Neighborhood Association

In addition to comments from entities and agencies, a total of 29 individuals submitted comments on the proposed scope of the SDEIS.

Project Definition Comments Received

As discussed above, Minnesota Rules allow and invite public comment on the proposed scope of an SDEIS. The Metropolitan Council, as the designated state Responsible Governmental Unit (RGU) shall then provide due consideration of the submitted comments relative to the scope of the SDEIS.

A summary of comments received on the proposed SDEIS project definition scope is as follows:

- Analyze and/or build three additional stations at Hamline, Victoria and Western (24 comments received).

It should be noted that the SDEIS scope, as published in the *Federal Register* and *EQB Monitor* includes documenting and disclosing the impacts of LRT stations at Hamline, Victoria and Western.)

- Evaluate Northern Alignment alternatives at the U of M (5 comments received).
- Evaluate additional station at Cleveland Avenue in St. Paul (4 comments received).
- LRT should operate at-grade on Washington Avenue (3 comments received)
- Don't build additional stations / limited stops preferred (3 comments received)
- Maintain Route 16 bus frequency at current levels (2 comments received)
- Don't build or analyze Northern Alignment at the U of M
- Align LRT to use 12th Street to Rice Street to University Avenue at the Capitol

Other Comments Received Requesting Analysis

Other following comments were received that pertained to impact analysis methodology, mitigation strategies, and the public disclosure process rather than the proposed changes to the scope of the project definition. The impact analysis conducted in the SDEIS and further defined in the FEIS will address and incorporate these comments, as appropriate.

- Examine impacts of project on neighborhood plans / trends
- Evaluate traffic flow changes due to proposed at-grade Transit/Pedestrian mall at U of M (3 comments received)
- Look at cumulative impacts of proposed transportation and other projects in southeast Minneapolis
- Evaluate health and safety impacts of project
- Find solutions to environmental justice impacts / issues
- Evaluate stormwater demands and infrastructure requirements
- Analyze bicycle/pedestrian safety
- Identify business mitigation strategies
- Analyze traffic and parking in detail from 29th Avenue in Minneapolis to Rice Street in St. Paul
- Provide strategies to retain Minneapolis canopy trees
- Consider public realm, open space and green infrastructure
- Ensure full façade-to-façade reconstruction and beautification of University Avenue
- Provide a clear explanation of factors for justifying station spacing / location

- Develop a sustainable, environmentally sensitive streetscape design for University Avenue
- Evaluate provision of a bicycle route on University Avenue as part of LRT improvements
- Involve the community in decision-making
- Quantify greenhouse gas emissions
- Include “cultural capital” preservation and enhancement in scope of SDEIS

Other general comments received, which indicated either support or objection to the overall proposed action along with other general comments are summarized below.

- General support of LRT improvements (5 comments received)
- Objection generally to LRT improvements (4 comments received)
- Analyze impacts over long-term (50 to 100 years) timeframe

Attachments

Attachment 1: General Public Comments Received

Attachment 2: Community Groups, Non-Profits, Private Entities

Attachment 3: Agencies and Other Public Entities

Appendix: Supplemental documents submitted with the comments

**Attachment 1: General Public Comments
Received**

Metropolitan Council and Federal Transit Administration:

This letter is to provide brief comment on the Supplemental Draft Environmental Impact Statement for the Central Corridor. As a select representation of the Community Advisory Committee (CAC) to the Metropolitan Council, we are overall concerned that matters affecting the welfare of St. Paul's environmental justice stakeholders have been woefully under addressed throughout the planning process of this project. Even one of the many issues, the inclusion of stops at Western, Victoria and Hamline to accommodate the area's transit dependent population and need for locally based economic development opportunities, has been scantily considered. This is evident by the Metropolitan Council's recent decision to only build the underground infrastructure of these additional stations in order to ease the build out at a later time. Obviously this goes against one of three fundamental principles of environmental justice, which clearly states: *prevent the denial of, reduction in or significant delay in the receipt of benefits by minority and low-income populations* (<http://www.dotcr.ost.dot.gov/asp/ej.asp>).

As members apart of the Community Advisory Committee, we would encourage the Metropolitan Council, our local recipient of federal dollars if granted for this project, to seriously look at building this new line in a way that unquestionably presents a win-win for all. Without question, failure to do so will not only create new adverse impacts but exacerbate existing inequities which in some cases were created by a previous I-94 Highway investment to the area in question. To help arrive at win-win outcomes we would like to suggest the following recommendations be applied as this project continues to move forward in the planning process.

1. Authentically utilize the public input body of the Community Advisory Committee (CAC) to grapple with and find solution to the pressing issues put forth by impacted environmental justice stakeholders (i.e. immediate construction impacts like loss of business to the small and ethnic business owners and long term impacts associated with a new infrastructure investment like parking problems to the commercial and residential areas, raising property values which could force existing EJ stakeholders from the area, reduction in the #16 bus service and limited access to the proposed new LRT line with stops spaced 1 mile apart within St. Paul's high EJ concentrated communities).
2. Utilize proper measures to determine if low-income and minority populations are being disproportionately impacted by the project. There have been previous complaints that the environmental justice analysis in the earlier DEIS failed to analysis true impacts to existing environmental justice stakeholders. Please further study how this proposed project will actually impact the neighborhoods, community services and community cohesion both in the short and long term. We would also encourage that scoping decisions of the SDEIS be examined for adverse impacts especially as it relates to delaying the build out of the previously mentioned stations.

Thank you for considering these matters.

Select Members of the Community Advisory Committee:

Veronica Burt
Ann White
Metric Giles
Art Sidner
Denise Fosse

Kathryn O'Brien

Dear Kathryn O'Brien,

Thank you for the opportunity to comment on the Supplemental Draft Environmental Impact Statement for the Central Corridor Light Rail System.

I urge you to study building stations at Western, Victoria, and Hamline because these stops are likely to increase ridership at a fraction of the cost of other components to the project. More importantly, these additional stops will benefit neighborhoods that have some of the region's highest percentages of poverty, racial and ethnic diversity, and households without vehicles (in some Census block groups as high as 35.5%, 73%, and 31.5% respectively). I am concerned that proper measures are not being used to determine if low-income and minority populations are being disproportionately impacted by the project.

Please further study how this proposed project will impact the neighborhoods, community services and community cohesion. It is especially important to explore how the project impacts bus transit operations and further analyze how reductions in service may disproportionately impact low-income and transit-dependent populations.

Thank you again for this opportunity, I look forward to your responses.

Stephen Wensman
Tracie Anderson
RENA MORAN
Clifford Dodd
D Enoch
Terri McNeil
Susan Sochacki

I am writing to express my opposition to the Met Council's premature decision regarding the LRT route through the University campus. Rerouting 25,000 cars that use the Washington Ave Bridge onto local streets and parkways is unacceptable to the nearby neighborhoods. I live in the Marcy-Holmes neighborhood along with 9008 other people who enjoy walking, biking and tranquility. It makes sense to review the northern alignment, now under study, before a decision is made. It could prove less expensive, less disruptive and it would also permit a stop in Dinkytown, which would otherwise miss this line.

Melissa Bean
516 6th Ave SE
Minneapolis, MN 55414

To: Ms. Kathryn L. O'Brien, AICP, Project Manager
Central Corridor Project Office
540 Fairview Ave. North, Suite 200S
Saint Paul, MN 55104

Mr. David Werner
FTA, Region V
200 West Adams Street, Suite 320
Chicago, Illinois 60606

Re: Comments on Central Corridor SDEIS

I am submitting the following comments on two elements to be addressed by the SDEIS: 1) University of Minnesota Alignment and 2) Capitol Area Alignment/ Stations.

University of Minnesota Alignment

On March 10, 2008, the Minneapolis Star-Tribune printed a counterpoint I submitted in favor of a transit mall on Washington Avenue through the U of M campus. I have included that counterpoint below as part of my comment.

I would also question the benefit of a northern alignment for the residents of my neighborhood, Prospect Park, which includes many University faculty, staff, and students. The northern alignment would offer us convenient access from one side of the campus to the other without actually serving the campus itself thus eliminating much of the benefit of the Central Corridor to the neighborhood.

Capitol Area Alignment/ Stations.

I have been aware for some time that Tri-Met in Portland, Oregon, has had instances of light rail trains becoming stalled at the Convention Center station during snowstorms. That station is on a 4% grade.

It appears that the current Capitol Area alignment presents a 5% grade on Robert Street transitioning to a 6% grade on University Avenue. That transition is through a 75 degree curve which has the effect of making the grade even steeper. It must be assumed that trains will at some time, for whatever reason, be forced to stop at any point on that alignment during a snowstorm. Based on Tri-Met's experience, it seems highly likely that trains will be stalled, essentially shutting down the Central Corridor when demand is likely to be highest.

It seems reasonable make a comparison to bus service during snow emergencies. During a snow emergency, Metro Transit reroutes Cedar Avenue buses along 12th Street to Rice Street. It seems highly unlikely that Metro Transit would route buses up

Robert and University during a snow emergency and we should not expect light rail trains to do so either.

A better and more reliable alignment would utilize 12th Street to Rice Street to University.

A collateral benefit might be that the resulting cost savings and shortened running time would allow the addition of one or more stations between Rice Street and Snelling Avenue.

If the Robert/University alignment is kept, the CCPO should be prepared to explain why trains in Portland are stalled and why ours won't be.

Minneapolis Star-Tribune Counterpoint published March 10, 2008

There's an old saying that if the facts are on your side, use them, and if the law is on your side, use it, but if neither is on your side, shout a lot. That may help explain all the shouting since the Met Council chose a transit mall as the preferred option for light rail on Washington Avenue through the U of M campus.

The University's approach to this issue has been most disappointing. As an institution funded largely by Minnesota taxpayers, the U owed Minnesotans an objective analysis of the viable alternatives to a \$200 million tunnel. I first heard the U's arguments nearly a year ago. There was one option, a tunnel, and the arguments were weak. I kept waiting to hear about other options and for better arguments. But the arguments only became more strident. Last summer, I learned that a tunnel was probably too expensive and that a surface alignment for light rail might be necessary. In mid-January, with the decision day barely a month away, I learned of Minneapolis' growing concern that the U still had no "Plan B". At the last minute, the U came up with Plan B, the northern alignment. But it was much too late for any meaningful analysis of an option that knowledgeable planners believed had little chance of obtaining FTA approval.

A number of the U's concerns about a surface alignment fail to withstand the slightest scrutiny. For example, the U pictures a Washington Avenue littered with the bodies of dazed students struck down by light rail trains. But if we look at the two busiest pedestrian nodes on the Hiawatha light rail line, the Nicollet Mall and the Metrodome when a game lets out, we find zero incidents in 3-1/2 years of operation. The existing traffic on Washington is far more threatening. If 80% of the 25,000 cars on Washington have the U as a destination, that means that 20,000 cars a day are making turning movements off of Washington through very congested pedestrian crosswalks. I suspect that 12-16 light rail trains an hour, driven by professional operators, are far less dangerous, especially if one considers that the trains will replace many of the 1,500 buses that travel Washington each day.

There are some points to consider in favor of a transit mall:

- When Salt Lake City extended its light rail line, TRAX, through the University of Utah campus, 6,000 parking spaces were eliminated. The U of M has done a commendable job

of growing transit's modal split, but there's always room for improvement. If the U eliminated that many parking spaces it would eliminate at least 12,000 trips to and from the campus each day.

[An Unlimited Access transit program at UCLA costs \$810,000 a year and has total benefits of \$3,250,000 a year, mainly from reduced parking demand.] [Deleted by Star-Tribune]

Instead, the U appears committed to a "no net loss" parking policy. The U can and must do better.

- Many trips are of truly marginal value and easily eliminated. A rule of thumb is that when MNDOT sets up a detour, one-third of the traffic uses the detour, one-third finds another route, and one-third simply goes away.
- A majority of the traffic to the U comes off of our freeway system suggesting opportunities to intercept and/or reroute it.
- Every destination on Washington Avenue has an alternate means of access. It may be less convenient however.
- The U would no longer have its Mall divided by an urban arterial for cars complete with a jersey barrier topped by a fence.

I understand the U has hired a Boston landscape architecture firm to develop plans for how Washington Avenue might look and work as a transit mall. Let's see what they come up with and then we can discuss how that vision will be destroyed if Washington must accommodate heavy car traffic.

At some point, we need to stop planning as if it were still 1950 and start planning for 2050.

From: John DeWitt

RE: SDEIS Comment

Good Morning, Ms Kathryn O'Brien:

The LRT University Avenue corridor must have thru, adjacent bicycle right-of-way access between Minneapolis and Saint Paul. From the work I have done on this issue, we cannot get bike lanes through the intersections with stations on University between Rice and Emerald with the LRT.

The lack of bicycle mobility and thru connection between the two cities in the Central Corridor is a 50 plus year problem. There is scant alternative to University Avenue in the Central Corridor, and no adjacent thru streets to University west of the Midway into Minneapolis. At present there is more than ample room for bike lanes on University (between Rice and Emerald) without

the LRT, and bike lanes on University should have been implemented long ago. With LRT, there is possibility for alternatives to University, and I am working on this.

Previously I have expressed that the additional stations at Western, Victoria and Hamline should not be built right away, first build. If there were bike lanes on University now, or better adjacent ROW for bicycle, I do not think there would be as strong a desire for the additional stations because of better accessibility.

Although the bicycle right-of-way that I describe cannot be included directly with the LRT funding within the CEI, and it would be easier if we could include thru bike lanes *on* University, I think the SDEIS should include description of this issue and state the adjacent to LRT bicycle thru right-of-way is a must.

Thank you, Ms O'Brien.

Sincerely,
Paul Nelson

Kathryn O'Brien

Dear Kathryn O'Brien,

I would like to take a moment of your time to let you know how the current proposal for LRT and public transport system is currently completely inappropriate for the needs of the people who will truly use it.

First, I urge you to study building stations at Western, Victoria, and Hamline because these stops are likely to increase ridership at a fraction of the cost of other components to the project. More importantly, these additional stops will benefit neighborhoods that have some of the region's highest percentages of poverty, racial and ethnic diversity, and households without vehicles. I am concerned that proper measures are not being used to determine if low-income and minority populations are being disproportionately impacted by the project.

I am also a resident of this area and see the impact of public transportation. What is currently proposed does not meet the needs of the people most adversely affected. I rely heavily on public transport. I have lived in other cities in other parts of the world and see how a proper transit system works and I am sad to say the public transport system here is more than disappointing, to say the least.

In addition, the proposal not only leaves out an important users of public transport but to further cut transport services, namely the 16, will further cripple an area that is under served. Please further study how this proposed project will impact the neighborhoods, community services and community cohesion. It is especially important to explore how the project impacts bus transit operations and further analyze how reductions in service may disproportionately impact low-income and transit-dependent populations.

I do wonder if people who make decisions in this case actually use public transport. The LRT stops are too far apart and cutting bus service to get more people to ride LRT is untenable.

If you have ever gone to the grocery store and walked out with 4 or more bags, then had to walk 1/2 mile during mid winter with unplowed sidewalks, then you know this plan will not help the people who need it most.

Thank you taking the time, I look forward to your responses.

Sincerely,
stacia madsen

Metropolitan Council
c/o Kathryn O'Brien:

Re: Central Corridor LRT SDEIS comment

My reading of the DEIS for Central Corridor LRT has led me to the conclusion that the mode and/or alignment of this proposed project will cause more harm than good. Light Rail Transit is not particularly "light" within the dimensions of the University Avenue right-of-way. With a billion dollars of public investment, it carves out for its exclusive use a large section of the middle of the street right-of-way and forces all other vehicular traffic to accommodate movement of trains that will carry only 20% to 30% more transit riders than the current bus system. If that big an increase in ridership DOES occur, it is more likely a result of higher relative fuel costs for private vehicles than from any increased convenience of the new transit mode. After all, the LRT will travel no faster between downtown Minneapolis and downtown St. Paul than the existing express bus, in fact, somewhat slower thanks to the overall increase in congestion along the route as a result of taking almost 30' of the Avenue's right-of-way **away** from other vehicles' movement. Instead of taking traffic off the freeway, it will instead make travel on University Avenue so difficult that drivers will actually get **on** the congested freeway in order to avoid the even more congested University Avenue.

The impact of the proposed LRT on the Snelling - I94 interchange will be especially bad. Even now, during rush hour, cars exiting eastbound I94 at Snelling Avenue are queuing back to the exit ramp almost to the freeway itself. When the LRT is built and traffic movements through the Snelling and University intersection are greatly disrupted, the queue on the ramp will likely extend down to the freeway's right lane and began to slow traffic on I94. Instead of being a congestion reliever, the LRT will thus become a net congestion exporter. This would not likely be the case if the LRT were to be built **within the I94 right-of-way** with only a few stops between the two downtowns. As drivers sat stalled in traffic, they would be reminded continually of the advantage of taking transit as trains sped by unhindered within their view. University Avenue could be improved with better streetscape, restoring the pre-1954 right-of-way with wider sidewalks and boulevards to enhance pedestrian movement and livability; and an augmented fleet of quieter, cleaner fuel cell buses could make living and moving along University Avenue a much more pleasant (and \$valuable\$!) experience.

If the rail authorities of Hennepin and Ramsey Counties are determined to bring rail transit to University Avenue as some kind of economic development tool, it would be much more cost-effective to simply build a streetcar line within shared right-of-way lanes to replace the existing express bus, but with greater frequency. This mode would not require such a huge investment near the University or crossing the river, and would travel the route just as fast as the proposed LRT (in fact, probably faster as there would be little increase in congestion on the Avenue, perhaps even some reduction). Building a streetcar line on University Avenue would cost only a third or less of the proposed LRT. Putting the savings from this modal choice toward the North star commuter rail line and/or a LRT line within the I94 right-of-way would achieve more transportation benefits for the money than the proposed project.

Finally, I would like to urge the rail authorities to take a larger view of transit and transportation needs and behavior in the Twin Cities region. Much of the argument for rail transit is tied to its benefits to the region's transportation system as a whole. As I have indicated above, I do not expect – and the SDEIS does not project – that the Central Corridor LRT will reduce freeway congestion at all. But, a comparable dollar investment in a regional commuter rail system would likely remove from the lane space of the freeway system many commuters who are presently stuck in traffic jams with no viable alternative. Riders of the LRT on University Avenue already have a transit alternative. If the aim is to apply a given amount of public investment dollars to benefit the regional transportation system, commuter rail trains offer a reliable alternative to far more private vehicle operators (a greater reduction in congestion) per dollar spent than LRT in the Central Corridor. This would have economic benefits throughout the region and make our two downtowns more accessible and vital economically than will be the case if they are further choked off by over-reliance on congested freeways. The proposed LRT uses a huge amount of those public investment dollars to very little, if any, real transportation benefit. Instead, the continued and worsened congestion embodied in the LRT alternative will simply increase the economic drain of the hidden and useless congestion tax on travelers of the region's transportation system. No one collects any revenue with which to improve things from that tax; it is simply dead weight, dragging down all who are trying to reach their destinations - whether it be work, school, shopping, or home.

I urge you to change your perspective on this matter and re-examine both the mode and alignment decisions already made. Better to measure twice and make one good "cut" (i.e. investment) than to surge ahead with an erroneous judgment.

Thank you for reading.

Sincerely, Gary Shallcross

Dear Ms. O'Brien,

I regularly ride the current bus service in Saint Paul, specifically routes 53, 21, 63, 64, 50, and 16. I also ride LRT in Minneapolis and have ridden LRT in a number of other cities, including San Diego, Denver, and Portland. I am on the board of the D 13 Community Council and am the representative from the Council to the Central Corridor Community Advisory Committee. The comments I offer in this letter are mine alone; I am not commenting on behalf of the D 13 Council.

I strongly support the proposal to build Light Rail Transit on the Central Corridor for several reasons.

- 1.) LRT will provide much better transit service in the corridor to the majority of the estimated 16,000 and 3,300 current riders of the number 16 and 50 buses, respectively.
- 2.) More new riders will be attracted to LRT than to the bus. According to the DEIS, ridership in the corridor is predicted to more than double to 40,600 in 2020 (Table 6.4-1 on p. 6-31).
- 3.) Building LRT will promote and support development that is friendlier to pedestrians and requires much less parking than does current automobile-oriented development.

By comparison with the bus operating in traffic like the 16 and 50, LRT provides a faster trip for several reasons. It is less subject to delay due to traffic congestion. Also, due to the purchasing of tickets on the platform, LRT loads and un-loads much more rapidly than the bus where everyone has to go through the fare box. The LRT has low floors and more doors, which also makes for faster boarding and embarking from the vehicle. The low floor LRT vehicle combined with a platform means that people in wheel chairs are able to boarding and embarking from the vehicle much more rapidly than is possible on a bus.

By comparison with the diesel bus, LRT provides a smoother and quieter ride, which is part of what attracts riders to LRT. The lack of diesel emissions in the corridor also makes LRT more appealing than the bus.

A.) To the extent that adding one or more stations between Snelling and Rice streets may jeopardize the viability of the LRT project, I do not support adding any of them. Some people have argued that the spacing of stations at one-mile intervals between Snelling and Rice streets somehow leads to reduced service. People who make this argument seem to disregard the overall, very significant improvements to transit service in the corridor that will come from adding LRT. As noted above, bringing LRT to University Avenue is predicted to double ridership by 2020.

Studies done by DMJM Harris for the Met Council included estimates of 280, 320, and 490 boardings per day in 2030 at Western, Victoria and Hamline, respectively, if stations were added to these locations. These numbers seem quite small by comparison with the 43,500 boardings in the corridor. People who want to board transit at these and other locations without LRT stations will still have service on the 16 bus, though frequency will be reduced. This seems like a reasonable compromise, considering the overall benefits of bringing LRT to University Avenue and Saint Paul.

B.) I support the at-grade option on Washington Ave. for the alignment through the East Bank of the University of Minnesota. The cost of a tunnel under University Avenue is very high. Without the estimated savings of \$148 million represented by the at-grade option, I do not see how the cost of the project can be reduced to a level even close to the \$840 million maximum budget.

As I understand it, one of the concerns of the University of Minnesota is that running Light Rail Transit (LRT) at grade on Washington Ave. through the East Bank campus will cause automobile traffic congestion. My concern is that consideration of this situation may depend too heavily on analysis by traffic engineers. These engineers use complex computer models to predict future traffic. If one wants to know how to build a road to accommodate maximum levels of automobile traffic, then this is the way to go.

On the other hand, if one wants to know what might happen if routes are changed or road capacity is reduced, then traffic engineers and their computer models may not be helpful. The engineers tend to over-estimate future traffic volumes and congestion. They tend to underestimate and minimize the potential for automobile traffic to decrease or find other routes. I hope that the University will not rely too heavily on analyses by traffic engineers as you consider the possibility of LRT at grade on Washington Ave. through the East Bank campus.

Greater reliance on transit has the potential to reduce the amount of auto traffic coming to and going from the campus. This in turn has the potential to reduce the demand for parking, which would help counter the current proliferation of looming parking structures and bleak surface lots. These seriously undermine the livability and appeal of the E Bank campus.

On Washington Av in the heart of the E bank campus, LRT has the potential to transform the environment from its current somewhat gritty and traffic-choked condition to a more pedestrian friendly place that would be attractive to both University people and visitors. To the extent that it reduces the need for buses, LRT has the potential to reduce diesel emissions and noise on campus.

I share the University's concern about the safety of pedestrians crossing Washington Av. Nevertheless, I think that trains passing every 7.5 minutes and driven by professional operators pose much less of a threat than does the constant stream of cars, some of which are operated by drivers with limited experience or impairments or both. For the reasons described above, I support the at-grade alignment through the East Bank of the University.

C.) Alignment in downtown Saint Paul

I support the DEIS with a diagonal alignment across the block bounded by Cedar, Fourth, Minnesota, and Fifth in downtown Saint Paul.

D.) I support consolidation of stations in downtown Saint Paul.

E.) I am concerned about the alignment on University Avenue on the north side of the Capitol and on Robert St for several reasons. There is a significant grade between the height of land north of the

Capitol and I-94. How much trouble will this cause for the train when it is coming up the hill and negotiating a sharp turn from Robert onto W-bound University Avenue, especially under snowy or icy conditions? In addition, elsewhere in this segment there are a number of additional sharp turns, which create noise and I believe accelerate wear on the wheels.

F.) I support design and construction of three-car platforms at all stations. I also support other necessary provisions to allow operation of three-car trains.

G.) I support meeting all reasonable needs for facilities for storage and maintenance of LRVs and other equipment.

Thank you for considering these comments.

Chip Welling

Dear Ms. Obrien,

I am a Southeast Minneapolis native and an alum of a U of MN graduate program.

I am running a business and raising a family in Marcy-Holmes neighborhood and am very concerned about the potential impacts of the new proposal to run light rail at street level on Washington Avenue. My wife and I are hoping that our children will be able to enjoy the Marcy-Holmes neighborhood the same we that I did growing up. I trust that Met Council, MNDOT, and the University will work to ensure that the light rail is properly studied before any plan is implemented. Particular concerns that I feel should be included in the SDEIS scope include:

1. evaluate impacts of the new proposal over a long-term horizon (50 – 100 years) because making corrections/alterations to the system will be even more difficult in the future
2. evaluate impacts on adjacent neighborhoods within 3 miles of Stadium Village, such as Marcy-Holmes where we live
3. evaluate how the new proposal would impact established neighborhood plans and trends, such as the Marcy-Holmes Master Plan which points to the intensifying conversion from industrial to residential development along the east side of the river
4. evaluate all traffic flow pattern changes resulting from the new proposal, such as where cars, trucks and busses will go if blocked out of the Stadium Village area
5. evaluate all health & safety impacts, both at the location of the proposed light rail, but also in adjacent neighborhoods like ours

I recognize the need for light rail in Minneapolis, and support the Central Corridor plan in general. That said, we have grown acutely aware of how transportation can impact our neighborhood this the past year and believe that planning for mass transit should be implemented in a way that solves problems without causing long-term negative impacts in the surrounding communities.

I very much appreciate your listening to my concerns. If it would not be too much trouble, I ask that you let me know if there are additional opportunities to share my concerns.

Thanks.

Paul White

Kathryn L. O'Brien, AICP, Project
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So far, about \$50 million of Metro Transit funding has been misappropriated to fund a \$2 million/month operation, formerly headquartered in Downtown Minneapolis and currently housed in Griggs Midway Building, called the Central Corridor Project Office. Last month, rather than closing the deal that's going to complete the \$billion Central Corridor concrete project, the Metropolitan Council simply voted to approve the Central Corridor Project Office recommendation to continue funding the Central Corridor Project Office for another year. In effect, what happened is that the Metropolitan Council shuffled \$25 million of public transit funds into the pockets of their friends in the Central Corridor Project Office, and, now that Metro Transit is looking at another budget shortfall, public transit users will once again have to foot the bill with increased fares and decreased service.

The "related development" that is referred to I suspect is some real estate speculation that is well-described in a post by Dean Sheldon to the St. Paul Issues Forum:

"Development along the train's ultimate location is going to make land owners very rich. It was decided maybe 15 years ago, well before the Hiawatha line came to be, that there would be a LRT train between the two cities. Its location going down University Ave. was also determined. Those making the decisions bought up the property adjacent to the tracks when it was run down, cheap, and the possibility of an LRT was most remote."

I would just add that it's pretty likely that most the land owners who bought the cheap, run down property, looking to turn a buck on the backs of public transit

users, are already very rich.

Sheldon Gitis
Central Corridor resident

Kathryn O'Brien'

I have some comments on the Central Corridor Rapid Transit line.

I feel strongly that there should be more transit stations between Snelling Ave and the Capitol so it can serve the people who live here. Please at least build the infrastructure so these stations can be added at a later time in a more cost effective manner with less disruption to service.

I am appalled at the plan to decrease the frequency of University Ave bus service once the line is built. The University Ave buses are filled and people are standing in the bus during rush hour service right now.

Also there needs to be much better north south bus connections to get people to the Central Corridor.

This is an exciting project that will help the cities far into the future. Please build it right!

Bonnie Beverly

I live in Anoka and work near Snelling and University, so the Northstar Commuter rail and the Central Corridor project should be a real plus for me. I am concerned, however, on the impact of the announced LRT plan on people and vehicles trying to cross University Avenue. My preference would be to build the Central Corridor transit system above and below ground where appropriate. I believe that my solution might be too expensive if done as an LRT system, but could be possible if a monorail system was built.

Much of the Hiawatha LRT route is on a dedicated right-of-way, yet we still have seen accidents (and fatalities) where the tracks cross city streets. The Hiawatha LRT goes over Lake St because of the amount of traffic at that intersection. Traffic lights change at intersections to let the trains go through - if you do the same thing at Snelling, Lexington, etc., what affect will that have on north-south traffic? I grew up on Long Island, and every major rail transit system in the New York metropolitan area (Amtrak, NYC subways, PATH trains, Long Island RR) went from competing with traffic and pedestrians to having its own right-of-way (ground level, above ground, or below ground). I have also ridden on the Metro (Washington D.C.) and MARTA (Atlanta), and they follow the same 'rules' as New York.

Adding an LRT system down the middle of one of the busiest streets in the Twin Cities may help people get to/from Minneapolis and St. Paul, but it will cause even more congestion for those using other means of transportation. Please do not ignore the needs of the people who do not use University Avenue transit, as they outnumber and are just as important as the people who do.

Thank you...Rich Geldman.

Dear Kathryn O'Brien:

Thank you for the e-mail clarifying the appropriate dates in the Central Corridor EIS.

As a follow-up to my phone message today, can you tell me please where I can obtain a copy of the Central Corridor EIS to read?

Please let me know.

Thank you. I look forward to hearing from you about obtaining a copy of the EIS..

Sincerely,

Ross L. Ohman

The rail line should have limited stops for high speed and well sheltered underground stations for safety, comfort in a Northern climate, and speed, and in addition to serving local neighborhood needs, a major purpose of the rail should be to connect into regional rail lines. The benefits of a well designed rail system are huge in terms of reducing energy use, reducing auto emissions, national security, and the more tangible benefit of meeting the transportation needs of people.

I oppose the current Central Corridor design, which will add congestion and reduce safety, especially at already unsafe intersections, such as Snelling Avenue and University Avenue. The rail line, competing with auto traffic, will be too slow to be of use to many residents, thus limiting its value. Many supporters of this line view it as an economic development project rather than a transportation project, thus it has the potential to be neither.

Rail line design, such as that in Bangkok (above grade stations) or Kyoto, Japan, population 1.5 million (below grade stations) address my concerns. At grade rail placement two to three blocks from University Avenue, on or near I-94 frontage roads could also be considered to reduce issues with safety and congestion in Saint Paul. Even without the proposed at grade rail station, Snelling Avenue at University Avenue was gridlocked this morning due to road conditions, unsafe for autos, pedestrians and bicyclists. This occurs every day during the State Fair. Snelling Avenue near the proposed rail line is the most unsafe area in the state of Minnesota based on traffic accident rates, but proposed rail design does not sufficiently reflect this fact.

San Pablo Avenue in Berkeley, Albany, El Cerrito and Richmond, California has the BART rail two blocks away from a major bus line, and stations tend to be one to two miles apart except in downtown San Francisco. The rail and bus are both heavily used all hours of the day for trips short and long, by people of all income levels.

However, people with groceries use the bus line, not the rail, indicating that people who need transportation to meet their basic needs are best served by more buses that stop each block.

Additional stations are not needed beyond what is currently conceived, unless bus schedules are cut, which is planned despite obvious "economic fairness" issues.

As a neighbor, I have attended several meetings and would attend more if I felt I had any real input to the process.

More comments can be found here:

<http://davetravels.blogspot.com/search/label/central%20corridor>

Thank you.
David Rasmussen

With respect, regarding: --> ""potential stations at Hamline Avenue, Western Avenue or Victoria Street in St. Paul;""

I have been somewhat silent during the CCLRT debate as I have been a strong proponent for the need of Light rail and faster mass transit options. But leave it to everyone wanting what they want to detour a good thing.

Additional stops are unnecessary and defeat the purpose of what I thought Light Rail was suppose to do. Provide an accessible, and quicker, way to move from one city to the other, servicing the U of MN and a handful of stops en route. I live off Hamline down by Minnehaha Ave. Sure it would be handier to have a stop on Hamline and Uni, but it is to the point of foolishness to start adding those types of interim stops. Heck if it were up to me I would remove the Lexington Stop before I would add any,pre.

Lets keep Light rail streamlined and efficient allowing for a quick and reliable way to get where we are going. If this is going to turn into a gimme competition, you will lose me as a supporter.

Thank you

Kurt Schiebel

Dear Ms. O'Brien,

Thank you for the opportunity to comment on the Supplemental Draft Environmental Impact Statement for the Central Corridor Light Rail System.

I urge you to study building stations at Western, Victoria, and Hamline Avenue because these stops will be an integral part of the proposed World Cultural Heritage District adopted by the City of Saint Paul as part of its plan for light rail down University Avenue.

The World Cultural Heritage District will help tap the lucrative cultural tourism market and at the same time serve as a strategy to improve the economic development of the region which is one of the poorest in the city.

I urge a broader scope of the environmental assessment to include "cultural capital" preservation and enhancement. Thank you very much.

Sincerely,
Bruce P. Corrie, PhD

Veronica Burt
Public Policy Advocate/Organizer
JUST Equity/Central Corridor Equity Coalition
univaveequity@yahoo.com

The Met Council needs to reconsider an LRT stop at Cleveland and University Ave because Cleveland is a North-South bus route. The whole idea of LRT along the University Corridor is to feed off of North-South feeder bus lines.

Ray Bryan

I strongly support the addition of 4 stations on the light rail line at Hamline, Victoria, Western and Cleveland. We need the LRT to serve as a neighborhood transit way – not as a fast transit from outside the city through neighborhoods to downtown.

Ranae Hanson

I support the addition of three stops to LRT because I believe the LRT success hinges on its neighborhood friendliness and accessibility.

Emily Woodall

I support the 3 additional stations and also a station at Cleveland Ave. The LRT should be about public transit and access to light rail. LRT should serve the people that live along the corridor and not inhibit their travel time and access by limiting the number of stops.

Matt Hass

The issue of adding the three Central Corridor Stations is one of basic fairness to less affluent neighborhoods. These neighborhoods have a right to good accessible mass transit and the development that comes to the neighborhoods around the stations. To simply run this train through without stopping is unfair.

Roger Purdy

Attachment 2: Community Groups, Non-Profits, Private Entities

Ms. O'Brien,

On behalf of the Aurora/St. Anthony Neighborhood Development Corporation, I am submitting a comment for the SDEIS to express support of the implementation of additional CCLRT stations at Western Ave., Victoria St., and Hamline Ave. ASANDC has served low-income and minority residents of the Ward One neighborhoods of St. Paul for 27 years, and it has always been our mission to ensure that these residents are considered in the public policy and development decisions that will impact their quality of life.

We believe that a transit project that is developed through our neighborhood, especially one being justified by its service to the communities along the line, must truly benefit its members, who have greater need for transit access than anywhere else along the Central Corridor. Conversely, we believe the recent study prepared for the District Councils Collaborative on the need for additional stations provides more than sufficient evidence that, under current plans for stations at one-mile intervals, many residents will instead lose access to the public transit they need. When low-income and minority communities who are in the most need of a public project receive the least benefit (or do not benefit at all), the issue becomes one of social, racial, and environmental justice. As such, the current plans directly conflict with the justification for the CCLRT as an FTA New Starts Project.

Environmental justice in New Starts Programs is a legally enforceable requirement of the Federal Transit Authority, and, according to the FTA "must be considered in all phases of planning." Included in this requirement is "to prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority populations and low-income populations." By not exploring all possibilities of including these stations, this requirement is not merely being reduced to secondary, but is being discarded. In order for our residents in need to receive equal benefit, I request that the inclusion of these stations be considered an issue of environmental justice that receives equal consideration to other decision-making factors in the project scoping.

Thank you,

Daniel Kravetz
Community Development Assistant
Aurora/St. Anthony Neighborhood Development Corp.
774 University Ave.
St. Paul, MN 55104
Office phone: 651-222-0399

Central Corridor Equity Coalition

Comment on Central Corridor Alternatives Analysis and Draft Environmental Impact Statement

Introductory Statement

This document is the written comment of the Central Corridor Equity Coalition (Equity Coalition) and is submitted in accordance with the National Environmental Policy Act (“NEPA”) and the regulations set forth by the Council on Environmental Quality (“CEQ”) in accordance with NEPA.

The Equity Coalition is a grass roots, community group comprised of the Aurora St. Anthony Neighborhood Development Corporation, District 7 Planning Council, Lex/Hamline Community Council, Community Residents, JUST Equity, MICAHA – Organizing Project of African American Congregations, Community Stabilization Project, Lutheran Church of the Redeemer/ISAIAH, St. Paul Area Council of Churches and individual citizens that reside in the area impacted by the proposed LRT expansion. The Equity Coalition represents minority and low-income residents, cultural institutions and merchants that live, work, worship and operate businesses in the impacted area. Our comments are designed to reflect impacts on the highest minority and low-income concentration along the entire stretch of the corridor – between Lexington Avenue and Rice street in the Thomas-Dale and Summit-University neighborhoods. Over 100 impacted Environmental Justice community members and allies have supported the hereinafter comments of the Equity Coalition. **See attached list of Endorsees.**

In review of the Draft Environmental Impact Statement (DEIS) the Equity Coalition believes that the Federal Transit Administration (FTA) and the Ramsey County Regional Railroad Authority (RCRRA) have:

- I). Failed to sufficiently identify all impacts and/or effects of the preferred alternative (LRT down University Avenue) and fails to propose sufficient mitigation alternatives.
- II). Failed to comply with Environmental Justice requirements.
- III). Failed to consider all alternatives as required by NEPA.

In addition, the DEIS fails to consider whether the goals of the Project are met by the construction of the LRT down University Avenue. In the view of the Equity Coalition, the stated goals are not achieved by the construction of the LRT down University Avenue as the project is presently conceived.

Goal 1: Objective A of the Project is to “Support investments in infrastructure, business, and community that sustain the heart of the region.”

Goal 2: Objective A of the Project is to “facilitate the preservation and enhancement of neighborhoods in the Central Corridor” and Objective B is to “acknowledge the individual character and aspirations of each place served, and of the region as a whole.”

Goal 3: Objective C of the Project is to “enhance the existing transportation infrastructure to serve the high number of transit dependent persons in the Central Corridor.” **See DEIS, p. 7-1 & p. 7-2.**

Definitions

Throughout this comment, the following terms have the following meaning:

1. **Agency** means the Ramsey County Regional Railroad Authority.
2. **EJ Communities** “Environmental Justice Communities” means the minority and/or low-income population and the area in which that population resides that is impacted by the LRT University Avenue alternative. Minority and low-income have the same meaning as intended by Executive Order Number 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations* and Department of Transportation Final Order on Environmental Justice Order 5610.2, *Environmental Justice*.
3. **Gentrification** means that process whereby economic development and the attendant increase in property values, taxes and related economic factors, has the effect of displacing the existing residents of a neighborhood. As sociologist Ruth Glass, the originator of the term described “once this process of gentrification starts in a district it goes on rapidly until all or most of the original working-class occupiers are displaced and the whole social character of the district is changed.”
4. **Impacts** mean both direct and indirect effects of the preferred alternative. Indirect effects may include growth inducing effects and other effects related to induced changes in the pattern of land use, population density or growth rate. Impacts include aesthetic, historic, cultural, economic, social, or health, whether direct, indirect, or cumulative. Effects may also include those resulting from actions which may have both beneficial and detrimental effects, even if on balance the effect will be beneficial. **See CEQ Reg. 1508.8.**
5. **Adverse effects** means the totality of significant individual or cumulative human health or environmental effects, including interrelated social and economic effects, which may include, but are not limited to: bodily impairment, infirmity, illness or death; air, noise, and water pollution and soil contamination; destruction or disruption of man-made or natural resources; destruction or diminution of aesthetic values; destruction or disruption of community cohesion or a community's economic vitality; destruction or disruption of the availability of public and private facilities and services; vibration; adverse employment effects; displacement of persons, businesses, farms, or nonprofit organizations; increased traffic congestion, isolation, exclusion or separation of minority or low-income individuals within a given community or from the broader community; and the denial of, reduction in, or significant delay in the receipt of, benefits of DOT programs, policies, or activities.
See <http://www.dot.state.mn.us/tecsup/xyz/plu/hpdp/book2sg/envjustice/>
6. **Disproportionately high and adverse effect on minority and low-income populations** means an adverse effect that: 1) is predominately borne by a minority population and/or a low-income population, or 2) will be suffered by the minority population and/or low-income population and is appreciably more severe or greater in magnitude than the adverse effect that will be suffered by the non-minority population and/or non-low-income population.
See <http://www.dot.state.mn.us/tecsup/xyz/plu/hpdp/book2sg/envjustice/>
7. **Mitigation** means either:
 - (a) Avoiding the impact altogether by not taking a certain action or parts of an action.
 - (b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation.
 - (c) Rectifying the impact by repairing, rehabilitating, or restoring the affected environment.
 - (d) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.
 - (e) Compensating for the impact by replacing or providing substitute resources or environments.**See CEQ Regulations 1508.20.**
8. **Project** or **LRT** means the locally preferred alternative and refers to the construction of a light rail transit line down the center of University Avenue.

I. The DEIS does not sufficiently identify the impacts of the project and/or effects of the preferred alternative, and the DEIS fails to propose sufficient mitigation alternatives.

The DEIS fails to sufficiently identify all impacts of the proposed Project. Among those impacts that are identified in the DEIS, not all impacts are accurately described in character or scope. Further, mitigation alternatives are lacking with respect to both unidentified and identified impacts. In general, the DEIS sees the Project as an improvement in the transportation infrastructure and an economic stimulant for the impacted area. The DEIS fails to sufficiently consider whether this transportation project and attendant economic development will “facilitate the preservation and enhancement of neighborhoods in the Central Corridor” and “acknowledge the individual character and aspirations of each place served, and of the region as a whole.” These goals are all but ignored by the Agency in the DEIS. In this section, the Equity Coalition presents impacts that are either not identified or are inaccurately identified. The Coalition also presents mitigation alternatives that will serve the Project’s stated goal of improving the Central Corridor while maintaining the existing communities’ character and identity.

A. Gentrification/Displacement

With the introduction of a large-scale public investment project being implemented within the community, there is the tremendous threat of business and residential gentrification and displacement related to either project construction or longer term economic affects associated with increased land values and high end transit oriented developments. **See attached article referencing gentrification and increased land value due to LRT.**

National chain stores may saturate the area and replace small locally owned businesses. Upscale high-density housing will lock EJ communities out of one of the last affordable housing markets remaining in the city. Property taxes will greatly escalate making survival hard for small ethnic business owners, as well as low and fixed income homeowners some of whom are seniors or single parents. Rents will escalate forcing current renters to leave the area in search of shrinking, urban-centered affordable housing options. Pressures from real estate speculation will also entice institutions and property owners to sell, in the long run dissolving EJ communities with long standing business investments, cultural roots, nearby social and infrastructure support systems (i.e. access to public transportation, medical and public facilities).

The valued, cultural character of the area will alter as more affluent households resettle in a newly revitalized area. The eastern segment of University Avenue risk no longer being associated as the cultural destination corridor rich with diverse communities, thriving ethnic businesses, social, religious and cultural institutions.

Although the DEIS indicates that transit oriented development is going to occur along University Avenue, it fails to address the full range of impacts that such development will entail. Instead, the DEIS assumes without analysis that any development is an economic value. On the contrary, this development can, if unchecked, result in a project that fails to achieve its stated goal of preserving community cohesion and identity.

In order to mitigate disproportionately high and adverse effects resulting from the Project, the Agency should incorporate creative policies and other unique measures to preserve and enhance EJ communities. Mitigation alternatives can include:

Preservation measures

1. Community Benefits Agreement: with an impacted EJ base of community supported representatives, negotiate a CBA (as determined by EJ communities) relating to the LRT project and all subsequent developments along the Central Corridor prior to preliminary engineering.

2. Rent/tax increase and displacement assistance: provide financial assistance to help EJ business owners and renters/homeowners who are at risk of being priced out of the area to either currently buy properties in the area before prices escalate (a business or home dwelling) and/or offer financial assistance to help them buy into newer affordable developments and have first right of refusal to locate back in the area if at risk of being economically displaced out. Provide financial support to help with temporary or long-term relocation support for those who get economically displaced from the area.
3. CDC Land-banking: help local CDC's by land-banking for the creation of affordable mix use developments that current EJ constituencies can afford to help them remain in or return back to the community.
4. Cultural Corridor Designation: help materialize culturally centered revitalization that will preserve & enhance the current EJ communities. Maintain current and create new affordable housing and commercial options. Sustain current ethnic businesses and support the creation of new small business incubators. For example, build off of the thriving Asian business market and the re-emerging Historic African-American Rondo Renaissance. This could be similar to what was created in the Rainier Valley Community Development Fund.
5. Property tax freezes: institute a permanent tax freeze for current EJ home or business owners in harms way of gentrification and displacement to help them remain in the area.
6. Rent controls: institute rent controls that protect EJ community businesses and residents from tax increases resulting from the expected transit-oriented developments.
7. Just Cause Evictions: implement just cause evictions to protect renters of businesses or dwellings by ensuring landlords can only evict with proper cause such as failure to pay rent or destruction of property.
8. Maintain current level of affordable housing: prevent condo conversions and provide for one to one replacements of affordable housing units.
9. Foreclosure Prevention: prevent accelerated foreclosure policies and assist with foreclosures incurred by current EJ community members who are exceptionally vulnerable to predatory lending scams and other unscrupulous measure to remove them from their current homes.
10. Limit the reach of TOD overlays in EJ residential areas: do not rezone from single family to multifamily use. Incorporate height restrictions on TODs adjacent to single family dwellings.

Enhancement measures that support community cohesion and wealth creation

1. Minority contracting requirements: require minority contracting set asides on construction and non-construction related opportunities (i.e. including soft contractual opportunities such as marketing, legal services etc.). Require these businesses generate job opportunities for local residents. Require large contracts be broken into smaller size contracts to give small firms a better opportunity at being awarded a contract. Hire a staff person who can provide coaching assistance through the process (identical to what was done with the minority contracting program in Portland).
2. Local Hiring Strategies: require that jobs created by the project and subsequent development go to local residents.
3. Minority incubation opportunities: require that new opportunities for small business development be set aside.

4. Community Development Investment Fund: require that funds be set aside either through developer exactions, real estate tax transfers or extractions from parking or transit fares to help impacted EJ communities realize their development aspirations within the impacted area.
5. Cultural/Historical Center Developments: set aside funds to assist with the development of cultural/historical centers to help designate and value areas of the corridor as cultural destinations.
6. Bond sale: incorporate tools to assist community members in pooling resources to purchase government bonds associated with development on or near Central Corridor to assist with community investment and wealth creation.
7. Home fix-up funds: provide grants to help current EJ homeowners fix up their properties and add to the improved quality of life for the impacted area.
8. Affordable housing development: set aside rental and home ownership options within market rate developments that are affordable to current EJ residents at all stages of their life cycle.

B. Community Cohesion

An LRT down the middle of a highly populated EJ residential and business section of the corridor will create a physical obstacle creating a social barrier between communities north and south of University Avenue. Also, the Aurora St. Anthony neighborhood that was once separated in the 1960's with the building of the adjacent freeway from the larger Historic African American Rondo community will once again be isolated and sandwiched in between two physical barriers, I-94 and the LRT University Avenue alignment.

As a mitigation alternative, take a current revitalizing opportunity to transform the shame of a past transportation development misdeed and turn it into one of healing and restoration. Acknowledge, respect and take responsibility by apologizing for the destruction to the vibrant African American Rondo community due to the construction of I-94. Honor the fact that restoration is owed as a result of the demolishing of a combined 650 homes and businesses. Now, support the growing culturally centered revitalization vision that is supported within the 2006 District 8 Comprehensive Plan and dubbed as a "cultural heritage preservation destination." Enact to redesign the Dale Avenue intersection and Bridge as a gateway to the heart of the Rondo community. Artistically depict the I-94 story and symbolize the reunification of divided souls. Support current efforts being designed by this community to heal the wounds of this past and create a community controlled Rondo Renaissance Community Restoration Trust Fund through the use of developer exactions, real estate tax transfers or extractions from parking or transit fares not only as an anti-gentrification tool but to help retain the character of the community and to help finance its re-development aspirations (i.e. cultural/history center, small business incubators and below market rate housing).

C. Visual/Aesthetic

The overhead electrical wiring that's designed to operate the LRT will be visually displeasing. In an area with a high residential concentration already crowded with commercial advertisement displays, overhead electrical lines will further the "visual clutter" currently borne by EJ communities at a time when many communities desire more open space.

As a mitigation alternative, work with the impacted EJ communities to develop their visions of greener and open spaces. Introduce the element of water to incorporate peace and serenity.

D. Safety/Security

With the introduction of a light rail system in a business and residential neighborhood, pedestrians many of which are the elderly, young and English as a second language speaker will have the added burden of navigating a high speed light rail train along with the cars and buses that currently traverse the avenue.

Realizing this, there is a greater likely hood of pedestrian and automotive accidents with the introduction of a high-speed mode of transportation along a highly used community oriented corridor. Station shelters where stops would be located can also attract additional crime to the area.

As a mitigation alternative, ensure the early creation of a Community Advisory Committee (CAC) to help design ways of overcoming these adverse affects. Recruit those from the impacted EJ community to serve on the CAC. Hire staff/consultants from the diversity within the community to design culturally appropriate informational material and conduct educational sessions on the precautions needed when crossing the tracks. Hire from the community extra security forces to patrol the area as a deterrent to crime.

E. Air quality

Considering that cars will more likely be backed up along north/south routes waiting for the frequent passage of the light rail, EJ communities will be at greater air quality risks from motor vehicle emissions like carbon monoxide. Already those positioned adjacent to the freeway have high rates of asthma.

As a mitigation alternative, build up walls along the freeway to cut back on current vehicle emissions already emanating from the freeway. Introduce greening (i.e. tree and shrub plantings) as a natural barrier to absorb and separate CO effects.

F. Noise/Vibration

LRT related vibrations and noise will be borne disproportionately by EJ communities who are small merchants or residents directly on or living adjacent to the corridor.

As a mitigation alternative, sound proof properties where necessary and ensure the overall effectiveness of design to prevent such affects.

G. LRT proposed stops

In a transit dependent EJ community, stops along the minority concentrated area are proposed at mile long intervals representing a longer walking distance than those proposed for downtown Minneapolis, the University of Minnesota and downtown St. Paul. This presents a tremendous burden to area seniors and other transit dependent riders especially during the winter season and are not supportive of Goal 3: Objective C of the Project which is as earlier identified to “enhance the existing transportation infrastructure to serve the high number of transit dependent persons in the Central Corridor.” **See DEIS, p. 7-2.**

As a mitigation alternative, incorporate additional stops at Western and Victoria so there is an equal benefit of stops in EJ communities as there are in more affluent areas of the corridor. The transit project must not only use our numbers to boost projected LRT ridership figures, EJ communities must also benefit by obtaining at the time of construction their fair distribution of stops.

H. Bus Service Reduction

The proposal suggests a reduction in bus services specifically the Route 16 from its current rate of frequency to that of 20 minutes during peak hours and 30 minutes during off peak hours. See **DEIS table 2.3-2**. This area has a high concentration of transit dependent populations who utilize the bus service for a lot of short distance travel trips within the corridor. Reduction in bus service in effect disproportionately and adversely cripples the transportation access of a “non choice” rider population and presents a major transportation hindrance certainly during the winter months. This impact is exacerbated with proposed LRT stops being a mile apart. EJ communities must not be doubly jeopardized and denied benefits on both ends of the distribution of services spectrum. It appears that operation funding from bus routes frequently utilized by transit dependents is being diverted in support of operation money for the rail line or the creation of new feeder routes for more “choice riders”. Again, such a proposal is not supportive of Goal 3: Objective C of the Project which is as earlier identified to “enhance the existing transportation infrastructure to serve the high number of transit dependent persons in the Central Corridor.” **See DEIS, p. 7-2.**

As a mitigation alternative, maintain the level of service currently performed by route 16 after the completion of LRT.

I. Traffic Congestion

Besides cars being backed up along north/south routes, school buses transporting students to nearby educational facilities will also get backed up. Also, emergency vehicles within the area would have a reduced response time getting across University Avenue due to the frequency of LRT travel times.

As a mitigation alternative, synchronize traffic lights to prevent excessive back up. Ensure the early creation of a Community Advisory Committee (CAC) to help design ways of overcoming these adverse affects. Recruit those from the impacted EJ community to serve on the CAC.

J. Parking

Park and Ride lots may take up valuable land or commuters from outside the area will take up street parking on the Avenue and in the neighborhood. Businesses patrons and residents will be prevented from accessing convenient parking spaces. EJ residents will have to bear the cost associated with paying for parking permits to keep commuter parking at bay.

As a mitigation alternative, be sure to develop park and rides at destination points outside of EJ communities. If any will be deemed necessary, designate existing large-scale lots like the one at the Sears building. Do not saddle EJ communities with any costs associated with securing parking permits.

K. Construction

Construction impacts will be acutely experienced by EJ communities with businesses and residencies on and adjacent to the corridor. The construction period could harm the profit margin of small businesses. **See attached news articles referencing similar affects on other street/LRT projects.** Noise, vibrations, construction debris and traffic diversion into neighborhoods will cause major inconveniences.

As a mitigation alternative, build the project in small stages that could revert back to road access quicker and have a 24 hour hotline service to report problems that could responded to immediately. Provide Business Interruption compensation and set aside funds with no repayment required.

II. The DEIS Fails to comply with Environmental Justice requirements

In 1994 Presidential Executive Order 12898 directed every Federal agency to make environmental justice part of its mission by identifying and addressing the effects of all programs, policies and activities on “minority populations and low-income populations.”

Environmental Justice is an expansion of Title VI of the 1964 Civil Rights Act based on the effects of discriminatory actions or results from federal, or federally assisted or approved actions. Environmental Justice is predicated upon three fundamental principles:

- (1) To avoid, minimize or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects on minority and low-income populations,
- (2) To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process, and
- (3) To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.

The LPA will result in disproportionate economic impacts upon minority and low-income populations. Despite these disproportionate impacts, the DEIS does not propose a single mitigation alternative designed to address these impacts. Specifically, the DEIS’ entire analysis of mitigation alternatives for the project’s economic effects on the EJ communities states:

The active involvement of all neighborhoods in the corridor would continue to be a goal through design and implementation. Public engagement for all neighborhoods in the corridor would continue through the length of the project and is explained in detail in Chapter 8.0 Public and Agency Involvement Program. **See DEIS, p. 5-40.**

This single paragraph is inadequate to meet the legal requirements of NEPA and the CEQ regulations promulgated thereunder. This single paragraph does not mention the sweeping economic effects of the project on the EJ community. The project will spur transit-oriented development, alter tax values, change rental rates, displace residents, close minority owned businesses and cause gentrification throughout the EJ community. These effects must be discussed by the Agency and mitigation alternatives must be considered. The Agency's failure to even mention these many significant impacts is fatal to the DEIS.

Further, the affected EJ communities have not to this point been key stakeholders in the decision making process. In reviewing the DEIS and examining time frames as early as 2000, it wasn't noticeable that representatives from EJ communities were part of earlier stakeholder/community meetings designed to inform people and capture opinions for the decision-making process. **See DEIS p. 8-9 to 8-15.**

Also, it was not noticeable that organizations or representatives from EJ communities provided comment in June of 2001 at earlier public scoping meetings. Even Virginia Laszewski with the United States Environmental Protection Agency who at the time stated she would be the person reviewing the Environmental Impact Statement and rating it for national environmental policy compliance (NEPA), commented at a scoping meeting on June 26, 2001, that the agency should make sure environmental justice communities are involved in the process. **See Scoping Summary Report Dec. 7, 2001, p. 7-14 and Scoping appendix p. 21-32.**

As a mitigation alternative, impacted EJ community members must be intentionally sought after early for meaningful engagement with influence in the decision making process. Again, establish very early on and continue throughout the project's duration a Community Action Committee with community supported EJ constituencies as voting members. Ensure that all information material and processes be available in Spanish, Hmong, Vietnamese, Loa, Somali and any other languages spoken by communities along the corridor; including hotlines, warning or other mitigation material. Also ensure that the Central Corridor transit investment exceeds that of Portland, Oregon as a model of EJ community participation, mitigation and enhancement outcomes. **See attached Portland related material.**

III. The DEIS fails to consider all alternatives as required by NEPA

The preliminary selection of the University Avenue LRT along a minority concentrated section of the corridor needs some rethinking due to the multitude of adverse social and environmental impacts as set forth herein. Since I-94 was once the preferred alternative it should again be studied or that of Pierce Butler to determine if less adverse impacts will be borne by EJ communities. Also, it should be studied if an elevated or tunneled approach for the LPA would provide less of an adverse impact to EJ communities.

District Council 13

Serving the Snelling Hamline, Lexington-Hamline, and Merriam Park Neighborhoods

District Council 13

Testimony on the Supplemental Draft Environmental Impact Statement

March 25, 2008

Thank you very much for the opportunity to comment on the SDEIS. We appreciate all the time and effort that has been invested to bring the project to this point.

In June 2006, the Merriam Park Community Council presented testimony on the Draft Environmental Impact Statement for the Central Corridor. We expressed support for building a light rail line along University Avenue and identified a number of priority issues we felt needed additional study and consideration, including the need to:

- Build an LRT line that serves the people who live and work along University Avenue, especially those who depend on transit as their only available means of transportation;
- Provide a complete network of bus service, with the current frequency of the #16 bus maintained to accommodate transit riders getting on or off between LRT stations, especially if the stations are more than ½-mile apart;
- Ensure a high level of safety for cars, bicycles and pedestrians, especially for seniors, handicapped, school children, mothers with strollers, and Midway area shoppers; and
- Involve the community in decision-making about LRT throughout planning, design and construction.

Since that time, the Merriam Park, Snelling Hamline and Lexington-Hamline district councils have united to form District Council 13. Building on the concerns brought forward by the Merriam Park council in 2006, District Council 13 would like to request that the SDEIS include more rigorous consideration of the following issues, which we do not feel have been adequately addressed to date:

1. The need to place the highest priority on pedestrian, bicyclist and traffic safety. District Council 13 is pleased that safety has been given a high priority in LRT plans to date. We would like to ensure that the SDEIS fully address the need to require that LRT plans result in improved safety, especially at locations with high accident rates, such as the stretch of Snelling from I-94 to University Avenue.

For the Midway area that abuts our neighborhood, these are our main concerns, as stated in the 2006 Merriam Park DEIS testimony:

“We consider safety to be of primary importance, especially for pedestrians crossing University Avenue in and around the Midway area and in the vicinity of senior residences such as Episcopal Homes at Fairview Avenue. Plans for LRT should include defined safety goals, agreed upon by the community. In areas of less traffic, retaining current levels of safety might be the goal. In more dangerous areas, the goal must be to achieve improved safety and a reduced number of accidents. Over 150 traffic accidents and two pedestrian deaths have occurred near the proposed

Snelling/University LRT station during the last year, a number that is unacceptable to the community.”

In addressing safety issues for the Snelling-University intersection, the Union Park Community Council believes the solution must focus on providing safe, efficient and pleasant crossings for pedestrians, bicyclists, cars and LRT. The focus should be on traffic calming, perhaps not on moving traffic more rapidly through the intersection with a tunnel or widening of Snelling.

2. The need for additional stations at Hamline Avenue, Victoria Street and Western Avenue and continued #16 bus service at 8-12 minute frequencies.

In a letter to Metropolitan Council Chair Peter Bell in January 2008 (Appendix A), we stressed the importance of including stops at Western, Victoria and Hamline and continuing the current 8-12 minute schedule of service for the #16 local bus on University Avenue. As we noted in our letter, if these additional stations are not included in the project and #16 bus service is cut back to 20-30 minute frequencies, “...many residents along University Avenue will be faced with reduced transit access once the light rail is built.”

This will negatively impact some of St Paul’s most low-income, ethnically diverse, and transit-dependent populations, raising transportation and economic issues that we believe have not been adequately addressed by SDEIS studies to date. If the stations are not included and current bus frequencies retained, mitigation will be required.

Transportation issues that need to be addressed in the SDEIS include:

- Stations a mile apart and reduced bus frequencies will result in reduced mobility and negative time saving benefits due to longer walks and/or longer waits to access transit for people who depend on transit to get to work, school, medical services, and shopping. Given the high percentage of low-income, ethnically diverse, and transit-dependent populations in this area, these are environmental justice issues that must be addressed in the SDEIS, with improved transit service or mitigation provided.
- Providing additional bus service by adding #83 bus on Lexington and #60 circulator from Victoria to Hamline and south to St Clair does not provide adequate mitigation for residents and businesses near Western, Victoria and Hamline. The Metropolitan Council Response to the DCC Report (January 2008) claims that these additional bus lines will provide access to transit within a ¼-mile of most locations. But this does not offset the lack of direct access to LRT and the greatly reduced service of the #16 bus, which has the second highest ridership in the entire Twin Cities metro area.

Economic issues that need to be addressed in the SDEIS include:

- The reduced transit access described above also has economic consequences for residents and businesses, including:
 - Significant increases in time required for residents and local business owners and workers to travel to and from work and other necessary destinations;
 - Loss of business opportunities for small business owners located near Western, Victoria and Hamline, due to reduced transit access for customers, while competitors adjacent to LRT stations enjoy improved access.
- If transit access is not improved for these station areas, the SDEIS should address the need for mitigation to offset the negative economic impacts on local businesses and non-profits.

With a high percentage of ethnically diverse small businesses in these areas, this is an environmental justice issue that must be addressed in the SDEIS.

3. The need for mitigation to help current residents and small businesses stay on University Avenue, survive during construction and thrive going forward.

The community is committed to retaining the rich diversity of our neighborhoods. For the many small businesses along University Avenue, mitigation will be required to enable them to survive construction and to remain in place as property values, rents and taxes rise with the coming of LRT.

- The SDEIS should include a mitigation plan for businesses all along University Avenue to help offset disruptions during construction; this might include business consulting services, micro loans and marketing campaigns.
- For businesses that lose on-street parking due to the LRT, mitigation should be provided, ideally in the form of off-street replacement parking.
- The Met Council should work with Ramsey County and the City of St Paul to put in place rent stabilization, caps on tax increases, and other measures to help existing businesses and residents remain on or near University Avenue.

4. The need to ensure full façade-to-façade reconstruction and beautification of University Avenue that enhances the unique character and responds to the needs of individual neighborhoods along the corridor.

District Council 13 believes it is essential that University Avenue’s streetscaping needs be addressed as part of LRT planning. Each neighborhood’s existing streets and sidewalks should be evaluated, so that appropriate reconstruction and beautification can be planned. Current conditions vary greatly, ranging from Prospect Park, with many large shade trees lining a mostly intact sidewalk, to Frogtown, with limited trees, and sidewalks in disrepair – not a pedestrian-friendly environment. For Prospect Park, the important thing will be to preserve the existing trees. In Frogtown, an intensive streetscaping program is needed to add trees, improve lighting and aesthetics, and add transit/pedestrian amenities.

We understand that the Central Corridor project scope calls for resurfacing the street and rebuilding curbs, gutters and sidewalks for the entire right of way along University Avenue (with a portion of the expenses to be paid by Ramsey County and the City of St Paul). We urge that the SDEIS also emphasize the importance of providing for additional streetscaping elements, such as trees, pedestrian-scale lighting, benches, and boulevards. It may not be possible to fund these amenities within the project budget, but we hope the SDEIS will make clear that every effort should be made to ensure that streetscape improvements are made at the time the LRT is built, to avoid more disruption, and increased costs for streetscaping at a later date.

5. The need to involve the community in decision-making about LRT throughout planning, design and construction.

District Council 13 believes that a robust community process is essential “to ensure that the Central Corridor LRT provides all possible benefits for the people it serves, from downtown to downtown, and all along the corridor.” We were pleased by the appointment of a community representative to the Central Corridor Management Committee (CCMC) and by the early establishment of a Community Advisory Committee (CAC) and a Business Advisory Committee (BAC). We also appreciated the ‘Listening Sessions’, held in February 2008, which provided an

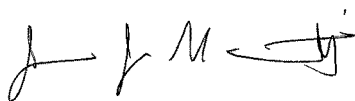
opportunity for community members to speak directly to the Metropolitan Council about their concerns.

However, there are several aspects of the current Public Engagement Process that we find lacking. We think it is important for the SDEIS to address these issues, as they relate to FTA requirements for community participation. District Council 13 believes that full consideration must be given to the concerns of neighborhood organizations, residents and businesses in the decision-making process for all aspects of the LRT project.

- Although the CAC is meant to be a community advisory body, the members do not have the opportunity to discuss issues or to make CAC recommendations to the CCMC or the Met Council. Meetings consist mainly of technical presentations by engineers, with little time allowed for questions and comments. No motions are allowed to be put forward for consideration and no votes can be taken on possible recommendations. We believe there should be more opportunities for group discussion and group recommendations.
- CAC member contact and discussion between meetings is discouraged. Despite many requests, the Met Council staff has refused to circulate any e-mail or phone lists for the CAC members. Given that the CAC is a public body, this restriction is unfortunate and inappropriate. We believe member contact and discussion should be facilitated, not discouraged.
- We are concerned that the membership of the BAC does not have sufficient representation from small and minority-owned businesses, and that the needs of these groups are therefore not being given sufficient attention. We support the inclusion of more small and minority-owned business representatives on the BAC.
- There is a lack of transparency in the planning process. Requests for data, reports, answers to questions, and meetings with experts must be placed through the Community Outreach Coordinators, who often do not return phone calls, do not provide complete answers, or take an inordinate amount of time to respond to time-sensitive queries. We believe it is essential that public requests for data and meetings be promptly fulfilled.

District Council 13 appreciates the opportunity to comment on the SDEIS. We hope you will address these issues and look forward to your responses.

Yours sincerely,



President
District Council 13

March 25, 2008

Mark A. Eustis
President and CEO

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Kathryn L. O'Brien
AICP, Project Manager
Central Corridor Project Office
540 Fairview Avenue North, Suite 200S
St. Paul, MN 55104

David Werner
FTA, Region V
200 West Adams Street, Suite 320
Chicago, Illinois 60606

Dear Ms. O'Brien and Mr. Werner:

The purpose of this letter is to submit comments to you regarding the February 13, 2008 Notice of Intent to prepare a Supplemental Draft Environmental Impact Statement ("SDEIS") for the Central Corridor Light Rail Transit Project located in Minneapolis and Saint Paul, Minn. Thank you for the opportunity to provide input and comments on this important matter.

Fairview Health Services ("Fairview") is a Minnesota based 501(3) health care system providing a full continuum of health care services at several locations throughout the state of Minnesota. Fairview is the largest employer in the city of Minneapolis. Effective January 1, 1997, Fairview acquired the University of Minnesota Hospital and Clinics from the University of Minnesota and created the hospital and clinics now known as University of Minnesota Medical Center, Fairview.

The majority of the clinical, academic and research services provided by University of Minnesota Medical Center, Fairview are provided in the hospital and specialty clinics located on the University of Minnesota campus at or near to 420 Delaware Street, S.E., approximately two blocks north of Washington Avenue—the primary access route for our patients and families. University of Minnesota Medical Center, Fairview is the state's largest medical center serving more than 500,000 patients annually. In addition, our specialty clinics have more than 400,000 patient visits each year. Our patients come from throughout the Twin Cities, Minnesota and the nation. Our health care delivery team includes more than 7,000 employees and 1,500 physicians.

Washington Avenue also is the primary access route for emergency response vehicles bringing patients to our emergency department on the University campus. In 2007, that emergency department had approximately 20,000 visits and 1,500 ambulance runs. We anticipate these volumes to continue to grow.

Fairview supports initiatives to improve access to our important medical facilities located on the University campus. Currently access to our clinics and other medical facilities on the University campus is a significant problem for patients, families, visitors and ambulances, as well as employees and physicians. The current congestion on campus and the lack of easy ingress and egress from our campus facilities creates a significant challenge for our patients, many of whom have significant health issues, resulting in reduced patient satisfaction, as well as resulting in the inability for a certain portion of the population to receive care from the University of Minnesota specialists who practice at the site.

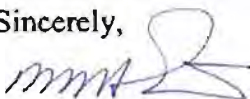
Fairview supports enhancing our public transportation and the Central Corridor Light Rail Transit concept. We believe these are important steps to improve access to our world-class medical services.

However, Fairview is very concerned that a Washington Avenue At-Grade option, rather than improving the access problems, will significantly exacerbate the problems. Not only will it close one of the main access routes to our facilities, but we are concerned that the re-routing of traffic, which at this time is unknown and unfunded, will further negatively affect patient access. Our University campus patients have acute health needs; ease of access to timely services is a critical variable in their care.

Accordingly, we urge the AICP and the FTA to consider other alternatives, most specifically the Washington Avenue Tunnel approach. We believe this is the best long-term investment for the city, county and state as it has the best potential to build an even more vibrant University campus. This option would create greater access to health care services and would significantly decrease concerns associated with the At-Grade option. As an alternative to the Tunnel approach, we support further study and consideration of the Northern Alignment option.

Again, thank you for the opportunity to provide these comments. Please contact me if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Mark A. Eustis', with a stylized flourish at the end.

Mark A. Eustis
Fairview President and CEO

**St. Paul, MN 55114
(651) 632-2184**

Dear Members of the Metropolitan Planning Council,

Jewish Community Action (JCA) is writing again to the Metropolitan Planning Council as part of the Supplemental Draft Environmental Impact Statement (SDEIS) to ask for your approval of three additional stations at Western, Victoria and Hamline Avenues. JCA was part of the organizing of the University Avenue Community Coalition, a diverse coalition of faith, labor, neighborhood and community organizations committed to racial equity and equitable development along University Avenue. Adding stops at these three intersections is critical to achieving racial equity as part of the largest public investment in this community in 50 years. JCA is a 13 year old non-profit organization that brings together Jews from diverse components of the Jewish community to take action on social and economic justice issues.

There is no question that a critical reason for building the light rail transit system is to improve transportation within neighborhoods within St. Paul. It does not make any sense to invest hundreds of millions of dollars on University Avenue that does not meet the demands of people along the corridor. Given the very large concentration of people living near these three stops, many of whom are transit dependent, and especially given the racial make-up of these communities, it is absolutely necessary to add these stations to the route. We are less concerned about whether one or two stops are removed from downtown to make it more feasible to add these additional stops, but we know they must be added. We also have concerns about the flexibility being provided in funding for the University of Minnesota and other mitigation costs without providing similar flexibility to make sure the 3 stations are added at a cost of only \$16.5 million.

We cannot build a system that primarily improves trips between the two central cities as a means to support suburban commuters. Service and accessibility are more important than speed for these communities. If we ever have any intention of improving racial equity and achieving racial justice in our communities, we must add these three stations. It is not good enough to simply add the infrastructure so the stations may be added at a later time. We cannot adequately meet the environmental justice standards if we fail to add these 3 stations to the Central Corridor Route.

Additional stations at Hamline, Victoria, and Western, and retention of the current service frequency of Route 16, would substantially increase access to LRT, which in turn means improved access and shorter travel trips to jobs, schools, essential services, and stores. We cannot emphasize enough the importance of maintaining or even increasing bus service (16 route) along University Avenue and expanding north/south connecting bus lines to facilitate access to the LRT from the large population centers north and south of the corridor. LRT stations also would create more opportunities for neighborhood revitalization and economic development in communities that have experienced under-investment for far too long.

We are just as anxious as you to see the project go forward and to get it built on time and on budget. But we must ensure full access to those whose needs are being used to justify this project and need this major transit investment the most. This is a system that will be in place for many generations so we must build it to fit the community and meet its diverse needs. We look forward to working together with you to make sure the most accessible system can be built to serve the community. Building the correct transit system must be more important than adhering to an arbitrary cost effectiveness index.

Thank you for your support.

Vic Rosenthal,
Executive Director

David and Kathryn,

As the Marcy Holmes representative to the District Central Corridor, I hereby submit the following comment, regarding:

Federal Register Cite (Vol. 73, No. 37, Monday,
February 28, 2008): 73 F Reg 10090; Title: Department of
Transportation, Federal Transit Administration; Supplemental Draft
Environmental Impact Statement for the Central Corridor Light Rail
Transit Project, Located in Minneapolis and Saint Paul, MN; Agency:
Federal Transit Administration (FTA), Department of Transportation
(DOT); Action: Notice of Intent to prepare a Supplemental Draft
Environmental Impact Statement

1. The Marcy Holmes Neighborhood Association of Minneapolis fully supports An Enhanced Metropolitan Transit System and, in particular, the Central Corridor LRT Project

2. I feel that it is essential that the SDEIS must evaluate alternatives to a Washington Avenue At-Grade Alignment

3. A Washington Avenue At-Grade Alternative will have significant adverse effects on the University and the surrounding neighborhoods, particularly due to the re-routing of 25,000 vehicles and 1,500 busses onto the surrounding streets.

4. The Northern Alignment may be a feasible alternative to a Washington Avenue At-Grade Alternative

5. We strongly advocate FTA and the Met Council must evaluate the Northern Alignment Alternative in the SDEIS

6. As the oldest neighborhood of Minneapolis, we strongly advocate following Section 106 Of The National Historic Preservation Act, which requires that the SDEIS analyze the adverse effects of the Washington Avenue At-Grade Alternative and evaluate the Northern Alignment

7. We advocate the alignment that includes the most accurate assumptions available regarding ridership and cost

Thanks,

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Comments submitted on the Supplemental Draft Environmental Impact Statement (SDEIS) for the Central Corridor Light Rail Transit Project, located in Minneapolis and St. Paul, MN

From: Alliance for Metropolitan Stability
2525 E. Franklin Ave.
MPLS, MN 55406
Contact: Russ Adams, Executive Director
russ@metrostability.org
612-332-4471

March 25, 2008

The Alliance for Metropolitan Stability is focusing our comments in support of the construction of the additional stations at Hamline Avenue, Western Avenue, and Victoria Street in St. Paul, one of the key project elements that has changed and/or remain uncertain since the issuance of the Central Corridor AA/DEIS.

The Alliance for Metropolitan Stability is a broad coalition of 20 faith-based, social justice, and environmental [organizations](#) advocating for public policies that promote community reinvestment and responsible land-use in the metropolitan area. By invitation of University Avenue community organizations and as directed by the Program Committee of our Board of Directors, we have provided staff support to organizing and supporting coalition efforts along University Avenue in response to the future development of the Central Corridor Light Rail Transit Project.

We are a member of the Transit Equity/Stops for Us Coalition which represents a total of 67 constituency-based and/or citizen participation organizations. Our collective focus is to ensure that three additional stops are built at Hamline Ave., Western Ave. and Victoria Street. These stops are part of a larger equity strategy for the future development along University Avenue.

A case for equal access by building additional stations at Hamline Avenue, Western Avenue, and Victoria Street:

We start with acknowledging that the east end of the corridor includes the Rondo Community which suffered severe displacement from the construction of Interstate-94 in the 1960s. In the 1930s, Rondo Avenue was at the heart of St. Paul's largest Black neighborhood. African-Americans whose families had lived in Minnesota for decades and others who were just arriving from the South made up a vibrant, vital community that was in many ways independent of the white society around it. The construction of I-94 in the 1960s shattered this tight-knit community, displaced thousands of African-Americans into a racially segregated city and a discriminatory housing market, and erased a now-legendary neighborhood.

We further note that “long-standing research documents how poor and minority communities are adversely affected by local and regional investment and planning decisions regarding transit. Spatial and transportation inequalities are often contributing factors to persistent poverty and unemployment for low-income and minority neighborhoods.” (Equity Impact Report, David Karjanen 2007). By decreasing the distance of one mile to one half mile between stations in the east end of University Ave., the construction of the additional stations at Hamline Avenue, Western Avenue, and Victoria Street will “increase access to transit, transit oriented

development, potential for increase bicycle and pedestrian access, and potential for enhanced visual quality in these transit dependent communities” (DEIS S.4.5).

The construction of the Central Corridor Light Rail Transit Project is often justified by referring to the concentrations of low-income, transit dependent people who live on the east end of University Avenue. The original DEIS (March 2006) identifies:

- 12,503 transit dependent households (3.1)
- 11 of 15 neighborhoods have higher poverty rates than their respective cities (3.1.2)
- 66% of the neighborhoods have higher percentage of no vehicle households than their respective cities (3.1.2)
- 31,000 are young, elderly or have mobility limitations (3.1)

In addition to the census statistics listed in the DEIS, the Institute for Race and Poverty at the University of Minnesota “has compiled an extensive set of recent data on the University Corridor, defined as stretching from downtown St. Paul to the eastern neighborhoods of Minneapolis along University Avenue. IRP collected the data from the 1990 and 2000 U.S. Census, the Census Transportation Planning Package, the Home Mortgage Disclosure Act (HMDA) data, and more. The data is made available in the forms of Excel datasheets, bar charts and line graphs, as well as GIS (geographic information systems) maps, which comprise the bulk of the materials on this web site.” For further statistical information see:

http://www.irpumn.org/website/projects/index.php?strWebAction=project_detail&intProjectID=19

Community Support

Along with the 67 organizations represented in the Transit Equity/Stops for Us coalition, the majority of people who attended (300+) the Metropolitan Council’s Listening sessions are in support of adding stations at Hamline, Victoria, and Western (total of 126). This support was also a major point in the feedback from the Central Corridor Community Advisory Committee where it was noted “not building 3 additional stations at Hamline, Victoria and Western will still be perceived as not serving well the needs of the highest density transit dependent populations.” The support of these stops was also reflected in the majority of emails and letters received during this public comment period. See “Summary of Public Comment” Metropolitan Council website: <http://www.metrocouncil.org/transportation/ccorridor/ReportsPresentations/PublicCommentsFeb2008.pdf>

Supporting documents excerpted from the Central Corridor Project: Alternatives Analysis and Draft Environmental Impact Statement March 15, 2006

S.4.5 Environmental Justice (section: Summary, pg 24)

Benefits offered by the build alternatives would include increased access to transit, opportunities for transit-related redevelopment, potential for increased pedestrian and bicycle connections and frequently accompanied with possible adverse impacts such as potential traffic impacts; displacements of residential, commercial and community facilities; and noise and vibration effects. These effects are evaluated to determine whether or not negative effects can be minimized and benefits can be maximized, with special regard to minority, low-income, and transit dependent populations.

GOAL 2: COMMUNITIES AND ENVIRONMENT (section 1, pg 10, 11)

Objective: Facilitate the preservation and enhancement of neighborhoods in the Central Corridor: (3rd paragraph)

Today's workforce consists of both people who choose to be transit users and transit dependent populations. Transit is a necessity for transit dependent populations to access jobs, education, health-care, and other important destinations. Transit can also be a mode of choice, for those who have a choice, if the quality of service is good enough. Today's livable communities have attracted a quality workforce by providing multimodal travel opportunities for both choice transit users and transit dependent populations.

Objective: Acknowledge the individual character and aspirations of each place served, and of the region as a whole.

Better transit service would play a pivotal role in acknowledging the character and aspirations of places in the Study Area and in the region as a whole. The Central Corridor has local neighborhood that collectively form the heart of the Twin Cities Metropolitan Area. This distinction is expressed, for example, in the annual Rondo Days festival. The Rondo area, one of the city's most diverse communities, was virtually destroyed when it was cut in half in the 1960s to build I-94 between Minneapolis and St. Paul. The festival began in 1983 to remember and celebrate the neighborhood and its positive impact in the region. It continues today with increasing attendance, drawing people from throughout the Twin Cities area and from several states. This is a clear indication of the significance and meaning of the neighborhoods in the Central Corridor, and the need to make transportation improvements that reflect community aspirations.

A community's character or identity is something that gives its people a sense of pride that comes with a sense of belonging to their neighborhood. This has been shown to be a very important factor for the social and economic success and long term viability of the community. Better transit for the Central Corridor could support and be embraced by the communities it serves and become a focal point in acknowledging individual community aspirations for its next generation of residents.

3.9.3 Impacts Related to Environmental Justice for Social Factors (section 3, pg 72, paragraph 3)

In Saint Paul, service would be provided to the Westgate area, Saint Anthony Park, Hamline-Midway, Thomas-Dale, Merriam Park, Snelling-Hamline, Lexington-Hamline, and Summit-University. Several of these neighborhoods have high concentrations of minority or low-income populations. The increased mobility provided by transit improvements and the siting of proposed LRT stations may act as a catalyst to new investment in the University Avenue corridor. Proposed LRT stations would also be new community facilities that would add to the stature of the adjacent neighborhoods and serve as a focal point to daily activity.



DISTRICT COUNCILS COLLABORATIVE of Saint Paul & Minneapolis

1080 University Avenue West • Saint Paul, MN 55104
651-249-6877 • www.dcc-stpaul-mpls.org

District 6
North End-South
Como

March 26, 2008

District 7
Thomas-Dale

Kathryn O'Brien, Project Manager
Central Corridor Project Office
540 Fairview Avenue North, Suite 200S
St. Paul, MN 55104

District 8
Summit-University

David Werner, FTA Region V
200 West Adams Street, Suite 320
Chicago, IL 60606

District 10
Como

District 11
Hamline-Midway

Dear Ms. O'Brien and Mr. Werner:

District 12
Saint Anthony Park

The District Councils Collaborative of Saint Paul and Minneapolis (DCC) writes to provide comment on the Metropolitan Council's and Federal Transit Administration's (FTA) Notice of Intent to prepare a Supplemental Draft Environmental Impact Statement (SDEIS) for the Central Corridor Light Rail Transit (CCLRT) Project, located in Minneapolis and Saint Paul, Minnesota, which was published February 25, 2008 in the *Federal Register* and the Minnesota *EQB Monitor*.

District 13
Union Park

District 14
Macalester-
Groveland

District 16
Summit Hill

The DCC is a nonprofit organization whose 15 members are city-recognized neighborhood planning organizations (ten in Saint Paul and five in Minneapolis) located near the proposed CCLRT Project alignment. The DCC envisions the CCLRT as a "community connector" to a dual-hub, regional transit system. Its mission is to facilitate community involvement in the CCLRT planning process and to ensure that the needs and interests of the constituents of its member organizations are represented. Our constituency includes 22,435 households located within one-half mile of an LRT station.

District 17
CapitolRiver Council

Marcy-Holmes
Association

Prospect Park-East
River Road
Improvement
Association

Southeast Como
Improvement
Association

University District
Improvement
Association

West Bank
Community Coalition

In May 2006, the DCC provided comments on the Central Corridor Light Rail Transit Project Draft Environmental Impact Statement (DEIS). At that time, we identified nine areas for further study: **1) Stations**—the number and location; **2) Transit Connectors**—cross-street transfers/circulators/shuttles/concurrent bus transit service; **3) Pedestrian/Bike/Disability Access and Safety** along and crossing the Avenue; **4) Traffic Control and System Routing**—turns, tunnel, adjacent and cross traffic; **5) Business Preservation and Access**—on-and off-street parking issues; **6) Property Values/Assessment Impacts**; **7) Streetscapes, Public Art/Aesthetics, and Open Spaces**; **8) Land use issues** as they affect the transit system; and **9) Citizens/Community Advisory Function**—ongoing mechanism, input, and funding (see Attachment 1).

The DCC is pleased to see some of these areas included in the SDEIS work scope and others being studied in greater depth as part of Preliminary Engineering. We would like to take this opportunity to offer additional information and comment of the following issues:

1. Station Spacing and Location
 - a. Stations at Western, Victoria, and Hamline
 - b. Station at Cleveland
2. Transit Connectors
3. Traffic Control and System Routing
4. Neighborhood and Business Mitigation
5. Streetscapes and Station Design
6. Citizens/Community Advisory Function

1. Station Spacing and Location

The DEIS proposed to space stations one mile apart along two segments in Saint Paul: from Rice Street to Snelling Avenue and from Fairview to Raymond Avenues. In its comments on the DEIS, the DCC supported half-mile station spacing outside the Central Business Districts.

Study of Stations at Western, Victoria, and Hamline — Neighborhoods in the three-mile segment from Rice to Snelling have some of region's highest concentrations of transit dependent, low-income, and racially/ethnically diverse households. These concentrations are noted in both the Central Corridor DEIS and the New Starts Application. The DCC identified transportation equity for these neighborhoods as a high priority issue and commissioned research on the issue of station spacing and location. Findings from that research indicate that one-half mile station spacing is common practice in similar urban neighborhoods across the US and that projected ridership in these neighborhoods might be even higher if LRT is made more accessible by spacing stations one-half mile apart. Other research findings noted that one-half mile stations spacing would address issues of transportation equity and environmental justice, offer more economic development opportunities for these economically distressed neighborhoods, provide greater community cohesion for different ethnic and racial groups, and be consistent with the CCLRT Project's goals and objectives (see Attachments 2 and 3 for full research report). This research has been shared with the community, the Met Council, and elected officials involved in the project. A community report of responses to the research and support for construction of the stations is attached along with DCC Comments submitted to the Met Council as part of its series of 'Listening Sessions' (see Attachments 4 and 5).

The DCC is pleased to see these stations included the SDEIS work scope. The DCC urges the Met Council to include the following tasks as part of the SDEIS.

- Supplemental ridership analysis to verify ridership projections generated by the Regional Transportation Model, a 4-step model that is known to under-forecast LRT ridership.
- A rigorous analysis of impacts, such as community cohesion and economic development, which will result from a delay in the construction of these stations.
- A thorough mitigation analysis that would address such issues as additional circulators to improve access to LRT stations, should these stations not be built as part of the project.

We believe these studies would enhance existing analyses, thus strengthening documentation of the need for these stations and better informing development of interim mitigation strategies to accommodate the community until the stations are built.

Station in the Cleveland Avenue Vicinity — The DCC has identified two factors which suggest that this area should be studied as a site for a future station. (1) Cleveland Avenue is an arterial to the south where there is significant residential development and two large higher education institutions are located, St. Thomas University and the College of St. Catherine. A Cleveland Avenue station would improve access to the Central Corridor LRT. (2) St. Anthony Park

Community Council, the district council whose boundaries encompass the industrial area surrounding Cleveland, envisions mixed-use redevelopment over the next 25 years. Should this redevelopment occur, residents and workers will need easy access to the Central Corridor line.

- The DCC recommends that the SDEIS work scope include **study of a Cleveland Avenue station** to determine the feasibility of a future station and to identify suitable location options. (The DCC understands that slope conditions at the Cleveland Avenue intersection with University Avenue may preclude a station right at the intersection; therefore, consideration should be given to moving the station west or east of the intersection.)

2. Transit Connectors

In its DEIS Comments, the DCC supported maintaining the current 10-minute service frequency of the 16A bus route from downtown Saint Paul to downtown Minneapolis via University Avenue, at least until ridership surveys subsequent to full operation of the light rail line justify a reduction. The DCC also supported development of a robust feeder system, which would include a complement of transit options, ranging from circulators to shuttles that would connect residents to neighborhood as well as to regional destinations and to LRT stations.

The DCC remains committed to this vision for transit service to LRT stations and intra-station destinations. We remain particularly concerned about proposed cuts in Route 16 peak and off-peak service, which would reduce frequencies by 50 percent during peak hours and 66 percent during non-peak hours and weekends. We also remain concerned about the proposal to truncate this route at the University of Minnesota, thus forcing a transfer to LRT to complete a journey in either direction. Although reductions in service frequency and forced transfers to LRT may increase overall CCLRT ridership, it poses a significant hardship and loss of travel time benefits on those who have no choice, especially those who are disabled or do not have the option to use a vehicle.

- The DCC asks that the **SDEIS work scope include further analysis of bus transit operations and service needs for routes that parallel the alignment and for feeder routes.**
- The DCC requests that the **Met Council explain on what basis, beyond distance as the crow flies, is a resident judged to have adequate access to transit.** In other words, what measurements are being used to determine adequate levels of transit service for households with members who frequently work shifts that do not coincide with peak hour service? As an example, even though a transit-dependent resident may live within one-quarter mile of bus transit route, how can that person be said to have proper levels of service if a bus rarely comes by?

3. Traffic Operations and System Routing

University of Minnesota/Washington Avenue — In its DEIS comments, the DCC supported the concept of an LRT tunnel beneath Washington Avenue as it goes through the University of Minnesota East Bank campus. The Met Council has decided that the CCLRT Project will include a transit/pedestrian mall on Washington Avenue, not a tunnel as indicated in the DEIS. The currently proposed transit/pedestrian mall could have significant negative impacts on surrounding neighborhoods if vehicles are diverted off Washington Avenue to accommodate the mall. (According to current estimates, there are 25,000 average daily trips on this segment of Washington Avenue.)

- The DCC strongly recommends that the **SDEIS include an areawide analysis of traffic impacts** resulting from the proposed transit / pedestrian mall concept. The study should go beyond intersection capacity analyses to include estimated traffic increases on local streets and parkways and it should address how commercial traffic and emergency vehicles would be routed through the neighborhoods. The study should be comprehensive in scope and include data and analyses from other major proposals for the area, e.g. the new University of Minnesota Stadium and Bio-Sciences Corridor, as well as proposed new roads and bikeways, such as Granary Parkway and the Grand Rounds.
- The DCC further recommends using the results of this analysis to propose a realistic **mitigation program that addresses traffic mitigation needs directly and indirectly associated with the CCLRT Project** and identify funding streams to implement mitigation strategies. Neighborhoods experiencing the impacts should be involved at every step from interpretation of findings to development of mitigation strategies and identification of funding sources.

University Avenue in Saint Paul and Minneapolis — As Preliminary Engineering for University Avenue has progressed, off-Avenue traffic has become a greater concern to member organizations. For example, engineers have acknowledged that alleys in Saint Paul, which are not necessarily maintained by the city, will likely see increased traffic as will residential streets. Also, recent Preliminary Engineering reports on cross-section designs for the Saint Paul stretch of University Avenue show options that significantly reduce on-street parking, which is different from what was projected in the DEIS. This is a new concern for the DCC and other business and community members.

- The DCC recommends that the **SDEIS work scope include traffic and parking analyses of University Avenue** from 29th Avenue in Minneapolis to Rice Street in Saint Paul. The study area should go beyond the University Avenue right-of-way to one-mile on either side of the avenue. Such an analysis would generate more information about business and neighborhood traffic impacts caused by the CCLRT Project and serve as a source of factual information around which neighborhoods, businesses, and CCLRT Project Office can have substantive and productive discussions about mitigations needs, strategies, and funding sources for mitigation along this segment of the alignment.

4. Business Preservation

In its DEIS comments, the DCC strongly supported preservation of businesses, especially small businesses, on University Avenue. The DCC remains concerned about this issue for two reasons: 1) previously mentioned Preliminary Engineering studies that indicate severe reductions in on-street parking beyond what was anticipated in the DEIS and 2) the proposed delay in building out stations at Western Avenue and Victoria Street where there are a significant number of small businesses, many of which are owned by immigrants or minority business people.

- The **SDEIS traffic and parking analysis the DCC recommended above** will inform development of appropriate mitigation for large and small businesses. The Met Council should work with both counties and cities to engage businesses and other community organizations in the development of mitigation strategies that are flexible and sensitive to the diversity of business needs found in the Central Corridor.
- The **SDEIS should also develop mitigation strategies for businesses in the areas where stations are “roughed-in,” but not built out.** According to Environmental Justice principles, disproportionate delay in the receipt of benefits is as harmful to protected populations as disproportionately bearing the burdens of a transportation project. The

SDEIS should develop and disclose measurements for assessing the economic benefits and burdens of the project and use them to analyze areas at Western, Victoria, and Hamline and to formulate appropriate mitigation strategies.

5. Streetscape Design and Street Reconstruction

The DCC supported full reconstruction of University Avenue in its DEIS comments and, upon further study, passed a resolution supporting use of environmentally friendly and sustainable best practices for reconstruction and streetscaping.

Preliminary Engineering investigations have revealed that the St. Paul segment of University Avenue is in better condition than anticipated and that full reconstruction is not needed; however, curbs, gutters, and sidewalks will be rebuilt. (The CCLRT Project will cover 85 percent of these improvements and the City of Saint Paul and Ramsey County will be responsible for the remaining 15 percent.)

The extent to which streetscape improvements will be included in the project budget is not yet known. Research conducted for the DCC found that LRT station areas with robust pedestrian environments, cohesive urban design elements, and a strong “sense of place” were more economically successful than those that lacked these key characteristics.

- Because the CCLRT Project will require rebuilding of 85 percent of the street and in light of our research findings, the DCC recommends that **the SDEIS include development of a sustainable, environmentally sensitive streetscape designs for all of University Avenue**. These designs should reflect the unique, neighborhood character of different stations areas and they should be developed with input from the local jurisdiction(s) and appropriate neighborhood, community, and business organizations.
- **The SDEIS should carefully consider the environmental impacts of the project on the pedestrian realm, open spaces, and green infrastructure opportunities** along the alignment and develop mitigation strategies that will encourage, not preclude, sustainable green/streetscape alternatives and implement as many best practices as feasible. The City of Portland is one of the leaders in this field and may prove to be an excellent source of information.
- In this same vein, **the DCC also strongly recommends the SDEIS conduct a thorough analysis of strategies to retain and protect existing canopy trees in the Minneapolis segment of University Avenue** from the border with Saint Paul to the 29th Avenue Station area. These mature trees make a significant contribution to the pleasant pedestrian realm in this neighborhood and are integral to its character. They also provide energy efficiencies for nearby buildings. These benefits should be taken into consideration as mitigation strategies are developed.

6. Citizens/Community Advisory Function

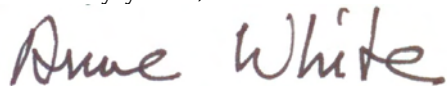
Meaningful citizen participation in the CCLRT planning process is one of the DCC’s two priority goals. The DCC advocated for early establishment of a Community Advisory Committee (CAC), a Business Advisory Committee (BAC), and citizen representation on the Central Corridor Management Committee (CCMC). Both advisory committees were created as part of Preliminary Engineering phase, and a citizen representative was included on the CCMC. The DCC was encouraged by these developments. We were also encouraged by the care with which CCLRT Project Staff responded to our research and community reports on building stations at Western, Victoria, and Hamline and by the addition of ‘Listening Sessions’ which allowed the community members to speak directly to Met Council Member prior to making their decisions about major project work scope components.

However, the DCC has received many complaints from its member organizations and from individual community members about Met Council actions to severely limit the function and role of the advisory bodies in decision-making processes. The DCC's own first-hand experience has been mixed. We frequently experience significant delays in receiving requested data and reports and often have to make repeated requests for meetings on issues of interest to our member organizations.

- The DCC requests that as the project moves from the last stages of Preliminary Engineering into Final Engineering **the public engagement process undergo an external review by independent auditors**. This would allow the community and business members and organizations, CCLRT Project Staff, and Partner Agency staff to speak openly about their concerns and experiences, to identify strengths, and to suggest strategies for improvement. It will be six more years before the project is completed. This is as much a community-building project as it is a transportation infrastructure project. There are many more transit projects in the wings. It would behoove everyone from the regional level to the neighborhoods to reflect on what works and doesn't and to make sincere efforts to make improvements where needed.

The DCC appreciates this opportunity to comment on the SDEIS work scope and looks forward to your responses.

Sincerely yours,



Anne White, Chair
District Councils Collaborative

cc: Central Corridor Management Committee
DCC Governing Council and Member Organizations

List of Attachments

- Attachment 1. DEIS Comments from DCC, May 2006
- Attachment 2. Stations Research Report and Appendix A, November 2007
- Attachment 3. Research Report Appendices B-D, November 2007
- Attachment 4. Stations Community Report, updated, February 2008
- Attachment 5. Met Council Listening Session Comments from DCC, February 2008



March 17, 2008

Kathryn O'Brien, Project Manager
Central Corridor Project Office
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SECIA

(see-key-ah)

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The Southeast Como

Improvement Association

works to maintain and enhance the

physical, social, and economic

environment of

our neighborhood.

Through programs that serve our

community's present and future

needs, through communication,

stewardship, and citizen

involvement, we strive to foster a

sense of community and to promote

the neighborhood as a vibrant place

to live and work.

Dear Project Manager O'Brien:

The Southeast Como Improvement Association (SECIA) of Southeast Minneapolis is writing in regards to the Supplemental Draft Environmental Impact Statement (SDEIS) for the Central Corridor project. SECIA is encouraged by the fact that there will be a SDEIS conducted for the Central Corridor. We feel that there are a multitude of issues that need to be studied in this SDEIS before a final route and mitigation scenarios are approved. This includes the affect of removing the Washington Ave tunnel as it relates to planned capital improvement projects already underway.

The largest single challenge for the Central Corridor is the shift from a Washington Ave tunnel to an at-grade LRT line. The impacts of such a decision will be felt not only at the University of Minnesota, but also in the surrounding communities. Washington Ave is a major thoroughfare in SE Minneapolis; removing the vehicle traffic from Washington Ave will not remove it from the Minneapolis transportation grid, even with the addition of the LRT as an alternative transportation option. The neighborhoods surrounding the University of Minnesota are already congested with traffic, a condition that will be significantly greater as the displaced vehicles from Washington Ave seek other routes.

An at-grade LRT line will be complicated by the existence of the University of Minnesota medical buildings and the needs of emergency service vehicles. These buildings will still need access to the rest of the community that are not possible through the LRT or other non-motorized forms of transportation. A tunnel might be expensive, but it is a better alternative than creating a LRT line that does not function or that negatively affects the surrounding communities.

SECIA believes that a more comprehensive examination of the multiple layers of capital projects and roads planned for SE Minneapolis needs to be undertaken, and the SDEIS presents an excellent opportunity to look at this broader picture. The Central Corridor is only one portion of the transportation puzzle, and it will be affected by the concurrent decisions being made in other projects. No governmental agency has looked at the interconnectivity of these separate projects and their overall impact on the region.

- The completion of the Grand Rounds: Missing Link will create a north-south route through SE Minneapolis from NE Minneapolis to the Mississippi River that will serve as a major enticement as a thoroughfare to U of M students, faculty and visitors.
- The construction of Granary Rd and the transportation needs of the Southeast Minneapolis Industrial Area (SEMI). This is one of the few



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remaining industrial areas in Minneapolis, and a substantial amount of their transportation needs currently rely on heavy truck traffic.

- The new University of Minnesota Gopher Football Stadium will draw thousands of additional vehicles into the area. The Stadium EIS already showed numerous neighborhood intersections at failure during the increased trip load created by the stadium. This will be exacerbated by the removal of traffic from Washington Ave as well as the increased traffic from a completed Grand Rounds and Granary Rd.
- The reconstruction of the I-35W Bridge and the planned increase in lanes will add more traffic as well as a greater need for entrance and exit ramps on already crowded streets.
- The loss of surface parking and the increased difficulty in accessing the existing parking facilities will only intensify the usage of neighborhood streets for commuter parking. Parking concerns are already an enormous issue in the communities surrounding the University of Minnesota, and there is not an adequate mitigation structure to deal with the increases in parking needs for LRT or Gopher Stadium commuter needs.

These separate issues are significant and will have a vast impact on the regional transportation structure. Unfortunately, there has not been an adequate study of the entirety of the situation. The SDEIS presents an opportunity to examine the whole of the transportation issue in SE Minneapolis. There has been little communication between projects, and this must change before decisions are made to the detriment of the region.

SECIA urges the Metropolitan Council to conduct a full traffic analysis for SE Minneapolis. The analysis should include not only the Central Corridor route options, but also the potential impacts of the Grand Rounds, Granary Rd, the Gopher Stadium, the reconstruction of an expanded I-35W bridge and the resulting parking implications into the SDEIS.

These issues require a thoughtful and complete analysis, or else the potential benefits of the Central Corridor LRT project might never be realized.

Sincerely,

Wendy Menken, President

Cc: Mr. David Werner, FTA Region V., MET Council Chair Bell, Councilmember Lynette Wittsack, Mayor RT Rybak, Transportation Chair Sandy Colvin Roy, Councilmember Gordon, Senator Larry Pogemiller, Representative Phyllis Kahn, President Robert Bruininks, Vice President Kathleen O'Brien, Commissioner McLaughlin, Congressman Oberstar, Carol Swenson - District Councils Collaborative of Saint Paul and Minneapolis

Transit for Livable Communities

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March 26, 2008

Kathryn L. O'Brien, AICP, Project Manager
Central Corridor Project Office
540 Fairview Ave. North, Suite 2005
St. Paul, MN 55104

Dear Ms. O'Brien:

Transit for Livable Communities is writing to offer our comments on the scoping for the supplemental draft environmental impact statement for the Central Corridor Light Rail Transit line. Transit for Livable Communities is a non-profit organization that advocates for expanded public transit, and improved facilities for bicycling, and walking. We have a network of nearly 9,000 Twin Cities' residents who support our mission. We strongly support light rail in the Central Corridor and we are eager for this project and other rail and bus projects to move forward.

Attached to this letter is a two-page document that outlines our Board's policy positions on the Central Corridor project. Those policy positions were developed in 2006 and revised in 2007. In this letter, we highlight our organization's positions on the issues of most relevance to the scoping for the supplemental draft environmental impact statement. They are these:

- First, we support a **street level alignment for light rail on Washington Avenue** through the University of Minnesota campus (not a tunnel). We believe that a Washington Avenue transit mall with bus and train service will improve accessibility for pedestrians and transit users, improve safety, and make the campus a national model in sustainable transportation. We also believe that it will improve the small business environment on Washington Avenue.
- Second, we support the addition of one or more **stations along the east end** of the line between Snelling and Rice Street to improve accessibility for neighborhood residents and provide greater opportunity for transit oriented development. Service on the #16 bus



Central Corridor Light Rail Transit Policy Brief

The Central Corridor will be the core transit connector for the Twin Cities region, connecting the two largest downtowns, the University of Minnesota, and the state Capitol. The corridor has strong bus ridership and contains many diverse neighborhoods and a strong small business community. The east end of the corridor includes the Rondo Community, which suffered severe displacement in the last century caused by the construction of Interstate-94.

Improving transit in the Central Corridor will provide current and new transit riders with faster, more reliable, more frequent and more cost-effective service. It will help address traffic congestion, air and noise pollution, disinvestment in our core cities, and suburban sprawl. Any transit investment in the Corridor must preserve key community assets and meet the needs and interests of the communities through which it passes. To ensure community participation in transportation and land-use decision making, timely education and outreach about decision making processes are required. Resources to authentically integrate community input are also necessary.

Transit for Livable Communities recommends the following policies for the Central Corridor.

1. **Transit technology:** Light rail transit (LRT), rather than bus rapid transit (BRT) or other bus alternatives, is the appropriate technology for the Central Corridor. LRT can best accommodate the projected ridership over the long term while improving air quality and reducing traffic noise. LRT also provides easier and faster boarding for wheelchairs, bicycles, and strollers, and people carrying groceries or luggage.
2. **Alignment:** The Central Corridor transit line should follow a University Avenue alignment. Placing light rail in a freeway median provides faster travel times but makes transit oriented

development and pedestrian access to stations much more difficult.

Transit for Livable Communities supports a surface alignment for LRT that runs along Washington Avenue through the University of Minnesota campus to reduce costs and improve the pedestrian and bicycle environment. The surface alignment for light rail in downtown Minneapolis works well.

Whatever alignment is chosen for LRT in downtown St. Paul should include a connection along 4th Street all the way to Union Depot.

3. **Location and number of stops:** One or more additional stations should be considered on the east end of the line on University Avenue, with agreement from the city and community to increase development density at those station locations. Portland's Interstate Corridor, a corridor similar to University Avenue, has stops about every half-mile.

One or more proposed stations in downtown St. Paul or elsewhere could be eliminated to ensure appropriate spacing and a competitive Cost Effectiveness Index under the federal New Starts program. The overall impact must be carefully evaluated as more stops can increase ridership, while the increased travel time tends to reduce ridership.

4. **Construction mitigation.** Construction staging and mitigation strategies from cities like Salt Lake City, Utah, and Portland, Oregon, (Interstate corridor) should be used to minimize the impacts on existing businesses and residents.
5. **Pedestrian/bicycle environment:** Transit for Livable Communities strongly supports a full reconstruction of University Avenue to improve the pedestrian environment and development

TRANSIT for



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Transit for Livable Communities is a regional, nonpartisan organization working to reform Minnesota's transportation system. Through advocacy, organizing, and research, we promote a balanced transportation system that encourages transit, walking, biking, and thoughtful development.

Attachment 3: Agencies and Other Public Entities



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

MAR 18 2008

REPLY TO THE ATTENTION OF

mailcode E - 19J

Kathryn L. O'Brien
Project Manager
Central Corridor Project Office
540 Fairview Avenue, North, Suite 200S
St. Paul, Minnesota 55104

Re: Scoping Comments in Response to the Notice of Intent to Prepare a Supplemental Draft Environmental Impact Statement for the Minneapolis-St. Paul, MN Central Corridor Project, CEQ No. 20060147

Dear Ms. O'Brien:

In accordance with U.S. Environmental Protection Agency (US EPA) responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act, we are responding to the request for scoping comments regarding the proposed Minneapolis - St. Paul, MN Central Corridor Project Supplemental Draft Environmental Impact Statement (SDEIS). US EPA participated in an early scoping meeting for this project in June 2001. Options for mode selection, corridor location, station location and selected local concerns were considered in both open public meetings and stakeholder invited sessions. We subsequently commented on the Draft EIS on June 5, 2006.

The Central Corridor Project is a proposal to link downtown St. Paul with the University of Minnesota and downtown Minneapolis via light rail transit (LRT) or bus rapid transit (BRT). Ideally, it would connect the existing Hiawatha transit line and Northstar commuter lines in Minneapolis with the proposed Riverview Transit, the Red Rock, and other commuter/rail projects in St. Paul. This would offer convenient access to many community and employment opportunities located between and surrounding these centers, and support the economic development goals for the corridor.

The SDEIS is proposing to evaluate: the Hiawatha LRT and Central corridor connection in the City of Minneapolis; the University of Minnesota East Bank alignment, either as a tunnel or at grade, and related campus stations; potential stations at Hamline Avenue, Western Avenue or Victoria Street; alignment and stations in the Capitol Area; downtown St. Paul alignment and station modifications; requirements for 3-car train operations; locations of traction power substations; potential locations for a system vehicle maintenance facility; Washington Avenue Bridge improvements; and other elements with the potential for significant impacts to human and natural environments.

The US EPA retains its concerns as discussed in the June 5, 2006 letter of comment for the Draft EIS and looks forward to those concerns being addressed in the SDEIS. In that letter, we identified concerns for traffic impacts, hazardous waste sites, noise, possible geologic, water, and air issues, and historic preservation documentation. We also requested clarification of factors used in selecting alternatives since one abandoned alternative (Alternate Route 5, Section 2) appeared to better serve the community.

Based upon the supplemental scoping information received and that available on the designated websites, we offer the following additional scoping comments for the proposed SDEIS. These concerns include the following issues: additional environmental justice and water run-off considerations, plus greenhouse gas emissions impacts upon climate change.

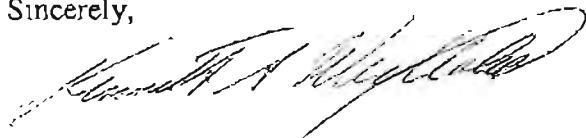
Three additional stations are being considered to serve the environmental justice neighborhoods at Hamline Avenue, Victoria Street and Western Avenue in St. Paul. A Central Corridor website; <http://www.metrocouncil.org/transportation/ccorridor/centralcorridor.htm>, provided as an information source, indicates these may be dropped from consideration due to cost factors. The SDEIS should provide a clear explanation of what factors, such as ridership numbers, safety concerns, or system efficiencies, justify which stations are retained for detailed analysis or dropped from further consideration. Cost alone appears to be an insufficient basis, since most of the stations have similar costs.

US EPA is aware that the Twin Cities take great care to protect their significant natural resource, the Mississippi River. This includes measures to deal with stormwater run-off, such as from the path of this proposed project. The SDEIS should discuss how this run-off will be pretreated prior to being discharged into surface waters.

There is a growing awareness of carbon dioxide and other greenhouse gases as they may affect our global climate. While this transit project is anticipated to reduce private vehicle use and thereby reduce such emissions, the system will add to either bus diesel exhaust or electrical generation emissions for running trains. The SDEIS should quantify these emissions, discuss their general impact upon the global climate, and consider opportunities to minimize and mitigate them through voluntary methods.

Thank you for the opportunity to provide these scoping comments. If you have any questions regarding our comments, please contact Norm West. Norm can be reached by phone at (312) 353-5692 and by e-mail at: west.norman@epa.gov.

Sincerely,



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



Mississippi Watershed
Management Organization
2520 Larpentour Avenue West
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Telephone 651-287-0948
Facsimile 651-287-1308
www.mwmo.org

March 17, 2008

Dear Ms. O'Brien,

The Mississippi Watershed Management Organization (MWMO) has the following requests on content to be covered within the Supplemental Draft Environmental Impact Statement (SDEIS).

Given the existing fecal and potential sediment TMDLs on the Mississippi River, the Mississippi Watershed Management Organization (MWMO) thinks it is important for the (SDEIS) to evaluate current and future demands on the stormwater infrastructure in the project area. We ask for this evaluation to:

- Include the affects of the proposed project on the stormwater pipeshed up and downstream within the system
- Identify any present day water quality, and flooding (volume and rate) control problems within the system
- Identify any future problems that may arise from additional project related stormwater demands on the system
- Consider any significant future changes in land use and redevelopment upstream of the project area and how this will affect stormwater (volume, rate, quality) demands on the pipeshed in the project area

In addition, the MWMO requests stormwater Best Management Practice sites or corridors within the project be identified and evaluated for their potential to reduce volume demands on the stormwater pipeshed as well as pretreat runoff entering the pipeshed.

Our experience with large redevelopment projects to date has taught us that this resource related information and planning needs to occur at the front end of the project. When this is not incorporated into the planning and site design up front, effective stormwater management becomes extremely difficult and costly. If you have any questions regarding this request please contact me at 612-360-7335 or via email dkalmon@mwmo.org. Thank you for considering the MWMO's comments.

Sincerely,

Daniel Kalmon
MWMO
Senior Planner
612-360-7335
dkalmon@mwmo.org

ENVIRONMENTAL LAW GROUP

JAMES A. PAYNE
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March 13, 2008

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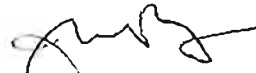
RE: Deadline for Commenting on Proposed Scope of Central Corridor Project
Supplemental Draft Environmental Impact Statement

Dear Ms. O'Brien:

This letter is to confirm our phone conversation of March 10, 2008. On behalf of the University of Minnesota, I asked for clarification about the deadline for comments on the proposed scope of the Supplemental Draft Environmental Impact Statement that the Met Council is preparing on the Central Corridor Project. As you know, the *EQB Monitor* indicates that the deadline is March 17, while the *Federal Register* indicates that the deadline is March 26.

You explained that the Metropolitan Council will accept comments through March 26, though you would like to receive them sooner than that date if possible. The University appreciates the clarification. If we are unable to complete our comments by March 17, we will plan to submit them as soon as possible thereafter.

Sincerely yours,



James A. Payne

c: Kenneth Larson, U/M OGC

Office of the General Counsel

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March 24, 2008

Ms. Kathryn L. O'Brien, AICP
Project Manager
Central Corridor Project Office
540 Fairview Avenue North
Suite 200S
St. Paul, MN 55104

Mr. David Werner
Federal Transit Administration
Region V
200 West Adams Street
Suite 320
Chicago, IL 60606

RE: Comments of the Regents of the University of Minnesota on the Proposed Scope of the Supplemental Draft Environmental Impact Statement for the Central Corridor Project

Dear Ms. O'Brien and Mr. Werner:

The Regents of the University of Minnesota (the "University") submit the following comments on the notice that the Federal Transit Administration ("FTA") and the Metropolitan Council ("Met Council") intend to prepare a Supplemental Draft Environmental Impact Statement ("SDEIS") for the proposed Central Corridor Light Rail Transit ("LRT") Project in Minneapolis and St. Paul, Minnesota.

Summary of Contents

- I. The University Supports an Enhanced Metropolitan Transit System and, in Particular, the Central Corridor LRT Project
- II. The University Has Long Supported an LRT Tunnel Under Washington Avenue and Recommended Study of a Northern Alignment Alternative
- III. The Delay in Publishing the Notice of Intent to Prepare the SDEIS and the Accelerated SDEIS Schedule May Render Public Comments Moot
- IV. FTA and the Met Council May Not Make a Decision to Proceed with a Washington Avenue At-Grade Alternative Until They Complete the SDEIS

- V. The SDEIS Must Include Evaluation of Alternatives to a Washington Avenue At-Grade Alignment
 - A. A Washington Avenue At-Grade Alternative Will Have Significant Adverse Effects on the University and Surrounding Neighborhoods
 - 1. A Washington Avenue At-Grade Alternative May Result in Unsafe and Dysfunctional Traffic Patterns and Damage the Integrated Transportation System Serving the University
 - 2. A "Transit Mall" Washington Avenue At-Grade Alternative and a "Pedestrian Mall" Washington Avenue At-Grade Alternative with Bus and Automobile Traffic Diverted From Washington Avenue Should Both be Evaluated Carefully
 - 3. There Are Potentially Adverse Effects of a Washington Avenue At-Grade Alternative With or Without Diverted Bus and Automobile Traffic
 - B. The Northern Alignment May Be a Feasible Alternative to a Washington Avenue At-Grade Alignment
 - C. The Law Requires FTA and the Met Council to Evaluate the Northern Alignment Alternative in the SDEIS
 - 1. NEPA, FTA Regulations, and MEPA Require that the SDEIS Consider the Northern Alignment Alternative
 - 2. Section 4(f) of the Department of Transportation Act of 1966 Requires that the SDEIS Consider the Northern Alignment Alternative in order to Minimize Harm to Historic Districts
 - 3. Section 106 of the National Historic Preservation Act Requires that the SDEIS Analyze the Adverse Effects of the Washington Avenue At-Grade Alternative, and also Evaluate the Northern Alignment Alternative

4. MERA Prohibits State Actions that will Materially Adversely Affect Minnesota's Natural Resources
- VI. The University's Feasibility Study of the Northern Alignment Alternative is not a Substitute for an SDEIS Analysis of that Alternative
 - A. The Met Council Improperly Conditioned Analysis of the Northern Alignment Alternative Upon the University's Willingness to Pay for that Analysis
 - B. Even After the University Completes its Feasibility Study, NEPA and MEPA Require an EIS-Quality Analysis of the Northern Alignment Alternative that Includes the Most Accurate Current Assumptions Available Regarding Ridership and Cost
 - C. The University Cannot Complete its Feasibility Study Without Cooperation from FTA and the Met Council

The University's detailed comments are set forth below.

I. The University Supports an Enhanced Metropolitan Transit System and, in Particular, the Central Corridor LRT Project

The University believes that a strengthened metropolitan transit system is essential for the continued success of the state, the region, and the University. For more than two decades, the University has been an active partner with Metro Transit and others to develop and implement an integrated transportation system that serves not only the University, but the entire metropolitan area. The University's transit way connects the West Bank, East Bank, and St. Paul campuses. In addition, the University uses shuttles to serve research centers and employs hourly car loan programs in response to the demand for off-campus transportation. These efforts, which have received state and national recognition, help reduce congestion and improve air quality throughout the Twin Cities.

The University itself is truly a transit-oriented community, with two-thirds of its commuters using bus, carpool, or walking options. As a result, the University has been a pioneer in developing a reliable, affordable, convenient, and safe transit system that enhances the efforts of Metro Transit. Over the last twenty years, the University has

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successfully developed an integrated transportation system that serves all members of the University community, including the more than 20,000 students and 2,000 faculty and staff who use Metro Transit passes that the University subsidizes. The University has long advocated for the development of reasonable and creative transportation solutions that will best serve the more than 80,000 students, faculty, staff, patients, and guests that visit the Twin Cities campus every day. Clearly, the University and the Twin Cities need a transit system that is reliable, affordable, convenient, and safe.

A Central Corridor LRT line, in the University's estimation, is critical to maintaining and enhancing the existing Twin Cities metropolitan transit system. The University alone is expected to generate at least one-third of the Central Corridor LRT line's daily riders. Recognizing the importance of the line to the entire metropolitan area, the University has been a committed, constructive partner throughout the planning process for Central Corridor LRT. An active participant in the Central Corridor Management Team, the University has committed considerable human and financial resources to the lengthy Central Corridor planning effort.

Consistent with its support for a strong, regional, multi-model transit system, the University's position is that the Central Corridor LRT project should:

- Reduce congestion;
- Maintain safety;
- Minimize noise and vibration to the extent possible;
- Preserve access to existing services along the right-of-way;
- Minimize right-of-way disruption;
- Maintain architectural and historic resources along the right-of-way;
- Strengthen the economic and community development opportunities of the surrounding neighborhoods; and
- Analyze whether the Central Corridor LRT project meets the above goals and evaluate alternatives that may better satisfy the goals.

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II. The University Has Long Supported an LRT Tunnel Under Washington Avenue and Recommended Study of a Northern Alignment Alternative

As FTA and the Met Council acknowledge in the notice of intent to prepare an SDEIS, the DEIS analyzes a baseline alternative, a Busway/Bus Rapid Transit alternative, and an LRT alternative. The LRT alternative, which is the only alternative involving light rail transit, currently includes a tunnel under Washington Avenue through the University campus. On June 28, 2006, the Met Council adopted the LRT alternative that the DEIS analyzed, including the Washington Avenue tunnel alignment, as its Locally Preferred Alternative ("LPA") for the Central Corridor project. Met Council Resolution No. 2006-15. In addition, FTA approved preliminary engineering for the LPA—including the Washington Avenue tunnel—in December 2006. *See* Letter from Marisol R. Simon, FTA Region V Administrator, to Brian Lamb, Chief Executive Officer, Metro Transit, December 13, 2006.

The University's position is consistent with the LPA that the Met Council selected in June 2006 and on which FTA authorized preliminary engineering in December 2006. For nearly twenty years, the University has opposed an at-grade LRT alignment on Washington Avenue. For example, on July 12, 2001, the University Board of Regents unanimously and expressly rejected Washington Avenue at-grade LRT alignment, finding that "accomodat[ing] Light Rail Transit at grade on the Avenue is no longer determined to be appropriate to the University." If "the Central Corridor planners decide to study a Light Rail Transit alignment on the Avenue," the Board declared that "the University requires that the alignment and station be below grade in a tunnel." Finally, the Board of Regents recommended that "the Central Corridor planners" evaluate as an alternative a "northerly Light Rail Transit alignment over the existing #9 railroad bridge that provides for excellent connectivity with University intra-campus shuttle bus service and future development." University Board of Regents Resolution on Light Rail Transit (approved July 12, 2001).

In September 2001, at the beginning of the environmental review process and almost five full years before the Met Council completed the DEIS, the University wrote the City of Minneapolis and the Hennepin County Commission expressing opposition to an at-grade Washington Avenue route for the LRT. The University suggested that environmental review of the LRT alternative consider a tunnel under Washington Avenue, which Hennepin County and the City of Minneapolis also favored.

At the same time, the University urged that the environmental review process study a "northerly alignment" because

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[i]f at the end of the study process it appears that the additional cost associated with a Washington Ave. tunnel is too great, it would be prudent to have studied another route. Given that the Washington Ave. at grade option is not acceptable to the University, the northerly alignment should be that route.¹

Unfortunately, the Central Corridor Management Committee (then led by the Ramsey County Regional Rail Authority) rejected the University's recommendation for study of the "northerly alignment" and considered only a tunnel under Washington Avenue in the DEIS, apparently because the University at that time would not pay to study the alternative route. See Section VI.A below.

Since the Met Council approved the LRT alternative with a Washington Avenue tunnel as its LPA in June 2006 and FTA authorized preliminary engineering on the alternative in December 2006, various practical, political, and financial hurdles to the project have appeared. Most notably, the Met Council has indicated that it must substantially reduce the cost of the existing LPA to meet FTA funding requirements. Accordingly, as discussed more fully below, the Met Council on February 27, 2008 "approved" the very changes to the existing LPA—including an at-grade Washington Avenue alignment—that are now proposed as the subject of the SDEIS.²

¹ Letter from Sandra S. Gardebring, Vice-President for University Relations, to Joan Campbell, Minneapolis City Council, and Peter McLaughlin, Hennepin County Commissioner (copies to Kathy DeSpiegelaera, Ramsey County Regional Rail Authority, Natalio Diaz, Met Council, Susan Haigh, Ramsey County Commissioner, Steve Morris, Ramsey County Regional Rail Authority, and Lisa Vecoli, Office of Hennepin County Commissioner Peter McLaughlin), September 21, 2001.

² The FTA and Met Council notice states that the SDEIS will examine an at-grade alignment alternative as well as modifications to the Washington Avenue tunnel alignment "largely due to the new University of Minnesota stadium presently under construction on the LPA alignment." 73 Fed. Reg. 10090, 10091 (February 25, 2008). The University disagrees with this assertion. The University completed its stadium plans at a time when it was uncertain whether the Central Corridor project would go forward, and when the University faced increasingly limited stadium location options. By the Met Council's own estimate, extending the tunnel will result in additional costs that "are \$15 to \$20 million over the current budget." Letter from Phyllis Hanson, Metropolitan Council, to Brian Swanson, University of Minnesota, November 23, 2005, at 2 (commenting on DEIS for proposed stadium). The Met Council now estimates that the costs may be significantly higher. However, increased costs for the tunnel extension result not just from the University's actions, but also from the design choices of the Met Council, such as the transit station now planned for just east of the stadium. The University has worked extensively with the Central Corridor Project Office to develop value-engineered alternatives to substantially reduce the cost of the LRT tunnel alternative.

The University has not modified its opposition to an at-grade Washington Avenue alignment and its recommendation that FTA and the Met Council study a northern alignment alternative. Vice President Kathleen O'Brien, the University's representative on the Central Corridor Management Committee ("CCMC") that is advising the Met Council on the LRT line, has reiterated the Regents' position that the best LRT alignment through the University campus is a tunnel under Washington Avenue or a northern alignment using Railroad Bridge Number 9. On February 27, 2008, the CCMC made a series of recommendations to the Met Council regarding final design of the LRT project, including a possible "University of Minnesota at-grade Transit Mall." Consistent with the Regents' position, Vice President O'Brien voted "yes with reservations" on the CCMC's recommendations to further study various alternatives for the LRT Project, noting that: (1) the University is studying the feasibility of a northern alignment using Railroad Bridge Number 9; (2) the University will continue to negotiate with interested parties regarding the optimal LRT alignment and essential mitigations; and (3) the University's Board of Regents retain all of their options to approve or disapprove any LRT plan that comes forward in the next several months.

III. The Delay in Publishing the Notice of Intent to Prepare the SDEIS and the Accelerated SDEIS Schedule May Render Public Comments Moot

After FTA approved preliminary engineering on the LRT alternative with a Washington Avenue tunnel in December 2006, FTA and the Met Council in the fall of 2007 decided to prepare an SDEIS evaluating a Washington Avenue at-grade alternative. FTA and the Met Council, however, waited until February 25, 2008 to request comments on the scope of the SDEIS. The University understands that the Met Council intends to submit a draft SDEIS to FTA for administrative review by April 29, with final FTA review commencing on June 2 and a target SDEIS publication date by the end of June. In addition, it appears that the Met Council will hold a public hearing on the SDEIS in mid-July, with the public comment period on the document slated to close in mid-August. The delay in requesting public comments on the scope of the SDEIS and the accelerated schedule for the document's publication strongly suggest that FTA and the Met Council will not substantially modify the scope of the SDEIS in response to public comments. This telescoped process is inconsistent with the National Environmental Policy Act ("NEPA") and the Minnesota Environmental Policy Act ("MEPA").

When an agency requests comments on the scope of a supplemental EIS, NEPA and MEPA require scoping to occur early enough in the process so that the agency may consider the comments received and modify the document's scope, if appropriate. *Cf.* 40 C.F.R. § 1501.7 (NEPA requires that "[t]here shall be an early and open process for

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determining the scope of issues to be addressed and for identifying the significant issues related to a proposed action,” and that an agency must request public comment on the scope of an EIS “[a]s soon as practicable after its decision to prepare an environmental impact statement”); Minn. R. 4410.2100, subp. 1 (under MEPA, agencies must use scoping early in the process of preparing a supplemental EIS to “identify only those potentially significant issues relevant to the proposed project, [and to] define the form, level of detail, content, [and] alternatives”). The schedule that FTA and the Met Council have set for completing the SDEIS, as well as the complexity of the SDEIS analysis, renders it all but certain that the document will address only those issues identified in the public notice of the intent to prepare the SDEIS. See Section VI.B. below.

In short, the delay in requesting public comments together with the accelerated schedule makes it unlikely that FTA and the Met Council can thoroughly address critical issues in the SDEIS, such as a possible northern LRT alignment through the University’s campus and surrounding neighborhoods, or the many complex mitigation issues arising from an at-grade alignment on Washington Avenue.

IV. FTA and the Met Council May Not Make a Decision to Proceed with a Washington Avenue At-Grade Alternative Until They Complete the SDEIS

As discussed above, on February 27, 2008 the Met Council “approved” the very changes to the existing LPA that are now proposed as the subject of the SDEIS. These changes include substitution of an unspecified at-grade alignment—including a possible a “transit mall” or “pedestrian mall” that may or may not include bus traffic in conjunction with the LRT line—for a tunnel under Washington Avenue.

To insure that a decision is fully informed, an agency must complete environmental review procedures under NEPA and MEPA *before* making a decision to proceed with a project. NEPA and MEPA do not establish simply *pro forma* requirements that may be completed at any point in the decision-making process that suits an agency’s convenience. See, e.g., *Lathan v. Brinegar*, 506 F.2d 677, 693 (9th Cir. 1974) (holding that NEPA’s prescribed procedures are to be “faithfully followed” and that “pro forma compliance will not do”). Thus, because the SDEIS is not complete, any changes to the LPA ostensibly “approved” by the Met Council on February 27 must be subject to further revision if information in the SDEIS indicates that revision is warranted.

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The FTA rule allowing the agency to conduct preliminary engineering on an LPA at the completion of the *draft* environmental impact statement is an exception to the general principle that agencies may not act until completion of a *final* environmental impact statement. *See, e.g.*, 40 C.F.R. § 1506.1 (prior to completing an EIS and issuing a record of decision, an agency is prohibited from taking any action that would “have an adverse environmental impact” or “limit the choice of reasonable alternatives”); 23 C.F.R. § 771.113(a) (prohibiting final design activities, as well as property acquisition and project construction, prior to completion of an FEIS, but allowing engineering studies and preliminary design activities to the extent necessary to accurately assess the impacts of the proposed action and to complete an EIS).³

FTA’s prior commitment to a course of action may not influence the range of alternatives that it must consider under NEPA. 52 Fed. Reg. 32646, 32649 (Aug. 28, 1987) (discussing 23 C.F.R. § 771.113). *See also* 40 C.F.R. § 1506.1 (under NEPA, before environmental review is complete an agency may not take any action that prejudices the ultimate decision on a project or limits alternatives). When changes to an action prompting a supplemental DEIS are of “such magnitude to require a reassessment of the entire action or more than a limited portion of the overall action,” FTA must suspend all project activities that would have “an adverse environmental impact or limit the choice of reasonable alternatives” until the supplemental DEIS is complete. 23 C.F.R. § 771.130(f)(3).

NEPA, MEPA, and the FTA regulations do not permit the Met Council to change the definition of the LPA that the DEIS evaluated,⁴ begin an SDEIS that evaluates the environmental effects of a new Washington Avenue at-grade alignment, and then give final approval to a Washington Avenue at-grade alignment before completing the SDEIS. Making a decision before reviewing the information in the SDEIS violates federal and state laws that require a meaningful evaluation of the likely adverse impacts of a Washington Avenue at-grade alignment, as well as other reasonable alternatives and potential mitigation measures. *See, e.g., Alaska Wilderness Recreation & Tourism Ass’n v. Morrison*, 67 F.3d 723, 728-30 (9th Cir. 1995) (holding that elimination of a

³ Similarly, MEPA prohibits an agency from taking any action with respect to a project before completion of an EIS which will “prejudice the ultimate decision on the project”—that is, any action which “tends to determine subsequent development or to limit alternatives or mitigative measures.” Minn. R. 4410.3100, subp. 2. *See also* Minn. R. 4410.3100, subp. 1 (providing that “a project may not be started and a final governmental decision may not be made to grant a permit, approve a project, or begin a project” until the EIS is completed and determined to be adequate).

⁴ As discussed in Section V.C below, the DEIS specifically defined the “LRT Alternative” to include a “[t]unnel under Washington Avenue through the University of Minnesota.” DEIS at 2-3 (emphasis added).

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critical portion of a project “clearly . . . affects the range of alternatives to be considered” in an EIS).

Viewed under these legal standards, it is especially troubling to receive indications that the Met Council has *de facto* already chosen a Washington Avenue at-grade alignment without the benefit of any information it may receive in the SDEIS.⁵

V. The SDEIS Must Include Evaluation of Alternatives to a Washington Avenue At-Grade Alignment

A. A Washington Avenue At-Grade Alternative Will Have Significant Adverse Effects on the University and Surrounding Neighborhoods

The University urges that the scope of the SDEIS be expanded to include careful study of an alternative northern alignment because the Washington Avenue at-grade alternative is likely to have very serious adverse effects on the University campus for decades to come. Many tens of thousands of students, visitors and patients use facilities and resources immediately adjacent to this thoroughfare. Failure to carefully evaluate alternatives could seriously degrade the University's ability to function smoothly and attract faculty and students state-wide, nationally and internationally. In essence, it could frustrate the University's ability to serve the hundreds of thousands of individuals who come to use the University's resources annually.

Although many of the adverse effects discussed below would be a result of simultaneously allowing automobile and bus traffic on Washington Avenue, serious adverse effects would likely occur even if such traffic was dramatically restricted. These include adverse impact on the Northrop Mall Historic District; on sensitive research facilities adjacent to Washington Avenue; on the University of Minnesota's Medical Center and Clinics; and upon traffic in surrounding neighborhoods.

⁵ See, e.g., Letter from Met Council Chair Peter Bell to University President Robert H. Bruininks (December 5, 2007) (“I have come to believe that the best alignment through the University of Minnesota is at-grade on Washington Avenue.”).

1. A Washington Avenue At-Grade Alternative May Result in Unsafe and Dysfunctional Traffic Patterns and Damage the Integrated Transportation System Serving the University

In 2006 the University retained SRF, a Minnesota engineering firm with transportation expertise, to model the potential impact of the Washington Avenue LRT at-grade alternative. This modeling was shared with the Met Council staff in May 2007 and CCLRT staff in September 2007, and showed very serious problems with an at-grade LRT alignment on Washington Avenue. Indeed, four traffic engineering studies over the last twenty years and the preliminary engineering done by the CCLRT Project Office demonstrate that operating the LRT at-grade on Washington Avenue alongside bus and automobile traffic simply will not work. Potentially serious adverse effects include:

- Increased Washington Avenue congestion, including potential gridlock conditions at key intersections;
- Impeded access to the University of Minnesota Medical Center and Clinics;
- Increased traffic congestion and related impacts on East River Road and other streets in surrounding neighborhoods;
- Degraded pedestrian safety with reduced sidewalk widths for over 10,000 people crossing Washington Avenue at several times during the day;
- Increased noise, vibration levels, and electromagnetic fluctuations, and their impact on sensitive scientific equipment and research;
- Increased ride time; and
- Decreased bus ridership.

2. A "Transit Mall" Washington Avenue At-Grade Alternative and a "Pedestrian Mall" Washington Avenue At-Grade Alternative with Bus and Automobile Traffic Diverted From Washington Avenue Should Both be Evaluated Carefully

Two possible solutions to mitigate an at-grade Washington Avenue alignment appear to be a "transit mall" which would divert automobile traffic and a "pedestrian

mall” which would divert bus traffic as well as automobile traffic. These suggestions may address certain significant adverse effects associated with adding an LRT line to Washington Avenue by providing a safer pedestrian environment, minimizing disruptions to operations of the LRT, and allowing emergency vehicle access to the University Hospital. These alternatives are currently under review by CCLRT Project Staff, Metro Transit, the University, the City of Minneapolis, and Hennepin County, and are included in the SDEIS.

Each of these alternatives would require considerable mitigation to the transportation system in and around the University and the surrounding community to ensure an effective transportation system. A transit or pedestrian mall likely will divert car, truck, and bus traffic from Washington Avenue to surrounding side streets. The area likely to accept the bulk of this additional traffic is the Old Campus Historic District, also known as the Knoll District. Bounded to the north by University Avenue, to the west by the Mississippi River bluff, to the south by Arlington Street, and to the east by Church Street, the District has been listed on the National Register of Historic Places for almost twenty-five years. The heavy stress of additional traffic rerouted from Washington Avenue, especially traffic routed to East River Road, will likely have a significant adverse impact upon the District. In addition, a pedestrian or transit mall will require significant traffic control improvements on Franklin Avenue, East River Road, and Huron Boulevard, as well as the relocation of the University Medical Center loading dock from its current site on East River Road. The University estimates that mitigation costs associated with a transit mall or pedestrian mall will be very significant.

While the University, the City of Minneapolis, and Hennepin County have identified important mitigation steps that must be studied as part of these alternatives, the current timeline imposed by the Met Council staff does not allow for a careful analysis of these mitigations. The University does not consider this to be an appropriate way to address a decision carrying such grave consequences for our community for many decades to come.

The University urges that the following principles guide the consideration of essential mitigation steps as part of these alternatives:

1. Provide a comprehensive integrated transportation system with increased capacity, efficiency, and access for the central city area;
2. Provide safe, direct access routes to the University that can accommodate daily visitors and have the surge capacity to handle event traffic;

3. Provide convenient patient access to the University's Academic Health Center, Hospital and Clinics, and avoid potentially serious adverse economic impacts;
4. Create a traffic plan that is understandable and usable by those unfamiliar with campus;
5. Preserve emergency and service vehicle access to the University and surrounding business;
6. Ensure a safe environment and efficient operation of LRT through the campus;
7. Retain the vibrant and aesthetically inviting streetscape that respects and enhances the University's historic character and campus environment;
8. Transform Washington Avenue on the West Bank into an arterial street that unifies and connects the neighborhood and campus;
9. Ensure that the total transportation system unifies neighborhoods, promotes a sense of community, and fosters economic and University-related development; and
10. Provide safe, functional bypass routes for non-University-destined through traffic that does not negatively impact the surrounding neighborhoods.

3. There Are Potentially Adverse Effects of a Washington Avenue At-Grade Alternative With or Without Diverted Bus and Automobile Traffic

The University believes there may be significant negative effects associated with the at-grade alternative regardless whether Washington Avenue has substantial vehicular traffic. These include the following:

- **Northrop Mall Historic District.** Over a decade ago, the University's Board of Regents determined that the Northrop Mall—including all buildings facing the Mall—is an area “possessing integrity of location, design, setting, materials, spirit and association, with distinctive

characteristics of architectural quality and cultural significance in the history of the state.” Board of Regents Resolution Designating Northrop Mall as a Campus Historical District (November 7, 1997).⁶ Any Washington Avenue at-grade alternative will likely adversely affect the District’s distinctive character by requiring the physical and permanent use of portions of the District for purposes that do not comport with the District’s historical attributes. For example, overhead power lines and LRT cars will create visible and auditory interferences with the District’s historic character. Selecting an at-grade LRT alignment that bisects the Northrop Mall Historic District along Washington Avenue may undermine the District’s distinctive architectural characteristics and profound cultural and historical significance.

- **Sensitive Research Adjacent to Washington Avenue.** The University has significant concerns relating to its major research facilities adjacent to Washington Avenue, including longstanding research projects that are highly sensitive to vibration and electromagnetic fluctuations. One such facility would be located less than fifty feet from the light rail tracks, which may result in a requirement to relocate the facility at unknown cost.
- **University of Minnesota Hospital and Clinics.** Over 500,000 people visit the University’s Hospital and Clinics each year. As patients consider their choices for medical care, ease of access is an important factor. The University estimates that adversely affecting patients’ ability to access the University’s Hospital and Clinics could have a ten percent impact on revenues, equal to over \$100 million annually. This in turn could seriously damage the University’s medical research and education programs.
- **Surrounding Neighborhoods.** Depending upon the details of the at-grade Washington Avenue alignment, there may be serious adverse effects on transportation patterns along East River Road and in neighboring communities. As noted above, the already established timeline imposed by the Met Council does not allow for appropriate analysis of these important concerns.

⁶ The district is eligible for inclusion on the National Register of Historic Places. See DEIS at 3-62, Table 1 (referring to the “University of Minnesota District” rather than the “Northrop Mall Historic District”).

B. The Northern Alignment May Be a Feasible Alternative to a Washington Avenue At-Grade Alignment

Seven years ago the University requested that the Met Council consider a northern alignment as an alternative to an LRT tunnel under Washington Avenue. In particular, the University was concerned that the cost associated with a tunnel might possibly preclude that alignment, and that a northern alignment might be a feasible and prudent alternative to the tunnel. *See* Section II above. Now that the Met Council apparently has concluded that the Washington Avenue tunnel alignment is cost-prohibitive, the University again urges that a northern alignment may be a feasible and prudent alternative. Unfortunately, the current scope of the SDEIS does not include the northern alignment alternative.

The University is conducting a feasibility study of the northern alignment, using a rebuilt Railroad Bridge Number 9 to cross the Mississippi River. Although the University's feasibility study will not be complete until the end of April, it has not identified and does not expect to identify any "fatal flaws" that would render the northern alignment alternative infeasible. The northern alignment also avoids the significant adverse environmental impacts inherent in a Washington Avenue at-grade alternative. Moreover, it appears that a rebuilt Railroad Bridge Number 9 may be designed to replicate the existing bridge's historic architecture, reuse many of the current bridge's architectural elements (such as railings), maintain pedestrian access, and restore the bridge's historical function as a rail crossing.

C. The Law Requires FTA and the Met Council to Evaluate the Northern Alignment Alternative in the SDEIS

The Met Council authorized the SDEIS in November 2007, and at that time the University again proposed that the SDEIS analyze an at-grade alternative running north of Washington Avenue. The Met Council declined to include an at-grade northern alternative in the SDEIS or to undertake a feasibility study of such an alternative unless the University agreed to fund the study. NEPA and MEPA do not authorize the Met Council to refuse to evaluate a reasonable alternative because it prefers to have an adjacent property owner pay for the evaluation. *See* Section VI.A below. Federal and state environmental review laws require FTA and the Met Council to evaluate a northern alignment alternative, regardless whether the University has offered to conduct its own feasibility study.

1. NEPA, FTA Regulations, and MEPA Require that the SDEIS Consider the Northern Alignment Alternative

Under its environmental review regulations, FTA must develop an SDEIS using the same process applicable to the DEIS for the Central Corridor project. 23 C.F.R. § 771.130(d). FTA's regulations require that the SDEIS study all reasonable alternatives to the Washington Avenue at-grade alignment that the SDEIS will evaluate. 23 C.F.R. § 771.123. Similarly, the CEQ regulations implementing NEPA require the environmental review process to "rigorously explore and objectively evaluate all reasonable alternatives" to a proposed project. 40 C.F.R. § 1502.14(a); 40 C.F.R. § 1500.2(e). Analysis of reasonable alternatives is "the heart of the environmental impact statement." 40 C.F.R. § 1502.14. Although an agency is not required to evaluate every possible alternative, it must consider "the *full spectrum* of alternatives." CEQ, *Forty Most Asked Questions Concerning CEQ's National Environmental Policy Act Regulations*, 46 Fed. Reg. 18026 (1981) (emphasis in original). In short, an alternatives analysis must contain sufficient information "to permit a reasoned choice of alternatives." *Minnesota Public Interest Research Group v. Butz*, 541 F.2d 1292, 1300 (8th Cir. 1976).

MEPA requires an EIS to compare a project with "other reasonable alternatives." Minn. R. 4410.2300(G). An EIS may exclude an alternative under MEPA only if the alternative "would not meet the underlying need for or purpose of the project"; if it "would likely not have any significant environmental benefit compared to the project as proposed"; or if another alternative, of any type, that will be analyzed in the EIS "would likely have similar environmental benefits but substantially less adverse economic, employment, or sociological impacts." *Id.* Under MEPA, an EIS must also discuss the reasons for eliminating any alternative. *Id.*

A Washington Avenue at-grade option is an alternative to the LRT plan that the original DEIS evaluated and that the Met Council chose as its existing LPA in June 2006. The original DEIS specifically defined the LRT plan to include a "[t]unnel under Washington Avenue through the University of Minnesota." DEIS at 2-3 (emphasis added). In changing the project's definition by proposing, *inter alia*, to substitute a Washington Avenue at-grade option for the Washington Avenue tunnel, the Met Council created a new Washington Avenue at-grade alternative. *See, e.g.*, 40 C.F.R. § 1508.23 (defining "proposal" as "one or more alternative means of accomplishing [an agency's] goal"). The northern alignment is a reasonable alternative to the new Washington Avenue at-grade alternative because it may accomplish the Met Council's goals with fewer adverse environmental effects. As discussed above, the University in 2001 identified the northern alignment as a reasonable alternative with potentially fewer

environmental effects than a Washington Avenue at-grade alternative. Although the Met Council has occasionally mentioned a "northern alternative" during the course of the Central Corridor project, *no environmental review has ever evaluated the northern alignment as an alternative under the procedures mandated by NEPA and MEPA.*

2. Section 4(f) of the Department of Transportation Act of 1966 Requires that the SDEIS Consider the Northern Alignment Alternative in order to Minimize Harm to Historic Districts

Under Section 4(f) of the Department of Transportation Act of 1966, the Secretary of Transportation *may not* approve a project that requires "use of land of an historic site" unless (1) there is no feasible and prudent alternative to such use, and (2) the project includes "all possible planning to minimize harm" to the historic site. 49 U.S.C. § 303(c). *See also* 23 C.F.R. § 771.135 (Department of Transportation regulations requiring FTA to implement Section 4(f)). In regard to this LRT Project, the statute does not permit the Secretary to approve any Washington Avenue at-grade alternative if the SDEIS fails to fully evaluate feasible and prudent alternatives such as a northern at-grade alternative. In particular, the SDEIS must discuss measures to mitigate any adverse effects of a Washington Avenue at-grade alternative on the Northrop Mall Historic District and the Old Campus Historic District in order to satisfy Section 4(f).

Section 4(f) applies to all transportation projects that may adversely affect any historic site of national, state, or local significance. A site is "historic" under Section 4(f) if, like the Old Campus Historic District, it is on the National Register of Historic Places or if, like the Northrop Mall Historic District, it is eligible for inclusion on the National Register. 23 C.F.R. § 771.135(e).

FTA regulations specifically require a draft EIS to evaluate alternatives that avoid adverse effects on Section 4(f) land, as well as measures to mitigate such effects. 23 C.F.R. § 771.135(i). Such evaluations must take place "*early in the development of an action* when alternatives to the proposed action are under study." 23 C.F.R. § 771.135(b) (emphasis added). Moreover, a final EIS must explain why alternatives that avoid adverse effects on Section 4(f) land are not feasible and prudent. In addition, after explaining why other alternatives are not feasible and prudent, a final EIS that evaluates a preferred alternative adversely affecting Section 4(f) land must describe all possible measures to mitigate such effects. 23 C.F.R. § 771.135(j). In short, if an EIS fails to demonstrate that there are no feasible and prudent alternatives to a project that adversely affects historic property, Section 4(f) prohibits the Secretary of Transportation from approving the project.

The Northrop Mall Historic District and the Old Campus Historic District meet the definition of Section 4(f) property. As discussed in Section V, above, a Washington Avenue at-grade alternative is likely to adversely affect the Northrop Mall Historic District and the Old Campus Historic District. Failure to evaluate an alternative in the SDEIS such as the northern alignment, which may not adversely affect the Districts, violates the substantive requirements of Section 4(f). See *Neighborhood Ass'n of the Back Bay, Inc. v. Federal Transit Admin.*, 463 F.3d 50, 64 (1st Cir. 2006). Similarly, if the Met Council intends to confirm a Washington Avenue at-grade alternative as its new or amended LPA, FTA regulations require that the SDEIS explain why alternatives such as the northern at-grade alternative are not feasible and prudent. In addition, FTA regulations require that the SDEIS discuss all possible measures to mitigate a Washington Avenue at-grade alternative's adverse effects on the Northrop Mall Historic District and the Old Campus Historic District, including mitigation measures such as the northern alignment, modifying local road systems, etc. See 49 U.S.C. § 303; 23 C.F.R. § 771.135 (a)(1), (i), (j).

In summary, FTA and the Met Council cannot satisfy Section 4(f) and FTA environmental review regulations by comparing a Washington Avenue at-grade alternative, which likely adversely affects the Northrop Mall Historic District and the Old Campus Historic District, *only* with the tunnel alternative. They also must study the northern alignment to determine whether it is a feasible and prudent alternative that minimizes harm to these historic districts.

3. Section 106 of the National Historic Preservation Act Requires that the SDEIS Analyze the Adverse Effects of the Washington Avenue At-Grade Alternative, and also Evaluate the Northern Alignment Alternative

Section 106 of the National Historic Preservation Act provides that before a federal agency may expend federal funds on a proposed project, the agency must evaluate the project's effects on buildings, sites, or districts included on or eligible for the National Register of Historic Places. 16 U.S.C. § 470f. The Central Corridor LRT project requires Section 106 review because FTA may fund at least a part of the project. 16 U.S.C. § 470w(7). During the Section 106 process, which involves consultation with the State Historic Preservation Officer, FTA must assess any adverse effects that the Central Corridor LRT project may have on a historic property, including a change in the character of the property's use and any "visual, atmospheric or audible elements" that diminish the property's significant historic features. 36 C.F.R. § 800.5(a)(2)(iv) and (v).

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Section 106 also requires that FTA “*develop and evaluate alternatives* or modifications to the undertaking that could avoid, minimize, or mitigate adverse effects on historic properties.” 36 C.F.R. § 800.6(a) (emphasis added).

Importantly, the regulations implementing Section 106 require that FTA “coordinate the steps of the section 106 process, as appropriate, with the overall planning schedule for the undertaking *and with any reviews required under other authorities such as the National Environmental Policy Act . . .*” 36 C.F.R. § 800.3(b) (emphasis added). The rationale for this requirement is clear: the purpose of NEPA is to ensure that a decision-maker makes a reasoned choice among alternatives, having fully evaluated adverse effects and available mitigation. To comply with Section 106, therefore, the SDEIS must analyze the adverse effects and necessary mitigations of a Washington Avenue at-grade alternative. In addition, Section 106 requires that the SDEIS evaluate the northern alignment because it is an alternative that may offer a superior transportation strategy to meet the purpose of the Central Corridor LRT Project, and do so with fewer adverse environmental effects on historic properties than a Washington Avenue at-grade alignment.

4. MERA Prohibits State Actions that will Materially Adversely Affect Minnesota’s Natural Resources

Just as Section 4(f) provides that the Secretary of Transportation *may not* approve a project that adversely affects a historic site unless there is no feasible and prudent alternative to such use, MEPA provides that no state action “significantly affecting the quality of the environment shall be allowed . . . where such action . . . has caused or is likely to cause pollution, impairment, or destruction of . . . natural resources located within the state, so long as there is a feasible and prudent alternative . . .” Minn. Stat. § 116D.04, subd. 6. The Minnesota Environmental Rights Act (“MERA”) reiterates and provides an enforcement mechanism for this standard by authorizing “any person residing in the state” to bring a declaratory judgment action in district court “for protection of the air, water, land, or other natural resources located within the state . . . from pollution, impairment, or destruction.” Minn. Stat. § 116B.03, subd. 1. “Pollution, impairment, or destruction” includes conduct that “materially adversely affects” the state’s “natural resources,” including “historical resources.” Minn. Stat. § 116B.02, subs. 4, 5.

A Washington Avenue at-grade alternative is likely to materially adversely affect the Northrop Mall Historic District and the Old Campus Historic District. A *prima facie* case under MERA is established when: (1) there is a protected natural resource; and (2) a

proposed project is likely to “materially adversely affect” the protected natural resource. Minn. Stat. § 116B.02, subd. 5; *State by Schaller v. County of Blue Earth*, 563 N.W.2d 260, 264 (Minn. 1997); *State by Archabal v. County of Hennepin*, 495 N.W.2d 416, 421 (Minn.1993). The Northrop Mall Historic District and the Old Campus Historic District are protected natural resources under MERA because they are “historical resources,” and construction of a proposed Washington Avenue at-grade alternative is likely to adversely affect the two Districts. The quality and severity of the adverse effects on the Districts from a Washington Avenue at-grade alternative are likely to be significant. An at-grade Washington Avenue LRT alignment is likely to result in physical, visual, and auditory impacts that impair the historical character of the two Districts. The Districts possess distinctive architectural characteristics as well as profound cultural and historical significance. Historical resources such as the Districts are a rare, unique, and decreasing natural resource. Minn. Stat. § 116B.02, subd. 5; *Schaller*, 563 N.W.2d at 267; *White v. DNR*, 567 N.W.2d 724, 738 (Minn. Ct. App. 1997). Because an at-grade LRT alternative that bisects the Northrop Mall Historic District along Washington Avenue may violate MEPA and MERA, the SDEIS must consider whether a northern alignment represents a feasible and prudent alternative. Similarly, the adverse effects on the Old Campus Historic District from rerouted traffic under the “transit mall” or “pedestrian mall” at-grade options may also violate MEPA and MERA, and require that the SDEIS consider the northern alignment.

VI. The University’s Feasibility Study of the Northern Alignment Alternative is not a Substitute for an SDEIS Analysis of that Alternative

A. The Met Council Improperly Conditioned Analysis of the Northern Alignment Alternative Upon the University’s Willingness to Pay for that Analysis

As noted above, while the University repeatedly has recommended that a careful study be performed of a northern LRT alignment, that recommendation has been repeatedly rejected. At the beginning of environmental review process in 2001, the Central Corridor Coordinating Committee (under the leadership of the Ramsey City Regional Rail Authority) requested that the University pay \$380,000 to study the northern alignment in the Central Corridor project’s environmental impact statement. The University declined, but continued to urge “the study of a second alignment out of concern that another alternative be available if insurmountable problems were discovered with the development of the Washington Avenue LRT tunnel.” Letter from Sandra S. Gardebring, Vice President for University Relations, to Dennis Probst, Chair, Central Corridor Coordinating Committee (copies to Elwyn Tinklenberg, Minnesota Department

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of Transportation, Ted Mondale, Metropolitan Council, Kathryn DeSpiegelaere, Ramsey County Regional Rail Authority, and Lisa Vecoli, Office of Hennepin County Commissioner Peter McLaughlin), October 29, 2001. After the University declined to pay for the analysis, the evaluation of a northern alignment alternative under the procedures of NEPA and MEPA simply never took place.

In November 2007 the University again requested that the northern alignment alternative be formally evaluated, and again (in January 2008) was informed that a feasibility study of the northern alignment would have to be paid for by the University. In order to expedite the process and enhance cooperation to find the best possible alternative, the University agreed to sponsor the study.

However, nothing in NEPA, MEPA, Section 4(f) of the Transportation Act of 1966, or MERA conditions review of an alternative upon an affected property owner's willingness to pay for such analysis. To the contrary, as discussed above, these laws and regulations *require* that the governmental agency proposing the project analyze reasonable alternatives such as the northern alignment.

B. Even After the University Completes its Feasibility Study, NEPA and MEPA Require an EIS-Quality Analysis of the Northern Alignment Alternative that Includes the Most Accurate Current Assumptions Available Regarding Ridership and Cost

The University currently is preparing a feasibility study of the northern alignment which will be completed in several weeks. *See* Section V.B above. Although not yet complete, based upon work done to date the University believes that the northern alignment is a feasible alternative to a Washington Avenue at-grade alignment.

Even if the University's ongoing study determines that the northern alignment is feasible, additional analysis of the alternative will be necessary to satisfy the prerequisites of the law as discussed above. A feasibility study is designed to determine whether an alternative such as the northern alignment is capable of construction, and to identify any possible significant environmental effects. Under NEPA and MEPA, however, it is the SDEIS—not the feasibility study—that must include a detailed analytical discussion of the northern alignment's possible environmental effects and associated mitigation measures. Because the University's feasibility study is not a substitute for an EIS-quality analysis of the northern alignment, FTA and the Met Council must expand the scope of the SDEIS to include the northern alignment as an alternative to a Washington Avenue at-grade alignment.

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As part of its feasibility study, the University is developing cost estimates for the northern alignment. Under an agreement with the Met Council, the University is submitting these cost estimates and other information to two transportation consultants—Connectics Transportation Group and AECOM Consultants—who will calculate a Cost Effectiveness Index (“CEI”) for Central Corridor LRT using the northern alignment. Connectics and AECOM are also under contract with the Met Council to calculate a CEI for the at-grade alternative that the SDEIS will discuss. CEI is a ratio that, in general, involves dividing the annualized capital and operating costs of a proposed transit project by annual travel time savings, with the ratio expressed in terms of dollars per new transit rider for a project. Typically, FTA requires a CEI of less than \$24 per new transit rider to qualify for New Starts funding.

The University expects that the SDEIS will discuss the northern alignment’s CEI in evaluating that alternative. Although the SDEIS will use numerous assumptions in calculating a CEI for the Central Corridor LRT line with a northern alignment, the most important factors are annualized capital costs and the number of new transit riders that the project will generate. In calculating the CEI for the northern alignment, the University urges the SDEIS employ the most current assumptions available, especially the current and projected number of new transit riders. The University estimates that eighty to ninety percent of its campus buildings are within one-half mile of the northern alignment, and that most East Bank undergraduates attend classes in buildings north of Washington Avenue. Current University data regarding its students who use public transit strongly suggests that a northern alignment will not significantly diminish transit riders from the University. The data indicate that nearly 16,000 students enrolled in colleges located on the East Bank campus hold U-Passes. Of these thousands of students, more than ninety-seven percent are enrolled in colleges whose classrooms and other activities are located north of Washington Avenue. Significantly, less than three percent of these student U-Pass holders are enrolled in colleges located south of Washington Avenue.

In addition, the University emphasizes that SDEIS ridership estimates should take into account dynamic changes planned in the vicinity of the northern alignment, including the University’s expansion plans and anticipated private redevelopment. For example, the University is building a series of medical and biological research facilities near the new football stadium that will employ an estimated 4,500 additional faculty researchers and staff. Eager to capitalize on the potential of this new expansion, private developers are planning to build facilities in the same area. In addition, substantial

Ms. Kathryn L. O'Brien
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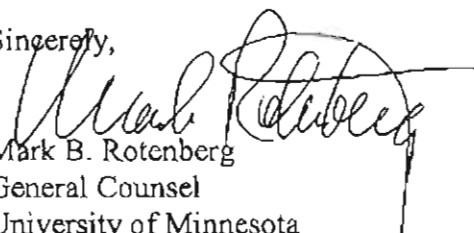
private residential and business development is planned for other areas in close proximity to the northern LRT alignment through campus, including Dinkytown.

C. The University Cannot Complete its Feasibility Study Without Cooperation from FTA and the Met Council

The University's goal is to prepare a feasibility study as soon as possible to assist FTA and the Met Council in conducting an EIS-quality analysis of the northern alignment alternative. To achieve this goal, the University needs the cooperation of FTA and the Met Council. In particular, the University needs access to the historic and cultural resource consultations currently ongoing between FTA, the Met Council, and the Cultural Resources Unit at the Minnesota Department of Transportation. Without FTA and Met Council cooperation, it will be difficult for the University to obtain information from the National Parks Service and the Minnesota State Historic Preservation Office regarding the northern alignment's possible effects on parks, recreation areas, and structures eligible for inclusion on the National Register of Historic Places. The University also needs access to FTA analysis and methodologies to assess whether the northern alignment will affect low-income and minority populations. In short, to ensure that its study accurately evaluates the feasibility of the northern alignment, the University needs access to the analysis, methodologies, and assumptions that FTA and the Met Council are employing in the SDEIS.⁷ The University reiterates its request that FTA and the Met Council provide the information necessary so that the University may complete the northern alignment feasibility study at the earliest opportunity.

The University looks forward to working with you and your respective organizations as we progress together on this vitally important project. Please do not hesitate to contact Vice President Kathleen O'Brien, Director Bob Baker, or me if you wish to discuss any aspect of these comments.

Sincerely,


Mark B. Rotenberg
General Counsel
University of Minnesota

⁷ The University has made requests for such information, but the Met Council has yet to provide the detailed information requested. See Email from Kathryn O'Brien, Project Manager, Central Corridor Project Office, to Beth Bartz, SRF Consulting, March 6, 2008, responding to March 5, 2008 email from Bartz to O'Brien.



U.S. Department
of Transportation
Federal Transit
Administration

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

200 West Adams Street
Suite 320
Chicago, IL 60606-5253
312-353-2788
312-888-0351 (fax)

Mr. Brian Lamb
Chief Executive Officer
Metro Transit
390 North Robert Street
St. Paul, Minnesota 55101

December 13, 2006

Re: Preliminary Engineering Approval for Central Corridor Light Rail New Starts Project

Dear Mr. Lamb:

The Federal Transit Administration (FTA) is pleased to inform you that the Metropolitan Council's (MC) Central Corridor light rail transit (CCLRT) project has been approved into preliminary engineering (PE). This approval of the initiation of PE is a requirement of Federal transit laws governing the New Starts program (49 U.S.C. Section 5309(e)(6)), as amended by the Transportation Equity Act for the 21st Century and continued under its successor, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU).

The CCLRT project is an 1.1-mile double-tracked LRT line that would connect the downtowns of St. Paul and Minneapolis, while serving a number of other significant activity centers such as the University of Minnesota-St. Paul, the State Capitol and major venues. From Minneapolis, the proposed LRT service would operate along 1.2-miles of the existing Hiawatha LRT line in downtown before turning east in its own right-of-way, crossing the Mississippi River on the existing Washington Avenue Bridge to St. Paul, and following University Avenue to the State Capitol area, finally terminating at Union Depot in downtown St. Paul. The current project scope also includes a 0.6-mile tunnel through the University of Minnesota campus. The alignment would operate in an exclusive guideway with no mixed traffic operations. Sixteen new stations would be built and 31 light rail vehicles would be procured.

FTA is required by law to evaluate a proposed project's cost effectiveness and ensure that prospective grant recipients demonstrate the technical, legal, and financial capability to implement a proposed New Starts project. As a result of FTA's evaluation for PE approval, the CCLRT project has received an overall rating of *Medium* under the New Starts criteria. The project's current total capital cost estimate is \$932.2 million (year of expenditure dollars). The MC is seeking \$465.2 million (49.9 percent) in Section 5309 New Starts funds.

The MC must improve the project's cost estimate during PE, as well as meet other critical project development milestones that will minimize risks, provide sufficient information on the project's costs and merits for future New Starts evaluations, and ensure the delivery of a cost effective New Starts investment. The MC must also address the following milestones during PE:

- Complete the National Environmental Policy Act (NEPA) process satisfactorily so that FTA can issue an environmental Record of Decision; NEPA completion requires the engineering, technical work, and interagency coordination necessary to support decisions on the scope of the preferred alternative, evaluation and mitigation of adverse impacts, environmental permits and agreements, and responses to comments on draft NEPA documents;
- Ensure that any additional travel forecasts for the project adhere to FTA requirements and the state of the practice, and reflect the transportation network assumed for the appropriate design year in the region's financially constrained long range plan;
- Further develop the Project Management Plan (PMP) to include final design and construction; coordinate the PMP with the section of the FEIS on construction impacts and provide for mitigation monitoring during final design and construction phases in the PMP;
- Undertake value engineering;
- Further develop transit-supportive land-use plans consistent with the analysis of development impacts presented in the NEPA documents;
- Refine the Financial Plan and confirm commitments of non-Section 5309 New Starts financing;
- Update Fleet Management Plans;
- Develop a Real Estate Acquisition and Management Plan;
- Address other project-readiness issues identified by FTA as PE progresses; and
- Provide quarterly progress reports.

In August 2006 FTA initiated a scope, schedule and cost assessment of the Central Corridor's locally preferred alternative based on the April 2006 Alternatives Analysis/Draft Environmental Impact Statement. The review was completed in October 2006 and is included as an attachment to this letter. Based on the review's findings, please ensure that the following are addressed and resolved during PE:

- Finance charges must be included in the capital cost estimate.
- Since the MC plans to use design-build and design-bid-build project delivery methods, an updated schedule is needed that differentiates tasks between the two methods.
- Major risks (confined work zones, traffic impacts, and tunnel construction) have been identified with the design/construction of the tunnel at the University and track/station construction in downtown St. Paul. These risks must be addressed during PE.
- While the MC plans to use the current Hiawatha LRT shop and storage yard in Minneapolis for the CCLRT, it is unclear if the facility can handle the maintenance needs of both LRT lines. A layover facility is not planned at the project's St. Paul terminus. Further analysis must be done to ensure that the existing maintenance shop's capacity can effectively accommodate the maintenance needs of both LRT lines.
- The number of new stations included in the cost estimate (14) differs from the quantity shown on plan/profile drawings (16). This must be corrected.
- The current year cost estimate's escalation rate from 2002-2006 (2.7 percent) is too low given the current bidding climate for construction material and should be revisited.
- The major traffic and accessibility impacts of construction staging as part of the retrofit of the Washington Avenue Bridge (river crossing) must be addressed in the project's total capital cost estimate.
- The majority of the alignment traverses the median of University Avenue with at-grade intersections every few blocks. While these intersections would be signalized with LRT

receiving signal prioritization, this could present major delays, particularly during peak hours, and create conflicts on the joint operations segment in Minneapolis. Traffic studies and LRT simulations must be performed at all major signalized intersections where LRT operations would occur adjacent to traffic lanes along University Avenue.

FTA is also concerned that the proposed system's planned passenger capacity, as currently designed, may not be sufficient to handle peak hour passenger demand at the maximum load points if MC's assumptions on nearly uniform passenger arrival patterns at stations and maximum allowable load factors are not achieved. The estimated end-to-end travel time depends on the reliability of the current assumptions regarding the delays occurring at the traffic signals and station dwell times. Therefore, as part of the PE effort, the MC must work with the cities of Minneapolis and St. Paul to develop an appropriate traffic signal timing plan to ensure successful LRT operations that meet the project's objectives with the least possible delays experienced by the LRT. An updated fleet management plan that effectively demonstrates how planned passenger capacity will be met must also be submitted to FTA within 60 days of this PE approval. The plan should be based on observed conditions on the existing Hiawatha LRT line and estimates of future (2030) demand on the CCLRT line and substantiated by data collected on current peak hour ridership by station; actual measured dwell times by station; and peak period passenger arrivals at each station in 15-minute intervals. FTA and the MC need to ensure that an effective operating strategy, including the required number of peak vehicles, is based on planned headways and railcars that meet the projected (2030) passenger demand.

The project's total capital cost estimate is based on early project design documents that are only minimally developed. Per FTA's *Reporting Instructions for the Section 5309 New Starts Criteria (May 2006)*, the capital cost estimate must include all applicable costs, including finance charges, PE, final design and construction costs. More definition of scope to produce a more detailed cost estimate and schedule is needed to increase cost and schedule reliability.

The MC must work with FTA to develop a project development strategy to resolve the issues identified above, along with others that have been identified in FTA's assessment of scope, schedule, and cost as well as any others that are identified as project development continues. The objectives of this strategy are to ensure that:

- All environmental impacts are identified and adequate provisions made for their mitigation in accordance with NEPA requirements;
- All major or critical project elements are designed to the level that no significant unknown impacts relative to their costs will result; and
- All cost estimating is complete to the level of confidence necessary for the MC to effectively implement the financing strategy, including establishing the maximum dollar amount of the New Starts financial contribution needed to implement the CCLRT project.

FTA expects the MC to use credible, relevant, identifiable and cost-effective industry or engineering practices that are uniformly and consistently applied so that FTA and the MC can successfully meet each of the above objectives. The resultant PE work scope must ensure that it specifically identifies the main components of the CCLRT project scope and addresses FTA's PE exit criteria, which is anticipated to be issued shortly. Given the project development issues that have been identified so far, the MC must develop a viable project development strategy to resolve the issues related to scope, schedule, and cost within one year of this PE approval or the project may be removed from PE status.

FTA is aware that the MC has identified a series of potential cost containment options that will be examined during PE to reduce the project's current total budget. Accordingly, FTA reminds the MC that any significant project scope changes (e.g., deferral of planned stations, at-grade versus tunnel alignment at the University of Minnesota, shorter operating segment) that would impact the project's estimated benefits will necessitate an updated New Starts submittal and subsequent evaluation by FTA.

While the project is rated "*Medium*" overall against the New Starts criteria, it has only achieved a rating of "*Medium-Low*" for cost effectiveness. In response to concerns raised by Congress, the Department's Office of Inspector General, the Government Accountability Office, and the Office of Management and Budget, as a general practice, the Administration will target its future funding recommendations only to those proposed New Starts projects that achieve a "*Medium*" or better rating for cost effectiveness. While this policy will not impact FTA's PE approval, it will prevent the Administration from recommending a Federal funding commitment for the project once additional project development milestones are completed. FTA is committed to working with the MC to help you achieve this cost effectiveness goal by identifying cost reductions, project modifications, value engineering opportunities, and other ways to improve the project's cost effectiveness.

Consistent with FTA's May 2006 *Guidance on New Starts Policies and Procedures*, the MC should submit to FTA all information - including methodologies, assumptions, and results, if not previously submitted, pertaining to the development of the project's: 1) scope; 2) transit service levels; 3) capital costs; 4) operating and maintenance costs; and 5) ridership patterns and revenues, within 60 days of this approval. This information will subsequently help inform a Before and After Study, as required by SAFETEA-LU for all executed Full Funding Grant Agreements (FFGA), should the CCLRT project result in an FFGA. FTA will work with the MC to further identify the requisite documentation and other information for the submission.

As part of FTA's project readiness evaluation, FTA will conduct a formal risk assessment of the project's estimated scope, schedule and costs. A final risk assessment, including a risk mitigation plan, is *not* a method to validate a specific budget number, but rather is a tool for FTA and the MC to determine areas of increased oversight for the project as it proceeds through implementation. FTA will work with the MC to determine a schedule for the initiation and completion of the risk assessment process for the CCLRT project.

With this approval, the MC has pre-award authority to incur costs for the PE activities discussed above prior to grant approval while retaining eligibility for future FTA grant assistance for the incurred costs. This pre-award authority does not constitute an FTA commitment that future Federal funds will be approved for the project. As with all pre-award authority, all Federal requirements must be met prior to incurring costs in order to retain eligibility of the costs for future FTA grant assistance. FTA's approval to initiate PE is not a commitment to approve or fund any final design or construction activities. Such a decision must await the outcome of the analyses to be performed during PE, including completion of the NEPA process.

FTA will continue to work with the MC during the development of the CCLRT project. If you have any questions regarding this letter, please contact me at (312) 353-2789.

Sincerely,



Marisol R. Simon
Regional Administrator

Enclosure

- FTA's Scope, Schedule and Cost Review Report, October 2006

RESOLUTION ON LIGHT RAIL TRANSIT

Approved July 12, 2001

- (a) Approval of a resolution relating to the Central Corridor Light Rail Transit or dedicated busway alternatives, as follows:

WHEREAS, the following Light Rail Transit or dedicated busway alternatives have been discussed with the Board of Regents in March, April, and June 2001:

Alternative A: A route through campus on Washington Avenue (the Avenue) below grade, through a tunnel from Coffman Memorial Union to east of Oak Street. On the East Bank, at least one station would likely need to be below grade to service both sides of the Avenue. On the West Bank, the probable location for a station would be between Walter F. Mondale Hall and Blegen Hall at grade on the Avenue;

Alternative B: An alignment over the existing # 9 railroad bridge, along the north edge of the campus in the existing railroad corridor. East of Oak Street it could follow the transitway right-of-way. This alternative offers the opportunity to interface with the inter-campus shuttle bus system to serve both the East and West Bank campuses. It may also facilitate the development of the "research park" as a multi-modal development;

Alternative C: A route through campus on the Avenue at grade. This alternative would likely have the same station location on the West Bank as the below grade alternative. A number of issues arise with this alternative on the East Bank: (need to be explored) station location, auto traffic and parking, existing transit service, interface with inter-campus shuttle bus system, and impacts on the built environment (pedestrian access, bicycle usage, landscape, and noise);

Alternative D: An alignment over the existing # 9 railroad bridge, connecting with the one-way pairs of University Avenue SE east bound and 4th Street SE west bound. The issues associated with this alignment: feasibility from an engineering perspective, station location(s) on the East Bank, Interconnectivity with the inter-campus shuttle bus system; and

WHEREAS, the University's evaluation of the alternatives is based upon the following planning principles:

- An alignment that best serves existing transit users and can attract the largest number of new riders in the University community on the Minneapolis East and West Bank Campus;
- Provide transit services within an affordable fare structure;
- New transit modes and alignments must increase the capacity and improve the quality of the total transportation system;
- Stations should be located and designed for the convenience of transit users, pedestrians and bicyclists;
- The introduction of new transit alternatives must be done in a manner that does not negatively impact the campus environment; and

WHEREAS, the *University of Minnesota Twin Cities Campus Master Plan – 1996* (the Master Plan) states "Consideration should be given to changing the cross-section of the Avenue to accommodate a single lane of

RESOLUTION ON LIGHT RAIL TRANSIT

Approved July 12, 2001

traffic in each direction, separated by a landscaped 'pedestrian-friendly' median. ... The two outside lanes of the street should be dedicated to a busway route, with the potential to accommodate Light Rail Transit in the future"; and

WHEREAS, since the completion of the Master Plan and the last study of the Avenue, University-related pedestrian and auto use of the Avenue has intensified: larger replacement parking facility at Harvard Street, 700 additional student housing beds (Riverbend Commons, Territorial Hall Addition and Frontier Hall Addition), increased parking capacity at Riverbend Commons, projected future addition of 381,000 gross square feet of space in the Academic Health Center, and the proposed future addition to the Weisman Art Museum; and

WHEREAS, based upon the changed conditions on the Avenue, the Master Plan's consideration to accommodate Light Rail Transit at grade on the Avenue is no longer determined to be appropriate by the University; and

WHEREAS, the Central Corridor planners have requested that the University reduce the number of alternatives for further study; and

WHEREAS, the University has consulted with a broad range of internal and external stakeholders and has considered the alignment alternatives in light of the future potential growth and development of the University; and

WHEREAS, the University recognizes the physical, economic, political and operational advantages and disadvantages of the various alternatives,

NOW, THEREFORE, BE IT RESOLVED that the University recommends that the following alternatives be evaluated for the Central Corridor:

- A feasible northerly Light Rail Transit alignment over the existing # 9 railroad bridge that provides for excellent connectivity with University intra-campus shuttle bus service and future development;
- A modified Bus Rapid Transit alignment on the Avenue that provides improved bus service to the University, with East and West Bank stations, and with no exclusive transit lanes through campus; and

BE IT FURTHER RESOLVED that if the Central Corridor planners decide to study a Light Rail Transit alignment on the Avenue, the University requires that the alignment and station be below grade in a tunnel; and

BE IT FURTHER RESOLVED that if the Central Corridor planners proceed with an alternative that proposes to close a section of the Avenue to automobile traffic through the campus, that the section of the Avenue to be closed be vacated and the land become a part of the campus; and

BE IT FINALLY RESOLVED that if a section of the Avenue is vacated and becomes a part of the campus, the University would grant the

RESOLUTION ON LIGHT RAIL TRANSIT

Approved July 12, 2001

necessary utility and surface easements needed to accommodate acceptable transit service.

September 21, 2001

Joan Campbell
Minneapolis City Council
307 City Hall
350 South Fifth Street
Minneapolis, MN 55415

Peter McLaughlin
Hennepin County Commissioner
2400 Government Center
300 South Sixth Street
Minneapolis, MN 55487

Dear Councilwoman Campbell and Commissioner McLaughlin:

I am writing as a follow-up to our August 29 meeting with regard to the choice of alignment for the Central Corridor rapid transit project. All of us at the University are grateful for the opportunity to meet with you. The meeting provided helpful clarification on the position of Hennepin County and the City of Minneapolis on the choice of route in and near the University of Minnesota.

To reiterate our position, as manifested in the July resolution of the Board of Regents, the University is opposed to any further consideration of the at grade Washington Ave. option, for reasons that were discussed at our meeting. We understand that Hennepin County and Minneapolis share that view. Therefore, we recommend the elimination of the at grade Washington Ave. option from further review.

The University, however, does advocate the further study of the Washington Ave. tunnel option, and we were pleased to understand this is the route favored by Hennepin County and Minneapolis, as well.

In addition, the University recommends the study of the "northerly alignment," more formally designated the Bridge 9 (Alignment 3) or University Avenue/4th St. (Alignment 4) options. We take this position for two reasons:



Councilwoman Joan Campbell
Commissioner Peter McLaughlin
September 21, 2001
Page Two

1. Both the City of Minneapolis and the University anticipate significant development in the Bridal Veil area that would be served by a northerly route. To consider the investment associated with the construction of an LRT central corridor line without taking into account this likely development seems to us short sighted.
2. If at the end of the study process, it appears that the additional cost associated with a Washington Ave. tunnel is too great, it would be prudent to have studied another route. Given that the Washington Ave. at grade option is not acceptable to the University, the northerly alignment should be that route.

In sum, the University recommends the study of the Washington Ave. tunnel and the northerly alignment. In order to facilitate a decision on this issue, we are prepared to discuss a cost-sharing mechanism for the study of the northerly alignment.

Again, we are grateful for the chance to review this matter with you and we look forward to further discussion on this important issue.

Sincerely,



Sandra S. Gardebring
Vice President, University Relations

- c: Kathy deSpegelaere, Ramsey County Regional Rail Authority
Natalia Diaz, Metropolitan Council
Susan Haigh, Ramsey County Commissioner
Steve Morris, Ramsey County Regional Rail Authority
Lisa Vecoli, Office of Hennepin County Commissioner Peter McLaughlin

November 23, 2005

Brian Swanson, University Project Coordinator
University of Minnesota
335 Morrill Hall
100 Church Street S. E.
Minneapolis, MN 55455

RE: Comments on University of Minnesota - Draft Environmental Impact Statement (DEIS) for Proposed University of Minnesota Football Stadium Project in the City of Minneapolis
Metropolitan Council District 8 (Lynnette Wittsack)
Metropolitan Council Referral File No. 19598-1

Dear Mr. Swanson:

Thank you for submitting a Draft Environmental Impact Statement (DEIS) for a proposed University of Minnesota football stadium to the Metropolitan Council for review. Metropolitan Council staff appreciates the opportunity we have been given to work with the University on this project over the past year. Our review finds that the DEIS is generally complete and accurate with respect to regional concerns and potential for significant environmental impact.

We continue to have concerns in the area of transportation, however. Council staff recommends that the following comments be addressed in the FEIS.

ROADWAYS

- The Council is concerned about impacts on the regional highway system. The EIS analyzes TH 280 and I-35W ramps, and shows backups in both locations. There is no analysis of LOS conditions at the I-94/Huron ramps, which provide the major access from I-94 to the U of M. The analysis done for the Huron/Essex and Huron/Fulton intersections, which are near the I-94 exit, shows a LOS F at Fulton. This presumably means the I-94 off ramp is also LOS F. (Inexplicably, the Huron/Essex ramp, which is only one block away from Fulton, shows LOS B.) The EIS should also include analysis of the freeways themselves. It is not clear that the mitigation measures shown in the EIS will be sufficient to allow the through traffic on these regional highways to continue operating at an acceptable LOS on event days.

I-1

BUS TRANSIT

- The proposed "dog leg" between Washington and University via a short block on a new Huron Boulevard continues to be an issue. Metro Transit staff raised concerns about this element of the stadium plan at a February, 2005 meeting between the University of

I-2

Minnesota, the City of Minneapolis, Hennepin County and Metro Transit staff. Although there was no traffic analysis available at that time, Metro Transit staff noted that traffic flow delays could be expected to have significant impacts on the running time, reliability and added operating costs for Routes 16 and 50. City of Minneapolis and Hennepin County staff shared this concern. The Level of Service (LOS) Results chart on page 21 for non-event weekdays shows a LOS E by 2030. The DEIS acknowledges that the intersection "is expected to operate poorly" because heavy westbound left-turn volumes from University to Huron Boulevard, but the mitigation section on p. 36 does not adequately address the problem. Council staff is concerned that both directions would operate poorly because of the short block, and although the morning peak hour was not addressed, since the afternoon was deemed "worst case" for analysis purposes, this design is also likely to cause problems in the morning peak hour.

I-2

- The plan for bus layover facilities on the East Bank needs to be clarified. The Figure #3 color photo of the project area shows the current bus layover facility next to 4th Street between 23rd and 25th Avenues as an "existing roadway to be removed with the stadium project." The narrative on page 31 Transit Infrastructure states that the "Current project plans provide on-street parking along the north side of University Avenue between Oak Street and 23rd Avenue." The Figure #7 map of Pedestrian Routing During Football Event shows a "St. Paul Bus Staging Area" near the current layover site. The Transit Management section of Page 37 describes "Planning for efficient bus staging areas in relation to the Stadium."
- Shuttle bus service: Page 32 under *Transit Services* describes "previous discussions" with Metro Transit for a shuttle bus service between the Stadium and the Saint Paul Campus/State Fairgrounds using articulated buses. Council staff does not recall these discussions. The DEIS is silent on who would pay for this service.
- Maintain bus stops. Existing Metro Transit bus routes serving this immediate area include Routes 2, 6, 16, and 50, as well as routes operated by SW Metro and MVTA. Bus stop facilities for these routes should be maintained, as they will provide essential transportation for this project, particularly during special events.
- Potential impact on bus service speed and reliability. Because existing transit and the Central Corridor bus rapid transit (BRT) option operate in mixed traffic, there are potential speed and reliability problems related to increased traffic congestion in the vicinity of the proposed stadium. The FEIS should indicate what mitigation measures would be taken to protect bus speed and reliability of these regional services.

I-3

I-4

I-5

I-6

LIGHT RAIL TRANSIT

- The southeast corner of the stadium appears to conflict with the proposed LRT tunnel portal. The University has requested that the Central Corridor LRT traverse the campus below grade. This LRT option is proposed to exit a tunnel immediately south of the stadium. At the request of the University, the Central Corridor project has evaluated lengthening the tunnel and changing the alignment. Projected additional costs to the Central Corridor to extend the tunnel are \$15 to \$20 million over the current budget. The FEIS should address

I-7

Brian Swanson, University Project Coordinator

November 23, 2005

Page 3

this additional system cost and examine ways to mitigate this addition regional system cost, such as re-orientation of the stadium or movement of the stadium location to the north and east by a few hundred feet. Evaluation of a less costly, at-grade option for LRT is underway. At-grade operation could remove the stadium conflict but may impact other traffic flows in the area.

I-7

- **Additional track and station capacity** should be considered in the FEIS to accommodate passenger demands for major events.

I-8

The Metropolitan Council looks forward to continuing to work with the University on this project. If you have any questions or need further information, please contact Connie Kozlak, Manager, Systems Planning/Programming, Metropolitan Transportation Services at 651-602-1720; Adam Harrington, Manager, Route and System Planning, Service Development, Metro Transit, 612-349-7797; or Jim Uttley, AICP, principal reviewer at 651 602-1361.

Sincerely,



Phyllis Hanson, Manager
Local Planning Assistance

cc: Lynette Wittsack, Metropolitan Council District 8
Keith Buttleman, Environmental Services
Denise Engen, Sector Representative
Jim Uttley, Principal Reviewer
Cheryl Olsen, Reviews Coordinator



December 5, 2007

Robert H. Bruininks
President, University of Minnesota
202 Morrill Hall
100 Church Street SE
Minneapolis, MN 55455

Dear Bob:

I am writing in response to your November 28 letter requesting that the Metropolitan Council submit a supplemental EIS (SDEIS) to study a new alignment of the Central Corridor through the University of Minnesota campus. It is my understanding that this new alignment would travel from Washington Avenue on the west bank of the Mississippi River along 19th Avenue South over either Bridge #9 or the 10th Avenue Southeast bridge and on either a University Avenue or University Avenue/4th Street Southeast pair to the east end of the campus.

I have had extensive conversations with Metropolitan Council Transit staff regarding your request. The main concern I have is that the scope of your request which is significantly greater than the other SDEIS, would result in an extensive delay of between one-two years. This potential delay would significantly increase the cost of the project by up to \$40 million. In addition, it is also possible that the proposed new alignment would increase travel time and decrease ridership, thereby negatively impacting the CEI.

My concerns notwithstanding, I believe the issues you raised are legitimate and merit consideration. Therefore, I have asked Transit staff to outline the specific tasks required to meet your request, at which time a final decision can be made.

Finally, it should be understood that decisions regarding alignment at the University of Minnesota and concourses in downtown St. Paul need to be made in the next couple of months.

While a final decision has not been made, given current information and budget constraints and FTA timeline, I have come to believe that the best alignment through the University of Minnesota is at grade on Washington Avenue. To that end, I have asked your staff to explore reasonable mitigation efforts that would make this alignment more acceptable to the University.

I will remain in close contact with members of your staff regarding this important question. If you would like to discuss this matter further, please advise.

Sincerely,

A handwritten signature in cursive script that reads "Peter Bell".

Peter Bell
Chair

Cc: Central Corridor Management Committee

www.metrocouncil.org



UNIVERSITY OF MINNESOTA

Board of Regents

**RESOLUTION RELATED TO THE
DESIGNATION OF NORTHROP MALL AS A
CAMPUS HISTORICAL DISTRICT**

WHEREAS, the University seeks to preserve its heritage by its continuing commitment to preserve historic buildings and landscapes;

WHEREAS, the University in its Campus Master Plan, adopted by the Regents in September 1996, recognizes that "the presence and continued use of historic buildings and landscapes solidifies the image of the campus as an enduring institution and creates an inspiring environment within which to live and work";

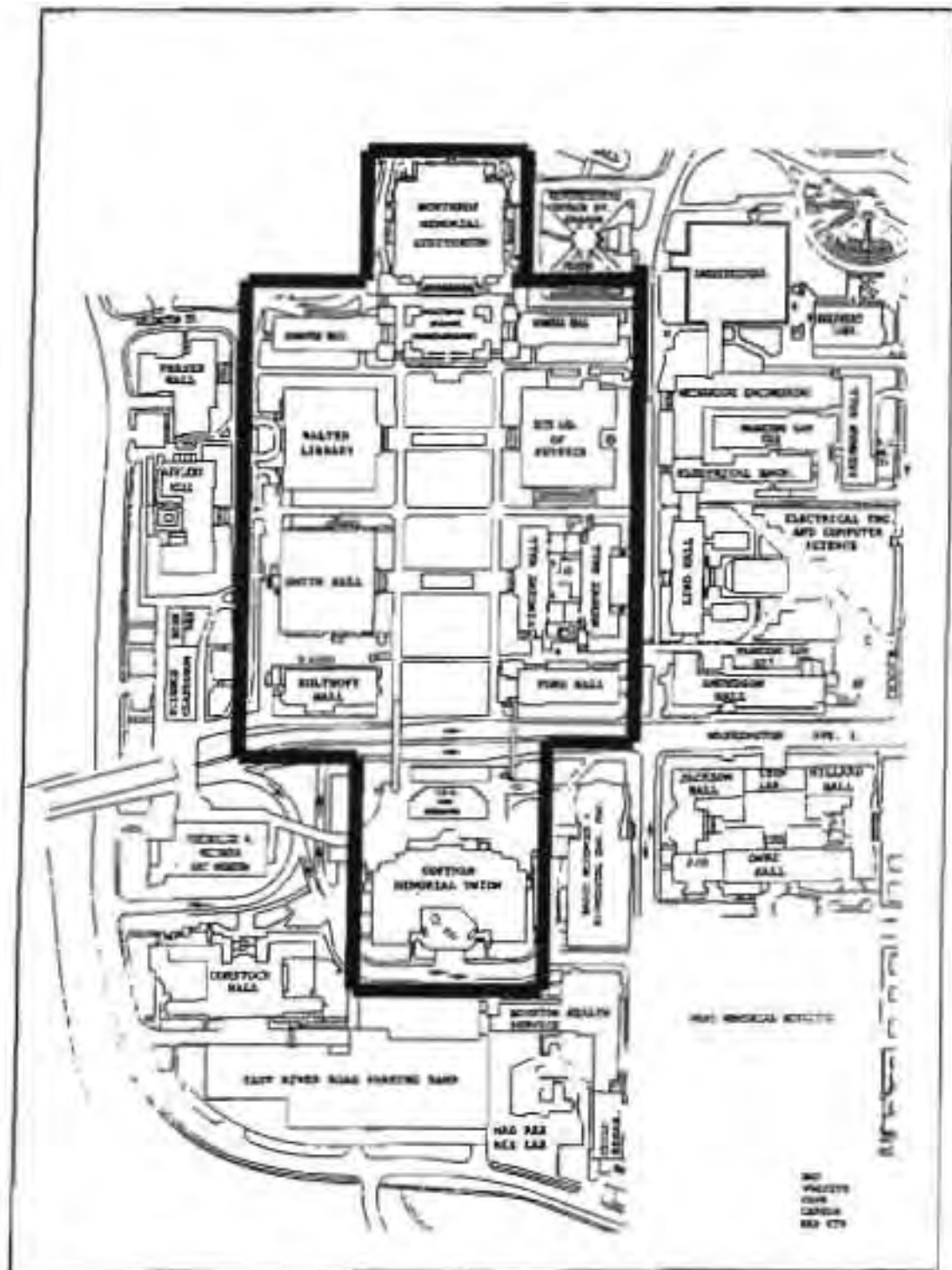
WHEREAS, Northrop Mall, including all the buildings immediately facing the Mall, is an area possessing integrity of location, design, setting, materials, spirit and association, with distinctive characteristics of architectural quality and cultural significance in the history of the state;

WHEREAS, the Regents desire to preserve and enhance the Northrop Mall consistent with the Campus Master Plan and its use in the pursuit of the goals and purpose of the University;

WHEREAS, any construction or remodeling on the Northrop Mall should consider and attempt to preserve to the extent consistent with the Master Plan and University purposes the historical aspects of the Northrop Mall and its buildings;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Regents recognizes Northrop Mall, including all the buildings immediately facing the Mall, as an important symbol of the University of Minnesota and designates the Northrop Mall as a campus historical district;

BE IT FURTHER RESOLVED, that the Board of Regents directs that appropriate policies, principles and procedures be developed, consistent with the Campus Master Plan, to ensure that the historic values of the buildings and landscapes of the Northrop Mall will be thoroughly considered in any future development of the area.



month of June.

The committee voted unanimously to recommend approval of the resolution.

RESOLUTION: DESIGNATION OF NORTHROP MALL

AS A CAMPUS HISTORICAL DISTRICT

A motion was made and seconded to recommend approval of the following resolution relating to the designation of Northrop mall as a campus historical district:

WHEREAS, the University seeks to preserve its heritage by its continuing commitment to preserve historic buildings and landscapes;

WHEREAS, the University in its Campus Master Plan, adopted by the Regents in September 1996, recognizes that "the presence and continued use of historic buildings and landscapes solidifies the image of the campus as an enduring institution and creates an inspiring environment within which to live and work";

WHEREAS, Northrop Mall, including all the buildings immediately facing the Mall, is an area possessing integrity of location, design, setting, materials, spirit and association, with distinctive characteristics of architectural quality and cultural significance in the history of the state;

WHEREAS, the Regents desire to preserve and enhance the Northrop Mall consistent with the Campus Master Plan and its use in the pursuit of the goals and purpose of the University;

WHEREAS, any construction or remodeling on the Northrop Mall should consider and attempt to preserve to the extent consistent with the Master Plan and University purposes the historical aspects of the Northrop Mall and its buildings;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Regents recognizes Northrop Mall, including all the buildings immediately facing the Mall, as an important symbol of the University of Minnesota and designates the Northrop Mall as a campus historical district;

BE IT FURTHER RESOLVED, that the Board of Regents directs that appropriate policies, principles and procedures be developed, consistent with the Campus Master Plan, to ensure that the historic values of the buildings and landscapes of the Northrop Mall will be thoroughly considered in any future development of the area.

Yudof reported that approval of this resolution will implement the capital plan with respect to assuring the consideration of the historic aspects of the mall in construction or remodeling activity.

Rotenberg addressed some legal implications if the resolution is approved. There is no legal effect on the authority of the Board of Regents to govern the appearance and existence of the buildings that would be within the Northrop mall campus historical district. The Board has the general authority to erect, modify, or raze buildings on University property. The resolution will not alter that constitutional authority. However, it is important to understand that there have been in the past and are in existence at the present time, designations of certain buildings that the Board has previously approved, that are on the National Register. Because of their designation on the National Register and because of the operation of the Minnesota Environmental Rights Act, there are restrictions on the Board's authority to modify or raze those buildings. While this does not apply to the resolution under consideration at this time, Rotenberg indicated that the Board should be aware of the regulations regarding buildings listed on the National Register.

The committee voted unanimously to recommend approval of the resolution.

1998 STATE CAPITAL REQUEST

A motion was made and seconded to recommend approval of the following resolution recommending approval the University's capital request to the State in the amount of \$248,950,000, as part of the "Capital Plan for the Support of Academic Programs in the 21st Century."

UNIVERSITY OF MINNESOTA

Office of University Relations

6 Merrill Hall
100 Church Street S.E.
Minneapolis, MN 55455-0110
612-624-6668
Fax: 612-624-6360

file with 11/8
Central CCC
meeting
materials

October 29, 2001

Dennis Probst, Chair
Central Corridor Coordinating Committee
c/o Ramsey County Regional Rail Authority
Suite 665 RCGC-West, 50 West Kellogg Boulevard
Saint Paul, MN 55102

Dear Mr. Probst:

In response to your letter of October 17, the University at this time will not be able to provide \$380,000 in funding for the study of a second LRT alignment. Our interest in pursuing the study of a second alignment was contingent on a shared cost arrangement. We have been advised by the Ramsey County Regional Rail Authority, Hennepin County, and the City of Minneapolis that they are not interested in or able to share the costs of the study, and so we must decline your offer.

We urged the study of a second alignment out of concern that another alternative be available if insurmountable problems were discovered with the development of the Washington Avenue LRT tunnel. As you know, previous studies have shown serious problems with an at-grade LRT alignment through campus, and the University is opposed to that alternative.

Thank you and the members of the Coordinating Committee for your consideration of the University's point of view in the study process. We look forward to working with you through the remainder of the EIS.

Sincerely,

Sandra Gardebring
Sandra Gardebring
Vice President for University Relations

SSG:sk

cc: Elwyn Tinkenberg, Minnesota Department of Transportation
Ted Mondale, Metropolitan Council
Kathryn DeSpiegelars, Ramsey County Regional Rail Authority



Beth Bartz - RE: Requested meeting with CCPO, University, SRF and FTA

From: "O'Brien, Kathryn"
To: 'Beth Bartz'
Date: 3/6/2008 12:39 PM
Subject: RE: Requested meeting with CCPO, University, SRF and FTA
CC: "Hymes, Charles", "Fuhrmann, Mark", Garneth Peterson, Mike Monahan, Nancy Frick, "baker006@umn.edu", "cullen096@umn.edu", "obrienk@umn.edu", "Rovang, Rich"
Attachments: "Hymes, Charles", "Fuhrmann, Mark", Garneth Peterson, Mike Monahan, Nancy Frick, "baker006@umn.edu", "cullen096@umn.edu", "obrienk@umn.edu", "Rovang, Rich"

Beth, it is my understanding that requests #1-5 as enumerated below have been communicated to executive and senior management here at the Council, so you'll understand my deferral of a direct response to these queries at this time.

Scoping documents as requested have been loaded to our ftp site and can be accessed at the following address:

<https://www.epm.state.mn.us/wssMnRail/CCPO/anonymous/Forms/AllItems.aspx>

I have also attached, as requested, the latest version of the SDEIS outline, which has been prepared with direction received from FTA. As regards your request for "analysis methodologies and assumptions, and level of analysis to be completed by issue area" we have no prepared documents ready at hand that would communicate this information and doing so would entail a diversion of our resources and energies which are directed at other critical path issues. It may be best to more fully respond to this request at an upcoming steering committee meeting and I and others can answer your question more effectively in that setting.

On a final note, please remember to cc Rich Rovang at the project office in future communication regarding Northern Alignment data requests.

From: Beth Bartz [mailto:bbartz@srfconsulting.com]
Sent: Wednesday, March 05, 2008 2:13 PM
To: O'Brien, Kathryn
Cc: Hymes, Charles; Fuhrmann, Mark; Garneth Peterson; Mike Monahan; Nancy Frick; baker006@umn.edu; cullen096@umn.edu; obrienk@umn.edu
Subject: Requested meeting with CCPO, University, SRF and FTA

On behalf of the University of Minnesota, SRF is requesting a meeting with the CCPO, the University, SRF, and if possible, FTA to discuss the relationship between the analysis of the Northern Alignment currently underway, and the SDEIS currently in preparation by the FTA and Met Council. To date, no engineering flaws have been identified with the Northern Alignment, and therefore environmental impacts as associated process issues are becoming increasingly important to our analysis of potentially fatal flaws. Desired agenda topics include the following:

1. Access to the Section 106 consultation currently underway between Mn/DOT Cultural Resources Unit (CRU) on behalf of FTA and the CCPO on behalf of Met Council. Use of Bridge 9 is a critical element to the Northern

Alternative. This bridge is currently determined to be eligible for the National Register of Historic Places. To complete our fatal flaw analysis, discussion with Mn/DOT CRU, and through them, the State Historic Preservation Office, is necessary to determine the feasibility of alternation or replacement of this bridge. Other eligible historic resources may be indirectly affected by the Northern Alternative and also need to be discussed.

2. Access to FTA consultation through the CCPO is needed to assess the degree that impacts to park properties will affect the feasibility of the Northern Alternative through Section 4(f).

3. Access to FTA consultation through the CCPO is needed to assess the degree that impacts to low-income and minority populations will affect the feasibility of the Northern Alternative.

4. Access to FTA consultation with the National Park Service regarding impacts to the Mississippi National River Recreation Area (MNRRA) resulting from the Northern Alternative is needed to fully understand the feasibility of the Northern Alignment.

5. Discussion of possible integration of the Northern Alignment into the SDEIS documents and implications for the project timeline.

Also, we would like to request copies of any scoping documents published (I could not find any such documents on the project website) as well as the working outlines, analysis methodologies and assumptions, and level of analysis to be completed by issue area. This information will facilitate an understanding of the level of effort necessary to integrate the Northern Alignment into the SDEIS.

We would like to have this meeting as soon as possible in order to facilitate timely completion of our analysis. Accordingly, we will adjust our schedules to your availability. Please call to discuss available dates and any questions you have regarding the above items. We look forward to working with you on this project.

Beth Bartz, AICP
Principal
SRF Consulting Group, Inc.

phone 763.475.0010
direct 763.249.6792
cellular 763.226.3064
fax 763.475.2429
email bbartz@srfconsulting.com
www.srfconsulting.com



SRF suggests that you please consider the environment before printing this email.

Appendix: Supplemental documents submitted with the DCC comments

Available upon request by contacting Kathryn O'Brien at
651-602-1927 or kathryn.obrien@metc.state.mn.us