



## Meeting Minutes

Southwest Community Advisory Committee (CAC)

December 2, 2009, 6:00 to 7:30 PM

Wolfe Lake Professional Center

### Meeting Attendees

#### CAC Members and Alternates

Frank Powell  
Paul Nelson  
Eric Lind  
Barry Schade  
Bruce Monson  
Jerry Krause  
Vicki Moore  
Ross D'Emanuele  
David Bagley  
John Wheaton  
Elizabeth Lockridge  
Art Higinbotham

#### Southwest Staff & Consultant Team

Katie Walker (Hennepin County)  
Adele Hall (Hennepin County)  
Scott Reed (HDR Engineering)  
Kathie Doty (KLD Consulting)  
Ann Wolff (KLD Consulting)

#### Other Attendees

Jeanette Colby (Kenwood Isles Area Association)

### **I. Overview of DEIS Work**

Scott Reed (HDR Engineering) presented on the Draft Environmental Impact Statement (DEIS). The DEIS process will consider all of the build alternatives, 1A, 3A, 3C-1, and 3C-2, as well as a "no build" alternative. The DEIS will document the potential impacts to the environment and for the identified adverse impacts mitigation options will be identified. The DEIS does not identify specific mitigation measures for potentially adverse impacts, that is done during the Final EIS process. The FEIS is typically done in conjunction with Preliminary Engineering (PE) to ensure that there is enough engineering/design detail to confirm that an adverse impact will result from the project and what is the best way to mitigate that impact if it can't be avoided or minimized.

When the DEIS has been signed by the Federal Transit Administration (FTA), there will be a public comment period extending for a minimum of 45 days and public hearing. The Final Environmental Impact Statement (FEIS) will follow. When that is complete the FTA issues a Record of Decision, which is the decision document that shows all of the impacts of the project and associated mitigation. A parallel state document is also issued, called an adequacy determination.



Q: How did the situation arise between the University of Minnesota and the Central Corridor LRT project?

A: The UMN and the Central Corridor project are currently in litigation, so we need to be careful on commenting or speculating on the situation. That said what has been reported in the news media is that the UMN disagrees with the mitigation identified by Metropolitan Council and FTA in the Record of Decision.

Q: Are there completed DEIS from other projects we can look at?

A: Yes, Central Corridor LRT's DEIS is posted on their website. It will be helpful for CAC members to look at this, so that when it comes time to review, members know what to expect.

Q: Unallocated contingency for project is 20% but Commissioner Dorfman has said that it is 30%. Why the discrepancy?

A: It is because there is a contingency on individual items; the average amount of contingency is 32%. The level of contingency is dependent on the risk associated with the item. For example, light rail vehicles have about 5% contingency because their cost is reasonably reliable. Right-of-way, on the other hand, has a larger contingency of 100% because the amount the project will pay for right-of-way is much more uncertain. As the project moves forward and the known quantities increase, the contingency declines and budget is allocated to specific items, like mitigation.

Q: What if there is no mitigation for a 4(f) problem? Do we stop the project? What if the mitigation is too expensive for the project to absorb?

A: This project has been studied intensively, so it is not likely that this will happen, but yes, it is possible that a project could not be able to absorb all of the costs.

Q: Will there be consideration of all of the components of the 3C-2 alternative?

A: Yes. We are studying it as proposed by Councilmember Remington.

Q: If some mitigation effort to avoid a 4(f) resource were to cost an extremely large amount, like a tunnel under the Channel between Lake of the Isles and Cedar Lake, does the FTA stop the project or is it stopped locally?

A: If the project affects a 4(f) resource we have to mitigate. If our Cost Effectiveness Index is too high then we will not be able to progress into the next stage. That is why all of the agencies have to be well informed.

Q: Has the Southwest project filed a DEIS?

A: The DEIS process has been initiated, but the DEIS documentation still needs to be finished.

Q: Do we have to do the DEIS on all of the alternatives?

A: Yes. It's a function of the Minnesota Environmental Protection Act and the National Environmental Protection Act.

Q: Do we have to do the FEIS on all of the alternatives?

A: No, the FEIS will be completed only for the LPA.

Q: Do you see a fatal flaw so far in any of the alternatives?

A: No, though we still could. The LPA process only evaluated the risk of an environmental fatal flaw.

Q: What's more likely to stop the project, one big problem or many smaller problems?

A: Probably many smaller problems.

Q: As you go through the DEIS, could the LPA change?

A: Yes, that could happen, though it is not likely. If it were to occur it would most likely occur in the areas of 4(f) (Parkland) or the 106 Review (Historic Resources), where if a resource is going to



be affected the United States Department of Transportation says that a reasonable and prudent alternative must be used, if available. These determinations are made at the federal level.

Q: Has parking been defined?

A: No. People need to comment on the DEIS regarding this issue, and it will be further examined in Preliminary Engineering. There is a lot of discussion still on this item. The parking will shift around.

Q: Where do people comment on the EIS?

A: There will be a notice of availability in the newspapers, on the project website, and in the Federal Register and EQB monitor.

Q: When will the EIS be done?

A: We would like to release it by summer 2010.

Q: What about the Kenilworth crossing of the Grand Rounds scenic byway?

A: It does need to be considered, and FTA and the State Historic Preservation Office.

Q: Will the Minneapolis Park and Recreation Board be involved with FTA regarding 4(f) resources?

A: We would expect and encourage the FTA to involve them in the conversation regarding their resources. Typically, FTA does confer with the owner of a 4(f) resource. FTA often consults local agencies, and they probably will, but it is not required. The DEIS is a federal document so we are doing it on behalf of FTA.

## II. Review of LPA Actions

The Technical Advisory Committee (TAC) recommended LRT 3A as the LPA, then the Policy Advisory Committee (PAC) held their public hearing and made their LPA recommendation of LRT 3A. Then a public hearing was held before the Hennepin County Regional Railroad Authority (HCRRA) and HCRRA recommended LRT 3A as the LPA. Now the Metropolitan Council needs to take action to amend the regional Transportation Policy Plan to include the Southwest LPA. The council will meet on January 27, 2010, to select the LPA for the purposes of establishing a public hearing prior to amending the TPP. There must be a 30 day notice of the public hearing, and the Council typically gives more time, so the hearing is expected to be held in March or April.

Q: Does the Metropolitan Council process impact the DEIS work?

A: The LPA process is specifically to further project development and not for the environmental process, so it should not directly affect the DEIS work.

## III. Meeting Schedule during completion of DEIS

CAC 2010 meeting schedule was distributed at the meeting.

## IV. Areas of Interest per CAC Members

Short methodology sections on each section of the DEIS will be posted on the website soon. At the following meetings experts can come explain a few of the areas, if CAC members would like to have a more thorough in-depth presentation on how the assessments are done.

A CAC member commented that perhaps the CAC can decide which items they would like to hear more about after they have read the methodology sections online. Southwest staff agreed to send out the methodology sections and let CAC members respond with their top three issues, then proceed with scheduling.



Another CAC member commented that maybe the group should focus on the stations. Katie Walker responded that station area planning work has been done in the suburbs and is starting in Minneapolis soon. Station area planning concept plans will be on the agenda for the January CAC meeting.

## V. Open Forum

Q: Which Minneapolis staff will be working on the Minneapolis station area planning?

A: Amanda Arnold, Steve Hay, and Beth Elliot. We are working on outlining what planning has been done to date and what is needed. For example, some station plans will need land use plans and all stations need access plans.

Q: There is talk of stations being eliminated down the line. When will this decision be made?

A: During the Preliminary Engineering/FEIS stage.

Q: So you will do the station area planning for all Minneapolis stations?

A: Yes.

Q: Is the schedule of the trains fixed?

A: We will revisit the operating plan, but since we are through routing we will likely end up on the same frequency as Hiawatha and Central Corridor. It is unlikely that there will be a reduction in frequencies.

Q: Is it possible to have a chronological explanation of what is going on?

A: Yes, we will prepare a schedule.

Q: I am receiving questions around station area planning, for example, about public art at stations. Where do I direct that?

A: Hennepin County, to Katie Walker. We are in the process of flagging project issues for Metropolitan Council staff.

Q: Will the HCRRA have to make a decision on the freight rail relocation before certain steps can begin on the LRT project?

A: It is a separate project with separate lead people. It is assumed to be gone by the time we are ready to put in LRT.

Meeting adjourned at 7:50 pm.