



## Meeting Minutes

Southwest Policy Advisory Committee (PAC)

April 8, 2009, 8:00 to 9:30 AM

St. Louis Park City Hall

### Meeting Attendees

#### PAC Members and Alternates

Gail Dorfman, Chair	Hennepin County Commissioner	Member
Robert Lilligren	City of Minneapolis	Member
Sue Sanger	City of St. Louis Park	Alternate
Jean White	City of Edina	Member
LuAnn Toliver	Minnetonka	Alternate
Ralph Remington	City of Minneapolis	Member
Jeff Arnold	Minneapolis Regional Chamber	Member
John DeWitt	Midtown Community Works Partnership	Alternate
Brian Willette	Cedar Lake Park Association	Member
Bruce Rowan	City of Hopkins	Member
Jim Brimeyer	St. Louis Park	Member
Nancy Tyra Lukens	Southwest Transit	Member
Kathy Nelson	City of Eden Prairie	Member
Gary Aiken	Twin West Chamber	Alternate
Tony Wagner	City of Minnetonka	Member
Jim Benschopf	Eden Prairie Chamber	Member

#### Southwest Technical Advisory Committee (TAC) Members & Agency Staff

Katie Walker (Hennepin County Study Manager), Steven Hay (City of Minneapolis), Julie Wischnack (City of Minnetonka), Bob Vockrodt (Mn/DOT), Steve Mahowald (Metro Transit), Adele Hall (Hennepin County), Carol Lezotte Anderson, (Hennepin County).

#### Consultant Team

Oscar Gonzalez (HDR Engineering), Terry Phemister (HDR Engineering), Kathie Doty (KLD Consulting), Ann Wolff (KLD Consulting).

**Other Attendees** Art Higinbotham (Cedar Isles Dean Neighborhood Association (CIDNA)), Kerri Pearce-Ruch (Hennepin County), Bill Schreiber (Messerli & Kramer), Jason Flohrs (Project consultant), Jeanette Colby (Kenwood Isles Area Association), Travis Bunch (Minneapolis Regional Chamber), Michelle Dibblee (Transit for Livable Communities), Kim Malrick (City of Minneapolis), Kevin Locke (City of St. Louis Park), Cassi Holmstrom (Hennepin County)





## I. Welcome and Introductions

Chair Dorfman called the meeting to order and asked attendees to introduce themselves. Robert Lilligren (Minneapolis Member) moved and Commissioner Dorfman seconded a motion to accept the minutes from the March meeting. The motion was carried unanimously on a voice vote.

## II. Legislative/Congressional Update

Bill Schreiber, Messerli and Kramer, updated the PAC on the new approach to transit funding that the Minnesota House of Representatives is considering. Usually specific pots of money are identified for specific projects, but because projects are ongoing over many years, project budgets and contracts do not match the allocations. Representative Hausman has suggested a different approach by setting aside \$21 million for the Metropolitan Council with the stipulation that the funds are flexible between projects. If one project does not use all of its money, the funds will go back into the pot for other projects, instead of going back to the State.

In the Senate, Senators Latz and Dibble requested for \$5 million in bonding for Southwest Transitway. In the House, Representatives Simon and Hornstein requested \$ 5 million in bonding for the Southwest Transitway.

Metro Transit is dealing with an operating deficit because the motor vehicle sales tax is a major source of transit revenue, and the purchase of cars has decreased dramatically due to the economic downturn. According to Metro Transit the budget is \$62 million short. The Senate has allocated \$74 million, the House, \$68 million, though there is not necessarily consensus on these allocations. The Metropolitan Council is proposing a \$.25 fare increase, but some legislators are opposed and want to put a 'no fare increase' clause in the bill.

Chair Dorfman asked if we can use the federal money even though it is specified for the Alternatives Analysis. Ms. Walker said that according to FTA the Southwest project is still in the AA stage because we have not yet selected a locally preferred alternative (LPA), so the project is eligible for the funding. Chair Dorfman indicated that a push for the 2010 request of \$9 million is still needed, and Congressman Paulsen has signaled his support in part because he understands that the line will be good for the businesses in his district.

## III. DEIS Project Update

### Public Outreach

Kathie Doty (KLD Consulting) updated the PAC on recent outreach activities. The Minneapolis Regional Chamber is arranging for Southwest staff to meet with business owners along the 11<sup>th</sup>/12<sup>th</sup> sub-alternative on April 17<sup>th</sup>. Southwest outreach staff will continue to visit neighborhood and business association meetings as requested, and focus on publicizing Southwest project news in the media. Outreach efforts will intensify and three open houses will be held after the Technical Advisory Committee makes a recommendation on the LPA and before the PAC makes a decision.

Sue Sanger (St. Louis Park Alternate) mentioned that St. Louis Park has requested a meeting regarding the LRT and freight trains.

### Committee Activity (TAC and CAC) & Technical Memo #3 (Screening Criteria)



Ms. Walker updated the group on the Technical Advisory Committee (TAC), which met at the end of March to discuss the LPA screening evaluation measures. These are included in the draft Technical Memorandum #3. The memo is still under review and comment by the TAC and should be finalized before the next Southwest PAC meeting and then posted on the Southwest website.

Chair Dorfman added that there will be a series of technical memos, probably up to eight, that will review plans, accountability, costs, and cost effectiveness.

Ms. Walker commented that at their last meeting, the Community Advisory Committee (CAC) talked about environmental justice as screening criteria, but after consideration of this idea, the technical consultants have recommended not using environmental justice as screening criteria. Chair Dorfman asked if the PAC decides to serve a certain community, is that more of a Title VI process? Mr. Phemister indicated that environmental justice is a somewhat limited issue that looks at disparate impact on certain communities versus benefits. This is not a Title VI issue, though it will be done as part of the DEIS and regional averages will be used to identify areas with higher-than-average concentrations of minorities.

Sue Sanger (St. Louis Park Alternate) asked if the concept of having LRT through a low-income neighborhood considered good or bad. Ralph Remington (Minneapolis Member) answered that whether it's a highway, bridge, or transit project it can be good or bad. Displacement and disruption are bad; accessibility is good. Mr. Phemister commented that station location is important; if LRT is built through a low-income area without a station, then the LRT likely has a negative impact on the neighborhood. Mr. Remington added that we should not confuse environmental justice with short-term pain of construction for long-term gains in accessibility.

Ms. Walker passed out a schedule of upcoming PAC meetings and the DEIS items planned for each meeting, mentioning that there are a few items on the agenda that are outside Hennepin County's control. First, to do Cost Effectiveness Index calculation (CEI) and ridership forecasts, the FTA must sign off on the baseline alternative. So far, Hennepin County has received feedback from FTA and now needs to work with Metro Transit and Southwest Transit to refine the baseline alternative, which will hopefully be approved in the next month. Second, the federal government must sign the 106 Review of historic places. FTA is responsible for the review, but has delegated this work to Mn/DOT. However, all projects that wish to receive federal stimulus money also must do environmental work, so Mn/DOT has many projects to review. Third, HDR has reviewed the alignments from the AA and the sub-alternative and applied the Central Corridor design standards and now must have more discussions with city staff to refine engineering. If the project were to accommodate all city requests the project would be pushed back six to eight weeks and impose additional costs, so negotiation is important.

Chair Dorfman asked what information is needed to make the locally preferred alternative decision. Ms. Walker answered that we need to know more precisely where the alignments go so that we can estimate costs, ridership and environmental impacts. If there are a number of alternatives still on the table, then the FTA will determine that the project is still in the Alternatives Analysis phase and not ready to move into preliminary engineering. Kathy Nelson (Eden Prairie Member) asked since Eden Prairie has two very different alignments, what are the impacts on the alignments there. Chair Dorfman commented that since the LRT 1 alignment has virtually no support, we need to make decisions on the routing of the LRT 3 alignment. Ms. Walker added that in Minneapolis the alignments are well defined because they are on roadways and HCRRA property. The FTA considers alignment LRT 3 risky at this time



due to lack of ownership of the right-of-way, and continuing uncertainty in defining the route.

Jim Brimeyer (St. Louis Park Member) asked how the technical memos are completed without the LPA. Ms. Walker answered that screening criteria combine planning and purpose of the project with performance criteria. FTA does not require environmental work on the alternatives for selecting the LPA, but they prefer it. For example, in Eden Prairie we realized that the alignment is going across “waters of the U.S.” and we have the flexibility to move it. When an alignment goes across “waters of the U.S.” a special permit must be acquired from the Army Corps of Engineers. It can take a long time for them to issue a permit, and sometimes they will not issue one at all. Kathy Nelson (Eden Prairie Member) commented that at the last PAC meeting, the anticipated timeline for the LPA was that the PAC would act in July. She clarified that, given what was presented today, an LPA decision would probably not happen until September or October. Ms. Walker agreed, adding that this timeframe would allow for greater public outreach, which the PAC has indicated is important to their decision.

Jim Benshoof (Eden Prairie Chamber Member) offered a three part comment on Tech Memo #3. First, the criteria and statements on measurement on pages two through six are complete and sound basis for evaluation. Second, there needs to be a stronger conclusion describing how the criteria will be applied. A matrix of scores and weights of criteria should be included. Third, the process applied in the AA should be brought into this memo. Mr. Gonzalez responded that a matrix will be included, though weighting of criteria will need to be discussed with the PAC. Robert Lilligren (Minneapolis Member) asked where the four concluding bullets come from. Ms. Walker answered that these are typical criteria to address. The purpose and need for the project is FTA’s most important criteria, the next two bullets address environmental issues, and the final bullet is about performance and markets served.

Sue Sanger (St. Louis Park Alternate) commented that access to jobs, households, and employment, schools should be added. Ms. Walker replied that schools are already factored in as a carry-over from the AA, and the same will be done for the sub-alternative. If there is a new school, that will be added to the new development section. Ms. Sanger asked what the travel time savings are compared to. Terry Phemister, HDR, replied that travel times on the LRT are compared to single occupancy vehicles, high occupancy vehicles, and rail operating in the peak hours. The purpose of the project is to improve mobility and this means improving travel times.

#### **IV. Overview of Key Environmental Impacts**

Mr. Phemister presented an overview of the environmental impacts and explained that the Minnesota Council on Environmental Quality provides guidance on the test of reasonableness for the alternatives. The alternatives must be practical and feasible, desirable by more than just one party, and of sound engineering. Alternative evaluation criteria are the alternatives’ compatibility with existing plans, the performance of the alternatives, including cost, cost effectiveness, and mobility, environmental impacts and benefits, and other qualities, including real estate and right of way. The intent is to identify any fatal flaws. Mr. Phemister then reviewed the NEPA requirements which are chosen because of the irreversible impacts that a project of this magnitude can have; please see the presentation for details on the requirements.

#### Discussion

Kathy Nelson (Eden Prairie Member) asked if there are any 4(f) properties (parks) along the alignments.



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transitway

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Mr. Phemister replied that HDR is looking into 4(f) properties right now; these properties must be avoided unless there is no other alternative. The mitigation and permitting required to go through 4(f) properties may significantly affect the project budget and timeline.

Mr. Phemister continued with the presentation, discussing historic properties. Again, HDR will make a "draft finding" and recommendation to Mn/DOT and Mn/DOT will be responsible for the assessment. The State Historic Preservation Office (SHPO) must review and concur with Mn/DOT's recommendation.

Jeanette Colby, meeting attendee, asked when the public will be able to review this information. Ms. Walker answered that it will be available by June or July, after Mn/DOT and SHPO concur.

#### **V. Adjournment**

The meeting was adjourned at 9:45. The PAC will meet next on Wednesday, May 13 at 8am at the St. Louis Park City Hall.

