

Regional Railroad Authority Board Action Request

09-HCRRRA-0064



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Item Description:

HCRRRA recommends that LRT alternative 3A be selected as the locally preferred alternative for the Southwest Transitway for inclusion in the Metropolitan Council's 2030 Transportation Policy Plan

Resolution:

WHEREAS, the Hennepin County Regional Railroad Authority is the current project sponsor for the Southwest Transitway project; and

WHEREAS, the Hennepin County Regional Railroad Authority is and will remain the Responsible Governmental Unit (RGU) for the Draft Environmental Impact Statement (DEIS) process; and

WHEREAS, the Metropolitan Council will become the project sponsor for purposes of submission of the Federal Transit Administration (FTA) New Starts application for the Southwest Transitway project after the Locally Preferred Alternative (LPA) is selected and the Metropolitan Council's long-range plan, the 2030 Transportation Policy Plan (TPP) is amended to include the Southwest Transitway LPA; and

WHEREAS, selection of an LPA for inclusion in the TPP is a prerequisite for eligibility for federal New Starts funding for the Southwest Transitway project; and

WHEREAS, the Hennepin County Regional Railroad Authority conducted an Alternatives Analysis (AA) and is conducting a Draft Environmental Impact Statement (DEIS) for the Southwest Transitway project comparing the costs, benefits and impacts of a broad range of transit modes and alternatives to determine which best meets the purpose and need for the project; and

WHEREAS, the Southwest Technical Advisory Committee (TAC) and Policy Advisory Committee (PAC), established to provide technical and policy guidance and make recommendations to the Hennepin County Regional Railroad Authority, have recommended that alternative 3A be identified as the Locally Preferred Alternative (LPA) for the Southwest Transitway Project, with light rail as the mode; and

WHEREAS, the Southwest TAC and PAC recommendations included three amendments related to freight rail, the regional trails, and Midtown rail transit as separate actions; and

WHEREAS, the public has been given an opportunity to comment through two formal public hearings and other methods; and

WHEREAS, the Metropolitan Council is the agency that will select the Locally Preferred Alternative (LPA) for the Southwest Transitway; and

WHEREAS, the Hennepin County Regional Railroad Authority will continue the environmental review process and assist in addressing issues as the project moves to the Metropolitan Council for the preliminary engineering phase of work; therefore

BE IT RESOLVED, that the Hennepin County Regional Railroad Authority recommends to the Metropolitan Council that light rail transit alternative 3A be selected as the Locally Preferred Alternative (LPA) for the Southwest Transitway for inclusion in the Metropolitan Council's 2030 Transportation Policy Plan; and

BE IT FURTHER RESOLVED, that the Hennepin County Regional Railroad Authority recognizes the TAC and PAC amendments to the LPA recommendation as separate actions and directs staff to determine appropriate steps for moving forward to address the three amendments related to freight rail, the regional trails and Midtown rail transit.

Regional Railroad Authority Board Action Request (continued)



Requesting Department	Regional Railroad Authority
Recommendation from Deputy Exec Director	
Recommendation from Executive Director	

Background

History:

The Southwest Transitway is a proposed 14-mile light rail transit (LRT) line serving Eden Prairie, Minnetonka, Edina, Hopkins, St. Louis Park and Minneapolis. The LRT line will increase system capacity in an area of high demand, respond to travel demand created by existing and planned residential and employment growth, provide a competitive travel option that will attract 'choice' riders (who have a choice between transit and driving) and serve transit dependent populations. This line will also be an expansion of the region's transitway system.

Southwest Transitway Locally Preferred Alternative (LPA) Process

The HCRRA initiated the Southwest Transitway Alternatives Analysis (AA) process in 2005. During the AA process, a broad range of transit modes (LRT, BRT, conventional bus, etc.) were evaluated. Prior to identifying the Locally Preferred Alternative (LPA) for the Southwest Transitway project, the HCRRA chose to initiate the environmental review process, the Draft Environmental Impact Statement (DEIS). The purpose for initiating the environmental review process prior to identification of the LPA was to ensure that the potential impacts to critical environmental resources would be considered when identifying the LPA. In addition, proceeding in this fashion allowed the public and affected agencies to comment upon the purpose and need for the project as well as the alternatives under consideration.

According to Federal guidance, the selection of the LPA and inclusion of the LPA in the Metropolitan Council's Transportation Policy Plan (TPP) concludes the Alternatives Analysis (AA) process. It is at this point that the Metropolitan Council, as the project sponsor, may submit an application to the Federal Transit Administration (FTA) for the project to enter Preliminary Engineering (PE). The process for identification of the LPA is a separate process from the environmental review process, but it is beneficial for projects to combine portions of the processes to avoid duplication and project delays. The Metropolitan Council's selection and adoption of the LPA into the TPP is part of the long-range planning process required by state and federal law. The LPA selection does not replace, nor does it override the requirement to fully examine alternatives and determine the adverse impacts that must be avoided or mitigated under the National Environmental Policy Act (NEPA) and Minnesota Environmental Policy Act (MEPA).

In fall of 2008, the HCRRA in partnership with the Federal Transit Administration (FTA) initiated the environmental review process, the Environmental Impact Statement (EIS), for the Southwest Transitway. An EIS is required for all major federal and state actions, such as the Southwest Transitway project, that will significantly affect the environment. The EIS is a full disclosure document that includes a detailed evaluation of the social, economic, and environmental impacts of the alternatives and identification of mitigation options, presuming that adverse impacts cannot be avoided. The EIS is composed of two documents, the Draft EIS (DEIS) and the Final EIS (FEIS). In the DEIS all reasonable alternatives are discussed at a comparable level of detail and while there is no requirement to identify a preferred alternative, if one has been selected that should be stated in the document. The FEIS, which is typically completed in conjunction with Preliminary Engineering (PE), is required to describe the preferred alternative, the basis for that decision, and the mitigation requirements. The EIS is considered to be completed when a Record of Decision (ROD), which documents the decision made by the lead federal agency, is issued. At the state level, the EIS is considered complete when the Responsible Governmental Unit (RGU) issues an Adequacy Determination.

Southwest Technical Advisory Committee (TAC) Action

On September 10, 2009, the Southwest Technical Advisory Committee (TAC) voted to accept the HDR Engineering, Inc. recommendation that LRT 3A be selected as the Locally Preferred Alternative (LPA) for the Southwest Transitway because it is the alternative that best meets the purpose and need for the project expressed by the goals of improving mobility, providing a cost-effective and efficient travel option, preserving the environment, protecting quality of life and supporting economic development.

The Southwest TAC did add the following three (3) amendments to their recommendation:

Amendment #1: Freight Rail Relocation as a Parallel Process

This recommendation is contingent upon the following conditions, that Hennepin County, St. Louis Park, Minneapolis, Twin Cities and Western Rail Company, and Mn/DOT work cooperatively to identify impacts, mitigation requirements, and mitigation funding options to address the potential of rerouting freight rail; a plan of action to address this issue in a parallel process with the Southwest Draft Environmental Impact Statement (DEIS) be developed; and, the freight rail issue and impacts are identified as a part of the "secondary and cumulative impacts:" in the DEIS.

Amendment #2: Trail System

That the regional trails operated by the Three Rivers Park District and the City of Minneapolis in the 3A corridor, as an important transportation link in the region, be addressed in the project development process as to design, funding and construction as a separate disconnected action.

Amendment #3: Midtown Corridor

The region continues to explore the development of the Midtown Corridor as a transit connection between the Southwest and Hiawatha Light Rail Transit (LRT) lines.

On September 17, 2009, a public hearing was held before the Southwest Policy Advisory Committee (PAC). Over 200 people attended the hearing and approximately 85 people testified.

Southwest Policy Advisory Committee (PAC) Action

On October 14, 2009, the Southwest Policy Advisory Committee (PAC) voted to accept the Southwest TAC recommendation and forward it to the Hennepin County Regional Railroad Authority. The Southwest PAC did amend the Southwest TAC amendments as follows:

Amendment #1: Freight Rail Relocation as a Parallel Process

No change.

Amendment #2: Trail System

That the regional trails operated by the Three Rivers Park District and the City of Minneapolis in the 3A corridor, as an important transportation link in the region, be addressed as an integral part of the project development process as to design, funding and construction as a separate disconnected action.

Amendment #3: Midtown Corridor

That the region continue to explore the development of and commitment to the Midtown Corridor as a rail transit connection between the Southwest and Hiawatha LRT lines.

On October 20, 2009 a public hearing was held before the HCRRRA. Approximately 30 people testified.

Next Steps

New Starts Application for Preliminary Engineering (PE)

The HCRRA's LPA recommendation will be forwarded to the Metropolitan Council for their consideration. Prior to completion of a New Starts application to enter into Preliminary Engineering and assume project sponsorship, the Metropolitan Council must select the LPA for the Southwest Transitway and amend their Transportation Policy Plan (TPP) to include the LPA.

Draft Environmental Impact Statement (DEIS)

The HCRRA as the local lead agency and the Federal Transit Administration (FTA) as the federal lead agency will complete the DEIS for all alternatives as identified during the National Environmental Policy Act (NEPA) and the Minnesota Environmental Policy Act (MEPA) Scoping process.

Approvals

Department Head	Eckhert, Philip C.	Date	10/29/2009
Deputy/Assistant Administrator		Date	
Director		Date	

**Regional Railroad Authority
Hennepin County, Minnesota
RESOLUTION NO. 09-HCRRRA-0064R1**



[2009]

The following Resolution was offered by Commissioner McLaughlin and seconded by Commissioner Dorfman:

BE IT RESOLVED, that the Hennepin County Regional Railroad Authority recommends to the Metropolitan Council that light rail transit alternative 3A be selected as the Locally Preferred Alternative (LPA) for the Southwest Transitway for inclusion in the Metropolitan Council's 2030 Transportation Policy Plan; and

BE IT FURTHER RESOLVED, that the Hennepin County Regional Railroad Authority recognizes the TAC and PAC amendments to the LPA recommendation as separate actions.

The question was on _____ and there were 7 YEAS and 0 NAYS, as follows:

Board of Commissioners Hennepin County Regional Railroad Authority	YEAS	NAYS	ABSTAIN	ABSENT
Mike Opat	X			
Mark Stenglein	X			
Gail Dorfman	X			
Peter McLaughlin	X			
Randy Johnson	X			
Jan Callison	X			
Jeff Johnson	X			

RESOLUTION ADOPTED ON 11/3/2009

ATTEST: _____

Clerk to the County Board