TC&W's OBJECTIONS to the DEIS

The freight rail re-route design presented in the DEIS is not acceptable to TC&W. Our objections fall into these major areas: C

- Engineering flaws
- Safety
- Environment -noise and vibration
- Failure to comply with FTA and MnDOT directives
- Operations/maintenance/efficiency/costs
- Loss of track capacity
- Track "outage" during construction
- Inadequate analysis of the costs of a re-route
- Lack of analysis of the co-location alternative

TC&W has consistently emphasized to Hennepin County and the Met Council that the gradients and curvature of the proposed re-route have to be comparable to the grades and curvature of TC&W's existing Kenilworth Corridor route so safety and efficiency will not be degraded.

The re-route design of the DEIS includes a new northbound track connection from the CP's Bass Lake Spur onto the CP's MN&S line, a new track connection from the MN&S onto BNSF's Wayzata subdivision through the "Iron Triangle," and an upgrade of the MN&S track. It includes four curves, each with a different grade. A map is attached in Appendix A, page 5 with the curves shown and numbered.

The first curve from the Bass Lake Spur to the MN&S is entirely new. It begins with an elevated track on a "retained fill structure" on the south side of the Bass Lake Spur track, transitions onto a "bridge structure," which then curves north and crosses over the Bass Lake Spur, the planned SLRT track, and Highway 7 and onto the MN&S. (Appendix H to DEIS, MN&S Freight Rail Report at p. 12.) The second and third curves are existing curves on the MN&S. The fourth curve is a new connection, taking the train north and east from the MN&S through the Iron Triangle onto the BNSF Wayzata subdivision.

Engineering Flaws

TC&W engaged a professional engineer with extensive freight railroad experience, Carey Bretsch of Civil Design Inc., to review the re-route design contained in the DEIS. In his C

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report, a copy of which is attached as Appendix A, Mr. Bretsch highlights the fact that the design in the DEIS "places sharp curves, reversing curves and steep grades in a mainline freight railroad." Appendix A, p. 4. He concludes, for the reasons summarized below, that the proposed re-route design "imposes restrictions that are unreasonable for the operating railroad" and that it "would draw criticism from any railroad wherever presented.'' Appendix A, p. 4. "All guiding specifications and design guidelines have been violated by this proposed plan." Appendix A, p. 4. This conclusion is based primarily on the grades and curves in the route, which exceed accepted railroad engineering standards and present substantial safety concerns.

Grain, coal and ethanol trains today are frequently unit trains with 80 to 123 cars and three or more locomotives. Train length can exceed 7,800 feet. Because of the length of trains, the re-route design in the DEIS would require a unit train to go up grades and curve through the first three horizontal curves and six undulating vertical curves, all at the same time. The difficulties would be cumulative. "The dynamics of the train will be very difficult for the crew to control and the potential for derailment is high." Appendix A, p. 2.

The design ignores accepted railroad engineering standards. The BNSF Design Guidelines for vertical curves (i.e., grades) say that the rate of change should not be more than 0.10 feet per station in sags (dips in the track) and 0.20 feet per station on summits (high points in the track). Appendix A, p. 1. The rate of change of the design in the DEIS is 0.59 feet per station, almost three times greater than the maximum allowed by the BNSF Guidelines. Appendix A, p. 1. The reason for the BNSF Guidelines controlling the rate of vertical change "is to avoid the cars from uncoupling. As one car is coming up a grade while the adjacent car is going down a grade, the coupling between the cars can . . . unhook." Appendix A, p. 1

When there is both a grade and a curve, the two act together to increase the effort needed to pull the train. American Railway Engineering & Maintenance of Way Association (AREMA) provides a formula to calculate the "compensated grade." A westbound train going into curve No. 1 must overcome a grade of 1.5% while winding around an 8 degree curve. The grade and curve are equivalent to a compensated grade of 1.82% on a straight track. Appendix A, p. 2. This compensated grade is more than 80 percent greater than the maximum compensated grade on the Kenilworth Corridor track of 1.01%.

The series of reversing curves also violates accepted railroad engineering standards. The 2003 AREMA "Practical Guide to Railway Engineering" says "reversing curves should be avoided at all costs." Appendix A, p. 2. Reversing curves create a "couple effect" which "greatly increases the likelihood of the train buckling and thus a derailment." *Id.* Mr. Bretsch points out that curve No. 1 takes the route over the Bass Lake Spur and the bridge over Highway 7. "Placing an 8 degree curve on a bridge with a steep grade on either side . . . introduces enough of a safety concern in itself to dismiss the current proposed plan." Appendix A, p. 4. In view of these significant design flaws, Mr. Bretsch concludes that the safety concerns presented by the DEIS re-route should "bring the designers back to the drawing board." Appendix A, p. 4. The safety risks threaten both railroad workers and the general public.

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At Page 3-132 of the DEIS, the last paragraph says the curvature of the bridge structures and grade on the bridge structures "would be engineered and constructed to meet stringent railway engineering requirements to ensure safe operation." Despite the passage of over two years, that has not been done. Doing so will not be a simple matter, but will require a much larger footprint for the re-route.

Crossing Safety Issues

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Re-routing TC&W trains from the Bass Lake Spur onto the MN&S will bring trains close to the Saint Louis Park High School. The high school abuts the MN&S track at the Dakota Avenue South crossing. The school building is just over 100 feet from the MN&S track. Just across the MN&S track from the high school is a McDonalds. As a result, there is considerable pedestrian and vehicle traffic at the Dakota Avenue South crossing. This is in marked contrast to the present Kenilworth route which has no similar location along it. The DEIS design will bring freight train traffic into close proximity to pedestrians and vehicle traffic to and from the high school. The safety risks are obvious, especially given the age of high school students.

For decades, trains have been required to blow their horns at road crossings. To reduce noise from trains on the MN&S, the DEIS says that there would be a "quiet zone" which would "eliminate severe noise impacts throughout the corridor by removing the freight locomotive horn noise." DEIS P. ES-11. However, **quiet zones adversely affect safety** because they remove regular locomotive horn blowing at crossings. The DEIS does not mention this problem.

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There have been several studies for the Federal Railroad Administration (FRA) analyzing the effects of quiet zones on crossing safety. The first report in 1995 considered collisions between January 1988 and June 30, 1994. "FRA found that whistle ban crossings averaged **84 percent more collisions** than similar crossings with no bans. There were 948 collisions at whistle ban crossings during the period studied. Sixty two people died in those collisions and 308 were injured. Collisions occurred on every railroad with crossings subject to whistle bans, and in 25 of the 27 states where bans were in effect."[1] The report did an analysis of the accidents by type of crossings and concluded, "On average, the risk of a collision was found to be 84 percent greater at crossings where train horns were silenced." *Id.* at p. 2.

The next FRA study, of the effects of banning train horns, excluded pedestrian accidents and used data from 1992 through 1996. It considered crossings with gates and crossings without gates. "The analysis showed that an average of **62 percent more collisions** occurred at whistle ban crossings equipped with gates than at similar crossings across the nation without bans." *Id.* at p. 3 (emphasis added). As for the crossings without gates, "The updated analysis also indicated that whistle ban crossings without gates, but equipped with flashing light signals and/or other types of active warning devices, on average, experienced **119 percent more collisions** than similar crossings without whistle bans. This finding made it clear that the train horn was highly effective in deterring collisions at crossings equipped with active devices, but without gates." *Id.* (emphasis added).

A 2003 report which studied five additional years of accident data concluded that "**nationwide, whistle bans were associated with an increase in grade crossing accidents**."[2]

The use of iPod or iPhone headphones and constant cell phone voice and texting is commonplace, which means there will be students crossing the MN&S track who will be distracted or unable to hear approaching trains, especially if those trains do not blow their horns because of the "quiet zones." Trains today are quieter and give less advance notice of their approach; the use of long, welded rail has eliminated the "clackety-clack" of train wheels. These factors intensify the safety risks to pedestrians.

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[1] Updated Analysis of Train Whistle Bans, available at https://www.fra.dot.gov/eLib/Details/L02686 (January 2000) at p. 1 (emphasis added).

[2] P. Zadora, Analysis of the Safety Impact of Train Horns Bans at Highway-Rail Grade Crossings: An Update Using 1997-2001 Data, available at https://www.fra.dot.gov/Page/P0104 at p. 9 (emphasis added).

In its September 2011 letter, the Federal Transit Administration (FTA) approved the SLRT entering the preliminary engineering phase. The FTA letter required that the Met Council address certain issues, including, "In consultation with the Federal Railroad Administration (FRA), determine the design requirements for adequate safety features for street-grade crossings between the SLRT line and existing freight rail tracks." Despite the passage of almost sixteen months, this has not been done. The DEIS does not contain any new or additional analysis or design requirements to foster pedestrian and vehicle safety at crossings, which was required by the FTA. Minnesota Statutes Section 116D.02, subd. 2(2) specifically refers to safety as a state policy that must be considered in the EIS process. At a minimum, the first part of preliminary engineering should include a formal diagnostic team evaluation of the proposed quiet zones with representatives of all interested parties including MnDOT, FRA, the City of St. Louis Park, CP, and TC&W. Such an evaluation should also be done if the co-location alternative is to be built.

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Derailment Safety Issues

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Mr. Bretsch's engineering review raises additional safety issues created by the re-route design. Derailments can result in injury or death of the train crew as well as pedestrians, vehicle occupants, and people in residences and businesses along the track. "When the curve radius and grade is severe, the potential for accidents is increased. This is not desirable in an urban area and certainly less than desirable from a railroad's standpoint." Appendix A, p. 2. If empty and loaded cars are interspersed (which commonly occurs in railroad freight operations), "there is concern that the loaded cars would pull the empty cars off the track on the inside of the curve. This is called a 'straight lining the curve' derailment." Appendix A, p. 4.

The engineering review points out that failure to maintain super-elevation (with the inside rail of the curve lower than the outside rail) "creates a hazardous condition where cars could overturn on the outside of the curve. Additionally, having a sharp curve on a bridge introduces safety issues related to public and railroad safety." Appendix A, p. 3.

The "bridge structure" that the DEIS proposes to build to take trains off the Bass Lake Spur, over the SLRT track and Highway 7, and onto the MN&S (curve no. 1) presents a special problem. The structure would be built over ground which is part of the Golden Auto/National Lead Superfund site. Page 4-30 of the DEIS refers to the *MN&S Freight Rail Study.* That study says the Golden Auto/National Lead site (at the northwest quadrant of the intersection of the Bass Lake Spur and the MN&S) was de-listed as a National Priority Site due largely to the containment of contaminated materials beneath

an asphalt cap and that the construction of a rail structure across the Golden Auto site would alter the asphalt cap and could disturb contaminants. The DEIS fails to consider whether, in the event of a severe derailment, the Golden Auto site could be impacted. C

Increased Noise and Vibration C

The DEIS describes only the noise due to train horn (DEIS P. ES-11). It fails to mention the noise of steel train wheel flanges squealing on steel rails or of locomotives accelerating to haul 20,000,000 pound trains up the curved grade of the "bridge structure" to the top of the MN&S. The DEIS contains no analysis or discussion of the noise and vibration that will affect residents of St. Louis Park as four 4400 HP, 400,000 lb. locomotives pull a train with 110 loaded grain cars up the "bridge structure" and over the Bass Lake Spur onto the MN&S. Moreover, because of the close proximity of residences and the high school, trains may blow their horns more than presently anticipated. Minnesota Statutes Section 116D.02, subd. 17 specifically refers to the need to consider minimizing noise in the EIS process. The re-route design will create severe noise and vibration where there is little or none now.

Failure to Comply with FTA Directions C

The September 2011 letter from the FTA required the Met Council to "analyze the reconfiguration of the Canadian Pacific Railroad's freight tracks where they will be elevated over the Southwest LRT line and include the analysis in the SLRT project's EIS and cost and scope. The planned flyover, as currently designed by MC, shows sharp curvature, steep grades, and insufficient clearances."

The DEIS does not comply with the FTA's directions. No changes have been made in the design from that first unveiled over two years ago. It contains the same sharp curvatures, steep grades, and insufficient clearances. The DEIS fails to discuss, much less analyze, the maintenance issues of the design which were raised by TC&W, CP, and the FTA. See Appendices C and D. In its comments to the Environmental Assessment Worksheet (EAW) in June 2011, CP said it was largely in agreement with TC&W's comments and that the design was "operationally deficient." See Appendix D. It said that the EAW failed to recognize the costs of operating and maintaining the new track, signals, and connection would be much more expensive and that CP had not agreed to be responsible to own, operate, or maintain the new structures and track.[3]

[3] In the Conceptual Engineering Drawings in Appendix F by Kimley-Horn dated April 12, 2011, the "track typicals" at p. 24 and 25 of 31, state, "DECK PLATE GIRDER (DPG) BRIDGE SECTION SHOWN FOR ILLUSTRATION PURPOSES. BRIDGE SECTION DESIGN NOT COMPLETED."

The engineering review, in Appendix A, contains specific information on the costly additional maintenance that would be required if this design is built. "Rail life is severely impacted on any curve over two degrees and the useful life is shortened based on tonnage and speed. . . . [R]eplacement of the rails and ties due to the curve will need to be frequent." Appendix A, p. 2-3. The cost of replacing rails and ties would be $150,000 to $200,000 each time in today's dollars. In addition to frequent replacement of ties and rails, in order to comply with FRA safety requirements for curves, resurfacing and alignment of the rails will be required 3 to 4 times a year. Appendix A, p. 3. C

Failure to Comply with MnDOT Directives

In June 2011, the MnDOT reviewed the objections of TC&W and CP to the EAW. MnDOT said it "assumed . . . that concurrence will be reached between all parties . . . answering specific design and operational issues." Findings of Fact and Conclusions, Minnesota Department of Transportation, June 30, 2011, p. 18-19. "Concerns of grade, curvature, maintenance, ownership, operational considerations, etc. will be addressed to the satisfaction of all parties during the design review process . . . ." MnDOT continued, "Given the necessity of all parties to concur on an acceptable and workable final design prior to implementing operating agreements, regulatory filings, and the mutually desired advancement of contiguous highway and transit projects . . . this appears to be an inescapable requirement."

While MnDOT determined that finding a design acceptable to the railroads was an "inescapable requirement," Hennepin County and Met Council have not made a single change in the design despite the passage of almost a year and a half. Moreover, the staff has not had a single meeting with TC&W to discuss substantively the problems created by the re-route design or what changes they intend to make. L3

Effects on Operations

The engineering review describes only some of the deleterious effects of the design on railroad operations. They all would take more crew time and fuel, and include: C

- Limits on train speed
- Additional running time
- Additional locomotives may be needed
- Distributed power may be needed
- Long trains may have to be broken up and doubled, with only some of the cars taken at a time. If this is necessary, half of the cars will have to be uncoupled

and left standing on the Bass Lake Spur while the locomotives take the first group of cars up to the BNSF Wayzata Sub. There, a new set of sidings will be needed (which are not included in the present design) so the locomotives can detach the cars, run back around them, and go back down to pick up the cars left sitting on the Bass Lake Spur. Once those cars are pulled up to the BNSF, the locomotives will have to uncouple the second set of cars, go onto the siding and get back to the front of the first group of cars, and then reassemble the entire train. In cold weather, it may take several hours to build up sufficient air pressure for the brakes through the whole train before it can move out onto the BNSF Wayzata Sub.

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- Train assembly will have to be changed at many stations along TC&W's line to have all the loaded cars together with the empties following. This would require immense amounts of additional crew time and fuel. Additional yard tracks may be needed at various points to break up trains, shuffle cars, and reassemble the trains.

Loss of Track Capacity

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The proposed design includes building an elevated "retained fill structure" on the south side of the Bass Lake Spur leading to a "bridge structure" to cross over the Bass Lake Spur and the proposed LRT track. The "retained fill structure" would require retaining walls on each side. Building this structure would eliminate more than 12,000 feet of track space (space for 192 cars) along the Bass Lake Spur and other yard tracks used by TC&W for staging, sorting, switching and storing railcars. See Appendix B. These tracks are an integral part of TC&W's daily operations. While the tracks are owned by CP, TC&W has trackage rights to use them. The DEIS does not mention this issue and does not have any plan or budget to build the track space elsewhere. The nearest location where TC&W has large sidetracks is at Cologne and Bongards, over 35 miles west. Those tracks, however, are already in use for staging and switching cars and are not available for the car staging, sorting, switching, and storage that currently takes place along the Bass Lake Spur.

The loss of track space ultimately reduces TC&W's capacity to handle both its existing traffic and additional growth, thus increasing freight costs and constraining its customers' growth. This will result in more trucks on highways and associated adverse environmental effects. Car storage is an important revenue source for TC&W, and the DEIS contains no promise or plan to replace the track space. Replacing the lost track space will be expensive and require additional land beyond that shown in the DEIS. In

any event, the Surface Transportation Board has invalidated governmental takings of yard tracks and extra-width railroad properties where the affected railroad can show such properties are needed in connection with common carrier freight operations.

Skunk Hollow Wye

The DEIS appears to assume that the Skunk Hollow Wye connection to the MN&S would be eliminated. It says that LRT 3A-1 (co-location) would require freight trains to "navigate the cumbersome and noisy Skunk Lake Hollow switching Wye to complete this maneuver." (P. 11-12) the inference is that the proposed design somehow eliminates the Skunk Hollow connection. Yet none of the "conceptual" engineering plans included in the DEIS show any alternative to the Skunk Hollow connection. TC&W needs to continue to use the Skunk Hollow connection to reach customers in Savage. TC&W will also continue to need track space for at least 75 cars east of the Wye to be able to effectively move cars on and off the Skunk Hollow connection. This means the railroad bridge over Highway 100 will have to be able to handle both freight rail and the proposed SLRT tracks. Q1

Track "Outage" during Construction

The DEIS says there would be a "track outage" of one to four weeks and that TC&W trains would be re-routed. (P. 6-61) However, the DEIS does not describe any alternate routes and TC&W is not aware of any. The DEIS does say that "if the railroads find the duration of the track outage unacceptable, it may be necessary to construct a temporary alignment and bridge structure." No details are given as to what would be the "temporary alignment" or the "bridge structure." A track outage requiring TC&W to close down would impermissibly interfere with the federal common carrier obligations of TC&W. C

Inadequate Analysis of Costs of Re-routing Freight

The FTA's September 2011 letter required the Met Council to "analyze the impacts of relocating the Twin Cities & Western freight line, which currently operates on a segment of the planed Southwest LRT route, in the project's Environmental Impact Statement (EIS). Because the freight relocation is necessary for MC to be able to implement the Southwest LRT project as planned, the cost and scope of the freight line relocation must be included in the Southwest LRT project scope and budget, regardless of the funding sources that may be identified to pay for the work." T0

The DEIS appears to say that the re-route with its defective design would cost almost $23 million more than having light rail and freight rail together in the Kenilworth Corridor.[4] However, the DEIS does not attempt to price a safe and efficient re-route design that would eliminate the increased grades and curvature and replace the lost track capacity. Such a design will require a larger footprint with additional expenses for land acquisition and track construction. An adequate design for a re-route onto the MN&S with reduced grades and curvature will require more land, affect more streets, traffic, businesses, and people, and cost substantially more. By not preparing and pricing an adequate design with detailed cost estimates, the DEIS did not comply with the FTA's directions. The cost of a safe, adequate design is likely to be much more than $23 million. T2

The DEIS does not say what has been assumed as the cost of the "quiet zones" it says will be built.

The Co-Location Alternative

In a February 2012 meeting with TC&W, Met Council staff said that the FTA letter had cleaned the slate of past discussions of freight rail options and that the Met Council was directed to study both co–existence of freight and light rail in the Kenilworth Corridor and a re-route of freight rail traffic onto the MN&S. See DEIS P. 2-9. Minnesota Statutes Section 116D.04, subd. 2(a) also requires that alternatives be studied.

The DEIS discusses the co-location alternative, but does not contain a meaningful analysis of what would be the difference in costs. The DEIS appears to indicate that the re-route onto the MN&S would cost about $22.9 million more than the co-location alternative.[5] A previous estimate of the cost of the re-route using the present defective design was $76.7 million.[6] Thus, the DEIS indicates that allowing the freight rail to T0

[4] The capital costs of the entire Southwest LRT with a re-route onto the MN&S (LRT 3A) are stated as $1,194,636,000 and the capital costs of the entire project with the co-location alternative (LRT 3A-1) are stated as $1,171,770,000 (after correcting for the subsequently-discovered $100 million error). (P.8-11) The DEIS thus appears to say that the re-route of freight onto the MN&S would cost about $22.9 million more than the co-location alternative. The DEIS does not give any details as to how the cost of the re-route was calculated. It says the cost estimates for the alternatives were developed based upon the advanced conceptual engineering plans of Appendix F. (P. 8-1) Those plans, however, are only drawings and do not contain any cost estimates. The DEIS also says the plans were "described in Technical Memorandum No. 7A dated September 29, 2009 which may be viewed at southwesttransitway.org." (P. 8-1) However, the referenced web site does not display or contain a link to such a memorandum. The DEIS also says unit costs for freight rail were obtained from the MN&S Freight Rail Study by Kimley-Horn, but that document is a one page summary estimate showing total capital costs of $76.7 million. See, www.mnsrailstudy.org/key-documents, linked as "MN&S Freight Rail Study Capital Cost Estimate." The DEIS does not cite any study by Kimley-Horn of the costs of the co-location alternative.

[5] See footnote 4.

[6] See, www.mnsrailstudy.org/key-documents, linked as "MN&S Freight Rail Study Capital Cost Estimate." The $76.7 million estimate is a one-page summary without any explanation as to how it was determined.

remain in the Kenilworth Corridor would cost about $54 million. The DEIS does not explain why it would cost $54 million to have the freight rail remain in the Kenilworth Corridor where it is today. Even if the entire Kenilworth track is taken up and re-laid on a new track bed, the Kenilworth track is only 2.5 miles long. Spending $54 million would work out to be around $21.6 million per mile, an astonishing cost. The DEIS does not contain an explanation or calculation comparing the costs of the co-location alternative to the costs of the MN&S re-route. In addition, the DEIS does not consider whether safety, noise and vibration impacts, as well as costs, would be less with the co-location alternative. (See Minnesota Statutes Section 116D.04, subd. 6).

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The DEIS purports to consider and reject the co-location alternative for two reasons: (1) co-location would require 0.81 acres of property owned by the Minneapolis Parks and Recreation Board; and (2) co-location would fail to "provide a direct connection between the CP Bass Lake Spur and the CP MN&S which would satisfy the need for the safe, efficient and economical connection to St. Paul." (P. ES-21) Neither reason is well grounded. As to the 0.81 acres, the DEIS fails to say exactly where that land is located or even why it must be acquired. If the area is the 0.81 acres shown on the map at page 7-16, that land is inside a triangle formed by the meeting of the BNSF Wayzata Sub and the Kenilworth Corridor tracks. There is no explanation as to what would be done to that 0.81 acres in the co-location alternative (LRT 3A-1) that is not being done today. The land has no active park or recreational use. The Minneapolis Park Board may welcome the opportunity to sell it.

The second reason stated for rejecting co-location is factually incorrect. TC&W already has a direct connection with the BNSF via the Kenilworth Corridor track which allows TC&W to reach St. Paul. TC&W has been using the Kenilworth Corridor track since 1998. As explained above, the re-route design in the DEIS would create a route that would be **less** "safe, efficient and economical."

Summary

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The DEIS contains no recognition or analysis of the safety risks of the present design. It ignores the noise and vibration that will be heard and felt when locomotives pull long trains through the four curves over the Bass Lake Spur onto the MN&S and then onto the BNSF Wayzata Sub. The DEIS does not comply with the FTA's directions in its September 2011 letter that the DEIS **must** include an analysis of the "reconfiguration" of the "flyover" of CP's Bass Lake Spur onto the MN&S. The DEIS ignores the directions of MnDOT that finding a design acceptable to the railroads is an "inescapable

requirement." Despite the passing of almost 16 months since the FTA's letter, there have been no changes to the design. Nor does the DEIS analyze the impacts of relocating TC&W's traffic, which include increased safety risks, unusually large maintenance expenses, and operational problems that will handicap and make TC&W operations more difficult and expensive. Nor does the DEIS solve the elimination of the Bass Lake Spur tracks, potential track outages, and the Skunk Hollow issues. The DEIS fails to accurately and appropriately analyze the co-location alternative, which was specifically directed by the FTA. C

Minnesota Statutes Section 116D.04, subd. 2(f) requires that an EIS consider permitting issues; the DEIS does not consider how permitting can be accomplished in view of the federal regulatory issues raised by the DEIS. The U.S. Surface Transportation Board (STB) is the successor to the Interstate Commerce Commission and has exclusive jurisdiction over common carrier rail operations (and related railroad property), including trackage rights.[7] *See* 49 U.S.C. § 10501(b), 10102(9)(A). This jurisdiction protects the public against trackage rights being unnecessarily discontinued, interrupted or obstructed. Accordingly, trackage rights cannot be withdrawn, terminated or limited once they are granted, without the authority of the STB, **even if the governing trackage rights agreement is expired or terminated.** To obtain the appropriate STB discontinuance authority, the party desiring to terminate the trackage rights must initiate a discontinuance proceeding before the STB. In such a proceeding, that party would bear the burden of proving that the present or future public convenience and necessity permit such a discontinuance, and the STB would consider, among other factors, the impact of such a discontinuance on the trackage rights operator and the shippers. In this respect, a rail carrier providing common carrier operations via trackage rights has the same rights and obligations to continue to provide such rail operations as it would have if the carrier owned or leased the rail line. In the absence of a safe and adequate design for a re-route, TC&W will oppose any discontinuance or relocation proceeding brought before the STB. Q0

The DEIS incorporates an unsafe, operationally defective design with increased operating costs and unusually large maintenance expenses due to the increased grades and curvature compared to the existing Kenilworth Corridor. The design does not comply with recognized engineering and safety standards. The design needs to be revised because it does not satisfy the requirements of Minnesota Statutes Section 116D nor the C

[7] The Interstate Commerce Commission Termination Act (ICCTA) eliminated state and local authority over railroads and granted sole regulatory power to the Surface Transportation Board. It has exclusive jurisdiction over railroads and their property. 49 U.S.C. §§ 10501(b), 10102(9)(A). Remedies under ICCTA are exclusive and preempt other Federal and state regulations. 49 U.S.C. § 10501(b).

requirements of the FTA as set forth in the September 2011 letter. A safe and properly engineered design must be created, and it will need a revised analysis of the likely costs and environmental impacts.

Comments on Chapters
1 - 12 of DEIS

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Executive Summary
(ES)

COMMENTS ON CHAPTERS 1 – 12 OF THE DEIS

EXECUTIVE SUMMARY (ES)

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ES – Page ES-7: In the second paragraph of LRT 3A-1, the statement is made that "The existing freight tracks along the CP Bass Lake Spur and the HCRRA Cedar Lake Junction (locally referred to as the Kenilworth tracks) would need to be reconstructed to meet BNSF design standards for clearance requirements." BNSF's jurisdiction ends approximately 100 feet south of their Wayzata sub, so this statement is incorrect and misleading.

ES – Page ES-11: The only noise impacts described under the freight rail are train horn noise. There is no acknowledgement of steel wheel flange squeal on the rails or the noise of locomotives accelerating to hoist tonnage up the grade to the top of the MN&S.

ES – Page ES-16: The table under Property Acquisitions describes 125 parcels of land to be acquired under LRT 3A, and 175 parcels of land to be acquired under LRT 3A-1 (co-location). Details should be provided to allow for proper response.

ES – Page ES-20: Under LRT 3A, the third bullet point asserts that a direct connection from the Bass Lake Spur to the MN&S and from the MN&S to the BNSF would allow faster and more efficient train movements. TC&W has yet to see a re-route design that would make this assertion true. Logically the distance is further than the existing route and pulling tonnage up a steeper grades and tighter curves than the existing route is actually less efficient, not more so.

ES – Page ES-20: Under LRT 3A-1, it refers to "high construction related impacts because of the complex construction staging required to rebuild the freight rail tracks." What are the "complex construction staging" facts, scenarios, and assumptions that support this statement? To the degree the assumptions are based on an erroneous perception that the BNSF has jurisdiction over this track, this assertion is misleading. TC&W operates on the Kenilworth Corridor tracks and does not believe the freight rail tracks need to be rebuilt.

ES – Page ES-21: In the first bullet point on the page, the park land is not specifically identified and the "need" to acquire it is not explained. If the area being considered is the 0.81 acres shown on the map at page 7-16, that land is inside the triangle formed by the meeting of the BNSF Wayzata Sub and the Kenilworth Corridor tracks. There is no

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explanation as to what would be done to that 0.81 acres in the co-location alternative (LRT 3A-1) that is not being done today. The land has no active park or recreational use. The Minneapolis Park Board may well welcome the opportunity to sell it.

ES – Page ES-21: In the second bullet point on the page, "Failure to provide a direct connection…" This statement ignores the plain, uncontestable fact that there already is a direct connection with the BNSF via the Kenilworth Corridor track that allows TC&W to reach St. Paul, a connection TC&W has been using since 1998. This is not a reason to reject the co-location alternative.

ES – Page ES-21: In the third bullet point, "There is no feasible and prudent alternative…" The current re-route design is not feasible or prudent, and therefore unacceptable. Until an acceptable re-reroute design is created, it cannot be determined if the re-route is feasible and prudent.

ES – Page ES-22: In the second paragraph under the "Environmentally Preferred Alternative" bullet point, the concluding sentence of that paragraph asserts that LRT 3-A "improves the regional freight rail network." This assertion is false, given the fact that the primary regional freight carrier, TC&W, has found that alternative unacceptable.

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CHAPTER 1

C

Page 1-4: It states that "On August 22, 2012, FTA invited the STB to become a cooperating agency." What does this mean, and what significance does it have? The STB is the sole regulator of railroads, and the DEIS does not include any discussion recognizing the STB's authority.

Page 1-8: It states that HCRRA amended the Scoping Summary Report to include the freight rail relocation to the MN&S project as part of the build alternatives. Why is the Scoping Summary Report not included in the attachments to the DEIS?

Pages 1-11, 1-12: The assertion is made that a TC&W interchange with CP in the Humboldt Yard as a result of a direct connection would be far preferable to TC&W than the "extra distance" to St. Paul. This assertion completely ignores commercial realities. As a matter of hard fact, ninety percent (90%) of the freight rail traffic interchanged to the CP in St. Paul goes to eastern or southern destinations in the United States. TC&W is compensated for bringing the cars to St. Paul. This statement also ignores the fact that St. Paul is CP's primary rail yard in the Twin Cities. This means that cars interchanged in St. Paul are likely to be sorted and on their way to destinations within hours of arrival in the Twin Cities versus Humboldt Yard, where it may take an extra day before the cars leave the Twin Cities for their destination. These facts are plain and uncontested. The authors of this section did not communicate with TC&W on this topic.

Page 1-12: The first full paragraph attempts to describe freight rail operations without consulting with the freight rail carriers. The BNSF is a privately owned freight line. BNSF's policy towards putting passenger trains on its freight lines has been to protect the capacity of its freight rail lines for present and future freight rail growth. Therefore, the assertion that a railroad such as BNSF would not have the position that passenger rail trains on freight rails will not diminish current and future freight rail capacity is false. It also ignores that TC&W's primary freight rail exchanges occur in St. Paul, and going to St. Paul via the current Kenilworth route is more efficient than detouring north to Crystal and then heading east and south to get to St. Paul.

Page 1-12: On the first bullet point, access to Savage would not be improved because the direct connection is northbound and a side track would be needed to enable movement of the locomotives (such activity requires additional time and increases costs) from the north end of the train to the south end before the train could proceed south to Savage.

C

Page 1-12: In the second bullet point, access to other locations on the east side of the metropolitan area would not be improved.

Page 1-14: On Goal 6, TC&W endorses these goals, but the current design does not meet them.

2

CHAPTER 2

C

Page 2-7: On Table 2.1-2, Alternative 3A-1 is not shown on the chart.

Pages 2-8, 2-9: It refers to the "preferred location" for the freight rail and the "preferred permanent home" for freight rail operations. Which entity has this preference? The TC&W has remained neutral in its position on whether it stays in the Kenilworth Corridor or an alternative route via the MN&S, as long as the costs to operate and maintain remain the same as they are today. TC&W is not the entity that has this preference. The entity should be disclosed.

Page 2-16: Table 2.1-3--Alternative 3A-1 is not shown on the chart.

Pages 2-19, 2-20: There is discussion about existing freight operations but no discussion of freight rail growth. Nationwide, freight rail is projected to increase 35% over the next 20 years, and locally three of TC&W's customers invested in their facilities in 2012 to enable unit train capacity which will add an additional estimated 70+ loaded and 70+ empty trains a year in addition to the current train traffic identified in this section. The SLRT must be designed and developed in such a way that the future growth of commercial rail freight activity is not limited or inhibited.

Page 2-27: The conceptual engineering for the freight rail re-reroute prepared by Kimley-Horn and Associates and presented to TC&W in a meeting with Hennepin County in late 2010 was rejected by TC&W because the grades were too steep and the curves too sharp. There is no explanation why this defective design has not been revised over two years later.

Page 2-41: In the second paragraph it refers to the necessity to reconstruct the existing freight tracks along the CP Bass Lake Spur and the HCRRA Cedar Lake Junction (the Kenilworth tracks) to meet BNSF design standards. These tracks function perfectly well today. TC&W can and does haul dimensional loads over these segments. BNSF has no jurisdiction from approximately 100' south of their Wayzata spur. If anything, the proposed re-reroute design (the one rejected by TC&W but being used in the DEIS) would restrict movement of dimensional loads due to the tighter curves. What is the basis for this comment in the DEIS?

3

CHAPTER 3

C

Page 3-20: It says that the six studies concluded that the best option for freight rail operations was to relocate the TC&W freight rail operations to the MN&S line. None of the studies considered that the proposed design would create safety risks, noise, and vibration and impose increased operating costs on TC&W and its customers.

Page 3-34: In describing the freight rail relocation, it is unclear what land is affected. In order to reduce the curvature of the connecting tracks (north and south), the diameter of the curves will need to be increased.

Page 3-60: In the first paragraph it states that adding TC&W traffic to the MN&S would add only a small increase in freight rail traffic. Who is defining "small" and what is the definition?

Page 3-60: The fourth paragraph refers to a new bridge structure being constructed. What are the assumptions about who will own and maintain the bridge?

Page 3-61: The second paragraph states "...has the potential for adverse community impacts because of the conflicts that could result from having an excess of activity confined to an area not originally intended for such an intense level of transportation." Originally this area was the operational hub of the Minneapolis & St. Louis Railway, including locomotive servicing shops and a rail sorting yard. It is incorrect to claim that the area wasn't originally intended for an intense level of railroad use.

Page 3-69: In the table showing property acquisitions, what footprint is assumed for freight rail relocation? If it is the Kimley-Horn design, then this table substantially understates the amount of land needed for an acceptable freight rail relocation design.

Page 3-70: In describing property acquisitions, the DEIS refers to the *MN&S Freight Rail Report*, Appendix H. TC&W had not seen this report prior to the release of the DEIS. On page 19 of the *MN&S Freight Rail Report* it states, "The design of the direct northerly connection from the CP Bass Lake Spur to the CP MN&S Spur was developed to minimize right of way impacts in this area, and hence provide optimal developable land." This contradicts the fact that a larger land footprint will be needed to achieve grades and curvature comparable to the existing Kenilworth freight rail route which meets safety and recognized railroad engineering standards. This error results in misleading comparisons shown in the DEIS for property acquisition.

C

Page 3-96: It states that construction footprints for the Freight Rail Relocation segment have not been developed. This contradicts the land acquisition assumptions earlier in this chapter. In its September 2, 2011, letter, the FTA required the Met Council to do three things: (1) determine the design requirements for adequate safety features for street-grade crossings; (2) include the cost and scope of freight line relocation in the SLRT project and budget; and (3) "analyze the reconfiguration of the Canadian Pacific Railroad's freight tracks where they will be elevated over the Southwest LRT line and include the analysis in the Southwest LRT project's EIS and cost and scope. The planned flyover, as currently designed by MC, shows sharp curvature, steep grades, and insufficient clearances."

The Met Council did not perform any of the three actions mandated by the FTA. The Met Council did not prepare a re-reroute design that eliminates the sharp curvature, steep grades, and insufficient clearances of the present design. There is no additional analysis or design to foster pedestrian and vehicle safety at crossings. The DEIS does not contain any detailed analysis of the cost of the re-route, or of construction of the "quiet zones" it says it will build.

The EIS does not state any details of the cost of the re-route or explain who calculated it or show it was considered in any way. At p. 8-1, the DEIS says the cost estimates for the several alternatives were developed based upon the advanced conceptual engineering plans of Appendix F. Those plans, however, are simply drawings and do not contain any cost estimates. The DEIS says the plans were "described in Technical Memorandum No. 7A dated September 29, 2009 which may be viewed at southwesttransitway.org." However, the web site does not display or contain a link to such a memorandum. The DEIS says unit costs for freight rail were obtained from the MN&S Freight Rail Study by Kimley-Horn, but that study did not involve any consideration of the co-location alternative.

The DEIS incorporates the same deficient design as the Environmental Assessment Worksheet (EAW) of May 2011, which was shown to TC&W and deemed by TC&W to be unacceptable in 2010. In the absence of an adequate design, the DEIS studies a re-route design that will never be built.

Page 3-107: The visual impacts apply to a connection that is not acceptable for freight rail location and therefore cannot be built.

Page 3-124: It asserts that the new track and retaining walls will be the property of the railroad. Has any railroad indicated it would accept ownership of the retaining walls? C

Page 3-127: The footnote to the table refers to "Source: HDR, February 2010." Where is that source?

Page 3-129: The second paragraph asserts that the use of flashers and bells are examples of railways' risk mitigation. Railroads do not control the use of flashers and bells. Typically it is the public entity whose streets intersect railroad tracks that typically requests flashers and bells to protect the public.

Page 3-130: It refers to page 85 of the *MN&S Freight Rail Study*, which is included in Appendix H of the DEIS. On page 85 in the third paragraph under "Derailments," it says, "The required train control signalization measures to be designed and constructed would also improve the safety of train operations in this area. Train crew members operating such trains are all trained on how to operate trains safely on grades, curves and structures." This assumes that the design and engineering of the grades, curves and structures would "meet very stringent railway engineering requirements." Since the proposed design does not meet these requirements, as already noted by the FTA and detailed in the engineering review in Appendix A, the safety of train operations in the area will not be improved, but would be compromised.

Page 3-132: It describes CP and BNSF as owners and operators of the tracks in the area. Nowhere does it describe TC&W's operations or concerns, despite the fact TC&W is the primary freight operator in the Kenilworth and Bass Lake Spur segments. Q2

Page 3-132: As mentioned, the last paragraph on page 85 of the MN&S Freight Rail Study claims that the curvature of the bridge structures and grade on the bridge structures would be engineered and constructed "to meet stringent railway engineering requirements to ensure safe operation." The design represented in this DEIS does not meet those requirements and is therefore unacceptable. An adequate design will require more land area. C

Pages 3-135, 136: It mentions Quiet Zone upgrades. Given the proximity to schools adjacent to the MN&S, and the tendency of children to use portable headphones while

walking or biking, the proposed Quiet Zones may well increase risk to school children rather than mitigate it.

C

4

CHAPTER 4

C

Page 4-30: It refers to the *MN&S Freight Rail Study.* On pages 20-21 of that study, it says that the Golden Auto National Lead site has been delisted as a National Priority Site because contaminants have been contained beneath an asphalt cap. However, the site is still monitored and subject to some restrictions. There is no conclusive evidence that a rail structure could be constructed on the Golden Auto site without altering the asphalt cap and disturbing the contaminants there, nor is there any discussion of the potential costs associated with this element of the project.

Page 4-42: It states that construction limits have been reviewed and refined through the project development process to minimize impacts on wetlands, but it does not describe the particular wetland areas to be affected, what the likely impacts are, how the impacts have been minimized, or the design on which the assumed construction limits are based.

5

C

CHAPTER 5

Page 5-3: In the table it is shown that ROW expenditures for the LRT 3A-1 are greater than for LRT 3A. It also references the source as "HDR Engineering" for the figures used in the table. What assumptions have been made for the footprint of the freight rail relocation? The necessary revision of the design to address problematic grade and curve issues will require a larger footprint than the currently proposed design. This table substantially underestimates ROW costs for freight rail relocation.

Page 5-4: In the first full paragraph, the same question is raised. What assumptions have been made regarding the land footprint needed for an acceptable freight rail relocation?

Page 5-15: In the table shown, there is no mention of the impacts of the freight rail relocation project, but mention is made of freight rail in the co-location option. This appears to be an apples to oranges comparison.

Page 5-16: In the table shown, under LRT 3A-1, the statement is made that CP would need to amend their trackage rights under the co-location alternative. What is the basis for this statement? TC&W can identify no logical reason why CP would need to amend their trackage rights agreement under the co-location alternative.

6

CHAPTER 6

C

Pages 6-38 & 39: In the discussion about vehicle queuing, the report offers no opinion as to the likelihood of trains passing by schools during arrival or dismissal times. TC&W's current daily operations have an eastbound train proceeding through the area during arrival time. TC&W's time of operation is largely dictated by the actions and cooperation of the BNSF and CP railroads, since it is on their tracks that TC&W has trackage rights beyond the Cedar Lake Junction to get to St. Paul. This increases the likelihood of blocking the school crossings at arrival time in the morning.

Page 6-48: As discussed previously, TC&W questions whether installing Quiet Zones improves or hurts pedestrian safety in the vicinity of the tracks.

Page 6-50: A subsequent update to TC&W traffic should be noted. Two unit grain train facilities became operational on TC&W in November 2012. This is estimated to add an additional 70+ loaded and 70+ empty trains per year in addition to the trains shown in section 6.3.1.2.

Page 6-56L: It states that some form of STB oversight will be necessary with respect to freight rail operations. What it fails to mention is that TC&W holds permanent trackage rights over the Kenilworth Corridor and that only TC&W can petition the STB to abandon its trackage rights over that corridor. TC&W will not do so unless the freight re-route design results in a freight rail operation that is safe and does not cost more than it does to use the existing Kenilworth Corridor. These costs include operating and maintenance costs. STB oversight is to protect the freight rail shippers along the TC&W freight rail corridor in south central Minnesota and eastern South Dakota from freight rate increases due to increased freight rail operating costs and to protect those shippers' investments in their businesses and facilities.

Q0

Pages 6-56 & 57: As discussed in earlier parts of this response, both the proposed southern connection from the Bass Lake Spur to the MN&S and the proposed northern connection from the MN&S to the BNSF are unacceptable to TC&W, and clearly impose significantly greater uphill grades and sharper curves than the existing Kenilworth route. The notion that TC&W would gain an alternate route by way of CP's Humboldt Yard ignores the fact that this would add significant distance and greater freight track congestion than the current route and delay movement of railcars through the Twin Cities.

C

C

Page 6-57: The Freight Rail Relocation calls for using BNSF 25' standards from center of track to LRT track, and from center of track to ROW line. Whose decision was it that a BNSF standard must be used, and what is the rationale for that decision? The DEIS also references the AREMA 25' clearance from bridge piers without a crash barrier. What is the standard with a crash barrier and would that be more economical?

Page 6-59: In the segments describing the various trail crossings under the various scenarios, a map would be helpful.

Page 6-60: It mentions that TC&W freight rail service may be obligated to use temporary trackage during LRT construction, but it doesn't describe where, why, for what period of time, and at what cost.

Page 6-61: The description of construction activities implies that the design in this DEIS is acceptable to TC&W. It is not. The footprint needed for an acceptable design would necessitate a rewrite of this segment.

Page 6-61: A 1-week to 4-week track outage is unacceptable to TC&W. TC&W's customers depend on TC&W to provide timely delivery of their products to St. Paul, and timely transportation of their products from St. Paul to their locations in south central Minnesota.

Page 6-62: A map showing what is described in 6.3.3.3 would be helpful.

7

CHAPTER 7

Page 7-2: It describes the conditions under which an alternative may be rejected as not feasible and prudent, or as one that "has additional cost of extraordinary magnitude." Who determines what "extraordinary magnitude" is? Since the design in this DEIS does not meet recognized railroad engineering standards, what is the true cost of a southern and northern connection which would meet those standards? Would that cost be of "extraordinary magnitude"?

Page 7-2: It describes "de minimus" [*sic*] impacts to park properties. Does the acreage needed for LRT 3A-1 (an additional 0.89 acres over LRT 3A) qualify as *de minimis* impact? Is it possible to design the LRT 3A-1 route so as not to take any (or less) park land? Who has attempted to create such a design and how successful were they? S2

Page 7-9: The table for LRT 3A-1 does not identify a map or otherwise explain exactly where the 0.81 acre area is located in Cedar Lake Park. If the use of such an area is of significance in choosing routes, it should be clearly identified. S2

Page 7-20: It describes the channel between Brownie and Cedar Lakes as a potential Section 4(f) use. Without knowing what an acceptable design for the northerly connection would look like, but assuming the grading would have to be much more gradual to function for freight rail, it is reasonable to assume there will be Section 4(f) impacts. C

8

CHAPTER 8

C

In this chapter the costs are shown in the aggregate. It is impossible to determine what specific assumptions and calculations are behind the estimated costs of building the proposed southern connection from the Bass Lake Spur to the MN&S and the proposed northern connection from the MN&S to the BNSF.

Without having those costs clearly detailed, it is not possible to make an accurate comparison to what an acceptable freight re-reroute might cost. This is especially so since no acceptable re-route design has been created and the costs of building an acceptable re-route design have not been estimated. The table shows the cost of relocating the freight as being $123 million more versus co-location (note: this $123 million amount was subsequently revised to $23 million). Does this meet the "extraordinary magnitude" described in the previous chapter? Who determines this?

9

C

CHAPTER 9

In the table spanning pages 9-14 through 9-17, there is no mention of freight rail, giving the reader the impression that freight rail impacts have not been considered.

Page 9-25: There is no discussion of the safety impact of freight rail adjacent to the schools along the MN&S, nor is mitigation discussed.

Pages 9-30-32: In these pages there is no discussion of the noise and vibrations of accelerating freight locomotives pulling tonnage up the steep grade until the midpoint of the freight train meets the top of the grade on the MN&S at Minnetonka Boulevard. This noise and vibration will be significant. There also is no discussion of the squealing of steel freight car wheels against the curved steel rails on the proposed southern and northern connections. Mitigation would involve a design that makes the grades substantially less severe and elongates the curves to reduce rail wheel squeal.

Page 9-45: In the table under safety and security, no mention is made of the safety issues created by rerouting the freight rail.

Page 9-52: In the table under Freight Rail Relocation, it describes the cumulative impacts as "more noise events." This is not discussed in the narrative portion of this chapter.

Page 9-53: In the table under Freight Rail Relocation it says "An increased number of ground-borne vibration events may occur because of the increased number of freight rail trips." This is not discussed in the narrative of this chapter. Vibration will certainly increase because of the increased number of freight rail trains.

10

CHAPTER 10

TC&W has no comments on Chapter 10.

11

CHAPTER 11

Page 11-3: In the table describing the parklands, .227 acres is described as "de minimus," [*sic*] but 1.12 acres does not have the "de minimus"[*sic*] notation, implying that the author knows what the standard for *de minimis* is. What is the standard for *de minimis*, and by whom was that standard set? S2

Page 11-4: In the table describing the noise, it shows 267 properties affected by co-location and 201 properties by freight rail relocation, with the parenthetical note ("with use of quiet zones for FRR segment"). The assumptions behind this table need to be explained, because as mentioned earlier in this response, the noise of accelerating locomotives and squealing of steel rail wheels on steel rails may rise to the level of "severe residential impacts." C

Page 11-5: In the table showing property acquisitions, the assumptions behind the numbers should be explained. As noted earlier in this document, the land footprint needed to make the freight rail relocation meet recognized railroad engineering standards will be greater than described in this DEIS, making this table misleading.

Page 11-7: The table describes LRT 3A as meeting the goal of "safe, efficient, and effective movement of freight throughout the region, state and nation." The design used for this DEIS does not meet that goal. Further design work in collaboration with TC&W, the primary user of the freight rail route, will be needed in order to achieve this goal.

Page 11-7: In the table showing the goal of "Continuous flow of freight rail throughout the study area." it shows "yes' under LRT 3A and "no" under LRT 3A-1. There is no explanation for this difference and it is erroneous. Since 1998, TC&W freight traffic has moved through the Kenilworth Corridor onto the BNSF Wayzata Sub.

Page 11-10: In the language describing freight rail traffic on the MN&S, it uses the language "slight increase" in several areas. This language is not objective; how is "slight increase" defined and by whom?

Page 11-12: In describing the potential adverse impacts of LRT 3A-1 compared to LRT 3A, the first bullet point states that acquiring the Cedar Lake Park property (identified earlier in the DEIS as .81 acres) causes a Section 4(f) impact. Earlier in the DEIS it shows .227 acres as "de minimus."[*sic*] (Page 11-3) Again, what is the standard for *de minimis*? S2

C

The DEIS does not identify a map or otherwise explain exactly where the 0.81 acre area is located in Cedar Lake Park. If such an area is of significance in choosing routes, it should be clearly identified. The map contained at page 7-16 has "0.81 acre" inside a box and an arrow pointing to the triangle where the BNSF Wayzata sub meets the Kenilworth Corridor track. If that is the area causing a Section 4(f) impact, that land is already adjacent to both freight rail lines and there is no explanation as to how the co-location alternative would affect that land.

The second bullet point implies that having the direct northbound connection from the Bass Lake Spur would eliminate the need for the Skunk Hollow switching wye. TC&W has stated on numerous occasions that a direct northbound connection would NOT eliminate the need for the Skunk Hollow switching wye. This bullet point is false.

The third bullet point makes an assertion without stating the assumptions.

Page 11-12: The last paragraph implies that 0.81 acres is not "de minimus"[*sic*]. Again, what is the standard? It also states that the alternatives (apparently freight rail re-routing onto the MN&S) are "feasible and prudent alternatives." Without knowing what land footprint will be needed for a design that meets recognized railroad engineering requirements, and without knowing what will be the costs of building an acceptable route, this statement is unsupported. "Feasible and prudent" both require definition.

Page 11-15: In describing the process leading to the selection of LRT 3A as the preferred alternative, it does not mention that the freight rail relocation design and costs were **excluded** as a consideration for arriving at that preference. If consideration had been given to proper design and the true cost of freight rail relocation during the decision making process, would LRT 3A still have been chosen?

Page 11-15: In the second paragraph, the assertion is made that LRT 3A improves the regional freight rail network. The design described in this DEIS does not improve the regional freight rail network due to unacceptably steep grades and sharp curves which do not meet recognized railroad engineering standards. TC&W believes a design can be created that does meet those standards. However, in light of the persistent failure of the Hennepin County and Met Council staffs to listen to TC&W, CP, MnDOT, and the FTA and to collaborate on an acceptable design that does not impose higher operating and

maintenance costs upon the railroads, it is doubtful that the "preferred alternative" route will ever be built.

12

CHAPTER 12

C

Page 12-4: it states that the selection of LRT 3A as the recommended Locally Preferred Alternative (LPA) was made in Fall 2009. It does not state that Hennepin County excluded freight rail relocation as a consideration when determining the Local Preferred Alternative (LPA).

Page 12-14: Table 12.2 of the DEIS lists a number of government permits that the SLRT project will require. The list does not include the United States Surface Transportation Board (STB). The STB is the successor to the Interstate Commerce Commission (ICC), and has exclusive and plenary jurisdiction over trackage rights. The Interstate Commerce Commission Termination Act of 1990 (ICCTA) eliminated state and local authority over railroads and granted sole regulatory power to the STB. It has exclusive jurisdiction over railroads and their property. 49 U.S.C. §§ 10501(b), 10102(9)(A). Remedies under ICCTA are exclusive and expressly preempt other Federal and state regulation. This jurisdiction protects the public. Accordingly, trackage rights cannot be withdrawn, terminated or limited once they are granted, without the authority of the STB, **even if the governing trackage rights agreement is expired or terminated**. To obtain the appropriate STB discontinuance authority, the party desiring to terminate the trackage rights must initiate a discontinuance proceeding before the STB. In such a proceeding, that party would bear the burden of proving that the present or future public convenience and necessity permit such discontinuance, and the STB would consider, among other factors, the impact of such discontinuance on the trackage rights operator and the shippers. In this respect, a rail carrier providing common carrier operations via trackage rights has the same rights and obligations to continue to provide such rail operations as it would have if the carrier owned or leased the rail line. The trackage rights over the Kenilworth Corridor and the Bass Lake Spur used by TC&W were approved by the STB. The STB would have to approve any discontinuance of those rights and also have to approve any re-route. In making such determinations, the STB considers many factors, including the effects upon railroad shippers.

A key element of TC&W's formation, which allows its shippers to grow, prosper and invest, is that TC&W's freight rail route to St. Paul will not be impeded with additional costs. In protecting the permanence of a freight railroad's trackage rights, ICCTA created the proper incentives for TC&W and the shippers it serves to grow, prosper and invest, resulting in efficient, economical and sustainable rail operations.

Conclusion

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CONCLUSION

C

TC&W has grave concerns about a number of issues that will negatively impact our operations and shippers in south central Minnesota and eastern South Dakota. TC&W has raised these issues before but has been ignored.

As presently designed, the SLRT would negatively affect the people and businesses in the rural areas of central Minnesota and eastern South Dakota served by TC&W. It would also negatively impact many residents of St. Louis Park. The negative effects include:

- Failure to consider safety risks to pedestrians, vehicles, and residents
- Environmental
    - Additional greenhouse gas emissions
    - Increased locomotive and train wheel noise
- Increased operating and maintenance costs
    - Costs being passed onto our customers
    - Stifled job and economic growth
    - Defective freight rail design
        A. Tighter curves and greater grades in excess of recognized railroad engineering standards
        B. Greater risks of derailments
        C. Operating inefficiencies
        D. Unusually large track maintenance expenses
        E. Loss of track capacity on the Bass Lake Spur necessary for staging, switching, sorting, and storing freight railcars
        F. No alternative to continued use of the Skunk Hollow Wye
        G. Threats of track "outages" during SLRT construction
- Inadequate consideration of the co-location alternative
- Failure to comply with FRA and MnDOT Directives

The DEIS does not satisfy the requirements of Minnesota Statutes Section 116D nor the requirements of the FTA as set forth in its September 2011 letter to the Met Council.

The FTA required the Met Council to "determine the design requirements for adequate safety features for street-grade crossings between the SLRT line and existing freight rail tracks." Despite the passage of sixteen months, that has not been done.

C

The FTA also directed the Met Council to develop with a freight rail design without "sharp curvature, steep grades, and insufficient clearances." Again, despite the passage of sixteen months, that has not been done.

The FTA further directed the Met Council to evaluate the co-location alternative. The analysis of co-location in the DEIS is perfunctory and the result appears predetermined. The reasons advanced for rejecting co-location – the "need" to use 0.81 acres of park land and the "need" for the re-route to give TC&W a route to get to the BNSF Wayzata Sub and to St. Paul – are insubstantial as to the first and inaccurate as to the second. The cost analysis fails to show any detail to allow an honest evaluation of the costs of co-location, especially since a safe and adequate re-route design has not been developed.

A safe, effective, and operational re-route design will need more land area and cost more than the present design. If one is ever completed, a revised analysis of environmental impacts and costs will be needed.

In the absence of a safe and properly engineered re-route, TC&W will oppose any discontinuance proceedings before the STB which would be required by federal law to terminate TC&W's trackage rights to continue to use the Kenilworth Corridor.

Appendix

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APPENDICES TO TC&W'S RESPONSE TO THE DEIS

A. Engineering Report

B. Track Capacity Constraints

C. TC&W June 2011 Response to the EAW

D. CP June 2011 Response to the EAW

E. History of Railroads and the TC&W

F. Letters of Support from Customers

G. Letters of Support from Cities

H. Letters of Support from Counties

A

CIVIL DESIGN INC Civil Engineers & Land Surveyors

December 11, 2012

ENGINEERING REVIEW OF FREIGHT REROUTE WITHIN

DRAFT ENVIRONMENTAL IMPACT STATEMENT

Review of the proposed plan to reroute the daily freight rail traffic of the TC&W Railroad would be described as detrimental at best to freight operations. The new ruling grade for all freight would dramatically affect the operations, maintenance and capital plans for this railroad. Comments related to these three items are detailed below:

Background:

In a perfect world, all railway alignments would be tangent (straight) and flat. This would provide for the most economical operations and the least amount of maintenance. A freight train is most commonly comprised of power and cars. The power may be one or more locomotives located generally at the front of the train. The cars are then located in a line behind the power. As a train moves up and down a hill, it could be visualized as pulling on a chain. As the chain is pulled up a hill everything follows very nicely in a straight line. If the chain gets pulled over a hill, the downhill portion of the chain tries to bunch up behind the leading link and doesn't want to stay in a straight line (buff – downhill forces; draft – uphill forces). As the chain is pulled around in a curve, the trailing links in the chain try to form a straight line. The chain analogy creates a good visualization for the forces acting on a train.

The proposed connecting route for the TC&W Railroad would require both loaded and empty trains to negotiate a series of steep grades and sharp reversing curves. The current proposed design for a connecting route from the Bass Lake Spur to the MNS Spur includes grades of 0.86% and 1.5% grades leading up to and through an 8 degree curve. The high point of the grade is well into the curve. Thus west bound traffic would have to pull up a grade of 1.5% while turning through an 8 degree curve while the trailing cars would be negotiating a reversing set of curves behind.

In the BNSF Design Guidelines, Revision May 2011, under the heading of Vertical Curves states "For secondary main tracks (speed < 50 MPH), the rate of change should not be more than 0.10 feet per station in sags, and not more than 0.20 feet per station on summits." Considering the curve proposed between the Bass Lake Spur and the MNS Spur, there is a 0.86% east bound grade and a 1.5% west bound grade with the summit being at about Station 141+82. The length of the vertical curve is 400 feet or 4 stations. Thus the rate of change per station can be calculated as (0.86 + 1.50) /4 = 0.59 feet per station. This is greater than 0.20 feet per station by almost 3 times.

AREMA (American Railway Engineering and Maintenance-of-Way Association) provides an equivalent grade by adding 0.04% of grade for every degree of curve. Therefore the compensated grade for the proposed route is 1.5% + 0.04*8 = 1.82%. Now the 8 degree curve is reduced to an equivalent grade of 1.82% on tangent (straight) track. This creates a new "Ruling Grade" for any freight operation. A ruling grade is the maximum grade for which the railroad must allocate power (locomotives) to pull a load.

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AREMA also specifies that the tractive effort (the force required by the locomotive) increases by 20 pounds/ton per percent of grade. Since the maximum existing grade is 0.45% the increase in grade becomes 1.82% - 0.45% = 1.37% and increases the tractive effort required by 137 tons on a full (10,000 ton) train, requiring at least one additional locomotive and the likelihood of distributed power. Distributed power is the ability of placing locomotives at both the front and the rear of the train. Distributed power requires a mechanism that will balance the force between the front and rear locomotives such that they will work together to move the loads.

The 2003 AREMA "Practical Guide to Railway Engineering" points out many hazards associated with extreme curvature, reverse curvature and undulating grade. This publication summarizes as follows:

> ".... reversing curves should be avoided at all costs. With reverse curves, there are two dynamic components acting on a single car or rail vehicle causing a yawing effect, which is of concern. . . . The net effect is a couple about the center of the car. This compares to a car on a single curve where the forces at either end of the car are acting in the same direction and thus counter-acting one another. This couple effect greatly increases the likelihood of the train buckling and thus a derailment."

Once onto the MNS Spur, there are two reversing curves with grades as high as 1.5% and compensated grades as high as 1.72%. For an east bound loaded grain train of 110 cars, the train would be 7045 feet with three locomotives; the train would extend through the first three curves from the Bass Lake Spur to the MNS. When the curve radius and grade is severe, the potential for accidents is increased. This is not desirable in an urban area and certainly less than desirable from a railroad's standpoint.

It is difficult for many people to visualize how long a train can be. If a 7000 foot loaded grain train were east bound and the back of the train was positioned at the beginning of the curve where the Bass Lake Spur turns north to the MNS Spur, the front of the train would be positioned just north of the 29th Street crossing. Within this length, the train would be trailing through three horizontal reverse curves and six vertical curves. The dynamics of the train will be very difficult for the crew to control and the potential for derailment is very high.

Maintenance:

Curves, especially sharp curves, are a maintenance problem for all railroads. Rail life is severely impacted on any curve over two degrees and the useful life is shortened based on tonnage and speed. Excessive effective grade (over 1% compensated) will cause an increase of wheel burns to the rail, which will lead to an increase in web/head fracture or broken rail. The low rail is flattened particularly when the rail is traversed at slow speeds and underbalance imposes more car weight over the low rail. The high rail is abraded as the truck attacks the high rail as it is steered around the curve. AREMA indicates that wheel tread will general guide the rail vehicle on curves up to three degrees before flange/rail contact begins to regularly occur (thus significant curve wear of rail head begins).

The proposed connecting route from the BNSF Wayzata Subdivision over the MNS Spur to the Bass Lake Spur will contain four horizontal curves that exceed 1% compensated grades. Within this route, there are 5,102 feet of curves that exceed 1% compensated grades. Depending on the tonnage, replacement of the rails and ties due to the curve will need to be frequent. Replacement of the rail for these curves would cost between $150,000 and $200,000 in today's dollars. Also, there are two switches in this proposed mainline at grades of 1.5% and very near the point of horizontal curve. These switch positions are certainly not desirable as they create likely points for derailment given their relative position in the horizontal and vertical alignments.

Super-elevation (inside rail is lower than the outside rail) is required to keep cars balanced and the speed of the train will create a centrifugal force that will try to keep the cars on a straight line. By introducing super-elevation, the force on the track is more balanced between the rails. However in sharp curves, the amount of super-elevation required to counteract the centrifugal force becomes more substantial. Without any super-elevation, the speed on the curve would be limited to 23 MPH.

To maintain this super-elevation is very costly. Failure to do so creates a hazardous condition where cars could overturn on the outside of the curve. Additionally, having a sharp curve on a bridge introduces safety issues related to public and railroad safety. Because of the safety concern, the FRA (Federal Railroad Administration) requirements for surface and alignment in a curve are much more stringent. For reference see FRA 213.55 and FRA 213.63. It is likely that the track within the curves would require surfacing at least 3 to 4 times per year at a current cost of around $10,400 per time.

Operations:

Train Speed will be impacted primarily by the 8 degree horizontal curve although all of the curves in this proposed alignment will affect train speed. Without super-elevation in the curves, the train speed is limited to 23 MPH. Uphill trains will operate slower. If higher downhill speed is desired, super-elevation must be added to be compliant with FRA 213.57 which will result in rail flattening as referenced above.

Additional running time will be required for each train as they travel up the hills and around the horizontal curves. The result of the MNS Spur connection may be that heavier trains will need to double the entire MNS Spur (only half of the train will be hauled up the hill at a time), resulting in the need for a long siding at each side of the MNS Spur to accommodate the doubling movement. With increased power required for each train, there would likely be a need to purchase additional locomotives to run with each train. It is also very likely that distributed power would be required on each loaded train to avoid excessive force on drawbars. By our calculations, pulling a full train (10,000 tons) on the proposed alignment and grade, without distributed power would be possible with five locomotives but the coupler capacity would be exceeded by about 33% thus causing damage to cars.

A typical freight operation would organize cars in the train for efficient operation at the stations. For example, Station A might get 5 loaded fertilizer cars and 5 empty grain cars, Station B might get 3 loaded box cars and 4 loaded gondolas. The railroad would line these cars up in the train so that cars for Station A are at the rear of the train, next would be cars for Station B and so on. If empty cars are

interspersed with the loaded cars (ie: empty grain cars returning with loaded fertilizer cars) as is typically the case with freight movements, there is a concern that the loaded cars would pull the empty cars off the track on the inside of the curve. This is called a "straight lining the curve" derailment. To avoid this condition, the railroad would need to change their operations to group all the loads together behind the locomotive and all the empties following. Rearranging the cars in this fashion would require additional time, labor and fuel at every station to set out loads and empties. Additionally, it is possible that additional yard track would be required at the stations to maneuver the cars.

Capital Plans:

The additional locomotive power and the ability to distribute power would require a capital investment on the part of the Railroads. The proposed plan will require the Railroad to invest in new locomotives and maintenance equipment for surfacing the curves along with the additional cost of fuel. These costs will be incurred in perpetuity causing an increase in operating costs and a decrease in profitability. In addition, if the track changes the operations of the Railroad, additional siding tracks may be required to allow the railroad to manipulate the cars at each Station. The cost of track for freight is currently about $165 per track foot plus the cost of switches. Thus if a station needed to have an additional 20 cars of track to set off cars at the station, the cost could be over $300,000 per station.

Conclusion:

The proposed plan for the Bass Lake/MNS Spurs places sharp curves, reversing curves and steep grades in a mainline freight railroad. All guiding specifications and design guidelines have been violated by this proposed plan. Placing an 8 degree curve on a bridge with a steep grade on either side, introduces enough of a safety concern in itself to dismiss the current proposed plan.

This plan would draw criticism from any railroad wherever it is presented and should not be considered. With the information above, even if cost were not an issue, the safety concerns would certainly be enough to bring the designers back to the drawing board. Having an elevated grade in a curve has safety implications for the railroad workers, and the general public. Finding a solution that will satisfy these conditions should be a priority before anything else. Addressing the original set of criteria would require that no additional restrictions be imposed on the freight railroad. This plan imposes restrictions that are unreasonable for the operating railroad.

Respectfully,

Carey Bretsch, PE
Principal

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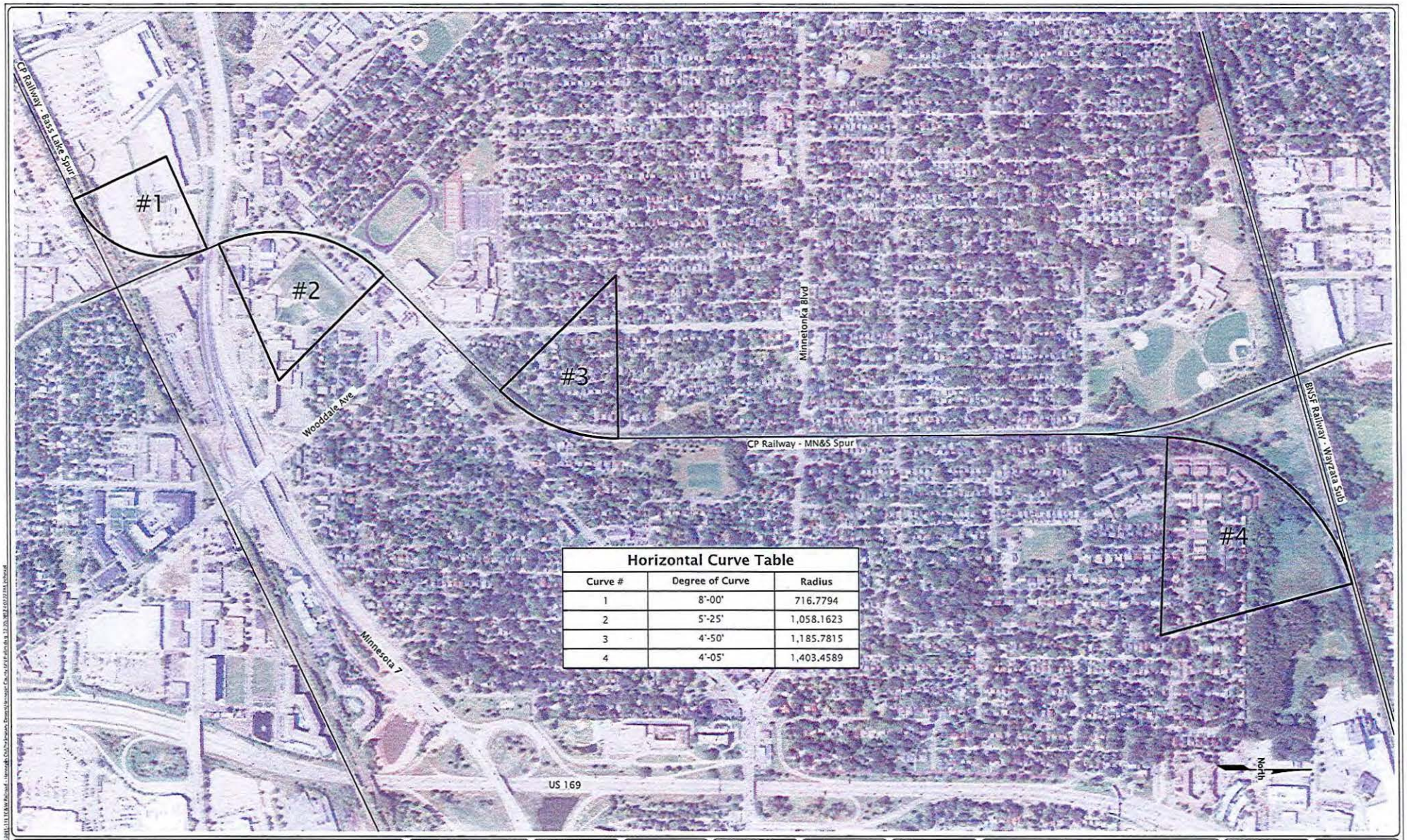

Horizontal Curve Table

Curve #	Degree of Curve	Radius
1	8°-00'	716.7794
2	5°-25'	1,058.1623
3	4°-50'	1,185.7815
4	4°-05'	1,403.4589

Hennepin County - Rail Study	CAD Filename: Hennepin Co. Prelim	CDI Project No. 2011-131	Drawn By: JDS	Checked By: CLB	Scale: 1" = 600'	Date: 12/20/2012	CIVIL DESIGN INC 609 Main Ave S Brookings, SD 605-696-3200	Sheet No:	of No:

B

TRACK CAPACITY CONSTRAINTS

Currently the Twin Cities & Western Railroad operates on the Canadian Pacific Bass Lake Spur. Along the Bass Lake Spur are multiple locations called sidings. Sidings are locations connected to the main track by switches. A switch is a mechanism that allows a train to leave one track to traverse onto another track.

For the purposes of clarity, each siding location on the Bass Lake Spur is named. Along with the name for each siding, the number of cars that can fit in each is shown below. This is the breakout of the sidings on the Bass Lake Spur east to west:

1. Bass Lake Yard: Two tracks with each one able to hold 20 cars
2. Hwy 100: 32 cars
3. Creek: 105 cars
4. Salt Track: 15 cars
5. Dominick East: 62 cars
6. Dominick West: 86 cars

In total, the TC&W has storage for 340 cars along the Bass Lake Spur. We utilize these tracks for long term storage, staging of unit trains, and staging of traffic to go west on TC&W. The majority of the time, these tracks are full and in use.

When the TC&W receives cars from the Canadian Pacific (CP), Burlington Northern Santa Fe (BNSF), Union Pacific (UP), or Minnesota Commercial (MNNR) we bring those cars onto the Bass Lake Spur where we use these tracks to sort our cars. TC&W switches out these cars by repeatedly decoupling, moving and recoupling for final train assembly, into the appropriate order based on their final destinations, to allow for fluid and timely operations.

Under the proposed re-route option presented in the DEIS, TC&W will lose storage and sorting space along the Bass Lake Spur. Based on the table above, TC&W would lose the Bass Lake Yard, Hwy 100, Creek, and Salt Track sidings. This means a loss of storage space for 192 cars, or approximately 12,480 feet of current track capacity. This capacity is essential for daily operations on the TC&W. Any lost track capacity must be replaced at an agreed upon location.

If additional track is needed west of Hwy 169 overpass, then the balance of the storage would be compromised (Dominic east and west) and we would lose 9,620 feet of storage, bringing the total lost track capacity to more than 22,000 feet.

C

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June 15, 2011

Frank Pafko
Director, Office of Environmental Stewardship
Minnesota Department of Transportation
395 John Ireland Boulevard, MS 620
St. Paul, MN 55155-1899

RE: Comments on MN&S Freight Rail Study Environmental Assessment Worksheet

Thank you for the opportunity to review and submit comments relating to the environmental assessment worksheet. As a freight operator over the proposed and current rail, please accept our comments below in response to the MN&S Freight Rail Study - Environmental Assessment Worksheet (EAW) dated 05.12.2011.

Licensing and STB Approval

The common carrier operations of Twin Cities & Western Railroad Company ("TCW") are subject to the federal Surface Transportation Board ("STB"), which has "exclusive" jurisdiction over "transportation by rail carriers." 49 U.S.C. § 10501(b). "Transportation" is defined broadly, to include any "property . . . of any kind related to the movement of passengers or property, or both, by rail, regardless of ownership or an agreement concerning use." 49 U.S.C. § 10102 (9) (A). Under the ICC Termination Act of 1995, a common carrier must obtain regulatory authority to conduct operations on the rail lines of a third party. Accordingly, TCW obtained such authority from the STB in 1998 in connection with relocating its rail operations from the Merriam Park Line (also known as the 29th Street Corridor, now the Midtown Greenway), also owned by Hennepin County Regional Railroad Authority, to the Kenilworth Corridor prior to commencing operations over the Kenilworth Corridor. Moreover, and of particular importance with respect to the project described in the EAW, a common carrier generally must obtain regulatory authority to discontinue operations over the line of a third party or to re-locate operations onto another rail line. The EAW lists several licenses and permits which must be obtained for the project. (EAW, p. 16). The EAW, however, does not mention or discuss the necessity of seeking and obtaining similar regulatory authority from the STB for this relocation project.

TCW has not approved or accepted the proposed reroute design. We have serious misgivings about the design of the proposed connection between the CP Bass Lake Spur and the CP MN&S Spur and the grade on the MN&S. Those concerns focus on the safety, efficiency and costs of TCW's proposed operations over that connection and the adverse effects on shippers. TCW's customers have expressed similar concerns to senior officials of our company. Under these circumstances, attempts to obtain regulatory authority for this relocation project (including

authority for TCW to discontinue its current rail operations over the Kenilworth Corridor) could raise opposition from various entities, as well as judicial challenges.

The EAW does not discuss either the need to obtain STB regulatory authority as a condition to completing the proposed project or the prospect that such authority may not be forthcoming. These issues should be carefully considered before HCRRA proceeds along the lines described in the EAW.

Failure to identify environmental impacts from increased curvature and gradients

- TCW's existing operations consists of at a maximum ascending eastbound grade of 0.40% and a maximum curve of 3.5 degrees on the Bass Lake Spur, and a maximum eastbound ascending grade of .45% (this is a short segment preceded by a longer segment of descending grade of .65%) and a maximum curvature of 6 degrees on the Kennilworth corridor. The proposed design proposes a maximum ascending eastbound grade of 0.86% (ascent from Bass Lake Spur to the MN&S) and maximum curve of 8 degrees on the new design element. (EAW, p. 8, Proposed Action - Key Design Elements section) On the MN&S, the proposed grade is 1.2%. (EAW, p. 12, Detailed Project Description)

- If the .86% and the 1.2% grades are assumed to be final, the increased noise from accelerating locomotives struggling to make the increased grades will be significant. The EAW fails to discuss or assess the increased noise. (EAW, p. 48 - 55, Noise section)

- The increased curvature creates additional friction, which amplifies the noise emissions including high-frequency squealing and echoing. The EAW again fails to discuss or assess the increase in noise due to greater curvature. This increased noise is not identified or assessed in the EAW. (EAW, p. 48 - 55, Noise Section)

- The greater grades will result in increased diesel emissions due to the need for more horsepower because of the increased grade. (EAW, p. 47, Air Quality Hot Spot Analysis/Mobile Air Source Toxins) The EAW fails to make any assessment of this.

- The EAW does not identify the linear feet associated with increased grades, which has a direct environmental impact on noise, emissions, vibration, etc. (EAW, p. 12, first paragraph)

- The EAW does not identify the grade to traverse from the west-bound BNSF Wayzata Subdivision to the south-bound MN&S. (EAW, p. 8, Proposed Action - Key Design Elements section)

- The EAW does not identify and measure vibration of existing train traffic on the existing TCW route. (EAW, p. 63, Existing conditions)

- The existing connection to BNSF at Cedar Lake Junction is directly to the main line. The proposed project shows the existing BNSF mainline at the Iron Triangle will be converted to a siding track. The emissions, vibration, and nuisance impacts of this siding are not identified. (Track Plan, Sheets 15-22)

Inaccuracies in the EAW, EIS, AUAR or other accompanying documents

- The proposed increased east-bound grade and curvature does not improve TCW's operational efficiency for freight movement through the City of St. Louis Park as stated. (EAW, p. 47, third paragraph) Instead, the increased grade and track curvature lessens our operational efficiency by requiring additional horsepower. The increased curvature would produce increased wear and tear on car and locomotive wheels.

- The EAW assumes the TC&W freight operations which are to be relocated have an average of 50 carloads/train for CP and an average of 20 carloads/train for UP. (EAW, p. 7, Regular Trains) However, TCW's current carload averages are greater; the average train size of our current operation is 68.5 cars/train for CP and 23.5 carloads/train for UP.

- Our existing operations would lead the 8-8:15 a.m. scenario to be more common than "relatively rare". (EAW, p. 41, last paragraph)

- Correction in the sentence, "The times in the table are based on the time when the first car enters the corridor until the time when the first car exits the corridor." (EAW, p. 40, third paragraph) We believe this should read "...when the <u>last</u> car exits the corridor."

Environmental impacts that have not been adequately addressed

- The EAW says TCW trains will be temporarily rerouted during the 1-week to 4-week duration when the MN&S bridge over TH7 and the TH7 South Frontage Rd would be removed and reconstructed but does not discuss what routes would be available or the impacts of such disruption on TCW and its customers. (EAW. p. 14, Disruption of Rail Operations)

- The "Economics" section does not mention, much less resolve, the increased operating costs to TCW from increased grades and curvatures. (EAW, p. 88, Economics)

Possible mitigation measures that could or should be added to the proposal

Quiet Zone: TCW urges city, county, and state officials to thoroughly and carefully consider the residual safety hazards that are associated with a quiet zone in St. Louis Park versus the associated environmental benefits. We have safety concerns due to a number of factors: 1) increase in train size, speed, and frequency; 2) proximity to schools, business, and residential; 3) an increased number of at grade crossings. While we understand the concern for train whistle and associated noise impacts, we strongly urge consideration of these safety factors when decisions are made. (EAW, p. 44, Mitigation)

Design review

TCW has not approved the proposed design. We have not thoroughly reviewed the proposed design or hired an engineer to review it. Engaging in such a review does not seem appropriate unless the project is going to proceed. Hennepin County has now represented that the cost of the proposed project is $76.7 million. We are not aware that Hennepin County or any other government entity has such funds available or committed for this project. We also are not aware of any timetable for obtaining such funds. This cost estimate is, moreover, plainly insufficient since it does not include money to ameliorate the increased costs of operations which will be caused by the proposed design. TCW anticipates retaining an expert to review whatever is the proposed design at the time that adequate funding appears on the horizon. We may have further comments based on that review.

Respectfully submitted,

Mark J. Wegner

Mark Wegner
President
Twin Cities & Western Railroad
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D

CANADIAN PACIFIC RAILWAY

501 Marquette Avenue
Minneapolis, Minnesota 55402

June 14, 2011

Mr. Frank Pafko
Director, Office of Environmental Stewardship
Minnesota Department of Transportation
395 John Ireland Boulevard, MS 620
St. Paul, MN 55155-1899

VIA E-MAIL: frank.pafko@state.mn.us

RE: Comments on MN&S Freight Rail Study Environmental Assessment Worksheet

Dear Mr. Pafko:

Thank you for the opportunity to comment on the environmental assessment of the proposed upgrades to the MN&S rail corridor. As owner and operator of some of the railroad track under study, the Canadian Pacific (CP) will ultimately need to concur in the final design and approve the proposed changes made to our property. These comments are not intended to fulfill that function, nor are they intended to serve as an endorsement or rejection of the proposed project. Rather, by submitting comments, CP would like to ensure that any assumptions about the project are accurate and that the proposal aligns with our expectations about how we manage and operate the MN&S property. In that spirit, we would like to make you aware of the following:

- At this time, CP has not made any commitments to own, operate or maintain the new structures or track proposed in the EAW.
- We have reviewed comments to be submitted by the Twin Cities and Western Railroad (TC&W) and are largely in agreement with their concerns.
- The document fails to recognize impacts to CP of the upgraded infrastructure and increased tonnage. The cost of operating and maintaining the new track, structures, signalization system, and connections from the Bass Lake Spur to the MN&S and from the MN&S to the BNSF will be much more expensive and is expected to exceed any revenue derived from TC&W's use of the track.
- The proposed physical improvements should address the operating needs of the railroads for grade and curvature. Such a significant investment for improvements should result in a design that is not operationally deficient.
- Quiet zones can be an effective tool for improving grade crossing safety while minimizing noise. However, designing and constructing the improvements needed to meet FRA requirements for quiet zones may be difficult – especially considering the site and geometrics in the MN&S corridor.
- CP will experience track outages during construction of the proposed project, particularly during reconstruction of the bridge over Trunk Highway 7. The disruptions will challenge the ability for CP's customers, including Progressive Rail, to receive service

for almost a month. No plan for phasing construction to accommodate disrupted CP traffic is provided. (page 14)

- There are references to a number of permits that may be required for completion of the project. (page 16) Without analyzing the specifics of any of the identified permit requirements, we simply note that state and local permitting requirements may be subject to preemption by the federal laws regulating rail transportation.
- If any attempts are made to reduce the grade of the new connection from .86% for improved railroad operations, Minnehaha Creek could be impacted. Even existing grades at locations on the MN&S of 1.5% and 1.2% present operating difficulties for the proposed longer, heaver trains.
- Due to the possibility of disturbing contaminants at the Golden Auto National Lead Site, it is unlikely that CP would be interested in taking on responsibility for construction or ownership of the new connection between the Bass Lake Spur and the MN&S.
- Some proposed physical improvements, such as the installation of fencing, are not betterments that the CP would ordinarily agree to make and would have to be built and maintained by others.
- CP has not committed to owning the new retaining walls (page 71). The process of designing these walls will require a high level of community engagement. This is not something CP is in a position to undertake, but that a public entity would need to coordinate.

If the proposed project moves forward, CP wants to ensure balance between the interests of the railroads, our customers, and those of the community. Based on the scope of the project and characteristics of some of the improvements, CP may decline to take possession of them, as significant cost and liability are shifted to us. We do not make this point to undercut the potential viability of the project if properly carried out, but to caution that there are still significant decisions to be made that will impact private and public expectations going forward.

Respectfully submitted,

Judy Mitchell

Judy Mitchell
Director Strategic Initiatives
Passenger Rail US
Canadian Pacific Railway

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HISTORY:

FREIGHT RAIL IN SAINT LOUIS PARK AND THE KENILWORTH CORRIDOR

In order to understand why freight rail operates in this area as it does, it is helpful to understand the history of the four rail lines or corridors in the area. There are four rail lines:

1) The east-west Wayzata Sub of the BNSF, the northern rail line in the study
2) The Hennepin County owned bike trail (Cedar Lake trail) and the rail line in the Kenilworth Corridor (freight trains operated by TC&W)
3) The CP's Bass Lake Spur (former Milwaukee Road main line) (freight trains operated by TC&W)
4) The MN&S north-south rail line from Crystal through Saint Louis Park, continuing to Savage and points south

The east-west Wayzata sub of the BNSF was originally part of the Great Northern Railway (GN), which went to the West Coast. The GN had a large rail yard east of where the current Highway 100 crosses over it in Saint Louis Park, about one mile east of where the MN&S rail line crosses over the BNSF line. GN exchanged rail cars with the MN&S railroad at the GN rail yard. MN&S brought the cars to be exchanged (10 to 20 cars at a time) from its north-south line to the GN's east-west line via a connecting track (now known as the Iron Triangle) that was designed for a small number of rail cars (up to 20 at a time).

When the merger of the GN, Northern Pacific, Chicago, Burlington & Quincy and the Seattle Spokane and Southern occurred in 1969 to create the Burlington Northern Railroad (BN), the BN began to consolidate its rail yards in the Twin Cities, closing some and expanding its Northtown yard in Fridley and northeast Minneapolis. In approximately 1972-3 the BN closed and salvaged the rails in the GN rail yard that existed east of Highway 100 on the Wayzata sub. This led the MN&S to transfer rail traffic from the MN&S to the BN using the Soo Line track in North Minneapolis across the Mississippi River near the Camden area of Minneapolis to get to the BN's yard at Northtown. This led to the abandonment and removal of the rail connection between the MN&S and the BN in Saint Louis Park's Iron Triangle. The land ownership remains with CP (successor of MN&S). The grade and curvature of that track were built to handle up to 20 cars at a time, not today's unit trains which can have up to 123 cars.

The Hennepin County-owned Cedar Lake bike trail and the Kenilworth Corridor were once part of the Minneapolis and Saint Louis Railway (M&STL). Saint Louis Park is named after this rail line. This independent rail line once had a rail yard and locomotive shops in the Kenilworth Corridor (hence the wide right of way ½ mile north of Lake Street). The rail line went along the Hennepin County Cedar lake bike trail into Hopkins, where a junction existed.

The M&STL was purchased by the Chicago Northwestern Railway (C&NW) in 1958 and merged into their system, but freight operations in this area remained unchanged until around 1980. At that time, the C&NW built a rail connection at Norwood (now Norwood Young America) to allow freight trains onto the Milwaukee Road via trackage rights from Norwood to the Kenilworth Corridor. This allowed the C&NW to abandon its track from Norwood to Hopkins. Hennepin County purchased the land from Hopkins to Victoria to create the Lake Minnetonka bike trail.

Around 1990, trackage rights arrangements were made with the Soo Line (successor to the Milwaukee Road) to allow Soo Line to obtain access to Shakopee, Minnesota via the C&NW rail line on the south side of the Minnesota River. This enabled the C&NW to abandon the track west of the Kenilworth corridor to Chaska, which Hennepin County purchased and created the Cedar Lake bike trail and the Minnesota Bluffs bike trail.

Freight rail traffic that originated at cities along the freight rail line from Norwood to Hanley Falls were exchanged with the C&NW at the Kenilworth corridor following the 1990 abandonment west of Kenilworth, using the Bass Lake Spur tracks.

The CP's Bass Lake Spur was once part of the Milwaukee Road's main line to the Pacific Coast. The main line ran from Chicago to Minneapolis, with a spur up to the historic station in downtown Minneapolis (now a hotel and skating rink), and thence through the 29th Street Corridor, past the Kenilworth track, through Hopkins and points west, all the way to Tacoma, Washington. As recently as 1960, passenger trains traversed this route at 80 mph.

As the health of the US freight railroads declined in the 1950's and 1960's with the advent of the interstate highway system and heavy regulation of freight rates by the ICC, the rail and infrastructure condition on the Milwaukee Road's system began to deteriorate. In 1977 the Milwaukee Road declared bankruptcy. The Milwaukee Road then operated under a bankruptcy trustee, abandoning its rail line from Montana to Tacoma,

along with scores of branch rail lines in Minnesota, North and South Dakota, Iowa and Illinois.

In 1985 what remained of the Milwaukee was put up for sale at auction, and there were two bidders, the C&NW Railroad and the Soo Line Railroad. The C&NW had a significantly higher bid, but the bankruptcy judge felt it was in the public's best interest to maintain a competitive freight rail system. To everyone's surprise, he awarded the bid to the Soo Line.

The Soo Line was not prepared for the cash infusion the Milwaukee Road needed. In an effort to raise cash the Soo Line single-tracked much of the remaining double-track Milwaukee rail and sold parts of its own system to raise cash. The Milwaukee Road segment from Minnetonka to Appleton, Minnesota was sold in July 1991 to the founders of TC&W. During negotiations for that sale, Hennepin County expressed its interest in the 29th Street Corridor and part of the consideration was to allow the sale of the 29th Street Corridor as long as a suitable re-route was obtained to allow TC&W to get to Saint Paul.

The Minneapolis Northfield & Southern (MN&S) was a relative late-comer to the Minnesota freight rail network. Most of Minnesota was already served by railroads by 1905, but Colonel Marion Savage had a race horse - Dan Patch - and a dream to get people to come to his race track south of the Minnesota River. In 1908 the Minneapolis, St. Paul, Rochester and Dubuque Electric Traction Company was formed to build a rail line, which was built in the 1908-1910 era, and then extended north following 1918 through Bloomington, Edina and Saint Louis Park. Because of the late construction through an already developed area, the MN&S right of way is narrower than that of most freight rail lines.

The MN&S thrived as a facilitator of rail freight between the larger railroads in the Twin Cities until the deregulation of rail freight rates by the ICC in 1980. The Soo Line purchased the MN&S in 1982.

The CP absorbed the Soo Line into its system in the late 1990's.

Freight Rail Industry – Trackage Rights and Spin-offs

As 1960 approached, freight rail in North America and in Minnesota was in decline. Due to heavy regulation by the ICC, railroads were not able to set freight rates to compete with trucks. With the expanding interstate highway system and the upgrading of state and

county roads, many low density freight rail lines disintegrated until the lack of service led to disuse and eventual abandonment. The freight rail companies at the time focused their efforts on higher density rail lines, but those too couldn't compete with the highways, so main lines eventually were abandoned as well.

After the much publicized failure of the merger of the Pennsylvania Railroad with the New York Central to form Penn Central, the Penn Central bankruptcy and the government bailout forming Conrail, Congress and the President passed the Staggers Act of 1980 which began the de-regulation of the rail industry.

During the 1970s and 1980s, some large railroads abandoned their own main lines connecting large cities after obtaining trackage rights on a competing railroad connecting the same cities. For example, there once were four main freight rail lines connecting Minneapolis-St. Paul to Duluth-Superior. The Soo Line (now CP) was able to abandon its rail line from Minneapolis to Superior after obtaining permanent trackage rights on the BN. The C&NW (now UP) was able to abandon its rail line from St. Paul to Superior after obtaining permanent trackage rights on the BN.

The BN itself was able to abandon its line from St. Paul to Duluth by consolidating rail operations on its Minneapolis to Superior rail line. In order to maintain freight rail competition, federal policy has been to approve permanent trackage rights arrangements over alternate routes prior to the freight railroad abandoning its own route. Part of this approval process is to ensure the alternative route preserves freight rail competition. The existing freight rail operator must request abandonment of a current route in favor of an alternative route that maintains competition.

One of the outcomes of the Staggers Act was to provide an alternative to freight rail line abandonment, because preserving freight rail service to rural areas was sound public policy. The large railroads began to sell or lease lighter density rail lines that they couldn't operate or maintain profitably.

A key part of the large railroads' strategy to take advantage of this new opportunity was to spin off segments of their systems, but create a sale or lease in which the connecting track to their own freight rail system would remain in their hands. This was done via the "trackage rights" system, wherein the connecting track would be made available for use by other carriers to connect to the selling railroad and other railroads.

The STB, successor to the ICC, has exclusive and plenary jurisdiction over trackage rights. The Interstate Commerce Commission Termination Act of 1990 (ICCTA) eliminated state and local authority over railroads and granted sole regulatory power to the STB. It has exclusive jurisdiction over railroads and their property under 49 U.S.C. §§ 10501(b), 10102(9)(A). Remedies under ICCTA are exclusive, and expressly preëmpt other Federal and State regulations.

This jurisdiction protects the public against disruption in rail operations via trackage rights being unnecessarily discontinued, interrupted or obstructed. Accordingly, trackage rights cannot be withdrawn, terminated or limited once they are granted, without the authority of the STB, *even if the governing trackage rights agreement is expired or terminated.* To obtain the appropriate STB discontinuance authority, the party desiring to terminate the trackage rights must initiate a discontinuance proceeding before the STB.

In such a proceeding, that party would bear the burden of proving that the present or future public convenience and necessity permit such discontinuance, and the STB would consider, among other factors, the impact of such discontinuance on the trackage rights operator and the shippers. In this respect, a rail carrier providing common carrier operations via trackage rights has the same rights and obligations to continue to provide such rail operations as it would have if the carrier owned or leased the rail line.

Trackage rights granted by the STB are generally permanent (regardless of any applicable contractual terms to the contrary), unless and until the STB grants discontinuance authority. Until such authority is granted, the STB retains its exclusive jurisdiction over the trackage rights, thereby trumping the ability of a third party to pursue other ways to terminate trackage rights. The permanence of these trackage rights protects both the short line railroad and the shippers located along the rail line served by the short line; they incent the railroad to make the initial and continuing investments to provide quality rail service over a line via trackage rights; and it encourages short line rail customers to make investments in their businesses and facilities.

Formation of the Twin Cities & Western Railroad Company

As mentioned in the previous section "Freight Rail in Saint Louis Park and the Kenilworth Corridor," the Soo Line acquired what remained of the Milwaukee Road in 1985. This included the Milwaukee Road's main line segment from Saint Paul to Ortonville, Minnesota. This segment was identified by Soo Line as a candidate for sale to raise cash. The founders of TC&W originally intended for the freight rail interchange to

occur in south Minneapolis, at a location just east of Hiawatha Avenue, where a freight rail yard existed.

Sometime late in the negotiations (1990 or early 1991) Hennepin County must have approached Soo Line about purchasing the 29th Street Corridor. The Soo Line changed the interchange location from south Minneapolis to St. Paul, and structured a trackage rights agreement with TC&W that enabled TC&W to get to St. Paul over the segment that Soo Line retained in its ownership, i.e. the Bass Lake Spur and the 29th Street Corridor.

The Soo Line added a condition of the sale that if the 29th Street Corridor was sold, Soo Line would be responsible for obtaining for TC&W an alternate route to St. Paul that would not cause additional operating expense. The alternate route identified was the Kenilworth Corridor.

On July 26, 1991, TC&W purchased the freight rail line from Minnetonka west to Appleton, Minnesota, and received trackage rights west to Milbank South Dakota and east of Minnetonka via the 29th Street Corridor to St. Paul, as well as trackage rights from Milwaukee Junction in Saint Louis Park (also known as "Skunk Hollow") on the MN&S line north to reach the Upper River Terminal in north Minneapolis. In 1995 TC&W received trackage rights on the MN&S from Milwaukee Junction in St. Louis Park south to Savage, Minnesota.

On December 23, 1992, Hennepin County purchased from Soo Line the segment of the 29th Street Corridor freight rail line from France Avenue (the western border of Minneapolis) to Hiawatha Avenue. However, there was no change in rail freight operations; TC&W continued using the Bass Lake Spur and the 29th Street Corridor to St. Paul.

One issue identified in the December 23, 1992 purchase agreement between Soo Line and Hennepin County was the future reconstruction of Hiawatha Avenue and the desire by Minnesota Department of Transportation and the City of Minneapolis to eliminate the at-grade rail crossings at Hiawatha Avenue, which would save "substantial sums of money."

A trackage rights agreement was reached between the C&NW, Soo Line and TC&W on July 26, 1993, allowing TC&W to operate its freight rail trains over the Kenilworth Corridor tracks. Sometime after that agreement was reached, the C&NW abandoned its

freight rail interest in the Kenilworth Corridor, and Hennepin County inherited the trackage rights agreement between C&NW, Soo Line and TC&W.

By mid-1997, reconstruction of Hiawatha Avenue had progressed to the point where the governing agencies desired to relocate TC&W's freight operations from the 29th Street Corridor to the Kenilworth Corridor and to sever the 29th Street Corridor rail line. In order for TC&W to agree to discontinue its trackage rights over the 29th Street Corridor, TC&W insisted that the Kenilworth track be rehabilitated to the same 25 mph standard as the 29th Street Corridor. MnDOT funded the rehabilitation of the Kenilworth rail line to a 25 mph standard; the work was completed in 1998.

It was anticipated that Minneapolis residents along the Kenilworth Corridor would protest this freight rail relocation.

The idea of a direct freight rail connection from the Bass Lake Spur to the MN&S had surfaced in about 1993. The idea may have been in response to citizen complaints in Saint Louis Park over the transfer of freight cars from the Bass Lake Spur to the MN&S line using the Skunk Hollow Wye connection. TC&W cannot find any evidence of engineering studies exploring that option until 1997, when TC&W had a professional engineer look at the issue and offer an opinion. The opinion was that to accomplish a direct connection that would work for freight rail would be very difficult.

Representative Dee Long was able to get legislation passed in 1997 that created a fund to clean up underground contamination that existed underneath where a proposed direct connection would be built – the Golden Auto/National Lead Superfund site in the northwest quadrant of the intersection of the Bass Lake Spur and the MN&S.

In August 1998, TC&W provided notice to the citizens near the Kenilworth Corridor that freight trains were coming to the neighborhood. The last TC&W train to operated over the 29th Street Corridor on August 28, 1998. The next day TC&W started operating over the Kenilworth Corridor. The TC&W received very few complaints about using this route, and continues to operate in this corridor today.

SUPPORT OF THE SOUTHWEST LIGHT RAIL TRANSITWAY PROJECT (SLRT)

Several years ago, a task force was formed to look at the concept of a passenger rail service serving the southwestern Minneapolis suburbs. TC&W was invited to participate in those discussions. At that time, the concepts under discussion were commuter rail, light rail using diesel multiple units (DMU's) or light rail powered by overhead

electricity. After several years the task force decided that light rail powered by overhead electricity was the desired passenger rail configuration.

By 2007, the task force had formed two committees: the Technical Advisory Committee and the Policy Advisory Committee. During this period, the issue of routing the passenger rail through the Kenilworth corridor was identified. There was concern that the Kenilworth rail corridor was too narrow to accommodate the bike trail, freight rail and light rail side-by-side.

Discussions took place with Hennepin County staff to study freight rail relocation. During these discussions, Hennepin County emphasized that the issues and costs of freight rail relocation could NOT be included in calculating the cost of the SLRT Project because that might tip the cost/benefit analysis done by the FTA and result in a conclusion that the cost of the light rail project would exceed the benefits.

TC&W cooperated with Hennepin County in studying freight rail relocation outside of the SLRT decision-making process, in part to show our support for the SLRT Project, and in part because TC&W believed that working constructively with Hennepin County on identification of a preferred route would yield acceptable results for the future of TC&W's freight rail customers and enable the SLRT task force to proceed with its preferred route analysis.

SLRT and Freight Rail Re-route Discussions

As indicated previously, TC&W has a history of constructive community involvement. When discussions began around 2004 about some kind of passenger rail service for the southwestern Minneapolis suburbs, TC&W sent a representative to participate in the discussions. By 2007, when the decision was made to pursue a light rail option powered by overhead electricity, TC&W was put into a difficult situation.

Hennepin County said that including freight rail relocation as part of the SLRT Project in its submission to the FTA for federal funding would jeopardize the cost/benefit analysis by FTA as part of its consideration for federal funding. At Hennepin County's direction, freight rail relocation discussions could not occur at the SLRT meetings, nor could it be considered as part of determining the Local Preferred Route.

It was clear, however, that Hennepin County wanted the freight rail relocated so that its preferred route through the Kenilworth Corridor would have fewer impediments. TC&W cooperated with Hennepin County to try to arrive at a track design that would be

acceptable for freight rail relocation. In 2008 Hennepin County engaged an engineering firm that visited with TC&W. TC&W emphasized that the gradients and curvature of the proposed connection of the Bass Lake Spur to the MN&S had to be comparable to the grades and curvature of TC&W's existing route or it would not be accepted by TC&W. The engineering firm presented TC&W with a conceptual design that started the ascent just east of Blake Road and, after crossing Minnehaha Creek, swung south and gently curved north. While this did not match exactly the existing grades and curvature on the Kenilworth track, it was a good starting point for continued discussions. TC&W made it clear to Hennepin County that TC&W would only discontinue its trackage rights over the Kenilworth Corridor if an alternate route with acceptable curves and grades were provided.

For reasons unknown to TC&W, a different engineering firm was employed by Hennepin County in 2009 which resulted in the rail design shown in the draft DEIS. This design was presented to TC&W in October 2010. TC&W unequivocally communicated that this design was not acceptable; it was a regression from the earlier design. TC&W also advised that it appeared the northern connection from the BNSF to the MN&S going west and southbound had unacceptable grades. This is especially troublesome because TC&W regularly runs heavy, loaded coal trains that would have to climb that grade going south on the MN&S.

TC&W was told that there would be an opportunity to formally comment on the design when the EIS was issued. An EAW was issued by Hennepin County in May 2011 that concluded an EIS was not required. TC&W's objections were ignored; the design was the same as that presented in October 2010. In its comments on the EAW, TC&W again said that the proposed design had greater grades and curvatures than those of the Kenilworth Corridor track presently used by TC&W. See Appendix C.

The EAW did not discuss or assess the increased noise and vibration from accelerating locomotives pulling heavy trains up the increased grades and around the greater curvature. The proposed design would be a longer distance for TC&W trains to travel than the present Kenilworth Corridor route which would require more fuel, equipment, and crew time. The EAW did not mention or suggest how to solve the problems that the design would increase operating and maintenance costs. The EAW said TC&W trains would be re-re-routed during a one to four-week period during construction, but failed to identify what route would be available or the impacts on TC&W and its customers from

closing down TC&W. Finally, TC&W pointed out that the safety hazards of the proposed quiet zone were inadequately considered.

In its comments in Appendix D, CP said it was largely in agreement with TC&W's comments and that the design was "operationally deficient." It noted that the EAW failed to recognize that the costs of operating and maintaining the new track, signals, and connection would be much more expensive, and that CP had not agreed to be responsible to own, operate, or maintain the new structures and track. CP also pointed out that the project design included the possibility of disturbing contaminants at the Golden Auto Superfund site.

In June 2011, the MnDOT nevertheless determined the re-route project itself did not have the potential for significant environmental impact. As to the railroads' objections to the design, MnDOT "assumed . . . that concurrence will be reached between all parties . . . answering specific design and operational issues." Findings of Fact and Conclusions, MnDOT, June 30, 2011, p. 18-19. "Concerns of grade, curvature, maintenance, ownership, operational considerations, etc. will be addressed to the satisfaction of all parties during the design review process . . . ." MnDOT continued, "Given the necessity of all parties to concur on an acceptable and workable final design prior to implementing operating agreements, regulatory filings, and the mutually desired advancement of contiguous highway and transit projects . . .this appears to be an inescapable requirement."

This decision was appealed by entities other than TC&W, but it became a moot point in September 2011 when the FTA, as part of its approval for the Southwest Transitway to enter preliminary engineering, required that the cost of freight rail relocation be included in the budget for the SLRT.

On September 2, 2011, the FTA approved the SLRT Project entering the preliminary engineering phase. The FTA approval letter required that the Met Council:

- In consultation with the FRA, determine the design requirements for adequate safety features for street-grade crossings between the SLRT line and existing freight rail tracks.
- Analyze the impacts of relocating the TC&W freight line, which currently operates on a segment of the planed SLRT route, in the project's EIS. Because the freight relocation is necessary for MC to be able to implement the SLRT project as planned, the cost and scope of the freight line relocation must be

included in the SLRT project scope and budget, regardless of the funding sources that may be identified to pay for the work.

- Analyze the reconfiguration of the CP's freight tracks where they will be elevated over the SLRT line and include the analysis in the SLRT project's EIS and cost and scope. The planned flyover, as currently designed by MC, shows sharp curvature, steep grades, and insufficient clearances.

In a February 2012 meeting with TC&W, Met Council staff said that the FTA letter had cleaned the slate of past discussions of freight rail options and that the Met Council was directed to study both co–existence of freight and light rail in the Kenilworth Corridor and a re-route of freight rail traffic onto the MN&S.

The authors of the DEIS did not comply with the FTA's directions. To date, no changes have been made in the design. The DEIS contains the same deficient design from over two years ago. The DEIS fails to discuss, much less satisfy, the cost and operating issues raised by TC&W, CP, and the FTA because the design contains the same sharp curvatures, steep grades, and insufficient clearances. The DEIS fails to satisfy the requirements of the FTA as set forth in its September 2011 letter that the DEIS **must** include an analysis of the freight line relocation onto the MN&S. In addition, the DEIS fails to meet certain requirements of the applicable state law, Minnesota Statutes Chapter 116D.

Since the FTA approval for preliminary engineering in September 2011 designated the Met Council as the lead agency, TC&W has met three times with Met Council staff. All three times TC&W was told our opportunity to respond would be in response to the DEIS.

F

ADM – Benson Quinn
701 4th Avenue South – Suite 800
Minneapolis, MN 55415-1633
Ph. 612-340-5900
Fax: 612-335-2948

December 4, 2012

Dear Hennepin County, Housing, Community Works & Transit:

I am writing to you on behalf of ADM-Benson Quinn (ADM-BQ). ADM-BQ has been providing agricultural services in the form of grain origination, merchandising and transportation services to the country elevators and farmers in south central Minnesota since 1920. We have recently made a substantial investment at Brownton, MN located on the TC&W in a greenfield grain storage and handling facility for origination of local grain production. This investment was made in partnership with United Farmers Coop.

We rely on grain origination from this region to feed ADM's export assets to supply destination markets across the globe. Rail is an integral part of this link from producer to export market. Minnesota has a long-lived, rich history of linking its farmer-producers to export markets. This linkage has become a vital part of the fabric of Minnesota's economy. A disruption to this transportation system will have an adverse effect on the agricultural economy of this region.

We have reviewed the design as recommended in the Southwest Transitway Draft Environmental Impact Statement (DEIS), which recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012, will result in increased costs for TC&W to operate its trains to and from ADM-BQ facilities. With increased competitive pressures and tightening margins, it is imperative that we continue to strive towards providing Minnesota's farming regions with the most cost-effective transportation system possible. It is critical that ADM-BQ retains the economical freight rail transportation option which is provided by TC&W. It is our understanding that TC&W has encouraged you to consider alternatives that would be less intrusive to the existing freight business and that several of these alternatives would be less costly and more conducive to serving the needs of all parties involved. Therefore, we could support the following alternatives to your recommended design:

1) Do engineering for the reroute that meets TC&W's engineering standards;
2) Co-locate the SWLRT with the current freight route;
3) Reroute freight back to the 29th Street Corridor, where the TC&W ran until 1998; or
4) Route the SWLRT up the MN&S rail line.

We are hopeful we can work together to find a solution that will yield a fair and economically viable result to benefit all parties affected. We are confident an alternative solution can be reached. We would be happy to participate in discussions towards this end.

Sincerely,

ADM-BENSON QUINN, A DIVISION OF
ARCHER DANIELS MIDLAND COMPANY

Scott D. Nagel, President

340 Michigan St. SE
P.O. Box 609
Hutchinson, MN 55350-0609

AGRI TRADING

Phone: 320-587-2133
800-328-5189
Fax: 320-587-5816
www.agritradingcorp.com

November 28, 2012

Dear Hennepin County, Housing, Community Works & Transit

Attn: Southwest Transitway

We, the Agri Trading Corp. depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the Agri Trading Corp. understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We, the Agri Trading Corp. further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012, will result in increased costs for TC&W to operate its trains to and from Agri Trading Corp.

It is important that Agri Trading Corp retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

1) Do engineering for the reroute that meets TC&W's engineering standards,
2) Co-locate the SWLRT with the current freight route,
3) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
4) Route the SWLRT up the MN&S rail line

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, the Agri Trading Corp. oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

Stephen Borstad
Agri Trading Corp.

BIRD ISLAND BEAN CO LLC

Common sense solutions for Central Minnesota's dry bean growers.

December 4, 2012

Dear Hennepin County, Housing, Community Works & Transit-Attn: Southwest Transit Way:

We, Bird Island Bean Co, LLC, depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We understand that the Southwest Transit Way Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transit Way (SWLRT). We, Bird Island Bean Co, LLC, further understand, based on the information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Bird Island Bean Co.

It is imperative that Bird Island Bean Co, LLC, retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

1.) Do engineering for the reroute that meets TC&W's engineering standards,
2.) Co-locate the SWLRT with the current freight route,
3.) Reroute freight back to the 29th St. Corridor, where TC&W ran until 1998, or
4.) Route the SWLRT up the MN&S rail line.

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is vital to allow us in rural Minnesota to compete in the global marketplace, we respectfully request that Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and work to arrive at a acceptable design, as we depend on economical freight rail transportation.

We, Bird Island Bean Co, LLC oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues by resolved to preserve our economical freight rail transportation option.

Sincerely,
Larry Serbus
Curt Meyer

Larry Serbus, owner
Curt Meyer, owner
Bird Island Bean Co, LLC

320-365-3070 P.O. Box 249 | East Hwy 212 | Bird Island, MN 53310 www.bibcllc.com

BIRD ISLAND SOIL SERVICE CENTER INC.
511 OAK AVE
BIRD ISLAND, MN 55310
320-365-3655 or 800-369-2812

November 26, 2012

Dear Hennepin County, Housing Community Works & Transit – Attn: Southwest Transitway:

Bird Island Soil Service Center depends on the Twin Cities & Western Railroad Company for economical freight rail transportation. Because the Southwest Transitway Draft Environmental Impact Statement recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway our rail freight will see increased costs.

We support light rail transportation, but not the current proposed route that will increase rail freight. We recommend that Hennepin County and others involved find a solution that keeps rail freight competitive. It makes no sense to us to use light rail to remove vehicles from the roadways just to add trucks, because to noncompetitive rates.

Bird Island Soil Service Center opposes the current freight rail relocation design and hope that a better solution can be found.

Sincerely,

Brad Aaseth
General Manager

CENTRAL BI·PRODUCTS
590 West Park Road
P.O. Box 319
Redwood Falls, Minnesota 56283-0319

Phone: 507-637-2938
Fax: 507-637-5409
www.centralbi.com

December 3, 2012

Hennepin County, Housing, Community Works & Transit
Attn: Southwest Transitway

Dear Hennepin County, Housing, Community Works & Transit:

Central Bi-Products depends on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. Central Bi-Products understands that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). Central Bi-Products further understands, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Central Bi-Products.

It is imperative that Central Bi-Products retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

1.) Do engineering for the reroute that meets TC&W's engineering standards.
2.) Co-locate the SWLRT with the current freight route,
3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
4.) Route the SWLRT up the MN&S rail line.

Therefore, we recommend that Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend that Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design as we depend on economical freight rail transportation.

Central Bi-Products opposes the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommends that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,
Central Bi-Products

Duane Anderson

Duane Anderson
Chief Operating Officer

11/27/12

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

We, the Central Bi-Products depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the Central Bi-Products understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We the Central Bi-Products further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Central Bi-Products.

It is imperative that Central Bi-Products retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

1.) Do engineering for the reroute that meets TC&W's engineering standards,
2.) Co-locate the SWLRT with the current freight route,
3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
4.) Route the SWLRT up the MN&S rail line

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, the Central Bi-Products oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

Central Bi-Products

Clinton Co-op Farmers Elevator Association

Box 371
Clinton, Minnesota 56225

NOV 28, 2012

Phone: (320) 325-5404
Fax: (320) 325-5405

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

We, the Clinton Elevator depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the Clinton Elevator understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We the Clinton Elevator further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Clinton Elevator.

It is imperative that Clinton Elevator retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

1.) Do engineering for the reroute that meets TC&W's engineering standards,
2.) Co-locate the SWLRT with the current freight route,
3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
4.) Route the SWLRT up the MN&S rail line

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, the Clinton Elevator oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

Ron Schlumme, Manager

Sandy Gillespie
Grain Buyer

Clinton Elevator

CLOUD PEAK ENERGY®

December 3, 2012

Dear Hennepin County Housing, Community Works & Transit – Attn: Southwest Transitway:

Cloud Peak Energy depends on Twin Cities & Western Railroad Company (TC&W) for economical freight transportation into Minnesota. We understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends relocation of the freight rail route used by TC&W to accommodate the Southwest Light Rail Transitway (SWLRT). We have been informed by TC&W that the recommended freight rail relocation design in the preferred alternative LRT3A as shown in the DEIS released on October 12, 2012 would result in increased costs for TC&W to operate its trains to and from our delivery points.

TC&W provides an economical freight transportation option for us to bring product to many areas of Minnesota. We fear that increased operational costs on TC&W related to this change will be passed on to our customers. This would limit the ability to economically bring product into many areas of Minnesota served by TC&W and its logistics chain, which would have a negative socio-economic impact on businesses and the regional economies in those areas, likely resulting in net negative economic impacts against the projected localized development surrounding alignment and station areas with the preferred alternative.

We understand that TC&W may have some solutions that work for both the SWLRT and TC&W's freight rail operations, some of which were alternatives considered under the DEIS. The potential solutions TC&W has described to us include (1) co-locating the SWLRT with the current freight route, (2) re-routing the freight back to the 29th Street corridor, where TC&W ran until 1998, (3) routing the SWLRT up the MN&S rail line or (4) engineering a re-route of the freight rail that meets TC&W's engineering standards. For the benefit of our customers and their communities in Minnesota, we respectfully ask that you consider alternative proposals provided by TC&W that can address concerns related to the SWLRT and still allow TC&W to continue operations in an economical manner.

Sincerely,

Cloud Peak Energy Resources LLC

By: FOR

on behalf of Name: Jim Orchard

Title: Sr. Vice President, Marketing and Government Affairs

12/3/2012

CLOUD PEAK ENERGY RESOURCES LLC | 385 Interlocken Crescent, Suite 400 | Broomfield, CO 80021
T +1 720.566.2900 | F +1 720.566.3099 | www.cloudpeakenergy.com

CCFE™

Multiplying the Power of Our Owners ™

November 26, 2012

Dear Hennepin County, Housing, Community Works & Transit – Attn: Southwest Transitway:

We, Coop Country Farmers Elevator (CCFE) depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. CCFE understands that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). CCFE further understands, based on the information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC &W to operate its trains to and from CCFE.

It is imperative that CCFE retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

1) Do engineering for the reroute that meets TC&W's engineering stands,
2) Co-locate the SWLRT with the current freight route,
3) Reroute freight back to the 29th St. Corridor, where TC&W ran until 1998, or
4) Route the SWLRT up the MN&S rail line

Therefore, we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

CCFE opposes the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

Craig Hebrink

Craig Hebrink
President & CEO

Co-op Country Farmers Elevator • 340 DuPont Avenue N.E. • P.O. Box 604 • Renville, MN 56284

Locations in: Danube • Olivia • Renville • Sacred Heart

Business Office: 320-329-8377 • coopcountry.com

2012

Corona Grain & Feed

PO Box 107 Phone: 605-432-6206

Corona, SD 57227 Fax: 605-432-9282

November 27, 2012

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

We, The Corona Grain & Feed, depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the Corona Grain & Feed understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We, the Corona Grain & Feed further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Corona Grain & Feed.

It is imperative that Corona Grain & Feed retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

1) Do engineering for the reroute that meets TC&W's engineering standards,
2) Co-locate the SWLRT with the current freight route,
3) Reroute freight back to the 29th St. Corridor, where TC&W ran until 1998, or
4) Route the SWLRT up the MN&S rail line

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Sincere rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, the Corona Grain & Feed oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

Jerry Settje, Manager

Corona Grain & Feed

Dairy Farmers of America

November 27, 2012

Dear Hennepin County, Housing, Community Works & Transit-ATTN: Southwest Transitway

The Dairy Farmers of America Winthrop, MN dairy plant depends on the TC&W for providing our dairy plant with the lowest cost butter fat and other dairy ingredients we need to produce our finished goods butter oil. The Winthrop, MN butter oil is exported internationally to fifteen countries. The Winthrop plant also requires up to (7) seven truckloads per week of locally produced Renville sugar. Without the TC&W rail service our raw material costs would be 20% higher due to the higher costs of truck rates versus rail rates. Any higher rail rates jeopardize the future jobs of the sixty (60) employees working at the Winthrop, MN plant.

The Dairy Farmers of America Winthrop, MN plant understands that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the SWLT. We further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will results in increased costs for the TC&W to operate its trains to and from the Dairy Farmers of America Winthrop, MN plant.

It is imperative that the Dairy Farmers of America Winthrop, MN plant retain an economical freight rail transportation option which is provided by the TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

1. Do engineering for the reroute that meets TC&W's engineering standards
2. Co-locate the SWLRT with the current freight route
3. Reroute freight back to the 29th St Corridor, where TC&W ran until 1998 or
4. Route the SWLRT up the MN&S rail line

Therefore, we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota we recommend Hennepin County and the Met Council reject the freight design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

The Dairy Farmers of America Winthrop, MN plant opposes the freight rail relocation design recommendation in the DEIS based on the information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely

Tom Otto

Tom Otto
Plant Manager

2014

Box Z, 212 East 1st Street • Winthrop, MN 55396 • Tel: 507-647-5385 • Fax: 507-647-2205

December 3, 2012

Equity Elevator Trading Company

Dear Hennepin County, Housing, Community Works & Transit-ATTN: Southwest Transit:

We, Equity Elevator & Trading Co. depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the Equity Elevator & Trading Co. understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the South Light Rail Transitway (SWLRT). We the Equity Elevator & Trading Co. further understand, based on information provided by TC&W, that the recommended freight rail location design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Equity Elevator & Trading Co..

It is imperative that Equity Elevator & Trading Co. retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

1.) Do the engineering for the reroute that meets TC&W's engineering standards,
2.) Co-locate the SWLRT with current freight route,
3.) Reroute freight back to the 29th St Corridor, where TCW ran until 1998 or
4.) Route the SWLRT up to the MN&S

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in DEIS. And work with the DEIS to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, the Equity Elevator & Trading Co. oppose the freight rail relocation design recommendation in the DEIS based on information provided by TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

Rodney Winter, General Manager

Equity Elevator & Trading Company

HANLEY FALLS ▪ COTTONWOOD ▪ TAUNTON
GRANITE FALLS
Farmers Cooperative Elevator Co.
MINNESOTA FALLS
MONTEVIDEO ▪ ECHO ▪ MINNEOTA ▪ GHENT

Farmers Co-operative Elevator Co.

1972 510th Street
P.O. Box 59
Hanley Falls, MN 56245-0059
507-768-3448

Cottonwood	507-423-6235
Echo	507-925-4126
Ghent	507-428-3255
Granite Falls	320-564-3834
Minneota	507-872-6134
Minnesota Falls	320-564-3835
Montevideo	320-269-6531
Taunton	507-872-6161

December 3, 2012

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

The Farmers Co-operative Elevator Company of Hanley Falls (FCE) depends on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. FCE understands that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from our locations at Montevideo, Granite Falls, Echo and Minnesota Falls.

It is imperative that FCE retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

1.) Do engineering for the reroute that meets TC&W's engineering standards,
2.) Co-locate the SWLRT with the current freight route,
3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
4.) Route the SWLRT up the MN&S rail line

On behalf of our two thousand Patron/Owners, we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

The Farmers Co-operative Elevator Company of Hanley Falls along with our Patron/Owners oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

Scott Dubbelde, General Manager

FARMERS UNION CO-OP OIL COMPANY

CENEX

MONTEVIDEO GRANITE FALLS

MONTEVIDEO, MINNESOTA 56265
Phone: (320) 269-8861
124 West Nichols Ave

GRANITE FALLS, MINNESOTA 56241
Agri Center: (320) 564-3833
C-Store: (320) 564-2525

December 3, 2012

Dear Hennepin County, Housing, Community Works & Transit – Attn: Southwest Transitway:

We, the Farmers Union Coop Oil Company depend on the Twins Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the Farmers Union Coop Oil Company understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We, the Farmers Union Coop Oil Company further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Farmers Union Coop Oil Company.

It is imperative that Farmers Union Coop Oil Company retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

..) Do engineering for the reroute that meets TC&W's engineering standards,
2.) Co-locate the SWLRT with the current freight route,
3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
4.) Route the SWLRT up the MN&S rail line.

Therefore, we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, the Farmers Union Coop Oil Company oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

Glen C Moe

Glen C. Moe, General Manager
armers Union Coop Oil Company
124 W Nichols Ave
Montevideo, MN 56265

2017

Farmers Cooperative Oil Company

P.O. Box 157
461 2nd Avenue West,
Echo, MN 56237-0157
Phone 507-925-4114 • Fax 507-925-4159

Belview C-Store	Belview Electric	Sacred Heart C-Store
507-938-3069	507-938-4133	320-765-2752

December 5, 2012

Dear Hennepin County, Housing, Community Works & Transit
Attn: Southwest Transitway:

We, the Farmers Coop Oil & Fertilizer depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the Farmers Coop Oil & Fertilizer understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We, the Farmers Coop Oil & Fertilizer further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Farmers Coop Oil & Fertilizer.

It is imperative that Farmers Coop Oil & Fertilizer retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

1. Do engineering for the reroute that meets TC&W's engineering standards.
2. Co-locate the SWLRT with the current freight route,
3. Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
4. Route the SWLRT up the MN&S rail line

Therefore, we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, the Farmers Coop Oil & Fertilizer oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC& W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

Jon Ahrens
Farmers Coop Oil & Fertilizer

JA/dk

FGDI

A Division of AGREX INC.

300 Highway 169 South, Suite 360
St Louis Park MN 55426-1119
952-852-2999 Phone, 952-852-2998 Fax

November 27, 2012

Dear Hennepin County, Housing, Community Works & Transit - Attn: Southwest Transitway:

FGDI depends on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). Based on information provided by the TC&W, the recommended freight rail relocation design as shown in the DEIS released October 12, 2012 will result in increased costs for TC&W to operate its trains.

It is very important that FGDI retain an economical freight rail transportation option as provided by the TC&W. The design recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your design would be:

1. Do engineering for the reroute that meets TC&W's engineering standards,
2. Co-locate the SWLRT with the current freight route,
3. Reroute freight back to the 29th Street corridor, where TC&W ran until 1998, or
4. Route the SWLRT up the MN&S rail line.

Rural Minnesota provides a significant amount of exports from the State of Minnesota and economical freight rail transportation is vital to allow rural Minnesota to compete in the global marketplace. Hennepin County and the MET Council should reject the freight rail design as recommended in the DEIS and arrive at an acceptable design.

We strongly urge Hennepin County and the MET Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Sincerely,

Bob Mortenson
Dwayne Meier
Dan Halverson
Beth Grashorn

FGDI A Division of Agrex Inc

Form A Feed Inc.

Tech Service / Marketing Fax 320-562-2834
Phone 320-562-2413 • Toll Free 1-800-422-3649 • Fax 320-562-2125
www.formafeed.com

December 4, 2012

Hennepin County, Housing, Community Works & Transit
ATTN: Southwest Transitway
701 Fourth Avenue South, Suite 400
Minneapolis, MN 55415

Dear Hennepin County, Housing, Community Works & Transit – Attn: Southwest Transitway:

Form-A-Feed, Inc is located in Stewart, MN and we rely on the Twin Cities & Western Railroad Company for economical freight rail transportation. We understand that the recommended freight rail relocation design as shown in the DEIS released October 12, 2012 will result in increased costs for TC &W to operate its trains to Stewart, MN. Several businesses in greater Minnesota rely on this railway to maintain a competitive edge in the market place and these changes will increase costs to our businesses.

It is important to Form-A-Feed to retain an economical freight rail transportation provided by TC & W. The design recommended in the DEIS will not help us maintain our competitiveness. After correspondence with TC & W we have alternatives to your recommended design:

- Do engineering for the reroute that meets TC & W's engineering standards
- Co-locate the SWLRT with the current freight rout
- Reroute freight back to the 29th St Corridor, where TC & W ran until 1998
- Route the SWLRT up the MN&S rail line

We recommend Hennepin County and the Met Council address TC & W's concerns over the design of the freight rail relocation and find a solution that is economical for all parties.

Rural Minnesota provides a significant amount of exports from the State of Minnesota and economical freight rail transportation is imperative to allow us to compete in the global marketplace. We oppose the freight rail relocation design recommendation and recommend that the freight rail issues be resolved to preserve an economical freight rail transportation options.

Sincerely,

Larry Schuette
General Manager, Form-A-Feed, Inc

Glacial Plains Cooperative
Partners you can count on
www.glacialplains.com

December 3, 2012

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

We, the Glacial Plains Coop, depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the Glacial Plains Coop, understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We, the Glacial Plains Coop, further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Glacial Plains Coop.

It is imperative that Glacial Plains Coop retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

1. Do engineering for the reroute that meets TC&W's engineering standards,
2. Co-locate the SWLRT with the current freight route,
3. Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
4. Route the SWLRT up the MN&S rail line

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, the Glacial Plains Coop, oppose the freight rail relocation design recommendation in the DEIS based on the information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

Tom Traen

General Manager, Glacial Plains Cooperative

T 320-875-2811 ◆ F 320-875-2813 ◆ 543 Van Norman Ave. ◆ Murdock, MN 56271

Benson (Station) 320-843-3999	(Energy) 320-842-5311	Benson (Agronomy) 320-843-4820	Benson West 320-843-2563 320-843-3285	DeGraff 320-843-5364	Kerkhoven 320-264-3831	Milan 320-734-4435	Murdock (Agronomy) 320-875-2810	Sunburg 320-366-3456

Glacial Plains Cooperative

Partners you can count on

www.glacialplains.com

November 27, 2012

Dear Hennepin County, Housing, Comunity Works & Transit:

Attention: Southwest Transitway

We at Glacial Plains Cooperative depend on the Twin Cities and Western Railroad Company (TC&W) for economical freight rail transportation. Glacial Plains Coop understands that the Southwest Transitway Draft Enviornmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accomodate the Southwest Light Rail Transitway (SWLRT). We also understand, based on information provided by TC&W, the recommended freight rail relocation design as shown in the DEIS relased on October 12, 2012, will result in increased costs for TW&W to operate trains to and from Glacial Plains Cooperative.

It is imperative that Glacial Plains Coop retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

1. Do engineering for the reroute that meets TC&W's engineering standards.
2. Co-locate the SWLRT with the current freight route.
3. Reroute freight back to the 29th Street Corridor, where TC&W ran unti 1998.
4. Route the SWLRT up the MN&S rail line.

We recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State to Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin Couny and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design. Glacial Plains Cooperative depends on economical freight rail transportation.

Glacial Plains Cooperative opposes the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

Lois Lovehaug
:ial Plains Cooperative

T 320-875-2811 ♦ F 320-875-2813 ♦ 543 Van Norman Ave. ♦ Murdock, MN 56271

Benson (Station)	(Energy) 320-842-5311	Benson (Agronomy)	Benson West 320-843-2563	DeGraff 320-843-5364	Kerkhoven 320-264-3831	Milan 320-734-4435	Murdock (Agronomy)	Sunburg 320-366-3456

2022

GRANITE FALLS ENERGY, LLC
15045 HIGHWAY 23 SE • P.O. BOX 216 • GRANITE FALLS, MN • 56241-0216
PHONE: 320-564-3100 • FAX: 320-564-3190

11/26/2012

Dear Hennepin County, housing, Community Works and Transit- ATTN: Southwest Transitway:

Granite Falls Energy depends on the Twin Cities & Western Railroad Company for economical freight rail transportation. We at Granite Falls Energy understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the SWLRT. We further understand, based on information provided by the TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased cost for the TC&W to provide trains to and from Granite Falls Energy.

It is imperative that Granite Falls Energy retains an economical freight rail option which is provided by the TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

1) Do engineering for the reroute that meets TC&W's engineering standards,
2) Co-locate the SWLRT with the current freight route,
3) Reroute freight back to the 29th Street corridor, where TC&W ran until 1998, or
4) Route the SWLRT up to the MN&S rail line.

We recommend that Hennepin County and the Met Council address the TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Rural Minnesota in general, and Granite Falls Energy specifically, provide a significant amount of exports from the State of Minnesota and having economical freight rail transportation is imperative to allow us to compete in the global marketplace. Due to this we recommend that Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design.

Granite Falls Energy opposes the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical fright rail transportation options.

Sincerely,

Eric M Baukol
Granite Falls Energy, LLC

[Date] 11-26-12

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

We, the Hanley Falls Farmers Elevator depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the Hanley Falls Farmers Elevator understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We the Hanley Falls Farmers Elevator further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Hanley Falls Farmers Elevator.

It is imperative that Hanley Falls Farmers Elevator retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

1.) Do engineering for the reroute that meets TC&W's engineering standards,
2.) Co-locate the SWLRT with the current freight route,
3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
4.) Route the SWLRT up the MN&S rail line

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, the Hanley Falls Farmers Elevator oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

John Brandt

[Name]
Hanley Falls Farmers Elevator

[Date] 11-26-12

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

We, the Hanley Falls Farmers Elevator depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the Hanley Falls Farmers Elevator understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We the Hanley Falls Farmers Elevator further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Hanley Falls Farmers Elevator.

It is imperative that Hanley Falls Farmers Elevator retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

1.) Do engineering for the reroute that meets TC&W's engineering standards,
2.) Co-locate the SWLRT with the current freight route,
3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
4.) Route the SWLRT up the MN&S rail line

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, the Hanley Falls Farmers Elevator oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

[Name] Ben Hedtke
Hanley Falls Farmers Elevator

HEARTLAND CORN PRODUCTS
53331 State Hwy. 19 • P.O. Box A • Winthrop, MN 55396
Phone: 507-647-5000 • Fax: 507-647-5010

November 26, 2012

Hennepin County
Housing, Community Works & Transit
Attn: Southwest Transitway

Dear Southwest Transitway,

Heartland Corn Products ("Heartland"), a cooperative located in Sibley County, depends on Twin Cities & Western Railroad Company ("TC&W") for economical freight rail transportation. Heartland understands that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Heartland.

It is imperative that Heartland retains an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

1.) Do engineering for the reroute that meets TC&W's engineering standards,
2.) Co-locate the SWLRT with the current freight route,
3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
4.) Route the SWLRT up the MN&S rail line

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

Heartland opposes the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

Scott Blumhoefer
Vice President

L.G. EVERIST, INC.
Rock Solid Since 1876

300 S. Phillips Avenue, Suite 200
P.O. Box 5829
Sioux Falls, SD 57117-5829
Phone 605-334-5000 • Fax 605-334-3656

December 4, 2012

Hennepin County, Housing, Community Works & Transit

Attn: Southwest Transitway

L.G. Everist, Inc. (LGE) depends on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. It is our understanding that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from LGE.

It is imperative that LGE retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

1. Do engineering for the reroute that meets TC&W's engineering standards,
2. Co-locate the SWLRT with the current freight route,
3. Reroute freight back to the 29th St. Corridor, where TC&W ran until 1998, or
4. Route the SWLRT up the MN&S rail line.

LGE is asking and recommending that Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design. LGE depends on economical freight rail transportation and opposes the freight rail relocation design recommended in the Southwest Transitway DEIS.

Sincerely,

Rob Everist
President and CEO

L.G. EVERIST, INC.
Rock Solid Since 1876

300 S. Phillips Avenue, Suite 200
P.O. Box 5829
Sioux Falls, SD 57117-5829
Phone 605-334-5000 • Fax 605-334-3656

December 4, 2012

Hennepin County, Housing, Community Works & Transit

Attn: Southwest Transitway

L.G. Everist, Inc. (LGE) depends on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. It is our understanding that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from LGE.

It is imperative that LGE retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

1. Do engineering for the reroute that meets TC&W's engineering standards,
2. Co-locate the SWLRT with the current freight route,
3. Reroute freight back to the 29th St. Corridor, where TC&W ran until 1998, or
4. Route the SWLRT up the MN&S rail line.

LGE is asking and recommending that Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design. LGE depends on economical freight rail transportation and opposes the freight rail relocation design recommended in the Southwest Transitway DEIS.

Sincerely,

Rick Everist
Chairman of the Board

Lyman Lumber Company
the professional builder's supply center

THOMAS P. LOWE
Chairman

JAMES E. HURD
President

300 MORSE AVENUE • MAILING ADDRESS P.O. BOX 40 • EXCELSIOR, MN 55331 • TELEPHONE (952) 470-3600 • FAX (952) 470-3610

December 3, 2012

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

Lyman Lumber Company depends on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Lyman Lumber Company.

In the past 10 years, Lyman Lumber Company has received over 3800 rail cars and it is imperative that Lyman Lumber Company retain an economical freight rail transportation option which is provided by TC&W. Not having economical freight rail transportation would cause significant economic harm to our company. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

1. Do engineering for the reroute that meets TW&W's engineering standards,
2. Co-locate the SWLRT with the current freight route,
3. Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
4. Route the SWLRT up the MN&S rail line.

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global market place, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

Lyman Lumber Company opposes the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

Dale Carlson

Dale Carlson
President
Lyman Lumber Company

Meadowland Farmers Coop

P.O. BOX 338
LAMBERTON, MINNESOTA 56152
OFFICE 752-7352

Serving the Community Since 1905

November 26. 2012

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

We, the Meadowland Farmers Coop depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the Meadowland Farmers Coop understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We the Meadowland Farmers Coop further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Meadowland Farmers Coop.

It is imperative that Meadowland Farmers Coop retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

1.) Do engineering for the reroute that meets TC&W's engineering standards,
2.) Co-locate the SWLRT with the current freight route,
3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
4.) Route the SWLRT up the MN&S rail line

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, the Meadowland Farmers Coop oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

Peter Valentin
Meadowland Farmers Coop

MIDWEST
ASPHALT
CORPORATION

P.O. BOX 5477 • HOPKINS, MINNESOTA • 55343
PHONE: (952) 937-8033 • FAX: (952) 937-6910

November 27, 2012

Dear Hennepin County, Housing, Community Works & Transit - ATTN: Southwest Transitway:

We at Midwest Asphalt Corporation depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight transportation. W also understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). Midwest Asphalt Corporation further understands, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Midwest Asphalt facilities.

It is imperative that Midwest Asphalt Corporation retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

1.) Do engineering for the reroute that meets TC&W's engineering standards,
2.) Co-locate the SWLRT with the current freight route,
3.) Reroute freight back to the 29th St. Corridor, where TC&W ran until 1998, or
4.) Route the SWLRT up the MN&S rail line

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

Midwest Asphalt Corporation opposes the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,
MIDWEST ASPHALT CORPORATION

Blair B Bury

Blair B. Bury,
President

MEMBER NAPA
NATIONAL ASPHALT PAVEMENT ASSOCIATION

Minnesota Asphalt Pavement Association

An Equal Opportunity Employer

ASSOCIATED BUILDERS & ABC

MINNESOTA GRAIN & FEED ASSOCIATION

December 7, 2012

To: Hennepin County Housing, Community Works & Transit
(Southwest Transitway)

The Minnesota Grain and Feed Association, which represents the interests of over 300 grain elevator, feed mill and farm supply firms operating in Minnesota, wishes to go on record in opposition to the rail freight relocation design recommendation contained in the Draft Environmental Impact Statement (DEIS). It is obvious that the DEIS recommendation will have a negative impact on the Twin City & Western Railroad (TC&W) and ultimately on the cost of freight transportation being incurred by the numerous grain elevator and farm supply firms located on the TC&W.

Several elevators on the line have invested millions in upgrades to improve their train loading efficiency. These elevators now have the capability to compete in the domestic and international movement of grain via the TC&W. The rerouting of freight traffic to accommodate the SWLRT system as currently proposed, will add unnecessary costs to the infrastructure and will certainly have an adverse impact on all rail users, in terms of increased operational costs by the railroad, reduced travel times and safety concerns with the design recommendations. Again, we question much of the content in the DEIS and suggest going back to the drawing board, to come up with a better solution than the one being proposed.

Fortunately the EIS is a draft, since it is obvious that more attention needs to be given to the impacts on the operating freight railroad and its many users, who provide hundreds of jobs, pay the bulk of the taxes in many communities along the line, offering market access for thousands of farmers and economic stability for the region. Thank you for your consideration of our views on the DEIS.

Sincerely,

Bob Zelenka

Bob Zelenka
Executive Director

3470 WASHINGTON DRIVE, SUITE 200 • EAGAN, MN 55122 • PHONE 651-454-8212 • FAX 651-454-8312
E-mail: info@mgfa.org • Website: www.mgfa.org

November 28, 2012
[Date]

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

We, the Minnesota Valley Regional Rail Coillition depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the Minnesota Valley Regional Rail Coillition understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We the further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from .

It is imperative that Minnesota Valley Regional Rail Coillition retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

1.) Do engineering for the reroute that meets TC&W's engineering standards,
2.) Co-locate the SWLRT with the current freight route,
3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
4.) Route the SWLRT up the MN&S rail line

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, the oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

Jane Renneger
[Name] Chair
Minnesota Valley Regional Rail Coillition

The Mosaic Company
12120 Lynn Ave
Savage, MN 55378
www.mosaicco.com

December 3, 2012

Hennepin County Housing, Community Works & Transit
Attn: Southwest Transitway

To Whom it Concerns:

As one of the largest companies headquartered in Minnesota, The Mosaic Company, is dedicated to responsibly serving our customers around the world. Farmers in 40 countries depend on our crop nutrients to increase their yields and feed a rapidly growing global population. Likewise, we depend on strong business partners, including Twin Cities & Western Railroad (TC&W), to remain competitive. By working together to serve our customers in south central Minnesota, we also strengthen their communities and their local economies.

The Draft Environmental Impact Statement for the Southwest Light Rail Transit System indicates that the project, as it is currently contemplated, could imperil our ability to serve this area.

Mosaic supports the project and the myriad benefits it provides for businesses and commuters all over the metro area – and for the health of our environment. However, we are concerned about the proposed freight rail route relocation, because its design would likely result in slower service and higher costs due to the need for extra locomotives and fuel to navigate the proposed route. (The current recommended design adds a significant climb up a steep grade by freight rail standards, as well as tight track curvature.)

Alternatives to your recommended design could include:

- Engineer the re-route so that it meets TC&W's engineering standards;
- Co-locate the SWLRT with the current freight route;
- Re-route freight back to the 29th Street Corridor, where TC&W ran until 1998; or
- Route the SWLRT up the Minneapolis, Northfield & Southern rail line.

Mosaic ships tens of thousands of tons of fertilizer into south central Minnesota by rail every year. This is an important supply route for Mosaic and our customers.

We are confident that an alternative design can serve all parties – while remaining true to our shared desire to enhance Minnesota's economic opportunities and preserve the environment. We encourage you to revisit your freight rail route design, and offer our support in this endeavor.

Sincerely,

Lisa Brickey
Warehouse Manager

RPMG™
1157 Valley Park Drive - Suite 100
Shakopee, MN 55379
Main 952.465.3220 Fax 952.465.3221 www.rpmgllc.com

December 4, 2012

Hennepin County Housing, Community Works & Transit Department
ATTN: Southwest Transitway
701 Fourth Avenue South, Suite 400
Minneapolis, MN 55415-1842

To Whom It May Concern:

We, RPMG Inc., depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, RPMG Inc., understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We RPMG Inc., further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from RPMG Inc.

It is imperative that RPMG Inc. retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

1.) Do engineering for the reroute that meets TC&W's engineering standards,
2.) Co-locate the SWLRT with the current freight route,
3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
4.) Route the SWLRT up the MN&S rail line

Therefore we recommend Hennepin County and the Metropolitan Council (Met Council) address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, RPMG Inc., oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

Douglas E. Punke, CEO
RPMG Inc.

cc: Jason Wojahn, Director of Logistics, RPMG Inc.

DEP:amo

Seneca Foods Corporation

Hennepin County Housing

Community Works and Transit

Attn: Southwest Transit way:

The Seneca Foods Glencoe Facility relies on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. Seneca Foods understands that the Southwest Transit way Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transit way (SWLRT). Seneca Foods further understands, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Seneca Foods.

It is imperative that Seneca Foods retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

1) Do engineering for the reroute that meets TC&W's engineering standards,
2) Co-located the SWLFT with the current freight route,
3) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
4) Route the SWLRT up the MN&S rail line.

Therefore, we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

Seneca Foods Corporation opposes the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

Andy Slinden

Andy Slinden

Plant Manager - Glencoe

101 West 8th Street – Glencoe, Minnesota 55336
Phone (320) 864-3151 Fax (320) 864-5779

Seneca Foods Corporation

Vegetable Division

December 4, 2012

Hennepin County, Housing, Community Works and Transit

Attn: Southwest Transitway:

The Seneca Foods Arlington Facility relies on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. Seneca Foods understands that the Southwest Transit way Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transit way (SWLRT). Seneca Foods further understands, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Seneca Foods.

It is imperative that Seneca Foods retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

1) Do engineering for the reroute that meets TC&W's engineering standards,
2) Co-located the SWLFT with the current freight route,
3) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
4) Route the SWLRT up the MN&S rail line.

Therefore, we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

Seneca Foods Corporation opposes the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

Rick Rose

Rick Rose

Warehouse Manager

Seneca Plant

Arlington, Minnesota

300 3rd Ave. S W – Arlington, Minnesota 55307
Phone (507) 964-2204 Fax (507) 964-2441

South Central
GRAIN & ENERGY

Fairfax
PO Box E
Fairfax, MN 55332
507-426-8263

Gibbon
40 W. Park Drive
Gibbon, MN 55335
507-834-6534

Hector
PO Box 338
Hector, MN 55342
320-848-2273

Buffalo Lake
PO Box 99
Buffalo Lake, MN 55314
320-833-5321

Cosmos **Darwin** **Eden Valley**
Lake Lillian **Stewart**

December 3, 2012

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

We, South Central Grain and Energy, depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, South Central Grain and Energy, understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We, South Central Grain and Energy, further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from South Central Grain and Energy.

It is imperative that South Central Grain and Energy retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

1.) Do engineering for the reroute that meets TC&W's engineering standards,
2.) Co-locate the SWLRT with the current freight route,
3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
4.) Route the SWLRT up the MN&S rail line

Therefore, we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota and, since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

South Central Grain and Energy is not opposed to the light rail project but we cannot have it happen at the expense of our farmer producers and South Central Grain and Energy. The current plan will cost our farmers millions and millions of dollars over the years.

We, South Central Grain and Energy, oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

Eugene Lutteke
General Manager
South Central Grain and Energy

Southern Minnesota Beet Sugar Cooperative

P. O. Box 500, 83550 County Road 21, Renville, Minnesota 56284

November 27, 2012

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

My name is Kelvin Thompsen and I serve as President and CEO of Southern Minnesota Beet Sugar Cooperative (SMBSC). The cooperative is owned by 525 shareholders who produce 3.5 million tons of sugar beets from the nearly 120,000 acres in which they farm in West Central Minnesota. These same shareholders own the sugar factory, located in Renville, which processes their 3.5 million tons of sugar beets into more than 450,000 tons of pure white sugar and 300,000 tons of co-products including sugar beet pulp pellets, dried pulp shreds, pressed sugar beet pulp, betaine, raffinate and molasses. SMBSC employs 750 people and our annual payroll exceeds $17 million annually. We estimate the total stimulus to the economy of West Central Minnesota which is generated by SMBSC is nearly three quarters of a billion dollars.

SMBSC and the 525 farm families depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation to ship a large portion of the 750,000 tons of finished product to our end use customers. SMBSC also relies heavily upon the TC&W Railroad Company for the inbound transportation of essential processing commodities such as coal, coke and lime rock required for the processing of sugar beets into pure, white sugar. SMBSC's inbound freight tonnage is nearly 300,000 tons. Economical rail transportation is key to SMBSC's sustainability today and for the future. SMBSC understands the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). SMBSC further understands, based on information provided by TC&W, the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from SMBSC's factory located in Renville, Minnesota.

It is imperative that SMBSC retain the economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

1.) Do engineering for the reroute that meets TC&W's engineering standards,
2.) Co-locate the SWLRT with the current freight route,
3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
4.) Route the SWLRT up the MN&S rail line

Email: info@smbsc.com Website: www.smbsc.com

SMBSC respectfully recommends Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design.

SMBSC opposes the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W. SMBSC recommends the freight rail issues be resolved to preserve our economical freight rail transportation and the future sustainability of SMBSC and its 525 farm families.

Thank you for your consideration of this most important matter.

Sincerely,

Kelvin Thompsen
President and CEO

Email: info@smbsc.com Website: www.smbsc.com

Step Saver, Inc.™
Salt Pumping Systems
Salt delivery made easy.

36327 US HWY 71
Redwood Falls, MN 56283
Toll Free: 888-783-7728
Email step@redred.com Fax: 507-644-2184

11-26-2012

Dear Hennepin County, Housing, Community Works & Transit
ATTN: Southwest Transitway

We, at Step Saver Inc depend on the TCWR for economical freight rail transportation. We at Step Saver Inc understand that that the DEIS recommends a relocation of the freight rail route to accommodate the Southwest light Rail Transitway. Step Saver Inc also understands that based on information provided by the TCWR that was released by the DEIS on 10-12-2012, that this will result in increased costs for the TCWR to operate its trains to deliver product for Step Saver Inc.

It is imperative that that Step Saver Inc retain an economical freight rail transportation option which is now provided by the TCWR. The design provided and recommended by the DEIS in not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommendation would be:

1.) Do engineering for the reroute that meets TCWR engineering standards,
2.) Co-locate the SWLRT with the current freight route,
3.) Reroute freight back to the 29th St corridor, where TCWR ran until 1998, or
4.) Route the SWLRT up the MN&S rail line.

Step Saver Inc recommends Hennepin County and the met Council address TCWR concerns over the design of the freight rail relocation shown in the DEIS, and work with TCWR to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides significant amount of exports from the state of MN, and since having economical freight rail transportation is imperative to allow rural MN to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, at Step Saver Inc oppose the freight rail relocation design recommendation in the EDIS base on the information provided by the TCWR and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely

Chuck Steffl, President Step Saver Inc

WEST-CON

your farm ... your community ... your co-op

December 3, 2012

Hennepin County, Housing, Community Works & Transit
ATTN: Southwest Transitway

Western Consolidated Cooperative depends on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Western Consolidated Cooperative.

It is imperative that Western Consolidated Cooperative retain an economical freight rail transportation option, as provided by TC&W and the design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design might be:

1) Engineer a reroute that meets TC&W's engineering standards,
2) Co-locate the SWLRT with the current freight route,
3) Reroute freight back to the 29th St Corridor where TC&W ran until 1998, or
4) Route the SWLRT up the MN&S rail line

We recommend that Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Rural Minnesota organizations like ours provide a significant amount of exports from the State of Minnesota and maintaining economical freight rail transportation is imperative in allowing us to remain competitive in the global marketplace. At this time, we strongly recommend that the Hennepin County and the Met Council **REJECT** the freight rail design as recommended in the DEIS and arrive at an acceptable design.

We oppose the freight rail relocation design recommendation in the DEIS and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

Paul Mattson

Paul Mattson, Grain Division Manager
Western Consolidated Cooperative

520 County Road 9 • Holloway, MN 56249 • (320) 394-2171 • 1-800-368-3310

WEST-CON

your farm ... your community ... your co-op

December 3, 2012

Hennepin County, Housing, Community Works & Transit
ATTN: Southwest Transitway

Western Consolidated Cooperative depends on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Western Consolidated Cooperative.

It is imperative that Western Consolidated Cooperative retain an economical freight rail transportation option, as provided by TC&W and the design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design might be:

1) Engineer a reroute that meets TC&W's engineering standards,
2) Co-locate the SWLRT with the current freight route,
3) Reroute freight back to the 29th St Corridor where TC&W ran until 1998, or
4) Route the SWLRT up the MN&S rail line

We recommend that Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Rural Minnesota organizations like ours provide a significant amount of exports from the State of Minnesota and maintaining economical freight rail transportation is imperative in allowing us to remain competitive in the global marketplace. At this time, we strongly recommend that the Hennepin County and the Met Council **REJECT** the freight rail design as recommended in the DEIS and arrive at an acceptable design.

We oppose the freight rail relocation design recommendation in the DEIS and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

Dean Isaacson

Dean Isaacson, General Manager
Western Consolidated Cooperative

520 County Road 9 • Holloway, MN 56249 • (320) 394-2171 • 1-800-368-3310

Western Co-op Transport Association

BOX 327 • MONTEVIDEO, MINNESOTA 56265

PHONE 320-269-5531
1-800-992-8817

November 27, 2012

Hennepin County, Housing, Community Works & Transit

Dear Southwest Transitway:

I've been following the Southwest Light Rail Transitway (SWLRT) with much interest. Our community is on Highway 212 in Western Minnesota, so I look forward to the day when we can jump on the light rail in Eden Prairie. Two of my sons are in business in Minneapolis and another attends the University of Minnesota, as my daughter did. There is much for you to consider - thus the reason for my letter.

I've seen that the SWLRT Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the SWLRT. Based on the information provided by Twin Cities & Western Railway (TC&W), the recommended freight rail relocation design as shown in the DEIS from October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Western Minnesota.

Western Co-op Transport Association (WCTA) is a cooperative owned by 124 local grain, agronomy and energy cooperatives. We provide service to our members with over 300 semi trucks and trailers. Many of our member/owners are also shippers on the TCWR for their business. Economical rail service is vital to their survival. Our rail structure is as important to our communities as having schools, roads and a hospital.

When the Milwaukee Road sold off its land and track, Montevideo and other communities in our region worked to save the rail service. We fought to prevent our track from being torn out or paved over. It is imperative Western Minnesota retain an economical freight rail transportation option which is provided by TC&W – the only rail service in our communities.

The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

1. Do engineering for the reroute that meets TC&W's engineering standards
2. Co-locate the SWLRT with the current freight route
3. Reroute freight back to the 29th St corridor, where TC&W ran until 1998
4. Route the SWLRT up the MN&S rail line

Therefore, we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Light rail improves the quality of life for riders by giving them another choice. It would be ironical that by forcing the DEIS relocation on TCWR as outlined, those of us in Western Minnesota will have less choice by taking away the most economical freight transportation we have.

Thank-you for your consideration on this and your hard work,

Respectfully,

Dennis Brandon, General Manager

Wheaton Dumont
CO-OP ELEVATOR
Main Office
6587 US HWY 75
WHEATON, MINNESOTA 56296
Main Office: 1-800-258-4744

Monday, December 03, 2012

Dear Hennepin County, Housing, Community Works & Transit- ATTN: Southwest Transitway:

We, the Wheaton-Dumont Coop Elevator depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the Wheaton-Dumont Coop Elevator understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We the Wheaton-Dumont Coop Elevator further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Wheaton-Dumont Coop Elevator.

It is imperative that Wheaton-Dumont Coop Elevator retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

1.) Do engineering for the reroute that meets TC&W's engineering standards,
2.) Co-locate the SWLRT with the current freight routes,
3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
4.) Route the SWLT up the MN&S rail line

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on the economical freight rail transportation.

We, the Wheaton-Dumont Coop Elevator oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

Philip Deal
Wheaton-Dumont Coop Elevator

605-448-2261 • Campbell 218-630-5344 • Dumont 320-563-8020 • Dumont Ag 320-563-8822 • Hankinson 701-242-7543 • LaMars 701-474-5976
•Mantador 701-242-7022 • New Effington Ag 605-637-5241 • Sisseton Feed Store 605-698-3491 • Sisseton North 605-698-3221
• Sisseton South 605-698-3251• Tenney 218-630-5556 • Wheaton 320-563-1130 • Wheaton Ag 320-563-8181

705 E. 4th Street; PO Box 461; Winthrop MN 55396
507-647-6600 or 866-998-3266
Fax: 507-647-6620

People....Pride....Purpose....
"Since 1915"

November 30, 2012

Dear Hennepin County, Housing, Community Works & Transit:

RE: SOUTHWEST TRANSITWAY

I am writing to you on behalf of the communities and members that own United Farmers Cooperative (UFC). We are a member owned cooperative that serves nearly 10,000 customers across a dozen communities in south central Minnesota. UFC has been in existence since 1915, providing necessary goods and services such as agricultural inputs, home heating and markets for grain.

In the past 20 years, UFC has invested over 60 million dollars of member owned capital in upgrading infrastructure to provide better access and markets for the farmers and consumers that we serve. Most of these facilities have been strategically located to effectively use rail service that is provided by Twin Cities & Western Railroad Company (TC&W). Just this past year, UFC and it members invested nearly 30 million dollars to build a world class grain handling facility near Brownton MN. This facility will significantly reduce the metro truck traffic while at the same time greatly enhancing marketing options for Minnesota's agricultural production.

UFC depends on the TC&W for economical freight rail transportation. UFC understands that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). UFC further understands, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from UFC. These costs are not only monetary in nature but operationally challenging as well.

We fully understand and support the logic and efficiencies that you are hoping to gain on further expansion of the light railway. It follows the same logic that we have applied in locating our facilities along the rail. It is both economically and environmentally sound as well as significantly more efficient. However, we do not believe that it makes sense to address the transportation needs for the Twin Cities and metro area's at the expense of adversely effecting what we have built for the last several decades in rural Minnesota. In UFC's case, we even helped invest in rehabilitation of the railroad tracks known as the Minnesota Prairie Line. The access to competitive and reliable rail has meant great economic development in our small committee and has added many jobs in addition to the economic gains for our Minnesota farmers.

It is our understanding that TC&W has encouraged you to look at several alternatives that would be less intrusive on the existing freight business and that several alternatives exist that would be less costly and more conducive to serving the needs of all parties in this situation. We are asking that Hennepin County and the Met Council meet with TC&W and work out a more mutually beneficial plan. I have spent considerable time looking at these options and I really believe a compromise that is fair and mutually respectful can be reached.

We would be happy to participate in these discussions if we can be of any assistance or relevance in this matter. The current proposal would put considerable economic and operational obstacles in place and needs to be reviewed and adjusted to be fair to all those that are affected. We hope that you will consider everyone's needs in this matter and work together for the solution.

Sincerely,

Jeff J. Nielsen
General Manager/CEO

OUR PURPOSE
To supply our customers with technology, products, and services in a manner that is extraordinary enough to add value to their lives.

705 E. 4th Street; PO Box 461; Winthrop MN 55396
507-647-6600 or 866-998-3266
Fax: 507-647-6620

People....Pride....Purpose....
"Since 1915"

November 30, 2012

Dear Hennepin County, Housing, Community Works & Transit:

RE: SOUTHWEST TRANSITWAY

I am writing to you today on behalf of the United Farmers Cooperative. We serve nearly 1300 agronomy customers across south central Minnesota.

In 2008 we invested 7 million dollars in building a state of the art fertilizer hub in Winthrop Minnesota, being Winthrop was in the center of our trade territory is was a great place to build being the TC&W rail line runs through town. As we were researching the perfect location for our plant we looked at options to build off rail lines to depend solely on truck service but after much research and finding out what the freight rates would be coming out of the Twin Cities we then began construction.

We understand that the Southwest Transitway Environmental Impact Statement recommends a relocation of the freight rail route to help the Southwest Light Rail Transitway. But we have invested heavily because of the rail line in Winthrop and depend on the TC&W to operate its trains to and from us. These plans being proposed will directly effect TC&W with a cost increase that will have to be passed down to UFC and its customers.

We fully understand what it is like to be looking at ways to improve efficiencies we do it every day. But I do not believe it makes sense to try and change the needs of the metro at the expense of all of us that have already spent large amount of money prior to your plans.

As we understand there are a few options that look to have some compromise, that would not directly effect the freight rates leaving the metro. Please meet with the TC&W to work the issues out so both parties can meet a mutual beneficial plan.

Any questions on what role UFC plays in supporting the agricultural business in South Central Minnesota please give us a call at 1-507-647-6600

Sincerely,

Butch Altman
Agronomy Manager

United Grain Systems
A Partnership of ADM and UFC
705 E. 4th Street; PO Box 461; Winthrop MN 55396
507-647-6601 or 866-792-5128
Fax: 507-647-6621

November 30, 2012

Dear Hennepin County, Housing, Community Works & Transit

Re: Southwest Transitway

I am writing on behalf of United Grain Systems, LLC. Our trade territory stretches east/west from Bird Island to the Twin Cities and north/south from St Cloud to New Ulm. We have six grain elevators and about 4,000 customers. Because of our location, our choices of rail service are limited to the TC&W Railroad.

In September of this year we opened a new $30 million state of the art shuttle loading rail facility on the TC&W rail line outside of Brownton, MN. We did this for several reasons. The first being "the market" is telling us to do this. Second, it allows us to connect to markets we were previously not able to access. Third, we have been encouraged by MNDOT to do everything we can to get truck traffic out of the Twin Cities. This project offered us the efficiencies of moving bulk grain commodities and allowed us to decrease truck congestion and decrease emissions. We thought this was a winning situation for everyone involved.

We never dreamt that an extension of Light Rail would or could affect our investment. We are not against Light Rail, but those that are making decisions for that project need to be aware that those decisions are affecting businesses and people far from the Twin Cities. According to the TC&W Railroad, decisions made by Hennepin County and the Metropolitan Council will adversely affect our company and customers. They say this will result in increased costs which will be passed down to us shippers, which in turn we pass onto our farmer customers.

We do not intimately know the details of the track issues involved, but we know that there are reasonable alternatives offered to you by the TC&W Railroad. We urge you to seriously consider those recommendations and work with the TC&W to arrive at a solution that preserves continued economical freight rail transportation.

Sincerely,

James S Johnson
Director of Grain Marketing
United Grain Systems,LLC

G

The City of ARLINGTON

Councilmember Wills introduced the following resolution and moved for its adoption:

RESOLUTION 78-2012

A RESOLUTION OPPOSING THE FREIGHT RAIL RELOCATION DESIGN RECOMMENDATION IN THE DEIS TO ACCOMMODATE THE SOUTHWEST LIGHT RAIL TRANSITWAY (SWLRT)

WHEREAS, the City of Arlington is served by the Minnesota Valley Regional Rail Authority's (MVRRA) rail line, which is operated by Twin Cities & Western Railroad (TC&W); and

WHEREAS, the City of Arlington recognizes the growing importance of rail traffic to ease congestion on our state and local highways; and

WHEREAS, MVRAA rail line runs through Arlington and provides rail service to one of Arlington's largest employers, Seneca Foods; and

WHEREAS, Arlington's new Industrial Park accesses the MVRRA rail line; and

WHEREAS, the City of Arlington understands that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT); and

WHEREAS, we further understand, based on information provided to us by TC&W and concern expressed to us by Seneca Foods, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains through the City of Arlington; and

WHEREAS, any increased costs to freight rail will have a negative economic impact on Arlington businesses and any other business that decides to relocate in Arlington along the MVRRA rail line; and

WHEREAS, the City of Arlington supports the alternatives to the recommended design as presented by TC&W and believes those recommended changes provide for more competitive freight rail transportation through the City of Arlington.

NOW, THEREFORE BE IT RESOLVED, by the City Council of Arlington that the City Council hereby recommends to Hennepin County and the Met Council that they address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work

204 Shamrock Drive - Arlington, MN 55307 - 507/964-2378
Fax: 507/964-5973 - www.arlingtonmn.com - E-mail: cityhall@arlingtonmn.com

with the TC&W to arrive at a freight rail solution that preserves the existing economical freight rail transportation through the City of Arlington.

FURTHERMORE BE IT RESOLVED, since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economic freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we hereby recommend to Hennepin County and the Met Council that you reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as our community depends on economical freight rail transportation.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember Ruehling and upon poll being taken thereon the following voted in favor thereof: Pederson, Ruehling, Pichelmann, Wills, Reetz; and the following voted against the same: None; and the following abstained from voting: None; and the following were absent: None.

The foregoing resolution was adopted by the City Council of the City of Arlington this 3rd day of December, 2012.

Signed: _____
Mayor

Attested: _____
City Administrator

Whereupon said resolution was declared duly passed and adopted and was signed by the Mayor whose signature was attested by the City Administrator.

City of Bird Island
660 Birch Avenue, PO Box 130
Bird Island, MN 55310
Phone (320) 365-3371 Fax (320) 365-4611
birdislandcity@mchsi.com

November 29, 2012

Dear Hennepin County, Housing, Community Work & Transit-ATTN: Southwest Transitway:

We, the City of Bird Island depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the City of Bird Island understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We the City of Bird Island further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from the City of Bird Island.

It is imperative that the City of Bird Island retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

41.) Do engineering for the reroute that meets TC&W's engineering standards,
42.) Co-locate the SWLRT with the current freight route,
43.) Reroute freight back to the 29th St. Corridor, where TC&W ran until 1998, or
44.) Route the SWLRT up the MN&S rail line

Therefore, we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, the City of Bird Island oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

Deb Lingl, Administrator
City of Bird Island

P.O. Box 396
Buffalo Lake, MN 55314
320-833-2272
cityofbl@mchsi.com
Fax 320-833-2094

City of Buffalo Lake

November 29, 2012

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

We, the City of Buffalo Lake depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the City of Buffalo Lake understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We the City of Buffalo Lake further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from the City of Buffalo Lake.

It is imperative that the City of Buffalo Lake retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

33.) Do engineering for the reroute that meets TC&W's engineering standards,

34.) Co-locate the SWLRT with the current freight route,

35.) Reroute freight back to the 29th St. Corridor, where TC&W ran until 1998, or

36.) Route the SWLRT up the MN&S rail line

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, the City of Buffalo Lake oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

Joyce Nyhus

Joyce Nyhus, Mayor
City of Buffalo Lake

In accordance with Federal law, The City of Buffalo Lake is prohibited from discriminating on the basis of race, color, national origin, sex, age or disability.

GLENCOE

SMALL CITY & BIG FUTURE

GLENCOE AREA CHAMBER OF COMMERCE

1107 11th Street East, Suite 104, Glencoe, MN 55336
Phone: (320) 864-3650 • Fax: (320) 864-6405 • www.glencoemn.org

December 12, 2012

Dear Hennepin County, Housing, Community Works & Transit - ATTN: Southwest Transitway,

We, the members of the Glencoe Area Chamber of Commerce (GACC), represent Glencoe's business community. We understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We, GACC, further understand, based on information provided by Twin Cities & Western Railroad Company (TC&W), that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from the businesses they serve. It is imperative that TC&W customers retain an economical freight rail transportation option which is provided by TC&W.

The design as recommended in the DEIS is not acceptable to maintain the region's competitive freight rail transportation. Alternatives to your recommended design would be:

1.) Do engineering for the reroute that meets TC&W's engineering standards,
2.) Co-locate the SWLRT with the current freight route,
3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
4.) Route the SWLRT up the MN&S rail line

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation option.

Sincerely,

Laurie Gauer

Laurie Gauer, Chair
Board of Directors, Glencoe Area Chamber of Commerce

GLENCOE
SMALL CITY BIG FUTURE

City of Glencoe ◆ 1107 11th Street East, Suite 107 ◆ Glencoe, Minnesota 55336
Phone (320) 864-5586

RESOLUTION NO. (2012-22)

A RESOLUTION OF SUPPORT FOR TWIN CITIES & WESTERN (TC & W) RAILROAD AND OPPOSITION TO THE PROPOSED FRIEIGHT RAIL RELOCATION DESIGN

WHEREAS, TC & W Railroad is located in the City of Glencoe and the City is dependent on TC & W RR to provide economical freight transportation for its customers; and,

WHEREAS, the City has learned that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). The recommended rail reroute design adds a significant climb by freight rail standards and tight track curvature. TC & W RR believes the design will require extra locomotives, fuel, track maintenance and additional time to operate the same trains it currently operates; and,

WHEREAS, the City wants TC & W RR to be a viable freight rail transportation option for its citizens and customers. The City is concerned that the recommended freight rail reroute design will negatively impact the shippers and communities that TC & W RR serves and the increased costs to TC & W RR will be passed on to its customers in Glencoe; and,

WHEREAS, the City asks Hennepin County and the Met Council to consider other design alternatives which would not increase TC & W RR's operating costs. These alternatives include:

1.) Conduct engineering for the reroute that meets TC&W's engineering standards,
2.) Co-locate the SWLRT with the current freight route,
3.) Reroute freight to the 29th St Corridor, where TC&W conducted business before 1998, or
4.) Route the SWLRT to the MN&S rail line; and,

WHEREAS, the City believes that design alternatives can work for both Southwest Light Rail Transitway and TC & W RR's freight rail operations; and,

WHEREAS, the City is aware that TC & W RR's mission statement is to grow the economies of the areas it serves, and the DEIS recommendations pose a serious impediment to growing the economy of south central Minnesota. Due to the fact that rural Minnesota provides a significant amount of exports from the State of Minnesota, and having economical freight rail transportation is imperative to allowing rural Minnesota to compete in the global marketplace, the City requests Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and mutually agree upon an acceptable design. Rural Minnesota is dependent upon economical freight rail transportation.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GLENCOE:

1) That the City of Glencoe requests Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS; and,

2) That a Hennepin County and the Met Council work with TC & W R Railroa to arrive at a freight rail solution that is mutually agreeable and that preserves the existing economical freight rail transportation.

Adopted this 17th day of December, 2012.

By Randy Wilson

Randy Wilson, Mayor

Attest:

By

Mark D. Larson, City Administrator

P.O. Box 457
Hector, MN 55342-0457
Voice: 320-848-2122
Fax: 320-848-6582

CITY OF HECTOR

November 27, 2012

Dear Hennepin County, Housing, Community Works & Transit –ATTN: Southwest Transitway:

We, the City of Hector depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the City of Hector understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We, the City of Hector further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from the City of Hector.

It is imperative that the City of Hector retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

37.) Do engineering for the reroute that meets TC&W's engineering standards,
38.) Co-locate the SWLRT with the current freight route,
39.) Reroute freight back to the 29th St. Corridor, where TC&W ran until 1998, or
40.) Route the SWLRT up the MN&S rail line.

Therefore we recommend Hennepin County and the MET Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, the City of Hector oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

Jeff Heerdt

Jeff Heerdt
Mayor
City of Hector

City of Milan

244 North 2nd Street
PO Box 162
Milan, MN 56262

November 30, 2012

ATTENTION: Southwest Transitway

Dear Hennepin County, Housing, Community Works, & Transit:

The City of Milan and its adjacent communities and counties source of revenue is the creation, maintenance, sale, and TRANSPORTATION of agricultural products.
These products are primarily row crops and grains. The vast majority of these crops are sold and TRANSPORTED to and processed to major manufacturing hubs; metro areas.

Milan's 'economic engine' is heavily dependent on inexpensive (cheap) TRANSPORTATION from acquiring the inputs to selling and TRANSPORTING the crop. The presently proposed relocation of TCW's track structure for the Southwest Transitway System places onerous and unbearable costs on TCW and ultimately the Milan area farmers, businesses, and citizens. The City of Milan urges that the present draft and proposal be readdressed to find a solution more economically favorable to TCW, its customers, and the people of west central Minnesota.

Rural, Greater Minnesota, recognizes, understands, and endorses the concept of mass transit for the Metro area. We only request that the MOST ECONOMICAL design for TCW and west central Minnesota be adopted. To benefit the Metro area at the expense of the rural population is untenable. Both sides have to cooperate for the benefit of all of Minnesota. Please consider our requests, needs and concerns when the final route is chosen.

MILAN CITY COUNCIL

Mayor Ted Ziemann

"This institution is an equal opportunity provider."

Telephone 320-734-4411 E-mail cityofmilan@fedteldirect.net Fax 320-734-4415

Montevideo Economic Development Authority

103 Canton Ave., P.O. Box 517 Montevideo, Minnesota 56265 Telephone: 320 / 269-6575 Fax: 320 / 269-9340

November 26, 2012

Dear Hennepin County, Housing, Community Works & Transit - ATTN: Southwest Transitway:

We, the City of Montevideo Economic Development Authority, depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the City of Montevideo Economic Development Authority, understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We, the City of Montevideo Economic Development Authority, further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from the City of Montevideo Economic Development Authority.

It is imperative that the City of Montevideo Economic Development Authority retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

65.) Do engineering for the reroute that meets TC&W's engineering standards;
66.) Co-locate the SWLRT with the current freight route;
67.) Reroute freight back to the 29th Street Corridor, where TC&W ran until 1998; or,
68.) Route the SWLRT up the MN&S rail line.

Therefore, we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, the City of Montevideo Economic Development Authority, oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

Marvin E. Garbe, President
MEG/gl

Equal Opportunity Provider & Employer

CITY OF
Montevideo
All-America City

103 Canton Ave., P.O. Box 517 Montevideo, Minnesota 56265 Telephone: 320 / 269-6575 Fax: 320 / 269-9340

November 26, 2012

Dear Hennepin County, Housing, Community Works & Transit - ATTN: Southwest Transitway:

We, the City of Montevideo, depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the City of Montevideo, understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We, the City of Montevideo, further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from the City of Montevideo.

It is imperative that the City of Montevideo retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

65.) Do engineering for the reroute that meets TC&W's engineering standards;
66.) Co-locate the SWLRT with the current freight route;
67.) Reroute freight back to the 29th Street Corridor, where TC&W ran until 1998; or,
68.) Route the SWLRT up the MN&S rail line.

Therefore, we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, the City of Montevideo, oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

Steven C. Jones

Steven C. Jones, City Manager
SCJ/gl

MORTON

"The Oldest Story in North America"

221 West Second Street – P.O. Box 127 – Morton, MN 56270-0127
Phone: (507) 697-6912 Fax: (507) 697-6118
E-Mail:mortoncityhall@mchsi.com

This institution is an equal opportunity provider
TDD/TTY: 651-602-7830

November 27, 2012

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

The City of Morton depends on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from the City of Morton.

It is imperative that the City of Morton retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

1.) Do engineering for the reroute that meets TC&W's engineering standards,
2.) Co-locate the SWLRT with the current freight route,
3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
4.) Route the SWLRT up the MN&S rail line

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation. Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

The City of Morton opposes the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

Carl Colwell

Carl Colwell, Mayor
Morton City Council

NORWOOD nya YOUNG AMERICA

November 30, 2012

Hennepin County
Housing, Community Works and Transit
701 Fourth Avenue South, Suite 400
Minneapolis, MN 55415-1842

RE: Southwest Transitway

Dear Hennepin County, Housing, Community Works and Transit:

The City of Norwood Young America depends on the Twin Cities & Western Railroad Company (TC&W) for economical freight transportation. The City of Norwood Young America understands that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). The City of Norwood Young America further understands, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012, will result in increased costs for TC&W to operate its trains to and from the community of Norwood Young America.

It is imperative that the city of Norwood Young America retain an economical freight rail transportation option, which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

1.) Do engineering for the reroute that meets TC&W's engineering standards.
2.) Co-located the SWLRT with the current freight route.
3.) Reroute freight back to the 29th St. Corridor, where TC&W ran until 1998.
4.) Route the SWLRT up the MN&S rail line.

We recommend that Hennepin County and the Met council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economic freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend that Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

City of Norwood Young America
310 Elm St. W., P.O. Box 59
Norwood Young America, MN 55368
www.cityofnya.com
952-467-1800

The City of Norwood Young America opposes the freight rail relocation design recommendation in the DEIS based on information provided by TC&W, and recommends that the freight rail issues be resolved to preserve our economical freight rail transportation options.

If you have any questions regarding this letter, please feel free to contact me at tsimmons@cityofnya.com, or 952-467-1800.

Sincerely,

Tom Simmons, City Administrator
City of Norwood Young America

City of Norwood Young America
310 Elm St. W., P.O. Box 59
Norwood Young America, MN 55368
www.cityofnya.com
952-467-1800

Olivia
The Corn Capital
1009 W. Lincoln Avenue, Olivia, MN 56277
(320)523-2361 (320) 523-1416 (fax)

Hennepin County
Housing, Community Works & Transit
701 Fourth Avenue South, Suite 400
Minneapolis, MN 55415-1842

December 3, 2012

Re: Southwest Transitway

Dear Hennepin County Housing, Community Works & Transit:

On behalf of the Olivia Mayor and City Council, we would like to go on record in regards to the recommended relocation of the freight rail route of Twin Cities & Western Railroad (TC&W) to accommodate the Southwest Light Rail Transitway. Our agriculture-based economy depends on economical freight rail transportation and the Olivia City Council urges Hennepin County and the Metropolitan Council to address TC&W's concerns over the proposed freight rail relocation plans being considered.

Increased freight rail costs associated with such plans will no doubt have a negative impact on our local economy. My City Council asks that the stakeholders in this discussion seriously consider alternative proposals which will better achieve the goal of expanded light rail transit while still maintaining competitive and economical freight rail for Olivia and the numerous other counties, cities and townships who are served by TC&W.

The position of the Olivia City Council is one of opposition to the current freight rail relocation design recommendation in the Southwest Transitway Draft Environmental Impact Statement; and they recommend that the issues related to freight rail be resolved so to preserve economical freight rail transit for our region. The current relocation plans would result in increased operational costs for TC&W which in turn would negatively impact our regional economy. The City of Olivia requests that Hennepin County and the Metropolitan Council consider alternatives to the relocation design currently being proposed.

Sincerely,

Dan Coughlin
Olivia City Administrator

CITY OF PLATO

P.O. Box 7
Plato, MN 55370

<<<<<<<<<<<<<<<<<<<<<<<<<<<<<<<<<<<

December 11, 2012

Hennepin County, Housing, Community Works & Transit
ATTN: Southwest Transitway

We, the City of Plato, depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the City of Plato, understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We, the City of Plato, further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012, will result in increased costs for TC&W to operate its trains to and from the City of Plato.

It is imperative that the City of Plato retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

17.) Do engineering for the reroute that meets TC&W's engineering standards,
18.) Co-locate the SWLRT with the current freight route,
19.) Reroute freight back to the 29th Street Corridor, where TC&W ran until 1998, or
20.) Route the SWLRT up the MN&S rail line.

Therefore, we recommend Hennepin County and the Met Council address TC& W's concerns over the design of the freight rail relocation shown in the DEIS, and work with TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, the City of Plato, oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Regards,
Plato City Council

<<<<<<<<<<<<<<<<<<<<<<<<<<<<<<<<<<<<<<<<<<<<<<<<<<<<<<<<<<<<<<<<<<<

Phone (320)238-2432 ***website: www.cityofplato.com***
Fax (320) 238-2542 ***email: cityofplato@embarqmail.com***

City of Stewart
551 Prior Street
PO Box 195
Stewart, MN 55385
Phone & Fax - 320-562-2518
TDD - 711

November 27, 2012

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

We, the City of Stewart depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the City of Stewart understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We the City of Stewart further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from City of Stewart.

It is imperative that City of Stewart retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

1.) Do engineering for the reroute that meets TC&W's engineering standards,
2.) Co-locate the SWLRT with the current freight route,
3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
4.) Route the SWLRT up the MN&S rail line

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, the City of Stewart oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

Jeff Erkenbrack – Mayor
City of Stewart

An equal opportunity provider

CITY OF WINTHROP

INCORPORATED IN 1881

HIGHWAY 19

HIGHWAY 15

MAYOR
DAVID TREBELHORN

CITY COUNCIL
PETER MACHAIEK
LYLE MUTH
COLLEEN DIETZ
ROB EDWARDS
ED PELLETIER

CITY ADMINISTRATOR/
EDA DIRECTOR
MARK ERICKSON

CITY CLERK
JENNY HAZELTON

MEMBER OF:
LMC
MASC
MMUA
MMPA

November 27th, 2012

Hennepin County, Housing. Community Works & Transit
ATTN: Southwest Transitway

To whom it may concern:

During the past 18 years, Heartland Corn Products, United Farmers Cooperative and Land O Lakes Cooperative have invested tens of millions of dollars in Winthrop because of its proximity to affordable rail service. In 2009 the City of Winthrop invested nearly $2 million in a rail-assisted industrial park.

We depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation to and from our community.

It has been brought to our attention the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends relocating the freight rail route to accommodate the Southwest Light Rail Transitway (SRTL).

We further understand the proposed rail relocation will result in increased operational costs for TC&W which in turn will mean increased shipping costs for Winthrop businesses that use the rail.

While we appreciate and agree with the need to advance the idea of passenger rail traffic, it cannot be done at the expense of rural businesses.

Our local businesses must retain access to economical rail transportation provided by TC&W. We have been told the design as recommended in the DEIS will increase operational costs for TC&W.

P.O. BOX Y • 305 N. MAIN ST. • WINTHROP, MINNESOTA 55396 • SIBLEY COUNTY • PHONE: 507-647-5306 • FAX: 507-647-3200
EMAIL: WINTHROP@MCHSI.COM • WEBSITE: WINTHROPMINNESOTA.COM

We strongly urge you to look at alternatives to the current design that would include the following options:

1. Do engineering for the reroute that meets TC&W's engineering standards;
2. Co-locate the SWLRT with the current freight route:
3. Reroute freight back to the 29th Street corridtor where TC&W ran until 1998, or
4. Route the SWLRT up the MN&S rail line.

Through this letter we are asking Hennepin County and the Met Council to address TC&W's design concerns and work with them to find a solution that allows our businesses and city to continue to benefit from the investment they have made while allowing you to responsibly meet your future transportation needs.

Rural Minnesota products figure prominently in the overall export market for the state of Minnesota. It is essential we have economical freight trail transportation solutions so we can continue to compete in the global market.

Based on information provided by TC&W, the City of Winthrop opposes the freight rail relocation design recommendation in the DEIS and asks Hennepin County and the Met Council to also reject the design and work will all parties to arrive at a solution that is acceptable to everyone.

Sincerely,

Dave Trebelhorn, Mayor
City of Winthrop

H

BIG STONE COUNTY
AUDITOR'S OFFICE

DATE: 12/7/12

MEMO TO: Mark Wegner

MEMO FROM: Michelle Knutson

RE: Letter of Support

Please see the enclosed Letter for your official response to the DEIS. The Board chose to write their own letter versus using the sample one you provided.

If you have any questions, please let me know.

Big Stone County Board of Commissioners

20 2nd Street SE - Ortonville, MN 56278
Phone/Fax (320)-839-6372

December 6, 2012

District 1
Walter Wulff
65292 270th St
Chokio, MN 56221

District 2
Wade Athey
29161 800th Ave
Graceville, MN 56240

District 3
Brent Olson
34596 690th Ave
Ortonville, MN 56278

District 4
Roger Sandberg
539 4th St NW
Ortonville, MN 56278

District 5
Joseph Berning
736 Grace St
Ortonville, MN 56278

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

We have watched with interest the discussion around relocation of the freight rail route to accommodate the Southwest Light Rail Transitway. While we do not have expertise to advise you on the changes you propose, we have deep concerns that the parties involved might not realize that changes proposed in the metropolitan counties have a profound effect on rural businesses and citizens far removed from your area.

Here in Big Stone County we have a number of businesses that rely on TC&W for transportation of goods. Any change in rates or service could make the difference between profit or loss for these businesses in what is already a fragile economy. We respectfully request that those factors be included in your decision making process, in order to serve the interests of all the citizens of the State of Minnesota.

Sincerely,
Big Stone County Board of Commissioners

Walter W. Wulff

Walter W. Wulff
Chairman

Tom Workman
Office of County Commissioner
Carver County Government Center
Human Services Building
602 East Fourth Street
Chaska, MN 55318-1202
Phone: 952 361-1510
Fax: 952 361-1581

November 27, 2012

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

Carver County depends on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. I understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). I also further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Carver County.

It is imperative that Carver County retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

1.) Do engineering for the reroute that meets TC&W's engineering standards,
2.) Co-locate the SWLRT with the current freight route,
3.) Route the SWLRT up the MN&S rail line

Therefore I recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

As a Carver County Commissioner and as a member of the Minnesota Valley Regional Rail Authority, I oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

Tom Workman
Carver County Commissioner

GRANT COUNTY *SOUTH DAKOTA*

OFFICE OF COUNTY COMMISSIONERS
210 East 5th Avenue
Milbank, SD 57252-2499
Phone: 605-432-6711
Fax: 605-432-9004

December 21, 2012

Dear Hennepin County, Housing, Community Works & Transit – Attn: Southwest Transitway:

Grant County is pleased Twin Cities & Western Railroad Company (TC&W) has taken over the small rail line in our county and is planning expanded growth of this line for economical freight rail transportation.

The Grant County commission understands the Southwest Transitway Draft Environmental Impact Statement (DEIS) has recommended a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). Our county commission further understands, based on information provided by TC&W, the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Grant County.

It is imperative Grant County retains an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain the competitive freight rail transportation. Alternatives to your recommended design would be:

1). Do engineering for the reroute that meets TC&W's engineering standards,
2). Co-locate the SWLRT with the current freight route,
3). Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
4). Route the SWLRT up the MN&S rail line

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Due to the fact rural Minnesota provides a significant amount of exports from the State of Minnesota and having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we would like to recommend the Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design for economical freight rail transportation.

The Grant County Commission respectfully requests the Hennepin County Commission and the Met Council to note our opposition to the freight rail design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options. Thank you for your consideration.

Sincerely,

Doug Stengel
Commission Chairman,
Grant County, SD

County of McLeod

830 11th Street East
Glencoe, Minnesota 55336
FAX (320) 864-3410

COMMISSIONER RAY BAYERL
1st District
Phone (320) 485-2181
20778 Cable Avenue
Lester Prairie, MN 55354
Ray.Bayerl@co.mcleod.mn.us

COMMISSIONER KERMIT D. TERLINDEN
2nd District
Phone (320) 864-3738
1112 14th Street East
Glencoe, MN 55336
Kermit.Terlinden@co.mcleod.mn.us

COMMISSIONER PAUL WRIGHT
3rd District
Phone (320) 587-7332
15215 County Road 7
Hutchinson, MN 55350
Paul.Wright@co.mcleod.mn.us

COMMISSIONER SHELDON A. NIES
4th District
Phone (320) 587-5117
1118 Jefferson Street South
Hutchinson, MN 55350
Sheldon.Nies@co.mcleod.mn.us

COMMISSIONER BEV WANGERIN
5th District
Phone (320) 587-6869 817 Colorado Street NW Hutchinson, MN 55350
Bev.Wangerin@co.mcleod.mn.us

COUNTY ADMINISTRATOR
PATRICK T. MELVIN
Phone (320) 864-1363
830 11th Street East, Suite 110
Glencoe, MN 55336
Pat.Melvin@co.mcleod.mn.us

12/3/12

Dear Hennepin County, Housing, Community Works & Transit - ATTN: Southwest Transitway:

We, the McLeod County depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the McLeod County understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We the McLeod County further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from McLeod County.

It is imperative that McLeod County retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

85.)Do engineering for the reroute that meets TC&W's engineering standards,
86.)Co-locate the SWLRT with the current freight route,
87.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
88.)Route the SWLRT up the MN&S rail line

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, the McLeod County oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

Beverly Wangerin

Beverly Wangerin
McLeod County

Minnesota Valley Regional Rail Authority

200 S Mill Street
PO Box 481
Redwood Falls, MN
56283

Phone: 507-637-4004
Fax: 507-637-4082
E-mail: julie@redwoodfalls.org

Serving the communities and counties of Carver, Sibley, Renville, Redwood, and Yellow Medicine in Minnesota

December 18, 2012

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

We, the Minnesota Valley Regional Rail Authority, depend on the Twin Cities & Western Railroad Company (TC&W) as our operator for the Minnesota Prairie Line, for economical freight rail transportation. We, the Minnesota Valley Regional Rail Authority, understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We the Minnesota Valley Regional Rail Authority, further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from the 16 communities they serve in Carver, Sibley, Redwood, Renville, and Yellow Medicine Counties!

It is imperative that our shippers along our MVRRA/MPL line retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

1.) Do engineering for the reroute that meets TC&W's engineering standards,
2.) Co-locate the SWLRT with the current freight route,
3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
4.) Route the SWLRT up the MN&S rail line

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design

as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

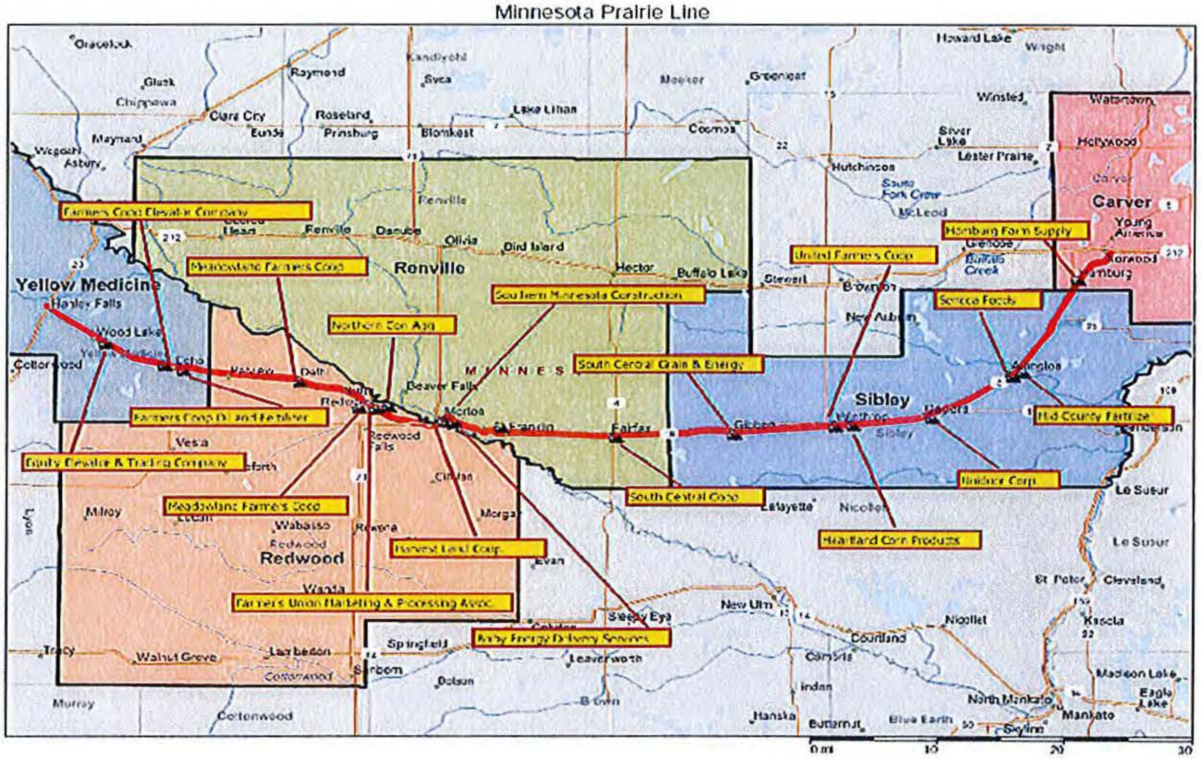
We, the Minnesota Valley Regional Rail Authority, oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options. Collectively, we represent 5 counties, 16 communities, and thousands of ag producers and businesses who depend on freight rail transportation to deliver their goods and services to global markets and have been shipping via rail for years! We would be happy to discuss your proposal in further detail and its impacts to our rail line and our operator!

Sincerely,

Bob Fox, Chair
Minnesota Valley Regional Rail Authority

Julie Rath
MVRRA Administrator

Minnesota Prairie Line



www.radc.org

Redwood Area Development Corporation

A GOOD PLACE TO START

200 S MILL STREET PO BOX 481
REDWOD FALLS, MN 56283
WWW.RADC.ORG
JULIE@REDWOODFALLS.ORG
507-637-4004

December 18, 2012

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

We, the Redwood Area Development Corporation and the shippers in our county communities, depend on the Minnesota Prairie Line operated by Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the Redwood Area Development Corporation, understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We the Redwood Area Development Corporation, further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from «Company».

It is imperative that our county businesses can rely on MPL/TC&W as an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

1.) Do engineering for the reroute that meets TC&W's engineering standards,
2.) Co-locate the SWLRT with the current freight route,
3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
4.) Route the SWLRT up the MN&S rail line

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, the Redwood Area Development Corporation, oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

Julie Rath

Julie Rath, Economic Development Specialist
Redwood Area Development Corporation/Redwood County EDA

Mission Statement: Our primary focus is community and economic development for member communities including Job creation and strengthening or expanding existing businesses in the Redwood Area.

REDWOOD COUNTY BOARD OF COMMISSIONERS

P.O. Box 130 • Redwood Falls, Minnesota 56283
Phone: 507.637.4016 • Fax: 507.637.4017
Website: www.co.redwood.mn.us

November 27, 2012

Dear Hennepin County, Housing, Community Works & Transit - ATTN: Southwest Transitway:

We, the Redwood County depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the Redwood County understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We the Redwood County further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Redwood County.

It is imperative that Redwood County retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

117.) Do engineering for the reroute that meets TC&W's engineering standards,
118.) Co-locate the SWLRT with the current freight route,
119.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
120.) Route the SWLRT up the MN&S rail line

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, the Redwood County oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

Lon Walling

Board Chair
Redwood County

1st District	2nd District	3rd District	4th District	5th District
LON WALLING	JOHN SCHUELLER	AL KOKESCH	PRISCILLA KLABUNDE	SHARON HOLLATZ
27784 Co. Hwy 5	29157 250th Street	33650 Co. Hwy 2	400 Teakwood Dr.	393 Laser Trail
Milroy, MN 56263	Wabasso MN 56293	Morton MN 56270	Redwood Falls, MN 56283	Redwood Falls, MN 56283
507-747-2175	507-342-5621	507-697-6477	507-637-3817	507-641-2999
lon_w@co.redwood.mn.us	john_s@co.redwood.mn.us	al_k@co.redwood.mn.us	priscilla_k@co.redwood.mn.us	sharon_h@co.redwood.mn.us

EQUAL OPPORTUNITY EMPLOYER

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REGIONAL DEVELOPMENT COMMISSION
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323 W Schlieman Ave. Appleton, MN 56208-1299 320.289.1981 (office) 320.289.1983 (fax) www.umvrdc.org

Tuesday, November 27, 2012

Hennepin County Housing, Community Works & Transit
ATTN: Southwest Transitway
701 Fourth Avenue South, Suite 400
Minneapolis, MN 55415

Dear Hennepin County Housing, Community Works & Transit;

The Upper Minnesota Valley Regional Development Commission's five county region is served by the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. Ours and other rural Minnesota regions provide a significant amount of exports for the State of Minnesota and having economical freight rail transportation is critical to allow rural Minnesota to compete in the global marketplace. It is also indispensable to have a freight carrier with local roots to work with on rail related issues.

We understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). The movement of freight and people is an important community and economic development issue for our region and the entire state. Based on information provided by TC&W, we understand that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from our region. It is vital that the area served by the TC&W retain an economical freight rail transportation option. The proposed design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation.

Alternatives to your recommended design would be:

1.) Do engineering for the reroute that meets TC&W's engineering standards,
2.) Co-locate the SWLRT with the current freight route,
3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
4.) Route the SWLRT up the MN&S rail line

We recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our region's existing economical freight rail transportation.

Sincerely,

Gary Hendrickx, Chairman

Upper Minnesota Valley Regional Development Commission

SERVICE • STEWARDSHIP • SHARED RESPONSIBILITY

RENVILLE COUNTY

Bob Fox, Chair
Renville County Board of Commissioners
Renville County Government Services Center
Suite 315
105 South 5th Street
Olivia, MN 56277-1484

Phone: 320-523-3710
Fax: 320-523-3748

Affirmative Action - Equal Opportunity Employer

November 27, 2012

Hennepin County Housing, Community Works & Transit
ATTN: Southwest Transitway

We, Renville County, depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, Renville County understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We, Renville County, further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Renville County.

It is imperative that Renville County retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

89.) Do engineering for the reroute that meets TC&W's engineering standards;
90.) Co-locate the SWLRT with the current freight route;
91.) Reroute freight back to the 29th St. Corridor, where TC&W ran until 1998; or
92. Route the SWLRT up the MN&S rail line

Therefore, we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, Renville County, oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

Bob Fox

Bob Fox, Chair
Renville County Board of Commissioners

Renville County
HRA / EDA
Housing & Economic Development

Renville County Courthouse
500 East DePue Avenue
Olivia, MN 56277

Phone: 320-523-3656
Fax: 320-523-3812
Website: www.renville.com

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- **Bird Island**
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- **Renville**
- **Sacred Heart**
- **Morton**
- **Franklin**
- **Fairfax**

November 29, 2012

Dear Hennepin County, Housing, Community Works and Transit –ATTN: Southwest Transitway

This letter is being sent to you to let you know that we support and value the services provided by the Twin Cities and Western Railroad Company and to request your consideration of an alternative route more feasible to both the SWLRT and TCW. Economical freight rail transportation is important to the long term economic growth not only of Renville County but also the state and region.

We know that the development of the Southwest Light Rail Transitway (SWLRT) is important for many reasons which you are most versed and we support the development. However, the proposed location of the route causes concerns as we understand it will result in increased costs to the Twin Cities and Western Railroad which results in increased costs to shippers along the line and also affects our efforts to assist industrial development along the TCW line, a main transportation route running through the communities of Buffalo Lake, Hector, Bird Island, Olivia, Danube, Renville, and Sacred Heart in Renville County.

At this time, we request that you do engineering for the reroute that meets TC&W's engineering standards, co-locate the SWLRT with the current freight route, reroute freight back to the 29th St. Corridor, where TC&W ran until 1998 or route the SWLRT up the MN&S rail line.

Printed with soy ink on recycled paper, at least 60% post-consumer waste fiber.

We recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design as we depend on economical freight rail for the economic development of our county.

We believe by working together we can resolve this issue to the satisfaction of all parties. Please contact me at any time.

Sincerely,

Christina Hettig

Executive Director

ROBERTS COUNTY COMMISSIONERS
411 2ND AVENUE EAST
SISSETON, SOUTH DAKOTA 57262
605-698-7336

December 4, 2012

Dear Hennepin County, Housing, Community Works & Transit
Attn: Southwest Transitway:

We, Roberts County depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, Roberts County understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We, Roberts County further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Roberts County.

It is imperative that Roberts County retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

105) Do engineering for the reroute that meets TC&W's engineering standards,
106) Co-locate the SWLRT with the current freight route,
107) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
108) Route the SWLRT up the MN&S rail line

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, Roberts County oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Roger R George

Sincerely,
Roberts County Commissioners

ROBERTS COUNTY COMMISSIONERS
411 2ND AVENUE EAST
SISSETON, SOUTH DAKOTA 57262
605-698-7336

December 4, 2012

Dear Hennepin County, Housing, Community Works & Transit
Attn: Southwest Transitway:

We, Roberts County depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, Roberts County understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We, Roberts County further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Roberts County.

It is imperative that Roberts County retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

105) Do engineering for the reroute that meets TC&W's engineering standards,
106) Co-locate the SWLRT with the current freight route,
107) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
108) Route the SWLRT up the MN&S rail line

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, Roberts County oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Roger P. Tiergl

Sincerely,
Roberts County Commissioners

MinnRail, Inc.

Dear Hennepin County, Housing, Community Works & Transit
Attention: Southwest Transitway

I am writing to you as President of the Shipper's Association, (MinnRail, Inc.), of the Minnesota Prairie Line Railroad. We are a group of businesses that joined together over 25 years ago to support the Minnesota Valley Regional Rail Authority, (MVRRA), in rehabbing this line. We were required to raise $600,000, (10%), in order for MNDOT to loan the Authority money to bring the track back to a minimally "useable" condition.

MNDOT supports this line for 3 reasons. The first is they support rail and know it is an efficient means of transportation, especially with bulk commodities. Secondly, their hope is this rail will take some of the truck traffic off of our rural highways and therefore require less maintenance. And last, but maybe not least, any diversion of truck traffic from Twin Cities roads is of high priority for MNDOT.

The west end of our line in Hanley Falls is essentially a dead end, not connected to any other rail line. The east end of our line connects with the TC&W Railroad at Norwood Young America. Obviously we rely on the TC&W for access to our line and therefore are directly affected by your decisions on the Light Rail Line.

The Minnesota Prairie Line is owned by the five counties it runs through; Carver, Sibley, Renville, Redwood Falls, and Yellow Medicine. I stated above that the line was originally rehabbed to a minimal condition. Over the last 10 years the objective of the Authority and the Shipper's has been to replace the old "light" rail with standard heavy duty rail in order to haul normal freight weights and increase the speed from 8 mph to 25 mph. Today the upgrade has been completed to Highway 15 on the west side of Winthrop.

The funding for this upgrade has come from state bonding bills and federal grants. It has been supported by legislators from both sides of the aisle as they have seen supporting this rail line as a means to help development, encourage growth, and get trucks off roads.

When the rehab was initially started, there was minimal rail use on it as who would invest in rail facilities if they did not know the rail line would even exist? However, the Shipper's and the MVRRA had a shared vision of success and accumulated the necessary funds to do the original work.

Since that start, several companies have invested and made use of the existing rail even with its limitations. As I said earlier, the upgraded line has now reached Winthrop and businesses that have invested on that portion of the line are being rewarded with the benefits of good, efficient rail service.

Today there is less activity on this line the further west you go, but with the success we have had, businesses and communities west of Winthrop are starting to get excited with the expectation that the upgrade will eventually make it to them and ultimately to Hanley Falls. Several companies are now considering investing on this line with that expectation. The western counties see it as a real resource to help grow their towns and counties.

The MVRRA, the 5 counties, all of the communities on the line, businesses that use the line, and their customers all have a vested interest in this line and a vision of having good rail service. We have seen great progress and anticipate successful completion someday.

Obviously we are concerned about any negative effects due to the Light Rail project. Based on information provided by TC&W, our understanding is that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs to operate trains. We also know they have supplied you with logical and practical alternatives. As Shipper's, we are very concerned about our investments in rail transportation and our continued competitiveness if rail freight expenses are adversely affected.

As the TC&W is the operator on our line and our link to the world, we support their recommendations. We believe a fair resolution can be found and trust that you will work for that goal. Our purpose is to make you aware that this is not just a "metro" decision and your decisions affect many more people and companies than you think. We ask that you carefully consider the proposals submitted by the TC&W.

Sincerely,

James S Johnson

James S Johnson
President, MinnRail Inc.

Director of Merchandising
United Grain Systems, LLC
Winthrop, MN

SEDCO
Sibley County Economic Development Commission
Timothy Dolan, Director
Phone: 507-237-4106
Toll Free: 866-766-5499
Fax: 507-237-4099
http://www.co.sibley.mn.us/

November 26, 2012

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

We, the Sibley County Economic Development Commission (SEDCO), depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We at SEDCO understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We at SEDCO further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS release on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from all points in the Sibley County service area.

It is imperative that the Sibley County service area retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

1. Do engineering for the reroute that meets TC&W engineering standards
2. Co-locate the SWLRT with the current freight route
3. Reroute freight back to the 29th St. Corridor, where TC&W ran until 1998, or
4. Route the SWLRT up the MN&S rail line

Therefore, we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We at SEDCO oppose the freight rail design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical rail transportation options.

Sincerely,

Timothy Dolan
SEDCO Director

Office of the
Sibley County Auditor

SIBLEY COUNTY

Lisa Pfarr
Sibley County Auditor
400 Court Avenue
P.O. Box 171
Gaylord, MN 55334-0171
Phone 507-237-4070
Fax No. 507-237-4073
pfarrl@co.sibley.mn.us

Deputy Auditors:

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Corissa@co.sibley.mn.us

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Division E-mails:

[illegible]94@co.sibley.mn.us
Elections@co.sibley.mn.us
Finance@co.sibley.mn.us
PropertyTax@co.sibley.mn.us

To: Mark Wegner
President
Twin Cities & Western Railroad

From: Lisa Pfarr, Sibley County Auditor

Date: November 27, 2012

RE: Letter of Support

Enclosed you will find a letter of support in regard to your position concerning the proposed freight rail route changes as a result of the Southwest Transitway project.

If you have any further questions, please feel free to contact Deputy Auditor Logan Lauritsen at 507-237-4070 or loganl@co.sibley.mn.us.

Thank you,

LP/lkl

Enclosure

Sibley County Board of nmissioners

District 1:
Jim Nytes
JimN@co.sibley.mn.us

District 2:
Bill Pinske
BillP@co.sibley.mn.us

District 3:
Swanson
Jims@co.sibley.mn.us

District 4:
Joy Cohrs
JoyC@co.sibley.mn.us

District 5:
Harold Pettis
HaroldP@co.sibley.mn.us

Sibley County
Board of Commissioners
Courthouse
400 Court Avenue
P.O. Box 171
Gaylord, MN 55334-0171
Phone (507) 237-4070
F 07) 237-4073

November 27, 2012

Hennepin County, Housing, Community Works & Transit
Attn: Southwest Transitway

To whom it may concern:

We, the Sibley County Commissioners, depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the Sibley County Commissioners, understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We, the Sibley County Commissioners, further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Sibley County.

It is imperative that Sibley County retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

1. Do engineering for the reroute that meets TC&W's engineering standards
2. Co-locate the SWLRT with the current freight route
3. Reroute freight back to the 29th Street Corridor, where TC&W ran until 1998
4. Route the SWLRT up the MN&S rail line

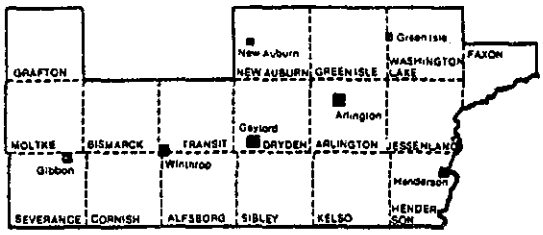
Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, the Sibley County Commissioners, oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

Harold Pettis
Sibley County Commissioner Board Chair



OFFICE OF THE
Sibley County Attorney
307 N. PLEASANT AVE.
POST OFFICE BOX H
WINTHROP, MN 55396-0406
Tel: (507) 647-5377
Fax: (507) 647-5376

DAVID E. SCHAUER, County Attorney **DONALD E. LANNOYE,** Assistant County Attorney **BRYCE A. D. EHRMAN,** Assistant County Attorney

November 27, 2012

Hennepin County
Housing, Community Works & Transit

Metropolitan Council

RE: Southwest Light Rail Transitway

Dear Board Members and Council Members:

Sibley County is a member of the Minnesota Valley Regional Rail Authority (MVRRA). The member counties are Carver, Sibley, Renville, Redwood and Yellow Medicine. In the early 1980's MVRRA acquired the short line railroad that runs from Norwood Young America (in Carver County) to Hanley Falls (in Yellow Medicine County). Minnesota Prairie Line (MPL), a wholly owned subsidiary of Twins Cities & Western Railroad Company (TC&W), operates the rail line.

MVRRA depends on TC&W for economical freight rail transportation to serve shippers in the five counties. The Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). Based on information provided by TC&W, the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Sibley County and beyond.

It is imperative that we retain an economical freight rail transportation option, which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain competitive freight rail transportation. Alternatives to the recommended design would include:

1.) Do engineering for the reroute that meets TC&W's engineering standards,
2.) Co-locate the SWLRT with the current freight route,
3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
4.) Route the SWLRT up the MN&S rail line

Sibley County recommends Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves existing economical freight rail transportation.

Rural Minnesota provides a significant amount of exports from the State of Minnesota and having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace. Sibley County recommends Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design.

Just as moving "people" is important to Hennepin County and the Metropolitan Council, the economical movement of "freight" is important to Sibley County and MVRRA. As government entities we need to work together to advance the interests of all the government entities.

Sincerely,

SIBLEY COUNTY ATTORNEY'S OFFICE

David E. Schauer
Sibley County Attorney

COUNTY OF WRIGHT

10 2nd Street NW, RM 235
Buffalo, Minnesota 55313-1188
www.co.wright.mn.us

Tel: (763) 682-7378
1-800-362-3667
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RICHARD W. NORMAN
County Coordinator

COMMISSIONERS

ROSE THELEN
First District
PAT SAWATZKE
Second District
JACK RUSSEK
Third District
ELMER EICHELBERG
Fourth District
DICK MATTSON
Fifth District

November 30, 2012

Dear Hennepin County, Housing, Community Works & Transit – ATTN: Southwest Transitway:

We, the Wright County depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the Wright County understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We, the Wright County further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Wright County.

It is imperative that Wright County retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

129.) Do engineering for the reroute that meets TC&W's engineering standards,
130.) Co-locate the SWLRT with the current freight route,
131.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
132.) Route the SWLRT up the MN&S rail line

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, the Wright County oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

Dick Mattson

Dick Mattson, District 5
Wright County

Equal Opportunity / Affirmative Action Employer

Ryan Krosch
Yellow Medicine County Administrator
415 9th Avenue, Suite 102
Granite Falls, MN 56241

Telephone: (320) 564-5841 Fax: (320) 564-3670
Email: ryan.krosch@co.ym.mn.gov
Website: www.co.ym.mn.gov

Equal Opportunity Employer

Dear Hennepin County, Housing, Community Works & Transit – Attn: Southwest Transitway:

We, the Yellow Medicine County Commissioner depend on the Twin Cities & Western Railroad Company (TC&W) for economical freight rail transportation. We, the Yellow Medicine County Commissioner understand that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT). We the Yellow Medicine County Commissioner further understand, based on information provided by TC&W, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains to and from Yellow Medicine County.

It is imperative that Yellow Medicine County retain an economical freight rail transportation option which is provided by TC&W. The design as recommended in the DEIS is not acceptable to maintain our competitive freight rail transportation. Alternatives to your recommended design would be:

1.) Do engineering for the reroute that meets TC&W's engineering standards,
2.) Co-locate the SWLRT with the current freight route,
3.) Reroute freight back to the 29th St Corridor, where TC&W ran until 1998, or
4.) Route the SWLRT up the MN&S rail line

Therefore we recommend Hennepin County and the Met Council address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves our existing economical freight rail transportation.

Since Rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economical freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we recommend Hennepin County and the Met Council reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as we depend on economical freight rail transportation.

We, the Yellow Medicine County Commissioner oppose the freight rail relocation design recommendation in the DEIS based on information provided by the TC&W and recommend that the freight rail issues be resolved to preserve our economical freight rail transportation options.

Sincerely,

Gary L. Johnson

Yellow Medicine County Commissioner

Robert Corrick
<robertcorrick@mentorplanet.com>
12/28/2012 08:59 AM

To swcorridor@co.hennepin.mn.us
cc
bcc
Subject Robert Corrick's Comments on SW DEIS

Robert Corrick

2816 West Lake of the Isles Parkway

Minneapolis, MN 55416

612.927.5599/robertcorrick@mentorplanet.com

December 28, 2012

To: Metropolitan Council, Metro Transit, and Hennepin County

I have the following comments about the Southwest Transitway Draft Environmental Impact Statement (the "DEIS"):

1) **Fly-over Bridge at Cedar Lake Parkway:** I strongly oppose any railroad bridge at this intersection. The fly-over bridge proposed in the DEIS, would have extremely adverse effects on the surrounding neighborhood, users of the Kenilworth Trail, and the Grand Rounds. Adverse affects would include: E8

- - Noise on the elevated bridge.
- - Potential shadowing on residences to the north,
- - Effects of a massive unaesthetic structure on nearby residences, the neighborhood and users of the Kenilworth Trail and Grand Rounds.

The LRT should pass under Cedar Lake Parkway, preferably through a shallow tunnel, with Cedar Lake Parkway slightly elevated and slightly re-routed to the west. The analysis of an underpass by Steve Durrant of Alta planning (dated November 26, 2012) represents a very intelligent presentation of underpass solutions. E8

I also oppose an at-grade rail crossing (also proposed in the DEIS), which would make the intersection even more dangerous for cyclists and pedestrians, and cause significant traffic jams. An underpass would reduce noise for the very close residences and provide a more attractive ambience for users of the trails and parks.

2) **West Lake Street/Minnetonka Blvd. Bridge:** This bridge was designed for freight rail. The bridge is too narrow and high to encourage drop off or pick up at the LRT station. It seems that a new bridge and further analysis of pedestrian/bicycle connectivity and auto traffic is required. This location is part of one of the busiest traffic intersections in the State. More planning is needed to address this complicated problem. I2

3) **Kenilworth Trail:** Significant mitigation of the Kenilworth Trail is recommended including landscaping,, sound barriers, possible relocation of the LRT rails to the center of the corridor, and lowering of the tracks with berms to further reduces noise. E2

4) **No Co-Location:** I strongly oppose co-location. The freight rail should be relocated through St. Louis Park as proposed. The Kenilworth Corridor is too narrow to accommodate LRT, freight rail, bike-ped trails and the Grand Rounds. Freight rail in the corridor will discourage transit-oriented development, one of the primary objectives of the Southwest Transitway. Other neighborhoods should share the burden of LRT, not just the CIDNA. D

Respectfully submitted,

Robert Corrick

"Klemmensen, Todd" <Todd.Klemmensen@mts.com>

12/28/2012 11:24 AM

To "swcorridor@co.hennepin.mn.us" <swcorridor@co.hennepin.mn.us>

cc "Mahon, Steve" <Steve.Mahon@mts.com>, "Rivers, Alan" <Alan.Rivers@mts.com>, "Adele.Hall@co.hennepin.mn.us" <Adele.Hall@co.hennepin.mn.us>, "Powell, Catherine"

bcc

Subject MTS Systems Corporation - Written Comments to Draft EIS

Dear Sir or Madam,

Attached please find the MTS Systems Corporation written comments related to the proposed Southwest Light Rail Transit line – Draft EIS. Please contact me at your convenience with any questions. Thank you.

Todd Klemmensen

Todd Klemmensen
Director of Contracts & Senior Counsel
952-937-4030 (o)
952-258-9704 (m)
Todd.Klemmensen@mts.com

MTS Systems Corporation
14000 Technology Drive
Eden Prairie, MN 55344-2290 USA
www.mts.com

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MTS Systems Corporation
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Telephone 952-937-4000
Fax 952-937-4515
Info@mts.com
www.mts.com

28 December 2012

Hennepin County
Housing, Community Works & Transit
ATTN: Southwest Transitway
701 Fourth Avenue South, Suite 400
Minneapolis, MN 55415

Re: Southwest Light Rail Transit Project
Written Comments to Draft Environment Impact Statement (DEIS)

Dear Sir or Madam:

MTS Systems Corporation is an innovative, technology company headquartered in Eden Prairie, MN at 1400 Technology Drive. MTS has been a member of the business community in Eden Prairie since its beginnings in 1966. Although our company operates in numerous global locations with over 2100 employees, the Eden Prairie facility houses our Corporate headquarters and the MTS Systems Corporation, Test Division main office providing over 500 jobs to this area.

This letter includes MTS comments to the proposed Southwest Light Rail Transit Project – DEIS and provides input related to the proposed location of the rail line adjacent to the MTS Eden Prairie facility. F0

1. Impacts from MTS Testing to the Train and the Train Infrastructure. MTS is concerned that some of its own vibration testing on large systems could impact the infrastructure of the rail line and add safety risk to the Southwest Light Rail Transit Project. This risk is unknown at this time; however, MTS strongly recommends this factor be explored by the Project. O6

2. Potential Vibration. MTS is concerned that the vibration caused by the train could impact the precision test measurement conducted within its facility. This is especially a concern because MTS currently plans to modify its existing warehouse to accommodate large equipment checkout, a process which utilizes precision measurement during equipment test and final checkout. The planned location of the large equipment checkout is at a point closest to the proposed rail line and will see the most vibration impact. In addition, precision testing and measurement occurs throughout the building on both floors during both lab work and component manufacturing. These operations may be impacted by train vibration. O6

3. Potential Electronic Magnetic Interference (EMI) on System Checkout. There is concern that EMI will impact our measuring equipment and affect the data MTS collects. N11

4. Grade and Service Road on North Side of the Building. The proposed location of the rail line will impact the grade and the service road on the north side of the building which will require additional MTS infrastructure (foundation improvements) and/or eliminate the ability to use the service road. F0

5. Truck Access Limitations. The proposed track location will restrict and possibly eliminate the truck access for shipping and receiving – including door access and turnaround space.

6. Associated Infrastructure Use. It is unclear at this time how much overall space the rail line will utilize in terms of grading, rail bed, track, light poles, etc.; and it is possible that this could completely eliminate the use of the MTS service and trucking road.

M2

These are the initial comments and concerns submitted by MTS. If any additional items are identified in the future, MTS will provide supplemental information. If you have any questions related to the items noted above, please contact Todd Klemmensen, Director of Contract & Senior Counsel, at your convenience at 952-937-4030. Thank you for your consideration of these comments.

Sincerely,

Todd Klemmensen
Director of Contracts & Senior Counsel

Linda J Mack
<ljmack@earthlink.net>

12/28/2012 01:12 PM

Please respond to
Linda J Mack
<ljmack@earthlink.net>

To swcorridor@co.hennepin.mn.us
cc
bcc
Subject Response to Southwest Corridor DEIS

We would like to add our voices to those calling for mitigation of the significant impacts of a light rail transit line on the Kenilworth Corridor. We support the comments made by the Kenwood Isles Area Association and would like to emphasize a couple of concerns:

NOISE: Many of us who live in this area cherish the chance to live in an urban neighborhood that is quiet and close to nature. We fear that those qualities will be greatly impaired--if not destroyed--by the presence of the light rail line. So we would humbly request whatever mitigation is possible to reduce the noise impact. (Chapter 4, pages 4-84.) Because of the close proximity to both homes and park areas along the corridor, please explore the option of trenching and/or berming the tracks, landscaping with tr ees and shrubbery where possible, and operating procedures that reduce noise. O1 E4

SAFETY and VISUAL IMPACT at CEDAR LAKE PARKWAY: We are deeply concerned about the colliding vehicular uses at this point on the Kenilworth Corridor. Currently, with bikes and pedestrians using the trail, trains occasionally stopping traffic, and cars with reduced sight-lines coming west up the hill, it is extremely unsafe. It is hard to imagine how unsafe this intersection will be with more than 200 t rains stopping traffic periodically. A huge concrete flyover bridge, however, is not the way to solve this problem.(Chapter 3, Pages 3-115.) Given the proximity to Cedar Lake and the historic Minneapolis Grand Rounds, such a bridge is totally unacceptable. Please explore the possibility of tunneling or trenching the train through this area, if this route indeed has to be chosen. E7

RELOCATION OF FREIGHT LINES: We support the City of Minneapolis in its position to relocate freight rail if light rail is to go through the Kenilworth Corridor. The idea of tearing down 60 houses to make way for both forms of rail seems absurd, given high property values and the stated desire to have more residences near the light rail line. D

BRIDGE OVER THE KENILWORTH LAGOON: It looks likely that the current railroad and trail bridge over Kenilworth Lagoon would need to be widened. It is important to keep in mind that the Minneapolis Chain of Lakes is eligible for the National Register of Historic Places and that new infrastructure such as the bridge must be sensitive to this historic context. Also, directly beneath this bridge are springs that bring fresh water to the city's lakes. This delicate ecology should be protected both during and after construction. (Chapter 4, pages 4-19.) E8 S3,S4

LIGHT POLLUTION: This issue has not been adequately addressed in the DEIS. N6, N2

Linda and Warren Mack
2539 Thomas Av. S
Minneapolis, MN 55405
612-374-4199
ljmack@earthlink.net

Tara Beard
<tbeard@HOPKINSmn.com>
12/28/2012 01:19 PM

To "swcorridor@co.hennepin.mn.us" <swcorridor@co.hennepin.mn.us>
cc Kersten Elverum <kelverum@hopkinsmn.com>, Mike Mornson <mmornson@HOPKINSmn.com>, Steve Stadler <SJStadler@HOPKINSmn.com>, John Bradford
bcc
Subject City of Hopkins DEIS comments for SWLRT

Please see the attached documents which comprise the city of Hopkins' comments on the DEIS for SWLRT.

Sincerely,

Tara Beard, AICP
Community Development Coordinator

City of Hopkins
1010 1st St S
Hopkins MN 55343

Ph. 952-548-6343
Fax 952-935-1834

tbeard@hopkinsmn.com
www.hopkinsmn.com
www.thinkhopkins.com

City of Hopkins Comments on the SW LRT DEIS

December 28, 2012

General Comments:

- There is no mention of the new Nine Mile Creek Regional Trail project that Three Rivers Park District has begun in Hopkins. This new trail will run from the existing Minnesota River Bluffs Regional Trail at 11th Ave S and then run south along the east side of 11th Avenue S continuing to the southeast into Edina and ultimately to the Minnesota River Valley area. This regional trail will be impacted by the LRT grade crossing at 11th Ave S. P9
- It is imperative that the existing bike trail in the HCRRA property (Cedar Lake LRT) remain alongside Light Rail. P9
- Visual impacts on Westside Village is a concern in spite of the characterization of the windows in the development being of relatively small size. N2
- The audiology clinic at 10417 Excelsior Boulevard should be considered a Category 1 noise sensitive land use similar to a recording studio. See also City of Hopkins DEIS scoping comments letter dated November 7, 2008, included as an exhibit to this DEIS. O6
- There is an apartment building at the northwest corner of 11th Ave S/Excelsior Boulevard intersection that is 600' from the 11th Ave S crossing and will be impacted by the bell/horn noise. M3 O6
- The bike trail is a very popular commuter "highway" and connects many major destinations and trail connections. The crossing of the existing bike trail at Excelsior is disruptive and difficult already – the raised rail track is a phenomenal opportunity to raise the bike trail over Excelsior and should be strongly considered, even if supplemental funds need to be found. The increased traffic at the intersection of Jackson and Excelsior due to Park & Ride facilities and TOD is another reason to reduce multi-modal congestion of bike trail crossing at grade. P9 S3, S4
- The Depot at the SE corner of Excelsior Boulevard and Highway 169 is both a historic structure and an important community facility. Every effort should be made to minimize the impacts on sight lines, and of noise, vibration and site intrusion. N2 O6 M3

Clarifications:

- There are 76 units of Public Housing in Hopkins in addition to other subsidized housing. U
- Marketplace & Main incorrectly labeled as being in Segment 3; it is in Segment 4.
- The statement is made that minority populations are found in the Knollwood area of Hopkins. As a point of clarification, this should read the Blake Road area of Hopkins. The Knollwood commercial area is in St. Louis Park and the Knollwood neighborhood of Hopkins does not have a concentration of minority populations. M5
- 8th *Avenue South* is incorrectly labeled as 8th *Street*.
- A developer was selected to build 163 apartments including 4,000 SF of flex space in the NW quadrant of 8th Ave S and 1st St S. U
- The City of Hopkins has received a $125,000 design grant for 8th Ave and is hosting an Art Summit in January 2013 to conceptualize the use of art to create a pedestrian-seductive, destination corridor between the Downtown Station and Mainstreet.
- The City of Hopkins has implemented small-area-plan recommendations for the Blake Road Corridor to improve streetscape and the pedestrian environment around the Blake Station. This has included sidewalk construction (2009) and design work (2012).
- The City of Hopkins is expanding Cottageville Park into a regional amenity (Blake Station), including connections to regional trails and transit. U
- Neighborhood associations DO exist for organic neighborhoods (The Avenues, Presidential, Interlachen, all of which are within Station areas), not just specific housing developments.
- Single family detached housing SOUTH of Excelsior occurs EAST of 169, but not WEST of 169. U
- There is no mention of multi-family housing when several developments are adjacent or near to the line including Westside Village Apartments, Creekwood Estates, Town Terrace, Sonoma, The Loon Apartments, Hopkins Plaza Apartments and Royal Apartments.

Comments by Station Area:

Blake Station

The City recognizes that traffic analysis indicates a need for park and ride spaces at the Blake Road station, and that the resulting ridership is important to the success of the project. However, the community within the station area will not benefit from a stand-alone park and ride and staff is concerned with the tremendous traffic impacts of park and ride users on existing roads and intersections, especially if it is sited at the current proposed location, 43 Hoops. The City anticipates a great deal of walk-up ridership from the station area neighborhoods and would like to see additional ridership created with transit-oriented development rather than parking stalls that will be largely empty on evenings and weekends. For these reasons it is the City of Hopkins' position that if a park and ride is developed at the Blake Road Station it should be as a joint development, where Park and Ride needs and redevelopment parking needs can be shared and consolidated. We believe this is a more cost effective approach than a stand alone park and ride ramp. Additionally, the Blake Road Station area is particularly ripe for redevelopment that supports transit. Finally, any park and ride spaces provided should be structured to maximize land available for TOD.

P4

I2

Such a development should be sited between the transitway and Excelsior Blvd, along the west side of Blake Road for reasons detailed below.

I2

The City of Hopkins is concerned that any park and ride facility on the 43 Hoops location for the Blake Station will have significant negative impacts on traffic at several locations.

M1

- The Highway 7/Blake Road (CSAH 20) intersection is 2,000 feet north of the Blake Road Station and currently operates at level of service "E" and "F" for several peak hour traffic movements. The Cargill headquarters buildings located at the NE quadrant of Highway 169/Excelsior Boulevard imposes additional traffic load on this intersection. Additionally, Blake Road is the primary access road to the station. The traffic demand created by the future Blake Road transit station will further exacerbate the current capacity problem at this intersection. Unless this is investigated and traffic mitigations recommended, those travelling to the Blake Road station will be forced to consider alternate routes creating problems with traffic on local residential streets in the area.

P4

I2

- The Excelsior Boulevard/Milwaukee Street/Jackson Avenue will also be significantly impacted as cars navigate from Hwy 169 to Excelsior Boulevard, turning left at Jackson or St. Louis Streets to 2nd Street NE to the station.

P4

  - This intersection is just east of the Highway 169 ramp and serves local traffic including the 3,300 Cargill employees at their new headquarters campus. This complex, skewed angle signalized intersection was designed for a redevelopment such as the Cargill campus. However, the Cargill employee traffic turns left at Jackson to enter the facility and the dual left turn lanes on

Excelsior Boulevard back up nearly to Hwy 169 during the AM peak. Hi thru-traffic volume makes it an extremely congested traffic area.

- Currently, the only direct access route to the Blake Road Station from the west and from Highway 169 is through the left turn movement at this intersection. The additional peak hour traffic created by the new Blake Road transit station, as presently located, will worsen the current congestion and increase the likelihood of traffic queues extending back into the Hwy 169 ramp intersection. I2
- Station users would be forced to find other routes using local residential streets. Or, equally undesirable, they will go to the west from Highway 169 and attempt to use the Downtown Station where, by design, parking will be extremely limited at this local, pedestrian-oriented and multi-modal station. P4
- The DEIS should address this concern with the current Blake Station siting and access. One alternative to the current siting regarding access would be a new signalized intersection on Excelsior Boulevard at Tyler Avenue. The City and County's Hopkins Station Area Planning Final Report, October 2007 identifies the need for this new access from Excelsior Boulevard to the Blake Road station.
- An alternative station site between the Blake Road platform and Excelsior Boulevard would mitigate many of these concerns as well as providing maximal TOD opportunities highlighted above.
    - Southern location would promote traffic away from Hwy 7 to Excelsior Boulevard from Hwy 169. I2
    - Eastbound left turns from Excelsior Boulevard to Jackson Avenue would be eliminated.
    - A signalized entrance on Excelsior Boulevard and Blake Road would enhance vehicle access to this station.
    - These measures would significantly reduce cut through traffic on local streets west of the station.

Downtown Hopkins Station

The land around the Downtown Hopkins station is extremely valuable and the City of Hopkins is concerned that commuter parking will not add to the economic viability of the historic downtown. A parking facility will take land that could be used to create a strong connection to the downtown via redevelopment. Any parking associated with the SW LRT should be carefully planned in consultation with the City of Hopkins to prevent adverse impacts. A Park and Ride at the Downtown Hopkins should only be considered as shared parking and located north of 8th Avenue and 1st Street South, so as to support the City of Hopkins' vision for 8th Avenue as a pedestrian link, and the Downtown Hopkins Station as a destination station. I2 I2

In addition to the exploration of historic tax credits for Hopkins downtown, the City of Hopkins feels strongly that other mitigation measures are necessary to assure that the significant investment in the SW LRT infrastructure two blocks south of our historic downtown does not detract from the downtown's viability. Suggested measures include strong bike and pedestrian connections along 8th Avenue to Mainstreet, increased visibility and wayfinding, public art that spills out of the immediate station area, and a circulator bus/trolley. M3 P9

In order for the City of Hopkins' vision for the Downtown Hopkins Station to be realized, the pedestrian and bicyclist need to feel safe navigating the station area and Excelsior Boulevard crossing. Because of this priority, bus and automobile access should be carefully designed as to not interfere with pedestrian and bike movements. P9 R2

Shady Oak Station

The proposed location of the Shady Oak Station platform is currently landlocked. The assumption is that 17th Avenue will be extended south as part of the project in order to access the station. The City of Hopkins feels that additional access points are needed in order to accommodate the demand at this station. Secondary access points from 47th Street West and 5th Street/K-Tel Drive should be included in the project. I2 P4

A significant number of residential units exist in the Westbrooke neighborhood of Hopkins. Access, both for pedestrians and vehicles, should be provided for a south of the line link from this area of Hopkins to the Shady Oak Station. I2 P9

The park and ride location and type of facility need to be carefully planned to address traffic, access and development potential. The City of Hopkins' expectation is that the parking will be structured and sited in such a way as to create development opportunities at the station area. I2 P10

The sizing of the park and ride (number of parking spaces) has varied from 250 to 350 spaces. Due to its location on the line the Shady Oak Station will serve Park & Ride needs from a large region to the northwest, including large parts of Minnetonka and other Lake Minnetonka communities. Improvements to Shady Oak Road (both completed and planned) further encourage Park and Ride transit users to access this station. For these reasons we anticipate a higher need for Park and Ride spaces at the Shady Oak Station. The City of Hopkins would like to explore the option of absorbing parking spaces planned for the Downtown Hopkins station at Shady Oak, which is in close proximity . I2 P10

Ms. Katie Walker, AICP November 7, 2008
Transit Project Manager
Housing, Community Works & Transit
Hennepin County

RE: City of Hopkins Southwest Transitway DEIS Scoping Comments

Dear Ms. Walker:

The City of Hopkins supports the Southwest Transitway project, including the three proposed stations and the anticipated alignment along the existing HCRRA right-of-way. The City looks forward to the new commuting and regional travel options that the SW Transitway will provide for its residents. Also, we're excited about the potential for commercial and residential re-development within the station areas. Additionally, we anticipate opportunities to attract individuals and families from the proposed downtown station into our historic Central Business District for dining, shopping or entertainment. Of course, besides the many opportunities, this transit project will also bring challenges. Accordingly, the City would like the project DEIS to specifically address the following impacts which we believe qualify for mitigation actions and funding.

- The proposed Blake Road station and its 300-stall parking facility will create additional peak hour traffic through the existing Excelsior Boulevard (CSAH 3)/Milwaukee Street intersection. This intersection is just east of the Highway 169 ramp and serves local traffic including the projected 3,300 Cargill employees at their new headquarters campus (completion scheduled in March 2010). This complex, skewed angle signalized intersection was designed for a redevelopment such as the Cargill campus. However, the proximity to the Highway 169 ramps, projected Cargill employee traffic and Excelsior Boulevard thru-traffic will surely make it an extremely congested traffic area. Currently, the only direct access route to the Blake Road Station from the west and Highway 169 is through this intersection. The City feels that the additional peak hour traffic created by the new Blake Road transit station will be enough to divert transit users away from this congested area. Instead, they will find other routes using local residential streets. Or, equally undesirable, they will go to the west from Highway 169 and attempt to use the Downtown Station area causing parking problems - by design, parking will be extremely limited at this local, pedestrian-oriented and multi-modal station. The DEIS should address an alternative access to the Blake Station such as a new signalized intersection on Excelsior Boulevard at Tyler Avenue. The City and County's Hopkins Station Area Planning Final Report, October 2007 identifies the need for this new access from Excelsior Boulevard to the Blake

I2

P4

- Road Station. We request that the scope of the DEIS include investigating this traffic concern for potential mitigation. I2

- One of the unique, positive aspects of Hopkins is the confluence of several regional trails and the ease of access to them. There is no other inner-ring suburb that can make a similar claim. In addition to the many existing regional trails within Hopkins, Three Rivers Park District intends to construct, within Hopkins, the first phase of a new regional trail named the "Nine Mile Creek Regional Trail". This trail will run from the existing SW Corridor regional trail at 11th Avenue to the southeast into Edina and ultimately to the Minnesota River Valley area. As a relatively small city, we intend to build on this strength we have in the regional trail system by improving access and popularity of Hopkins as a great place to get onto the trail or to get off the trail and enjoy the city's attractions. As such, the trails represent a target for a significant economic thrust for the city in the coming years. The proposed Southwest Transitway will, no doubt, impact the current trail system that is located on the HCRRA right of way. We understand that the intent is to retain the existing trails in conjunction with the new transitway. However, any transitway impact to the trails that negatively affects either the continuity of the various regional trails or the efficacy of the current trail access sites will reduce the recreational draw of the trail. Thus, diminishing the City's ability to tap into it as a source of economic vitality. The City requests that the DEIS identify the uniqueness of the trail system to Hopkins as a significant socio-economic factor in the City's future. Further, we request that any loss of access such as the Depot site as a trailhead facility be mitigated with enhancements to improve trail access at the Downtown Station or via a new trailhead facility at a different, nearby location. P9 M2

- The Blake Road Station will add significant new pedestrian travel demand within the station area. Particularly, there will be demand from the 265-unit Westside Village Apartments and from upcoming redevelopment of the 15 acre Hopkins Cold Storage site, both of which are located just across Blake Road to the east of the proposed transit station. This pedestrian demand will create a major safety problem unless it is investigated through the DEIS process and mitigated by creating a safe crossing/s of Blake Road. I2 P9 R2

- Although some distance (about 2,000') from the proposed Blake Road Station, the Highway 7/Blake Road intersection currently operates at level of service "E" and "F" for several peak hour traffic movements. The new Cargill headquarters project located at the NE quadrant of Highway 169/Excelsior Boulevard will impose even greater traffic on the intersection. Blake road is the only north/south major roadway anywhere near the Blake Road station. Needless to say, the traffic demand created by the future Blake Road transit station will further exacerbate the current capacity problem at this intersection. Unless this is investigated and traffic mitigations recommended, those P4

travelling to the Blake Road station will be forced to consider alternate routes creating problems with traffic on local residential streets in the area.

- There is concern regarding vibration and noise impacts to a business within the commercial office building located very near the proposed tracks at 10417 Excelsior Boulevard. One of the tenants in this building is an audiologist who routinely conducts sensitive hearing tests. O6 M3

- Hopkins has a vibrant, historic downtown that relies on automobile traffic off of Excelsior Boulevard. Without a strong pedestrian connection from the 8th Avenue (Downtown) LRT station to Mainstreet (3 block distance) it is believed the LRT will have a negative economic impact on the downtown as automobile traffic should decrease with the option of LRT. P9 M2

If you have questions you may direct them to Steve Stadler, Public Works Director at 952-548-6350 or email at sstadler@hopkinsmn.com.

Sincerely,

Rick Getschow
City Manager

Nate Paul
<nathanrpaul@hotmail.com>
12/28/2012 01:45 PM

To <swcorridor@co.hennepin.mn.us>
cc
bcc
Subject Comments on the SWLRT-DEIS

To Whom It May Concern:

I am writing in response to the Southwest Light Rail Transit (SWLRT) – Draft Environmental Impact Statement (DEIS) published in regard the SWLRT which includes the proposed freight rail re-route in St. Louis Park, Minnesota.

C

The current SWLRT-DEIS has significant flaws and the planned re-route idea either needs to be dropped completely or a great deal more study must be done. As this action is proposed and described in Chapter 1, Section 1.3.2.3 as rebuilding a little known, lightly used spur line into a main freight rail line, which will initially allow a 788% increase of rail cars traffic. What the SWLRT-DEIS does not address, but should, are the real world impacts of this action on the affected area.

Besides my general concerns about the SWLRT-DEIS, the portion of the report dealing with loss of property value in the re-route area should be in Chapter 9: Indirect Impacts, but it is not, and this causes me great concern. The SWLRT-DEIS does not mention the impact of re-routed freight trains from a main line fright corridor to a bridge line on property values of the re-route area. Freight rail re-routes are not exclusive to Minnesota and the cost of the re-routes to residents has been documented. For example, according to an article in a 2001 issue of The Appraisal Journal bringing additional freight rail traffic to an area will negatively affect properties 250' feet from the rail tracks by 5-7%. All of the properties along the MN&S are well with in 250'. Based on this article one can conclude that property values along the MN&S will drop more than 7%. Two major questions arise that are not addressed in the SWLRT-DEIS. First, what happens to the tax base of St. Louis Park when the drop in value is realized? Second, how are property owners who lose value because of this government action going to be compensated for their loss? It is unreasonable for the Hennepin County to ask any resident to pay a higher price for the benefits of light rail than others.

The County will need to determine mitigation for the many homeowners who will see a drastic property value decrease especially those that will have such extreme impacts and might make their homes uninhabitable and potentially worthless for resale. Please finalize a plan for financial mitigation that is not limited to anything less then taking properties for fair market value that are along the line. This would be at first glance dozens and dozens of properties. We are already feeling the effects on our property values because of the material fact of the reroute that we would have to disclose if ever considering putting our home on the market. Please do what is best for these homeowners and don;t overlook the financial problems you will be causing them.

Name:_____Nathan Paul_____

Address:_____3266 Blackstone Ave. South_____

City/State/zip:____St. Louis Park, MN 55416_____

Telephone:____612-747-1841_____
E-Mail:_____nathanrpaul@hotmail.com_____

JSrunfun@aol.com
12/28/2012 02:02 PM

To swcorridor@co.hennepin.mn.us
cc
bcc
Subject KEEP 'EM IN KENILWORTH

C

TO WHOM IT MAY CONCERN: PLEASE DON'T MAKE A VERY STUPID MISTAKE BY SENDING TRAINS THRU ST. LOUIS PARK IT IS COST SENSISBLE TO SEND THEM DOWN THE KENILWORTH RAIL LINE AND AVOID THE VERY POTENTIAL AND DANGEROUS RE-ROUTE THUR THE PARK. I HAVE LIVED IN THE IMMEDIATE AREA BOTH ON THE KENILWORTH LINE AT 21ST AND SHERIDAN AVE. SO. AND NOW ON THE BSNF ON CEDAR LK. RD. FOR WELL OVER 40 YEARS. THEIR IS NO WAY THAT RUNNING IT DOWN THE KENILWORTH ROUTE WOULD UPSET THE PEOPLE OF KENWOOD. FIRST OF ALL THEY WILL BE A LOT QUIETER THAN NORMAL RAIL. SECOND OF ALL IT INVOLOVES A LOT LESS COST AND AGGRAVATION FOR OTHERS. ITS ALREADY THERE!!!!!!!!!!!!!!!!!!!!! DUH!!!!!!!!!!!!!! FOR ALL THE WRANGLING AND WASTE OF TIME THIS HAS CAUSED EVERYBODY, THEIR COULD HAVE BEEN A SW LIGHT RAIL ALREADY IN PLACE!!!!!!!!!!!!!!! CUT TO THE CHASE AND DO THE RIGHT THING ALREADY!!!!!!!!!!!!!!! NO RE-ROUTE!!!!!!!!!!!!!! CORDIALLY, JERRY STAMM AT JSrunfun@aol.com

"Karen Lee Rosar"
<karen.rosar@comcast.net>
12/28/2012 02:27 PM

To <swcorridor@co.hennepin.mn.us>
cc
bcc
Subject SWLRT DEIS Comments

Greetings

I am a neighbor living in the North Loop neighborhood of Minneapolis. I would like to personally endorse the North Loop Neighborhood Association's (NLNA) submission for DEIS comments. Attached are the NLNA DEIS comments as submitted by the NLNA.

Thank you,

See Comment #151 for Theme Delineations

Karen Lee Rosar
111 4th Ave N #013
Minneapolis, MN 55401
612-220-5390
karen.rosar@comcast.net

Motion of Support – **SWLRT DEIS Comments**

RE: Southwest Transitway Draft Environmental Impact Statement

The following comments were approved by the North Loop Neighborhood Association board on November 28, 2012.

2.1.3
Issue: As it relates to the Locally Preferred Alternative for the Royalston station concerning safety, access, accessibility, visual sightlines, and cross-access. There should be an at-grade platform and access at the Royalston Station path across 7th Street and Hwy 55.

Outcome: To have improved access to the railway transit line, providing clear and direct pedestrian connections. Connections shall include Minneapolis Farmers' Market, the Upper North Loop, the Sports District (Target Center and Twins ballpark Target Field), and the Minneapolis downtown Central Business District.

Outcome: To provide safe access between these areas to the railway transit line.

Outcome: Grade separated facilities have created pedestrian, automobile, and bicycle barriers in the neighborhood for years. Safety plans shall include keeping LRT vehicles at grade with other modes of transportation in an effort to maintain safe and functional viewing corridors, sightlines, visual cues, and connections.

Outcome: Balance short-term impacts to automobile traffic with long-term adverse impacts to development, community, street grid, and visual connections from railway overpasses/bridges/tunnels.

Proposal: Provide street grade LRT at the Royalston alignment as it crosses 7th Street, not within a tunnel or elevated on a bridge. This is in support of the City of Minneapolis' North Loop Small Area Plan, as adopted in the City's Zoning policy. (Refer to attached renderings for an at-grade crossing specifically drafted for this location.)

Advantages: Development opportunities increase for the station area due to the limited need for elevation changes, allowing for access to the existing Minneapolis Public Works facility site. Additional development is improved by allowing close-by access and near ROW locations for buildings, pathways, and circulation space. Cost savings would be

realized and recaptured by eliminating the tunneling cost for underground, or semi-underground trenching and elimination of bridge and trestles. Visibility also improves ridership by increasing sightlines to the station itself by non-area residents accessing the site. The Royalston Station is indicated as an overflow station for the Twins ballpark Target Field. Interrupting the visual cues and sightlines from one to the other adversely will affect ridership levels with these blocking obstructions.

2.1.3

Issue: The locally preferred alternative routes the Royalston Station along Royalston Avenue. The route should be aligned on Border Avenue.

Outcome: The street grid should be made continuous as outline in the North Loop Small Area Plan. Healing the street grid will improve access to the Transitway and the station. The border Alignment aids this positive street grid access. (Refer to attachment for illustration.) Holden Avenue is proposed to be closed on 6-20 (6.2.2.2) affecting the street grid.

Outcome: Alignment on Border Avenue will provide clear enhanced connections for pedestrians directly to the Minneapolis Farmers' Market, the Upper North Loop, the Twins ballpark Target Field, and to the existing bus routes along Hwy 55 and 7th Street.

Outcome: Grade separation from the Minneapolis Farmers' Market to the planned Royalston Station would require a vertical transportation to get pedestrians and bicyclists up and down the 30 feet of elevation change. Minimize cut and fill, embankments, and elevation change for the railway.

Outcome: Provide safe and functional pedestrian, automobile, and bicyclist access which serve stakeholders and users in its fullest capacity.

Outcome: Provide direct access to the Minneapolis Farmers' Market and area residents. Current design would require a multiple block walk by pedestrians accessing a Royalston Station.

Outcome: Provide for enhanced TOD and redevelopment of the area around the Border Avenue Station.

Outcome: Provide enhanced visibility to the line, surrounding areas, and positive view corridors.

Proposal: Provide route along Border Avenue alignment as shown in the attachment.

Advantages: No vertical transportation access would be required for the block long path, as required by a Royalston Station alignment, via Border Avenue, recapturing these costs would be positive to the Transitway. Holden Avenue could be preserved with a Border Avenue alignment, greatly increasing street grid connectivity. Bicyclists benefit from a Border Avenue alignment and Station due to a more direct connection, visibility, and safe ROW connections to the Cedar Lake Trail system. Private land ownership exists in the area that would be required to make a pathway for the Royalston Station to the Farmers' Market. Again, a Border Avenue alignment would eliminate the need for

these private land acquisitions. Costly elevation changes are avoided by utilizing a Border Avenue alignment. The Border Avenue Station would be located very near the Farmers' Market, a major destination and source for ridership. There are more development opportunities along both sides of the Border Avenue Station option. Pedestrian access is more direct to existing bus routes on 7th street and 5th Avenue with a Border Avenue Station. The Royalston Station may require an overpass, bridge, tunnel, or trenching, these costs would be eliminated by a Border Avenue Station; thus, recapturing these costs, providing enhanced views to the railway line for pedestrian safety, and benefits from visibility also allows for greater ridership. Additional residential access is gained by the Border alignment as it allows for direct access to the neighboring transitional shelter housing populations and access to shelter meals. Crossover bridge savings would also be recaptured as the Border Avenue Station would eliminate this bridge at Glenwood Avenue.

2.3.3.9

Issue: The Operations & Maintenance Facility (OMF) identified four options, one of which is to be located in the North Loop Neighborhood and does not fulfill criteria used in the site selection process as described in Appendix H.

Outcome: Preferred location near one end of the line: The North Loop is home to the Interchange, a regional transportation hub that currently connects Hiawatha LRT with the Northstar Commuter Rail. In 2014 it will connect Central Corridor LRT to St. Paul. Southwest LRT will interline with Central Corridor LRT so consequently the identified OMF is mid-line.

Outcome: Compatibility with adjacent current and planned land uses as found in the North Loop Small Area Plan projects large-scale 10-story developments that are transit-oriented. This location for the OMF would have a negative impact on residential density in order to support the regional transportation system.

Outcome: Land zoned in this area is incorrectly identified in the DEIS as being industrial/light industrial. In fact the area is zoned B4S Downtown Services district and not industrial in nature. An OMF would be a barrier to TOD opportunities.

Proposal: To locate the OMF outside the North Loop.

Advantage: The majority of the land needed for the proposed OMF at this site is private. Costly acquisitions can be avoided by siting the facility at one of the other proposed locations. TOD opportunities would be increased by siting a mix of residential, office, and commercial uses rather than an OMF.

Chapter 3

Issue: The DEIS does not include any mention of the Minneapolis Zoning related to the North Loop Small Area Plan.

Outcome: This zoning regulation and policy has impacts along the area of the Royalston Station, the mid-line connection to the Central Corridor, the Interchange facility, and the pathway for the railway transit to Van White Station.

Proposal: List this document as supporting evidence within the DEIS. Apply its

goals, zoning regulations, land use, transit recommendations, and development issues to the Southwest Transitway.

Advantage: This document supports many desirable outcomes for development, transit-oriented development, safety, and access.

3.2
Issue: The Minneapolis Farmers' Market as a regional destination and potential use for the railway transit line.

Outcome: Recognize this vital regional resource within the Environmental Impact Statement.

Proposal: Include the impact to the land use and economics of the railway taking into account the business of the Farmers' Market.

Advantage: Ridership should have increases shown on market days, thus an increase in fares. This is a vital area amenity and Citywide resource.

Chapter 4, 4-83, 4-97
Issue: No noise sensitive areas were indicated near the Royalston Station.

Outcome: To reduce impact to neighboring residential areas.

Outcome: Be sensitive to area residents by limiting LRT vehicle noise which will also impact future residential developments. The North Loop area is the fastest growing neighborhood by population in the City of Minneapolis as 2010 census data shows. This area will continue to be an area for residential population growth moving forward, especially as Minneapolis is calling for a doubling of population by 2025.

Proposal: Limit LRT vehicles to 20mph design speed and reduce idling LRT vehicles. Remove bridges and tunnels as pathways for LRT vehicles.

Advantage: This will keep noise to a minimum and reduce the noise impact to the area. The removal of bridges and tunnels will limit the reverberation and sound impact wave formations that are increased due to closed-in hardscape areas that occur in both tunnels and bridge embankments/structures.

6.2.2.2
Issue: The closing of the Royalston Avenue and 5th Ave N intersection is mentioned. This would have gravely negative consequences to the area's street grid, access to local businesses, and development opportunities. The existing Royalston businesses are industrial that require frequent, direct, and unfettered access from semi-trucks.

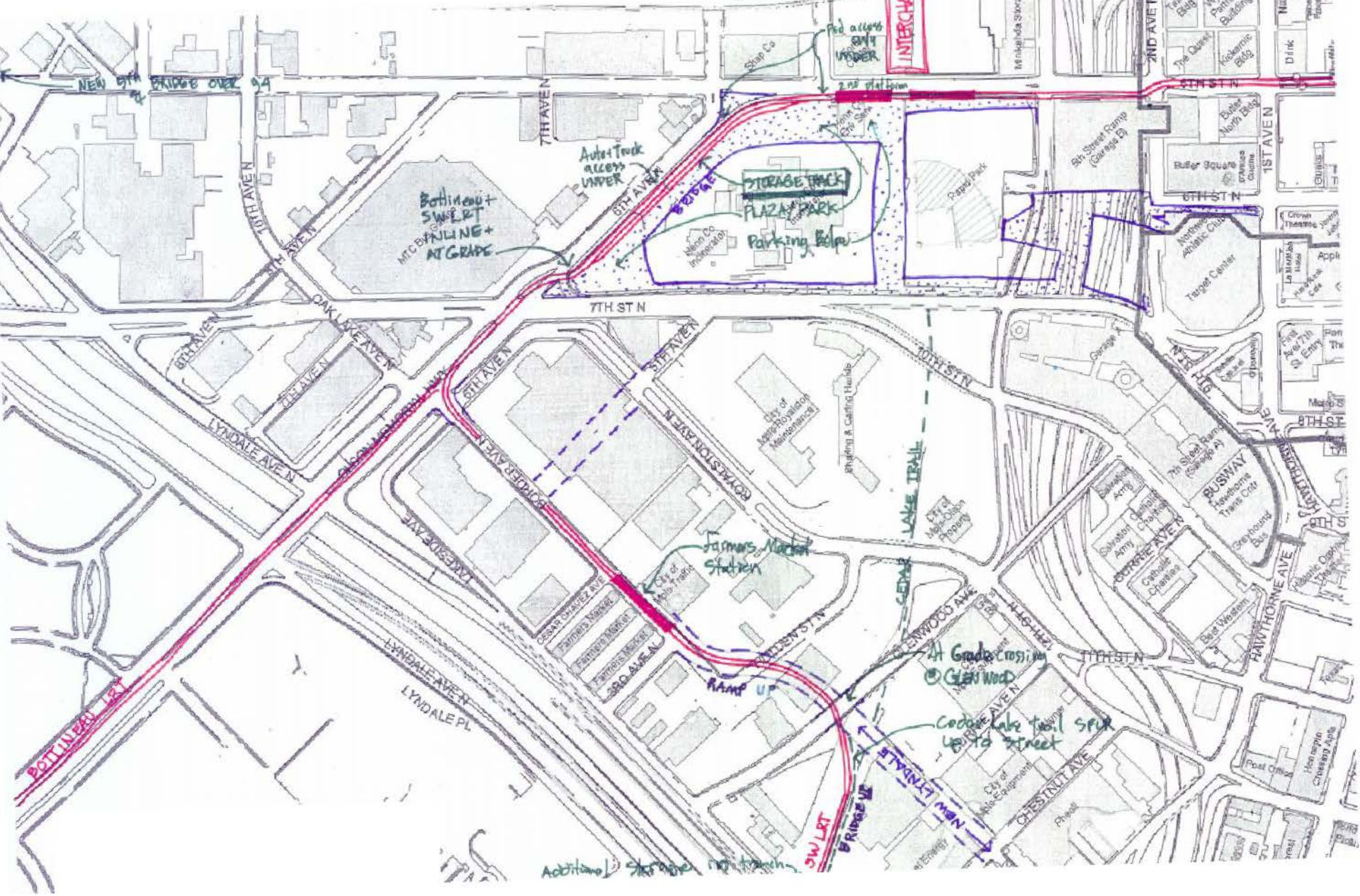
Proposal: Continue to allow for access from Royalston Avenue to 5th Ave N, by way of an at-grade crossing if needed.

Appendix F, part 1, page 61
Issue: Royalston Station and railway path is planned as a tunnel. Due to the location of the Interchange facility, it no longer is possible to create the tunnel.

6th Ave Streetscape: At-Grade LRT with Integrated Pedestrian Route

VJAA

2020 Partners
Groundwork City Building
04.28.2010


NEW 9TH ST BRIDGE OVER 94
Ped access only UNDER
INTERCHANGE
2nd platform
Shop Co
Auto+Truck access UNDER
Bottineau + SW LRT MTC BUS LINE + AT GRADE
STORAGE TRACK
PLAZA PARK
Parking Bldg
BRIDGE
Rapid Park
9th Street Ramp (Garage E)
Butler Square
Target Center
7TH ST N
OAK LAKE AVE N
LYNDALE AVE N
BORDER AVE N
LINDEN ST N
Farmers Market Station
Cedar Chavez Ave
Farmers Market
3RD AVE N
RAMP UP
LYNDALE PL
BOTTINEAU LRT
SW LRT
BRIDGE UP
At Grade crossing @ GLENWOOD
Cedar Lake trail spur up to street
LYNDALE
MAIN
CHESTNUT AVE
10TH ST N
LAKE TRAIL
City of Metro Royalston Maintenance
City of Metro Trains
City of Metro Equipment
City of Metro Dish Repair
Lighting & Carting Facility
BUSWAY Hawthorne Trans Ctr
Greyhound Bus
HAWTHORNE AVE
Additional Storage Track

<brad@grnway.biz>
12/28/2012 02:45 PM

To swcorridor@co.hennepin.mn.us
cc "Jack Pfaff" <jpfaff60@msn.com>
bcc
Subject Southwest Transitway's West Lake Station

To Whom it may concern,
Please see the attached comment letter regarding the DEIS for the West Lake Station.
Sincerely,

Brad Pfaff CCIM

Greenway Commercial Properties
Calhoun Village
3266 W. Lake Street
Minneapolis, MN 55416

(612) 419-5311
(612) 354-2643 fax
brad@grnway.biz

December 27, 2012

Hennepin County Housing, Community Works & Transit
ATTN: Southwest Transitway
701 Fourth Avenue South, Suite 400
Minneapolis, MN 55415

Re: Southwest Transitway's DEIS, West Lake Station

To Whom it may concern,

My partners and I own the Calhoun Village Shopping Center at 3266 W. Lake Street. Located at the intersection of Market Plaza Drive and W. Lake Street, just North of Excelsior Blvd. Calhoun Villag is adjacent and contiguous to the proposed location of the Southwest Transitway's West Lake Station, near the Lake Street bridge. I want to mention the tremendous development opportunity within the Calhoun Village Property. There is the opportunity of building apartments on our back lot behind Barnes and Noble with an underground parking ramp. There is also vacant land behind our center an contiguous to the land underneath the Lake Street bridge. Thirdly, there is the possibility of building condominiums or apartments above our existing shopping center. I believe this development potentia should be considered in determining the exact location of the West Lake Station. There has been discussion of locating the station further to the south and west of the Lake Street bridge. I believe the station should be located closer to Calhoun Village.

A

As mentioned in the comments from Businesses at The Edge of Lake Calhoun, I share their concerns regarding parking and the accommodation of vehicular traffic during and after the construction of the West Lake Station. We already have parking problems at Calhoun Village and have had to tow many cars, due to people parking in our lot and riding, walking or rollerblading around the lakes or the Greenway Corridor. Ingress and egress to and from Calhoun Village at the intersection of Market Plaz Drive and W. Lake Street can be very challenging during peak traffic hours. I am hopeful that the Southwest Transitway's West Lake Station can be designed and engineered such that the ridership will come from walkers, bikers, roller bladders and buses, in order to minimize the the problems associated with more vehicular traffic to the immediate area.

I2

P4
P10

Sincerely,

Brad Pfaff

Joel Abrahamson
<joel.abrahamson@gmail.com
>

12/28/2012 02:48 PM

To swcorridor@co.hennepin.mn.us
cc
bcc
Subject DEIS comments for Southwest Light Rail Transit

Dear LRT planners,

My wife, Dorea Ruggles, and I would like to submit our comments for the SW LRT DEIS (attached). We work with the ISAIAH coalition of faith communities for economic and environmental justice and support its recommendations for the project. We look forward to the expansion of light rail in the Twin Cities metro area and appreciate the opportunity to give feedback on its development.

A

Sincerely,
Joel Abrahamson, PhD

Name: Joel Abrahamson
Address: 2109 22nd Ave S, Mpls., MN 55404
Phone: 785-727-0376

Southwest LRT DEIS Comments

I respectfully submit these comments on the Southwest LRT DEIS.

I support the 3A alignment for the Southwest LRT because of its great potential to connect environmental justice communities to opportunities in the form of jobs, education, cultural resources and other regional amenities. The 3A alignment will also be a catalyst for important redevelopment efforts in the Bassett Creek Valley, bringing jobs and affordable housing to an area of need. A M5

Following are comments specific to sections in the DEIS.

Section 1.4 Project Goals and Objectives
I support SW LRT goals 1, 2 and 5, economic development and cost-effective, efficient travel options.

The 3A alignment for SW LRT is an essential piece of the Bassett Creek Valley (BCV) Master Plan. The Van White and Penn Ave. stations are key connection points between economically depressed North Minneapolis and employment opportunities in the southwest Minneapolis suburbs. In addition, many students from North Minneapolis travel to schools along the route and the LRT service would greatly reduce travel time for them. I2

The Van White station is the center of the BCV Master Plan. The BCV Master Plan and the SW LRT will work in concert, bringing economic opportunity while boosting ridership.

Section 3.1.2.4 Segment A [LRT 1A, LRT 3A (LPA), and LRT 3A-1 (co-location alternative)] Land Use
The rezoning of Bassett Creek Valley was approved February 2008 by the city of Minneapolis. This rezoning should be mentioned in this section. M1

Section 6. 3.1.3 Land Use Plans
I share the Harrison Neighborhood Association's concerns with the Van White station planning.

- The planning document clearly advocates for the siting of diesel commuter rail layover at Van White Station. The final document misrepresents the formal Minneapolis city council position on the sale of Linden Yards East. The city directed city staff to explore joint development strategies at Linden Yards East and report back to city council. H2

- The Van White Station Area Plans illustrations are misleading for policy maker by representing a platform (plinth) that could accommodate development above and rail below. This is misleading because the feasibility work has not been completed and there has been no environmental assessment of siting a rail layover/maintenance facility at the Van White Station. H2

- The Van White Station Area plan does not adequately assess Harrison neighborhood property owners, renters and business owners. The Bassett Creek Valley is home to over 170 businesses and over 150 homes all of which are in the ½ mile radius of the Van White Station. Increasing the accessibility to the Van White Station is critically important to provide these environmental justice communities access to jobs along the Southwest LRT. I2

3.1.5.1 Effects to Land Use and Socioeconomics; Segment A

The description is inadequate and should include mention of the Bassett Creek Valley project area. The Van White station is central to the Bassett Creek Valley project. Because of its significant size and city of Minneapolis site control, this project area deserves mention in this section. M1

Section 5.1 Economic Conditions

The Metropolitan Council highlighted job linkage to North Minneapolis through the SW LRT corridor in a SW LRT funding application to the Minnesota Department of Employment and Economic Development. This point should be included in the description of the effects on the local economy. M2

Section 6.1.1 Methodology

Ridership at the Van White station is underreported. It does not account for the Bassett Creek Valley Master Plan. The ridership model should use the City of Minneapolis comprehensive plan adopted 10/2/09 which includes Bassett Creek Valley Master Plan. P2

Section 9.4 Reasonably Foreseeable Future Actions

A rail layover/maintenance facility in Linden Yards East will have an impact on economic development at the Van White Station. Repeated requests for an environmental assessment of such a facility have gone unanswered by local agencies. L4

Community members have repeatedly been told that the rail layover/maintenance facility cannot be considered as part of the SW LRT EIS analysis, yet this facility could seriously compromise ridership and the effectiveness of economic development and improved land use around the SW LRT project.

Additional Comments

As a resident of the Seward neighborhood, I greatly appreciate the benefits of the Franklin Ave LRT station. It increases accessibility of homes and businesses here, which improves the equitable, environmentally sound development of our neighborhood. I would like the Van White neighborhood community to see the same benefits. I2

Name: Dorea Ruggles
Address: 2109 22nd Ave S, Minneapolis MN 55404
Phone: 617-233-1837

Southwest LRT DEIS Comments

I respectfully submit these comments on the Southwest LRT DEIS.

I support the 3A alignment for the Southwest LRT because of its great potential to connect environmental justice communities to opportunities in the form of jobs, education, cultural resources and other regional amenities. The 3A alignment will also be a catalyst for important redevelopment efforts in the Bassett Creek Valley, bringing jobs and affordable housing to an area of need. A M5

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Community members have repeatedly been told that the rail layover/maintenance facility cannot be considered as part of the SW LRT EIS analysis, yet this facility could seriously compromise ridership and the effectiveness of economic development and improved land use around the SW LRT project.

Additional Comments

"Katherine Low"
<lowmn@comcast.net>
12/28/2012 03:23 PM

To <swcorridor@co.hennepin.mn.us>
cc
bcc
Subject DEIS comments

The LPA for the SWLRT would pass through heavily used, treasured parkland as well as an historic neighborhood of single family homes. The route designated as 3C would have been a much more desirable route for the long term. If the SWLRT is built on the LPA, it will inevitably degrade trail and park users' and neighborhood residents' experience, so all efforts must be made to preserve the environment to the maximum possible extent. Further, have we learned nothing from the unfortunate experience of years past when highways were laid down through vibrant urban neighborhoods, permanently destroying their character and cohesiveness? If a stop is installed at 21st street, all efforts must be made to reduce noise, vibrations, visual blight and traffic in the surrounding neighborhood. I endorse the response of the neighborhood association (Kenwood Isles Area Association) on all of these issues and wish to further comment on the traffic issues related to the 21st Street station.

E0

I2

P4

6.2.2.4 Transit Station Access, page 6-41-42

There must not be a surface parking lot at the 21st street station. The noise, traffic and visual blight would further degrade the environment, and such lots are contrary to the City's policy. I don't have the expertise to predict whether there would be sufficient use of the 21st street station to justify its existence, but the analysis should NOT rely on an assumption that there will be a parking lot there. Regarding people getting dropped off and picked up at the station, a more complete analysis of the traffic impacts of this station on the Kenwood neighborhood MUST be conducted. Neighborhood cohesiveness and pedestrian safety would be imperiled by an increase in traffic from people from all over being driven to and from the 21st St. Station. The convenience of those using the LRT must not come at the expense of the livability of this Minneapolis neighborhood through which the trains will pass. Neighborhood input must be sought and complied with to ensure that traffic calming measures are implemented to maintain the walkability and quality of life in the neighborhoods.

I2

P4

P9

6.2.2.3 Operational Impacts at Intersections
Segment A (LRT 3A-1 Co-location Alternative), page 6-39

An at-grade crossing or tunneling/trenching would be preferable to an unsightly, hulking bridge over Cedar Lake Parkway. While an at-grade crossing would inconvenience local residents, it is my belief that other drivers would avoid the area because of the backup of traffic waiting for trains to cross, so that the impact would be naturally mitigated. Co-location of freight and rail should not be considered and is infeasible for residents and trail/park users.

E8

D

5.2.5.1 Mitigation for Land Use Plan Consistency, page 5-21

The unfortunate choice of the LPA would have the trains going through the quiet residential neighborhood of Kenwood and the park area. Land use changes typically appropriate for LRT do not apply here. Although I support urban density as a desirable goal, this is not an area where this goal is achievable, and as such, the LPA was not an optimal route. Therefore NO land use changes should be made in the area of the 21st St. Station.

M1

Sincerely,

Katherine Low
2001 W. Franklin Avenue
Minneapolis, MN 55405

"Jonathan Vlaming"
<JVlaming@threeriversparkdistrict.org>
12/28/2012 04:36 PM

To <swcorridor@co.hennepin.mn.us>
cc
bcc
Subject Three Rivers Park District comments on the Southwest Transitway DEIS

Attached is a PDF version of Three Rivers' comments on the DEIS. I will also mail you a hard copy.

Jonathan Vlaming
Associate Superintendent -
Planning, Design and Technology
Three Rivers Park District
Administrative Center
3000 Xenium Lane N
Plymouth, MN 55441
763.694.7632
612.490.5220 (cell)

ThreeRivers
PARK DISTRICT

Three Rivers Park District Board of Commissioners

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Barbara Kinsey
Appointed

Cris Gears
Superintendent

December 28, 2012

Hennepin County Housing,
Community Works & Transit
ATTN: Southwest Transitway
701 Fourth Avenue South, Suite 400
Minneapolis, MN 55415

RE: Three Rivers Park District Staff Comments on the Southwest Transitway Draft Environmental Impact Statement (DEIS)

Three Rivers Park District staff appreciates the opportunity to comment on the technical aspects of the DEIS.

Please note that this review takes no formal position on a preferred alignment. If the project requires a statement of preferred alignments from Three Rivers Park District, LRT project managers will need to submit and present a formal request to the Three Rivers Board of Commissioners for their consideration.

Why Three Rivers is involved in this review:
Three Rivers Park District operates regional parks and trails within suburban Hennepin County (all of Hennepin County except the City of Minneapolis). Three Rivers is one of ten regional park implementing agencies and is a component of the Metropolitan Council's Regional Park System. Three Rivers' parks and trails are heavily used, providing service to nearly ten million visitors each year.

As proposed in the DEIS, the LRT will affect the following regional trails operated by Three Rivers: P9

Cedar Lake LRT Regional Trail

- Impacted by Segment 4
- This regional trail begins at 11th Ave in Hopkins at the intersection of the Nine Mile Creek Regional Trail, which heads south on 11th Ave, and the Minnesota River Bluffs LRT Regional Trail, which heads southwest on the Hennepin County Regional Rail Authority (HCRRA) corridor. The Cedar Lake LRT Regional Trail heads northeast on the HCRRA corridor to the border of Minneapolis, where the trail is then named the Kenilworth Regional Trail. Use of the Cedar Lake LRT Regional Trail is significant, with the most recent (2011) Metropolitan Council estimate of 500,000 annual visits. The most recent trail user survey (2009) conducted by Three Rivers staff estimates that 22 percent of all trail visits, or about 110,066 annual visits, are for commuting purposes. Since 2009 there appears to have been a significant

increase in use of regional trails for commuting throughout the metropolitan area. Consequently, the 22 percent estimate is likely conservative.

Minnesota River Bluffs LRT Regional Trail

- Impacted by Segments 1, 3 and 4
- This regional trail begins at 11th Ave S in Hopkins and heads southwest along the HCRRA corridor into Carver County. The trail has an annual use estimate of about 310,000 visits, of which 12 percent, or 37,212 annual visits, are for commuting purposes.

North Cedar Lake Regional Trail

- Impacted by Segment FFR
- This regional trail begins at the Hopkins Depot (located along the Cedar Lake LRT Regional Trail) and continues to the northeast through St. Louis Park on land owned by the City of St. Louis Park. As the trail passes into Minneapolis at Highway 100, the trail then becomes the Cedar Lake Regional Trail. The Metropolitan Council estimates 495,000 visits to this trail in 2011. Three Rivers estimates that about 19 percent, or 94,183 annual visits, are for commuting purposes. While this trail is not directly on any of the proposed LRT routes, it is impacted by the proposed heavy rail reroute.

Corrections:

General:

- Throughout the DEIS there is a lack of consistency in the identification of the regional trails that are impacted by the various alternatives. References include "multi-purpose trail", "commuter trail", "interim trail" etc. Three Rivers' Regional Trails, as well as the Minneapolis Regional Trails are recognized components of the Metropolitan Council's Regional Parks Policy Plan and the Council's Transportation Policy Plan. **The DEIS should correctly identify these trails as what they are – Regional Trails which are regionally significant and permanent components of the regional parks system <u>and</u> the multi-modal transportation system.** P9 U

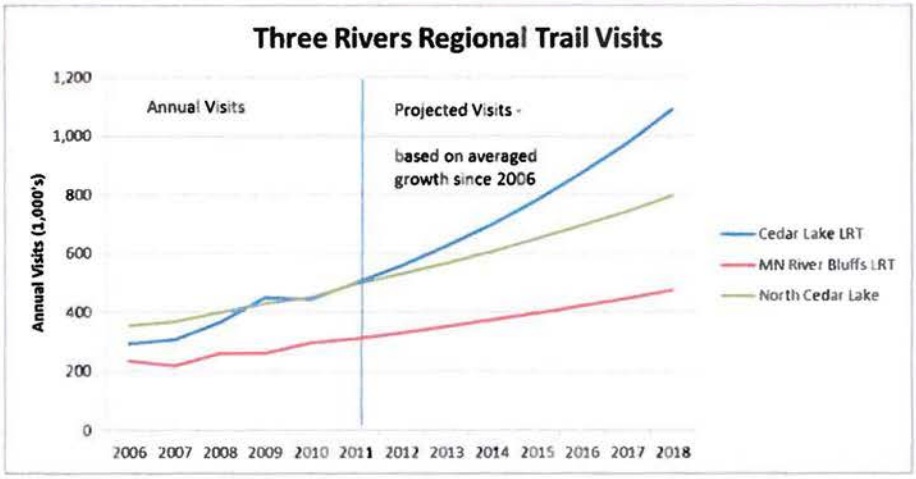
Chapter 6—Transportation Effects:

- Pages 6-52 & 6-53 refer to trail use estimates, and Table 6.3-3 provides two-hour snapshots of use. The DEIS trail use estimates do not provide an accurate picture of actual trail use. The Metropolitan Council conducts and publishes an annual use estimate for each park and trail within the regional system. In addition, Three Rivers has its own Research and Evaluation unit that provides more in-depth insights into use, by type of use, purpose of trip and time of use. The table below provides a much more accurate estimate of actual use of Three River's Regional Trails. The accompanying graph shows potential future annual use of each trail, based on an assumption that annual use will grow at the average rate of growth for that trail seen over the last five years. In addition, the DEIS indicates that the LRT will likely increase use of the regional trails as well (page 9-38, section 9.6.26.2). P8
- Over the past twelve months, Three Rivers has been conducting a pilot study that uses infrared trail counters at select points along the Cedar Lake LRT and

Minnesota River Bluffs Regional Trails. The initial data indicates that weekday peak trail use occurs between 7 and 10 AM, and between 3 and 6 PM, with the most significant peak in the 3 to 6 PM slot. Weekend use is more normally distributed, peaking in early afternoon. If this type of data is helpful, please contact me.

Regional Trail	2011 Total Visits[1]	% Bicycles[2]	% Commuters[2]	Commuter Trips[2]
Cedar Lake LRT	500,300	90 %	22 %	110,066
MN River Bluffs LRT	310,100	81 %	12 %	37,212
North Cedar Lake	495,700	83 %	19 %	94,183
TOTAL	**1,306,100**	**85%**	**18%**	**241,461**

[1] Source: Metropolitan Council
[2] Source: Three Rivers 2009 Regional Trail Visitor Study



Concerns:

1. **Capital Costs, Operations and Maintenance (O&M) Costs, and funding source(s) for regional trails impacted by the LRT project are not adequately addressed.**

T0

Chapter 8 of the DEIS provides a broad Financial Analysis of the project and alternatives. The DEIS does not identify the Capital costs for Regional Trail reconstruction, the proposed Regional Trail bridge on the North Cedar Lake Regional Trail that would be required to cross the MN&S spur, the Operating and Maintenance costs of Regional Trails now associated with the LRT, or the potential funding sources to pay for these costs.

Appendix F: Legend for the Plan (page 5), indicates that "*The grading for the trails shown will be included in the project cost, however the surfacing for the trails will not be included with the project costs. Trail surfacing must be performed at the expense of others*".

Three Rivers has invested significant capital and annual O&M costs into developing, maintaining and operating its three Regional Trails impacted by the LRT project. Those trails are enjoyed by over 1.3 million visitors each year, and the trails themselves act as a significant non-motorized component of the multi-modal transportation network. T0

Design, Capital, and O&M costs of Regional Trail relocation, reconstruction, bridges, corridor beautification, O&M and any unanticipated costs must be borne by the LRT project budget.

2. **North Cedar Lake Regional Trail/MN&S Spur Bridge implementation and ownership is not adequately addressed.** T0
As proposed in the DEIS Appendix F: MN&S Freight Rail Study, the North Cedar Lake Regional Trail will cross the new rail line via a trail bridge. It is unclear how this bridge will be funded. In addition, operation and maintenance of bridges can have significant ongoing costs. As part of the planning process for the LRT project, the ownership, maintenance and funding responsibilities for the trail bridge over the new spur connector track must be resolved. Three Rivers staff indicates a preference for the bridge design, development, operation and ownership to be part of the LRT project. T0 L3

3. **Three Rivers would welcome the opportunity to participate in the design process to help address critical design issues, such as crossings, station relationships to trails, trail corridor beautification (mitigation of visual impacts), and other design elements that affect regional trail visitors.** L3

As the LRT project progresses, Three Rivers staff requests representation in technical advisory committees and other appropriate committees involved in the design of safe trail crossings, integration of regional trails with LRT stations, LRT/trail corridor beautification to mitigate visual impacts, and other design elements that would affect regional trail visitors. L3

Thank you for the opportunity to provide corrections and comments. I look forward to working with you on this project.

Respectfully,

Jonathan Vlaming
Associate Superintendent
Planning, Design & Technology
jvlaming@threeriversparkdistrict.org
763-694-7632

JV/jjs

Comments in Response to the SouthWest LRT Draft EIS

Submitted: 12.28.12

1. Preference for LRT

I generally favor the preferred options outlined in the DEIS - particularly use of rail rather than bus. Buses are uncomfortable, unreliable, wear out rapidly, and spew diesel particulates in the worst places such as South Minneapolis neighborhoods and shopping malls. I also favor a routing that connects with the existing LRT lines at Target Field. Nicollet Mall is best reserved for use as a pedestrian mall that includes no more than a Portland style streetcar line. A

2. Freight Line Routing Issue

Regarding the relative merits of the TCW relocation, both routes are satisfactory. It is unfortunate this has become such a NIMBY hot button issue. My thoughts are based on several decades of living near the Kenilworth line (even back when Cedar Lake was an active rail yard) and walking, biking and running the LRT, Kenilworth and Cedar Lake trails almost daily. The TCW freight traffic is not particularly obtrusive, and TCW could be considered a good neighbor except that their train crews could be a bit more friendly, like the BN and UP crews.

Comparing the Kenilworth and MNS options, the Kenilworth routing is direct and provides few operational challenges. With the recent installation of CWR, it is all the better. The relatively short squeeze for the freight track, LRT tracks and path could be accommodated if the right of way requirements for each were reduced to fit the slow freight train speed conditions between Cedar Lake Parkway and Lake Street. The DEIS considers only “ideal” spacing but the reality is that BNSF will not be operating at 60 MPH through there, and we bikers can squeeze through for a block or two if necessary. And there are plenty of examples of tight shared corridors and boarding platforms in Minneapolis and many other cities around the country. Recall that the MSL had three or more tracks through this area in the past.

The MNS routing, however, would be more of a challenge for the longer and/or heavier tonnage movements. The package of proposed track enhancements (ie: Bass Lake / MNS connection, CWR, and a new BNSF passing track) hopefully will eliminate the risk of derailment as well as serve other needs of the respective railroads. C

2. Station Design

The DEIS is sketchy as to station design. However, based on the Hiawatha and Central Corridor designs, I would strongly urge consideration of full length awnings over all boarding platforms. This is a common feature in the Chicago area and in the Northeast for rail stations (and many bus stations) and would be greatly appreciated here as well given the climate. I2

3. Bicycle Facilities

I2

Again, based on the two other LRT lines, the bicycle accommodations should be ramped up on the Southwest line. Include more sheltered bike racks, especially at the near-in stations such as Beltline, Lake Street, 21st, and Penn. Also, this line. unlike the others, has a significant potential for luring weekend recreational bikers by offering the possibility for people to bike and/or ride out to Eden Prairie and beyond and ride the LRT back into the cities. With this in mind, easy bike access to all stations should be a high priority. "Build it and they will come (by bike)."

P9

4. Burnham Road Bridge.

P9

The Burnham Bridge soars gracefully over the Kenilworth corridor ably serving the light auto traffic. It would be more useful if it had a bike friendly connection to the trail below. It would then be an alternative for bikers and walkers coming from Cedar Lake to crossing the tracks at Cedar Lake Parkway or 21st streets.

Comments submitted by:

Greg Taylor
2305 Humboldt Ave. S.
Minneapolis, MN 55405

612.377.4867

taylo061@umn.edu

taylo061@umn.edu
12/28/2012 05:52 PM

To swcorridor@co.hennepin.mn.us
cc
bcc
Subject Attn: SW Transitway

Greetings Southwest Transitway Planners,

Please consider the attached comments submitted in response to the Southwest Transitway Draft LRT.

Thank you for this opportunity,

Greg Taylor
2305 Humboldt Ave. S.
Minneapolis, MN 55405

6712.377.4867

taylo061@umn.edu

john sinks
<jfsinks@comcast.net>
12/28/2012 08:49 PM

To swcorridor@co.hennepin.mn.us
cc
bcc
Subject Comments for Southwest LRT DEIS

The following comments are submitted in response to the SW LRT DEIS:

INTRODUCTION
We are residents in the Calhoun Isles condominium apartments, located at the junction of the Midtown Greenway and Kenilworth Trail. Our apartment on the 7th floor of the 3145 building (one of three interlinked high rise buildings up to 12 floors) is one of 109 high rise units and 34 town homes in the complex, set in the Chain of Lakes area (Cedar, Isles and Calhoun). We have lived in Calhoun Isles for the past six years and the neighborhood since 1968, a result of our deep appreciation of the natural beauty of the area.

CONCERNS
Our reading of the DEIS reveal particular concern for the following issues:

NOISE
The DEIS ambient noise levels recorded - at ground level - reveals a satisfactory 44dB [DEIS Appendix H Part 1, pp 215 & 217] comparable to quiet conversation one would encounter in a quiet setting, such as a library. As a starting point, this is instructive since, also per the DEIS, the sound level of a 90-ton LRT traveling at 30-40 mph immediately adjacent (less than 30 feet) to our condominium complex would reach 114dB [DEIS ch 4.7.3.4 Table 4.7-2]. To say that this is "severe impact" [DEIS Appendix H Part 1, p. 207] is an understatement of epic proportions given the setting and the intrusion of LRT's traversing the Kenilworth corridor every 3-4 minutes. From the proposed Lake Street station through the Kenilworth corridor, past Calhoun Isles condominiums, and over the proposed 45 foot Cedar Lake Parkway bridge. This will "severely impact" Calhoun Isles from the ground up in increasing amplification to our full height of twelve floors. O1

VIBRATION
Calhoun Isles condominiums are a unique architectural achievement, constructed from recycled concrete grain elevators in the early 1980's. Formed from foot-thick concrete walls and floors, the 109 units could be threatened by the high frequency vibrations generated by the LRT schedule of trains every 3-4 minutes in a manner not unlike that of the stress fractures experienced in the Sabo bridge over the Hiawatha LRT line. We already have to contend with slow, low rumble of freight trains in the Kenilworth corridor, a minor threat compared to higher speed and more frequent LRT's. [DEIS 4.8.2.1 Vibration-Sensitive Land Uses pp 4-188] This inherent danger was given very little attention in the DEIS. [DEIS 4-115 Segment A. pp 4-118 and 4-119]

SOCIAL EFFECTS
The authors of the DEIS present a picture of the social environment which is inconsistent with the realities on the ground. The community impinged upon by the LRT project is far more diverse than presented, to wit: "Residential land uses surrounding the Segment A alignment are mainly low to medium-density single family detached housing near Cedar and Lake of the Isles..." [DEIS ch 3, pp 3-34]. The Kenilworth corridor has over 400 units of high density housing. Further: "the operation of LRT service along Segment A is not anticipated to adversely affect community cohesion." [DEIS, ch 3, p. 3-58] These statements totally misstate reality. The CIDNA (Cedar Isles Dean M1

neighborhood) would be split down the middle by this project (much as Bryn Mawr neighborhood by I-394 in the 1970's), most obviously by the insertion of an industrial-sized bridge over Cedar Lake Parkway. [DEIS ch 3, p 3-115 and 3-116] Yet, the DEIS contradicts itself elsewhere [DEIS, ch 3-79]. Segment A has "...potential long-term effects (which) may occur at the following properties: Cedar Lake Parkway, Grand Rounds...the intersection of the LRT corridor with the historic parkway, including the LRT overpass bridge...Kenilworth lagoon/channel..." E1

VISUAL EFFECTS

The LRT project will visually overwhelm the neighbors and users of the Kenilworth corridor. One cannot say, as stated in the DEIS, visual impacts "generally (would) not be substantial because of mature vegetation buffers." [DEIS ch 3-115]. The intrusion of the LRT in the corridor will necessitate removal of vegetation. E4

HUMAN SAFETY AND LIVE EXPOSED WIRES

The Chain of Lakes area is the seasonal home of many birds, including hawks and bald eagles. The exposed LRT high voltage wires are lethal to any bird and of undetermined effect on humans residing in close proximity. In addition, no crossing provision is made for the extraordinary amount of foot and bike traffic in the corridor. [DEIS ch 4-49] E6

SUGGESTED MITIGATION STEPS

Many of the negative impacts from this project would be mitigated by constructing the LRT below grade throughout the Kenilworth corridor, either by tunnel or by ditch and fully enclosed sound barrier to achieve main goals: mitigating sound, visual and vibration effects on high rise buildings, Cedar Lake Parkway crossing and protecting the integrity of a united neighborhood. E0

John Sinks
3145 Dean Ct #704, Minneapolis, MN 55416 e-mail: jfsinks@comcast.net

MINNEHAHA CREEK WATERSHED DISTRICT

QUALITY OF WATER QUALITY OF LIFE

The Minnehaha Creek Watershed District is committed to a leadership role in protecting, improving and managing the surface waters and affiliated groundwater resources within the District, including their relationships to the ecosystems of which they are an integral part. We achieve our mission through regulation, capital projects, education, cooperative endeavors, and other programs based on sound science, innovative thinking, an informed and engaged constituency, and the cost effective use of public funds.

RECEIVED
DEC 28 2012
BY:

December 6, 2012

Hennepin County
Housing, Community Works & Transit
701 Fourth Avenue South, Ste 400
Minneapolis, MN 55415

RE: Southwest Transitway Draft Environmental Impact Statement

Dear Hennepin County,

Thank you for the opportunity to review and comment on the Draft Environmental Impact Statement (DEIS) for the Southwest Transitway. The Project consists of construction and operation of a 15-mile light rail transit (LRT) line in the Minneapolis/St. Paul region, connecting downtown Minneapolis to the cities of St. Louis Park, Hopkins, Edina, Minnetonka, and Eden Prairie.

Each alternative alignment contains segments within the MCWD. Nearly the entire length of Segment 4 and Segment Freight Rail Realignment (FRR) are within the boundaries of the MCWD as well as portions of Segment A and Segment C-1. This involves five to six station areas, depending on the alternative, and numerous miles of rail.

The Minnehaha Creek Watershed District (MCWD) has regulatory authority over projects that have the potential to impact water resources. The MCWD regulates for Erosion Control, Floodplain Alteration, Wetland Protection, Dredging, Shoreline Stabilization, Waterbody Crossings and Stormwater Management. The MCWD is also the Local Government Unit for the MN Wetland Conservation Act that regulates wetland impact. As such, the MCWD recommends early and ongoing coordination between the Project Office and MCWD to determine specific regulatory requirements for this project. L3

In addition to its regulatory capacity, the MCWD has a capital improvement program and grant programs to implement projects that manage water quality, quantity and overall ecosystem integrity. Currently, the MCWD is engaged in the planning and implementation of a number of projects in partnership with public and private entities to improve the riparian corridor of Minnehaha Creek between Highway 169 and Meadowbrook Golf Course in Hopkins and St. Louis Park.

These projects have the potential to be impacted, positively or negatively, by the Southwest Transitway. Therefore, the MCWD encourages Hennepin County and the Project Office to engage the District early and often to integrate the planning and implementation efforts of each party, thereby maximizing the identification of holistic solutions to transit, economic development, community livability and environmental improvement.

The Minnehaha Creek Watershed District is currently in various stages of planning and implementation of the following projects in coordination with project partners: N5, N6

- Cottageville Park Expansion
  - Includes regional stormwater management for Blake Rd. drainage

- Redevelopment of 325 Blake Road
  - Could include regional stormwater management for approximately 235 acres of St. Louis Park, Hopkins and Edina
  - Could include regional stormwater management for approximately 100 acres west of Blake Road, including the Blake Road station area I2
  - Includes community greenway along Minnehaha Creek, connecting 325 Blake Road with downstream stretches of Minnehaha Creek, the existing SW LRT trail, Methodist Hospital, and both the Blake Road and Louisiana Avenue stations P9
  - Includes redevelopment of 11 to 13 acres of creekside property adjacent to the Blake Road Station I2

- Realignment of Reach 20 on Minnehaha Creek
  - Could include regional stormwater management for approximately 25 acres including the Louisiana Station area I2
  - Includes regional stormwater management of approximately 75 acres of drainage from Excelsior Blvd., Interlachen Park and Meadowbrook Manor
  - Includes trail and boardwalk along the Minnehaha Creek corridor connecting Methodist Hospital – Louisiana Avenue – Meadowbrook Manor – Oxford Street – Meadowbrook Road – SW LRT

Given proposed redevelopment of 325 Blake Road and its proximity to the proposed LRT, the District is interested in collaborative and integrated planning to further explore the interaction of the site with LRT, potential greenway linkages between the site and the LRT trail, future traffic patterns along Blake Road, and location and function of the Blake Road Station.

Similarly, the District would welcome close coordination with Hennepin County and the Project Office on the potential reconstruction of the LRT crossing over Minnehaha Creek. Hydraulic capacity, wildlife and human passage through this area are of particular interest to the MCWD. N5, N6,N8

L3

Finally, the District would encourage Hennepin County and the Project Office to engage in coordinated planning of all station areas within the MCWD to identify collaborative opportunities to manage stormwater runoff in a comprehensive manner. Minnehaha Creek and downstream receiving Lake Hiawatha are listed on the State's 303 (d) list of impaired waters. Based on the Minnesota Pollution Control Agency's draft Total Maximum Daily Load for these waterbodies, the area encompassing the Louisiana and Blake Stations are a large contributing source of pollution, creating opportunity for large scale management and pollution reduction. N5 N6

Further, if planned and implemented in an integrated manner with LRT and Transitional Station Area Planning, stormwater management projects could be implemented that treat large areas of urban land, potentially offsetting future regulatory requirements for this project and future redevelopment; generating large future cost savings to local municipalities, Hennepin County, Metropolitan Council and the taxpayers at large. N6 N12

As an active member of the Southwest LRT Community Works Steering and Technical Implementation Committees, the MCWD is committed to working in close coordination with the public and private partners throughout the Project development. The District looks forward to collaboratively exploring the opportunities for water resource and ecological improvement generated by this project and hopes that it can serve as a model for future partnerships in transit projects. L3

Sincerely,

James Wisker
Director of Planning, Projects and Land Conservation

MINNEHAHA CREEK
WATERSHED DISTRICT

18202 Minnetonka Boulevard
Deephaven, MN 55391

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HENNEPIN COUNTY
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2143

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Ruby Tuesday

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RECEIVED
DEC 28 2012
BY:

December 27, 2012

Via email and Federal Express

Hennepin County Housing, Community Works & Transit
Attn: Southwest Transitway
701 Fourth Avenue South, Suite 400
Minneapolis, MN 55415

RE: Ruby Tuesday at 12900 Technology Drive, Eden Prairie, MN

Dear Hennepin County:
I want to register an objection to the planned route of the Southwest light rail and the major impact the route will have on Ruby Tuesday's property.

The parking lot will be largely eliminated. As an operating business, the number of parking spaces is planned to produce a high level of sales. A reduction of the parking field will severely limit the ability of the unit to produce the sales necessary to amortize the associated debt on the property. This restaurant is a successful unit with a high level of debt. Clearly, the unit will be pushed into a loss position. M2 F0

I must respectively object to the planned reduction of the parking lot.

Respectfully,

David Hibbard

David Hibbard, CSM, CPM

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Maryville, TN 37801

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Southwest Transitway
Hennepin County Community Works
701 Fourth Avenue South, Suite 400

MINNEAPOLIS, MN 55415

Ref # 2876-45 David Hibbard
Invoice #
PO #
Dept # 2876-45 David Hibbard

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2508 W. Lake of the Isles Parkway
Minneapolis, MN 55405
December 26, 2012

Hennepin County
Housing, Community Works & Transit
Attn: Southwest Transitway
701 Fourth Avenue South, Suite 400
Minneapolis, MN 55415

Re: Draft Environmental Impact Statement ("DEIS")

I submit the following set of comments regarding the DEIS for the proposed Southwest Light Rail Transit system:

1. My wife and I have been residents of the Kenwood neighborhood for forty years. Our home is within a couple of blocks of the Kenilworth Corridor and the proposed W. 21st Street station. We are extremely familiar with the environs, the history of the area, the natural beauty of the surrounding parkland and trails, the recreational amenities for all metro residents who come to use these parks and trails, the traffic patterns of commuter and local traffic, the location of the school, churches and playgrounds and the quiet residential character of this neighborhood.

2. We realize that metro roads are overcrowded during rush hours and that improved public transportation must be developed to accommodate the needs of those who live outside the city. We also realize that there is always a balancing of local and non-local interests that must accomplished when public transportation plans are being

devised. That said, however, we also realize how easily adverse comments can be dismissed or minimalized by regulators and government officials if the people commenting are from the neighborhood where vital interests are about to be sacrificed for someone's competing notion of the "greater good." We hope that decision-makers reading these comments and others from the residents and their associations who are both most knowledgeable and most invested in this neighborhood will be given substantial weight, as we know far more about this neighborhood than people who merely visit to "study" it. L4

3. Since we bought our home in 1972, there have been significant efforts made to attenuate the impact of commuter traffic by making Lake of the Isles Parkway and the Burnham bridge one-way. Morning rush hour traffic was also diverted away from Burnham Boulevard to reduce the volume of vehicular traffic, especially on Sheridan Avenue S., which is entirely residential with families and children occupying both sides of the street where excessive traffic would otherwise flow. Many on this street have children who walk to Kenwood Elementary School and back home during the rush hour periods. The residents applauded these steps to route traffic to main roadways and away from residential streets. As a consequence, the neighborhood is quieter and much safer than it was when we first moved here.

4. The most egregiously ill-advised portion of the plan as it relates our neighborhood is the proposed W. 21st Street station and parking lot for 100 cars. This location is among I2

the quietest and most purely residential in the city. The noise, pollution and dangers posed by increasing traffic flow to this area to school children, bikers, park users and everyday pedestrians cannot be overstated. In addition, as a 40 year resident, I cannot believe that the estimates of ridership for a station situated at that location are close to accurate and should be re-examined with clear eyes and objectivity. The local residents using LRT would not come close to satisfying the projections that are set forth to justify establishing this station. Hence, the numbers must come from suburban commuters drawn into the neighborhood, thus increasing risks, noise and air pollution and loss of property values. No station or parking lot should be built on this site.

E4, E10

I2

5. If there is substantial justification for siting a station close to downtown, then it should be sited much further down the Corridor, perhaps near the City's work yard where there would be essentially no impact on a residential neighborhood.

I2

6. There is no question that this neighborhood will be adversely impacted by the proposed Southwest Light Rail Transit ("LRT") system to the point of transformation unless major changes are made to the plan and major investments are made to protect the environment from noise, increased traffic, and blight – and even with such measures, the neighborhood will decline from what it is today. While the neighborhood has experienced a relatively small amount of freight train traffic, that is not at all comparable to possibly

E4

running two hundred or more LRT trains a day on this rail bed.

7. It is difficult for a lay person to envision exactly what infrastructure will be required and built to power the LRT trains. Whatever that might look like, there should be added to the cost major landscaping and earth shaping projects (e.g., abundant mound and berm construction) to isolate the surrounding areas from the noise and visual pollution that that infrastructure will necessarily create. E4 O1

8. Having lived near the tracks when freight rail traffic was much heavier, there is no question that trains cause vibration issues to the neighboring properties. I could not find any mention of that in the DEIS and wonder how carefully, if at all, it has been addressed. If vibration and pollution problems cause a substantial and permanent loss of value to residential properties adjacent to the tracks, is that a "taking' by the government which will require compensation and is there a plan and process to address claims fairly? O1 M2 M4

9. There is a proposal to construct a massive cement bridge over Cedar Lake Parkway where the Kenilworth Trail crosses it. Such a bridge could not be more out of place and injurious to the environment. A trench or tunnel should be evaluated for this spot to protect one of the most attractive areas of Minneapolis. E8 E4

10. Finally, as a taxpayer in this county, I have to wonder about the financial justification for building this system and

whether there has been a rigorous process of cross-examination of all the assumptions and cost and ridership projections. While I don't have the numbers available to me about how well or poorly the actual experience has been for the Hiawatha Line, my sense from newspaper accounts is that this will have to remain another substantial drain on taxpayers supporting limited ridership to Mall of America, the airport and Twins games for many years to come – and perhaps forever. Maybe Minnesotans are not going to buy into a "build it and they will come" dream of an LRT system no matter how much supporters would like to believe that that will happen.

T4

Respectfully submitted,

John J. Ursu
2508 W. Lake of the Isles Parkway
Minneapolis, MN 55405
Tele: 612-377-1860 E-mail: jursu@comcast.net

Unsu
2508 W. Lake of Isles Pkwy.
Minneapolis, Mn 55405

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Hennepin County
Housing, Community Works & Transit
ATTN: Southwest Transitway
701 Fourth Ave. So.
Suite 400
Minneapolis, MN 55415

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RECEIVED
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BY:

To Hennepin County, regarding the SWLRT DEIS:

The SWLRT DEIS, as it stands, is a colossal work of dishonesty and disingenuity. Indeed, the falsehoods and half-truths which it carries are worthy of a relabeling of the document from Draft Environmental Impact Statement to Fantasy Environmental Impact Statement.

These are strong words, I know. This letter will endeavor, in a few short pages, to list off not a complete list of the misdirections and deceits, but a fairly representative sample. At this point, a thorough handling of the lies and false assurances granted by both elected and appointed officials could fill a book. Only the freight-reroute portion of the SWLRT plan will be addressed by this letter, as this is the only portion with which I have personal experience.

Firstly, and most importantly, the SWLRT is represented as being widely supported by local citizens, with no opposition. Looking at the documents submitted so far, one would think that the freight reroute is a minor change about which no one is concerned. Nothing could be farther from the truth. Citizens of St Louis Park have been extremely vocal about their opposition to this portion of the plan. Letters and phone calls have been made to elected and appointed officials at every level, repeatedly. When Hennepin County met with citizens, they promised mitigation and remediation, but refused to implement any provisions requested by citizens (for example, a pedestrian bridge over the tracks, next to the high school). Meetings were held in many neighborhoods, in addition to the official (PMT) meetings held by the County and St Louis Park. From these meetings, neighborhood representatives (I was one of the two representatives from my neighborhood) brought back pages upon pages of requests and suggestions.

C

Not only were those suggestions disregarded, they were apparently discarded – for no evidence of them shows up in any of the documentation sent to the FTA. Hennepin County Commissioner Gail Dorfman has repeatedly ignored the feelings of her SLP constituents on this issue, and continues to dishonestly present this plan as "a win-win for St Louis Park."

For reasons which will become clear in the rest of this letter, the freight reroute would be anything but a win-win for St Louis Park. Indeed, it is a plan to shift freight traffic from a wealthier area to an inferior route through a less prosperous neighborhood. A plan to shift the freight from a relatively straight and flat route with wide right-of-way, to a route with drastic elevation changes, sharp turns, and virtually no right-of-way. The engineering of the reroute is suspect (suspect enough that even the affected railroad company has expressed concern about its feasibility, and the initial plan was cited by the FTA as being questionable), and the process by which the reroute selected was opaque at best.

L2

To be honest, the County has been highly effective at defusing opposition to the plan. Residents of the Kenilworth Corridor (the current freight route) oppose SWLRT because they do not wish to have LRT going through their back yards. In an attempt to mitigate their opposition, Gail Dorfman and the Hennepin County Rail Road Administration (HCRRA) has promised that freight will be moved out of their neighborhood. In every discussion of SWLRT, Commissioner Dorfman has said "freight is a separate subject, and we do not need to discuss it here." Yet, any opposition to the reroute is met with "well, we'd hate for SWLRT not to get passed." The subtext is clear: Take the freight, or you don't get LRT. This is a false dichotomy at best, and a blatant deception at worst.

L2

At the final meeting on the freight reroute in St Louis Park, the County refused to take <u>any</u> comments from the community. This is a peculiar move for a meeting whose stated purpose was to solicit community input. Unfortunately, the obscuration and obfuscation of community opposition to portions of the SWLRT is just the beginning.

The DEIS itself contains many bad measurements and improper metrics. The two routes for rail are presented as essentially equivalent. Nothing could be farther from the truth.

The remainder of these comments will fall into five broad categories. Those categories are history, grade, corners, crossing, and affected areas. Throughout these discussions, the increased costs of freight reroute will also be discussed, despite the fact that the County has been very reticent to actually discuss any costs of the reroute. No doubt part of the hesitancy is due to the fact that they aren't sure of exactly what the costs are, but it is apparent that the primary portion of their reluctance is due to the fact that rerouting the freight will costs tens (if not hundreds) of millions of dollars more than would a colocation.

History is an interesting topic, because the SWLRT DEIS is happy to point out how negatively a co-location will affect the historical character of the Kenilworth neighborhood. It is worth nothing that less than a hundred years ago, the major portions of the Kenilworth neighborhood were a railyard – a massive, flat expanse of parallel tracks and association infrastructure. The extremely wide right-of-way which is still in evidence along the Kenilworth route is one of the lingering remnants of those facilities.

The MN&S line, in St Louis Park, however, was never wide, flat, nor straight. It was initially intended as an electric LRT line. It snakes through what has traditionally been the heart of the city, wending its way past grade schools, the high school, residential and commercial districts. Buildings are in close proximity to the tracks. For much of the MN&S line, a rail car turned sideways would touch houses on either side of the track simultaneously. For most of the Kenilworth line, several cars could stretch across the right-of-way without touching any dwellings or businesses.

For decades, the MN&S line was virtually unused. In the past decade, traffic has grown to 40

cars per day – two separate trains of 20 cars each. Moving mile-long coal trains (an integral part of the freight reroute) to the MN&S line would be a drastic alteration in this historical pattern. Keeping those same trains in the Kenilworth corridor (where they currently travel) would be more fitting to the terrain and historical patterns of use in Kenilworth.

In short, any honest arguments as to the history or flavor of the affected neighborhoods clearly favor the Kenilworth route for freight, and co-location of freight and light rail.

The grade of the routes is a major consideration. The Kenilworth route parallels MN state highway 7 (hereafter referred to as MN-7) as it passes through Hopkins and St Louis Park, crosses above MN Highway 100 (MN-100), and continues East as MN-7 turns into Hennepin County Road 25. County Road 25 ascends a bridge, and the Kenilworth route passes under the road, turning North. Note here, that it is the highway which handles the elevation change.

By contrast, the MN&S Route will cross MN-7 before it reaches MN Highway 100. It is worth noting that MN Highway 7 is a major thoroughfare at this point, shunting traffic between MN Highway 100 and US Route 69. Much downtown traffic heads West on Highway 7 at the end of the day, and enters the city via MN-7 in the morning. Indeed, MN-7 was originally constructed during the Great Depression to alleviate traffic problems for traffic entering the Twin Cities. It has remained prominent in that role for the last seventy-five years.

The MN&S Route will cross over MN-7 just before MN-7 reaches MN-100. To cross over the highway, the tracks will have to climb some thirty to thirty-five feet, make a ninety-degree turn, then make another series of sharp turns on the other side of the highway. This grade is remarkably steep: almost 1% – even though the affected rail company has stated that nothing over 0.6% will be economically sustainable. East bound trains will have to pull long coal trains up this grade, as well as negotiating both curves simultaneously, due to the length of the coal trains. This should prove to be a very interesting trip after ice storms, in rain, or in heavy snow.

Even in ideal circumstances, the coal trains will be laboring heavily to climb the grade. Once the engines have conquered the grade, they must tow the remaining cars up, while negotiating the blind curves of the route – the curves will be discussed shortly.

Then, no sooner has the entire train managed to get up to the level of St Louis Park, but it must begin the descent down to the BNSF rails which run East-West through St Louis Park. Again, this is a sharp descent (or ascent, if the train is West bound), which will put the trains laboring heavily in proximity to an elementary school, Peter Hobart. I am not a transportation engineer by trade, but it would seem a simple rule-of-thumb that mile-long, multi-kiloton trains would get better fuel efficiency and control on a flatter, straighter route.

It isn't just homes which are in close proximity to the MN&S line – there are no fewer than four schools within a thousand feet (two of which are within one hundred feet of the lines: the St Louis Park High School, and the Metropolitan Open School). At no point does the Kenilworth route get within even a thousand feet of a school.

This pair of excessive grades will be expensive to build, will add additional maintenance challenges, and will result in increased train noise, decreased fuel efficiency, and a great potential for out-of-control incidents. How exactly does one slow a mile-long coal train on a 1% grade, when there has been an ice storm? How does that affect the tail end of the train, as it accelerates around the corners and through at-grade crossings? The safety implications of this feature of the plan cannot be overestimated. It is bad engineering, and should not be implemented.

The number of curves and at-grade crossings along the MN&S route is, simply, absurd. This was designed as a commuter rail-line with frequent stops at businesses. It was not intended to pass big, heavy, non-stop trains. A coal train negotiating the MN&S route will often be on three curves simultaneously – and not gentle, ten-degree curves, but forty degree, sixty degree and sharper curves.

As a train passes the high school, after the lead engine has negotiated both blind curves in that segment of the route, it will find the front and rear of the train on curves in opposite directions. Longer trains will find themselves negotiating the curve and hill south of MN-7 at the same time that the tail end is negotiating a curve by the local McDonald's restaurant, and Dakota Ave. Dakota Avenue sees some 3000 cars per day – it is a major feeder from Minnetonka Boulevard to MN-7 and MN-100.

Past just the issue of curves (I count four in less than two miles in St Louis Park), we have at-grade crossings. I count seven in less than two miles. It is true that the County has proposed closing one of those at-grade crossings – at 29th street, which is a crossing that the affected neighborhood wishes to keep. At no time in the history of the rail discussion has any SLP citizen requested the closing of that crossing. Indeed, in the meetings, it was frequently requested that the crossing remain. The County, however, insists that it must go.

The city of St Louis Park, in fact, opposes the closing of this crossing. SLP has a carefully-designed grid of streets, designed to allow alternative routing of traffic. Closing the 29th street crossing has markedly negative effects on that grid. It is dishonest and disingenuous of Hennepin County to claim that anyone besides themselves wants that crossing closed.

In addition to the quantity of at-grade crossings, it is important to consider their locations. One is within seventy-five feet of the high school, and another is within 500 feet of the high school. Both are major thoroughfares for foot traffic, since the High School's football field is located on the opposite side of the tracks from the high school itself. Furthermore, the closest at-grade crossing is also the

figures in the DEIS, it is a mere (mere?) $23 million more to reroute freight.

Why would anyone choose the MORE expensive, MORE dangerous route? In what world is this a good idea? It is absurd to squander this amount of money on a project that will negatively and permanently impact not only the residents and schools of St Louis Park, but the very fabric of the city itself.

Indeed, opposition from the city of St Louis Park would likely be stronger if one of the city council members were not an employee of Gail Dorfman -- the leading proponent of SWLRT. This is a conflict of interest on a surprising scale, and is enough to cast the character, motivations and actions of both Ms. Dorfman and Councilwoman Anne Mavity into severe doubt.

I urge the city of St Louis Park, Hennepin County and the Federal Government to require colocation of freight and light rail. Such co-location is being done on the proposed Bottineau line through the northern half of the Twin Cities, and it has been done safely in many, many other locales. The very idea of relocating heavy freight to an unsafe route within touching distance of our sole high school, should give anyone pause as to the logic and validity of this plan. I find it difficult to describe the degree of incompetence which the County has evidenced, throughout this process, in mere words.

If the SWLRT plan refuses to adopt co-location, I charge the federal government to defend the city of St Louis Park by denying funding to this project. Hennepin County has made it eminently clear that they have no interest in co-location, and will tell any lie required to ram this reroute through. Check their engineering, check their measurements, check every last one of their assumptions. I believe you will find an alarming degree of deception. I also believe that there are other, more honest projects which have been submitted for funding. Perhaps I am a hopeless liberal, but I believe that honesty and forthrightness should be rewarded, while dishonesty and deception should not. Do not reward the deception of Hennepin County and the Metropolitan Council with the funding they so desperately want.

Sincerely,

Jeremy Anderson
3208 Dakota Ave S
St Louis Park, MN 55416
952 836 0540

From: Jeremy Anderson
3208 Dakota Ave S
St Louis Park, MN 55416

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Curt Rahman- PDA- 612-207-5411

6418 and 6420 West Lake Street, St. Louis Park, MN 55416

5-15-2011

Mr. Frank Pafko

Director, Office of Environmental Stewardship

MN Department of Transportation

395 John Ireland Boulevard, MS 620

St. Paul, MN 55155-1899

Mr. Pafko,

All of us that work and live and own buildings along the proposed MN&S rail line experience pretty severe vibration today; vibration that already exceeds federal guidelines. Business owners have told me that when the train comes by it feels like an earthquake. I have had to stop phone conversations when the train comes by because of the rumbling vibrations.

C

Interestingly, Kimley-Horn did a vibration study at 2 places along the tracks and tells us the vibration level at my building at 6418 west Lake Street should be about 75VdBs today. Since there are only 2 trains a day now, the federal guidelines say that we should be able to handle up to 83 at that location. I hired an engineering firm, ESI, to do vibration analysis at my building and the actual level is 84 today! Higher than the federal guidelines allow today!

Now, consider that the proposed reroute will increase both the frequency and severity of the vibration along the line, according to Kimley-Horn. We will see increases of 5-8 VdBs and because of the additional train frequency we need to use the "occasional events" Federal Guideline which tells us that we need to tolerate only 78 VdBs, yet the predicted actual vibration level will go up to 90 or more!

All levels Measured and in the table are in VdBs	Federal Guidelines infrequent trains- today's guidelines	Actual Measurements at 6418 West Lake St - 50 feet from track center line	Federal Guidelines Occasional Trains	Expected increase due to reroute 5-8 vdb
Sensitive Businesses	65	??	65	??
Homes	80	??	75	??
Businesses	83	84	78	89-92

This needs further evaluation at multiple business locations, residence locations and in classrooms adjacent to the tracks. You can't increase vibrations along a line when they already exceed federal guidelines. You need to make sure that your costs include reducing vibration to federal levels or you will be buying businesses, buildings and relocation costs as well as homes along the line that exceed the federal guidelines both today and after the construction.

Curt Rahman, PMT West Lake Street Business Representative 612-207-5411

April 25, 2011

Mr. Curt Rahman
6418 West Lake Street
St Louis Park, Minnesota

Phone: 612-207-5411

ESI ENGINEERING, INC.
7831 Glenroy Road/Suite 430
Minneapolis, Minnesota 55439
Tel: (952) 831-4646
Fax: (952) 831-6897
Internet: esi-engineering.com

Summary Report for Train Vibration at 6418 West Lake Street St Louis Park, Minnesota

ESI-ENGINEERING, INC.

Dear Mr. Rahman:

This letter summarizes the results of train vibration measurements made at 6418 West Lake Street in St Louis Park, Minnesota on April 13, 2011. I understand that the Hennepin County Regional Railroad Authority, the Minnesota Department of Transportation, the city of St. Louis Park and several private rail companies are considering relocating freight rail service from the Kenilworth Corridor to the MN&S line in St. Louis Park. Further, the MN&S line is approximately 45 ft from your building. There are currently 2 to 3 trains per day that pass your building at speeds typically below 15 mph. You are concerned about the future plans that would both increase the number of trains, the train lengths and the speeds. Figure 1 shows the location of the tracks relative to your building.

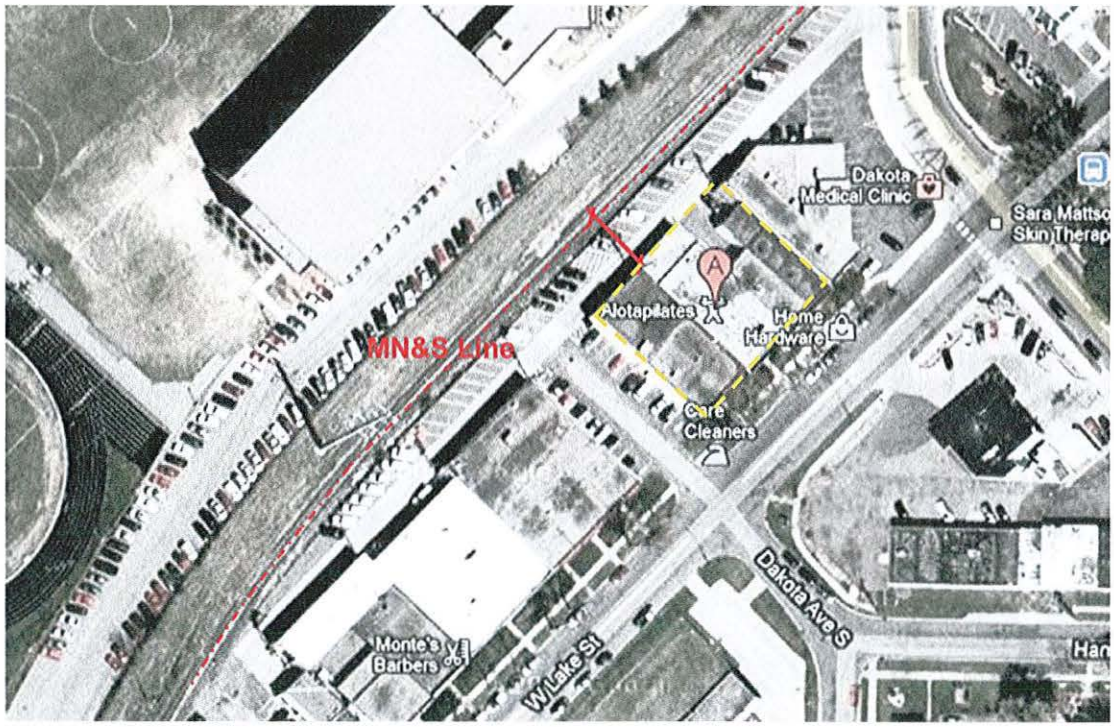


Figure 1 – Aerial photo of the buildings at 6418 West Lake Street and the MN&S line.

Vibration measurements were made a location nearest the tracks, on the northwest side of the building approximately 50 ft from the track. The monitoring system ran from approximately 7:00 AM through 4:00 PM on April 13, 2011. Vibration measurements were made slab on grade in three orthogonal directions. PCB model 393A03 accelerometers were used and the data was sampled at 640 samples per second. The recorded acceleration waveforms were integrated and moving 1 second rms levels were calculated, as recommended in the Federal Transportation Administration guidance manual (Transit Noise and Vibration Impact Assessment, May 2006). The vibration levels are presented in this letter as velocity in decibel units, VdB, relative to 1 micro inch per second.

Two trains passed the building on April 13th. Figure 2, 3 and 4 present the results for the first train which passed between 11:14 AM and 11:16 AM. The maximum rms level was 84 VdB in the vertical direction. The second train had a similar vibration level.

Please let me know if you have any questions or need additional information.

Sincerely,

ESI Engineering, Inc.

Anthony J. Baxter

Anthony J. Baxter, P.E.
Principal

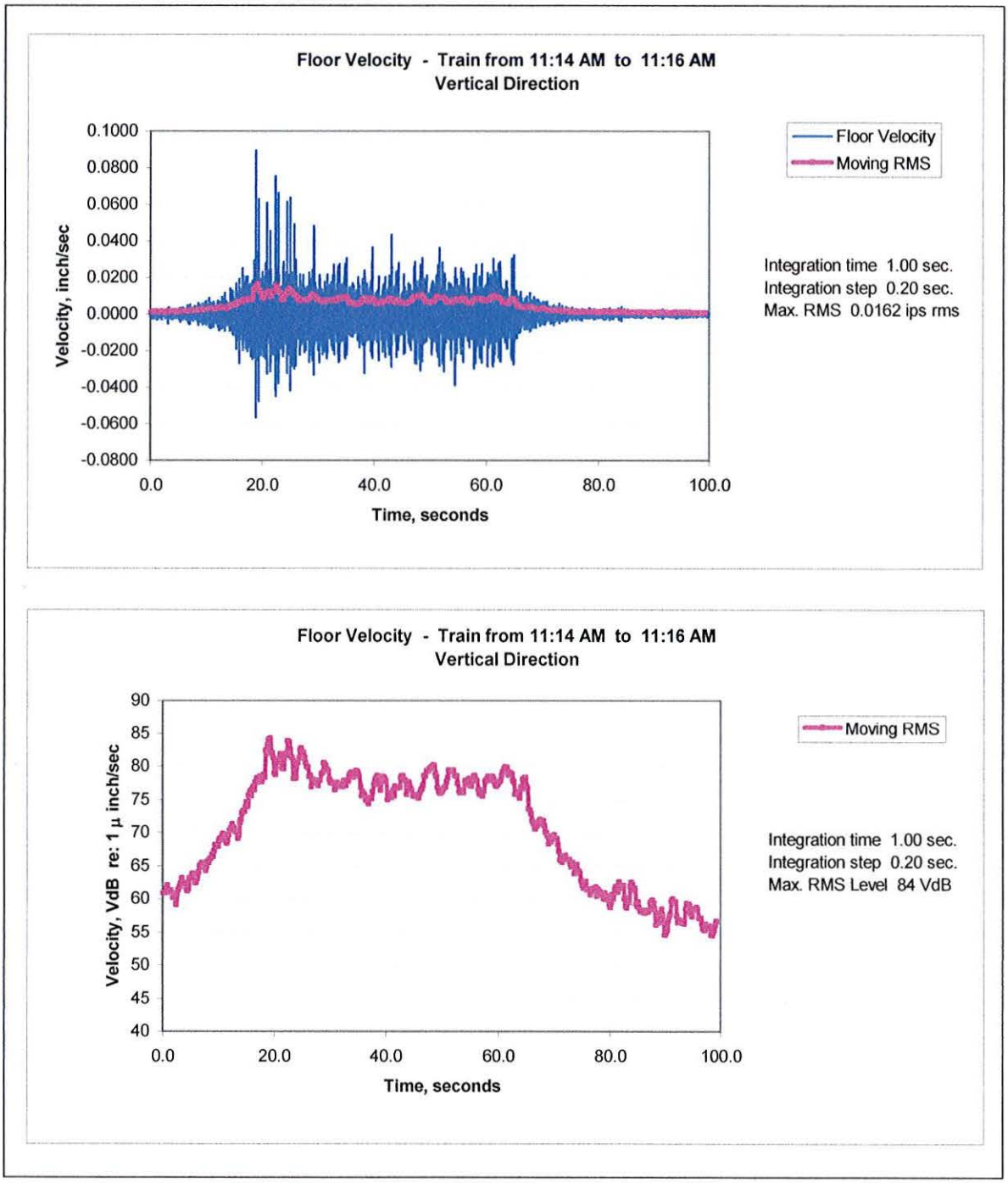


Figure 2 – Measurement of vertical direction vibration with a maximum level of 84 VdB.

----- Original Message -----
From: Tony Baxter
To: Curt Rahman
Sent: Tuesday, April 26, 2011 3:22 PM
Subject: RE: One Week From Today....

Curt,
Since you asked about the second train... Attached is the plot of the vertical vibration for 24 seconds of the train passing. The max level was 84 VdB, the same as the first train.

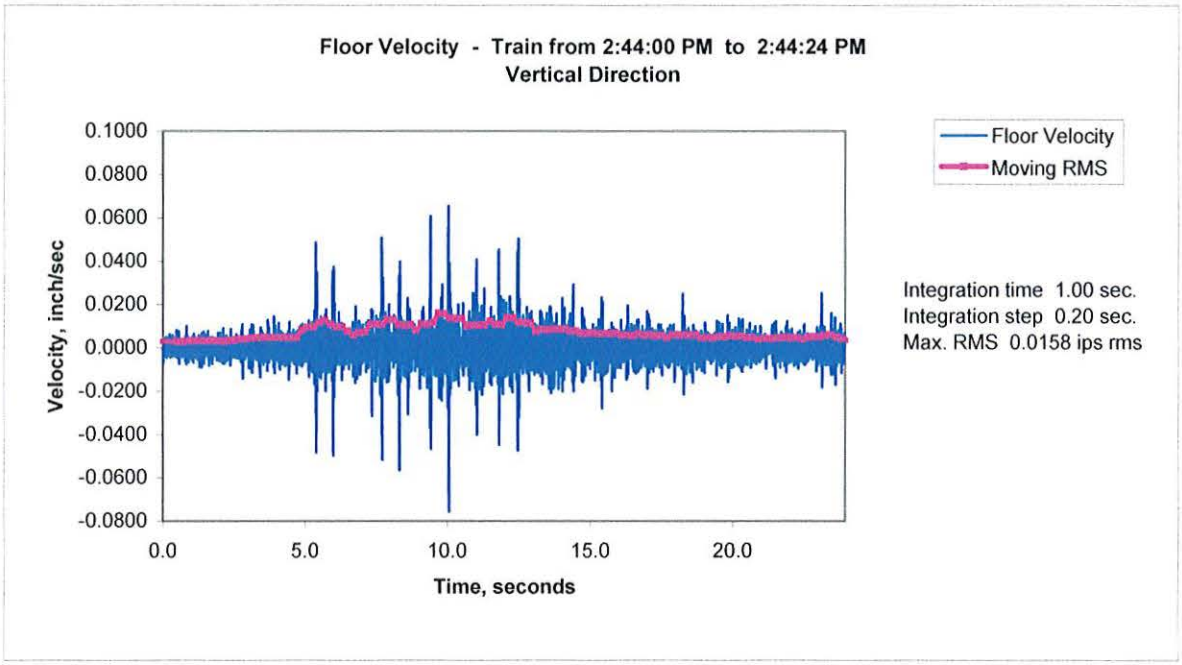
Tony

Anthony J. Baxter, P.E.
ESI Engineering, Inc.
7831 Glenroy Rd. / Suite 430
Minneapolis, MN 55439
tele: 952-831-4646
tbaxter@esi-engineering.com

ESI Engineering Inc.

Project / Location: Curt Rahman - Train Vibration
Date: 13-Apr-2011

Ch3 - vertical



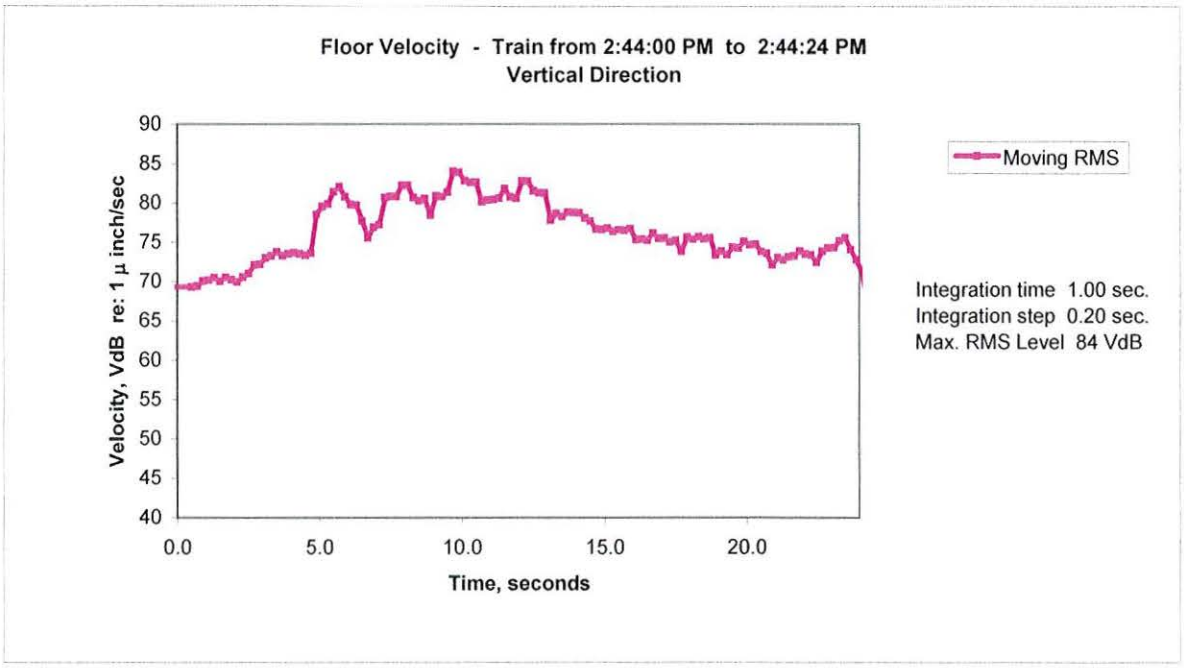
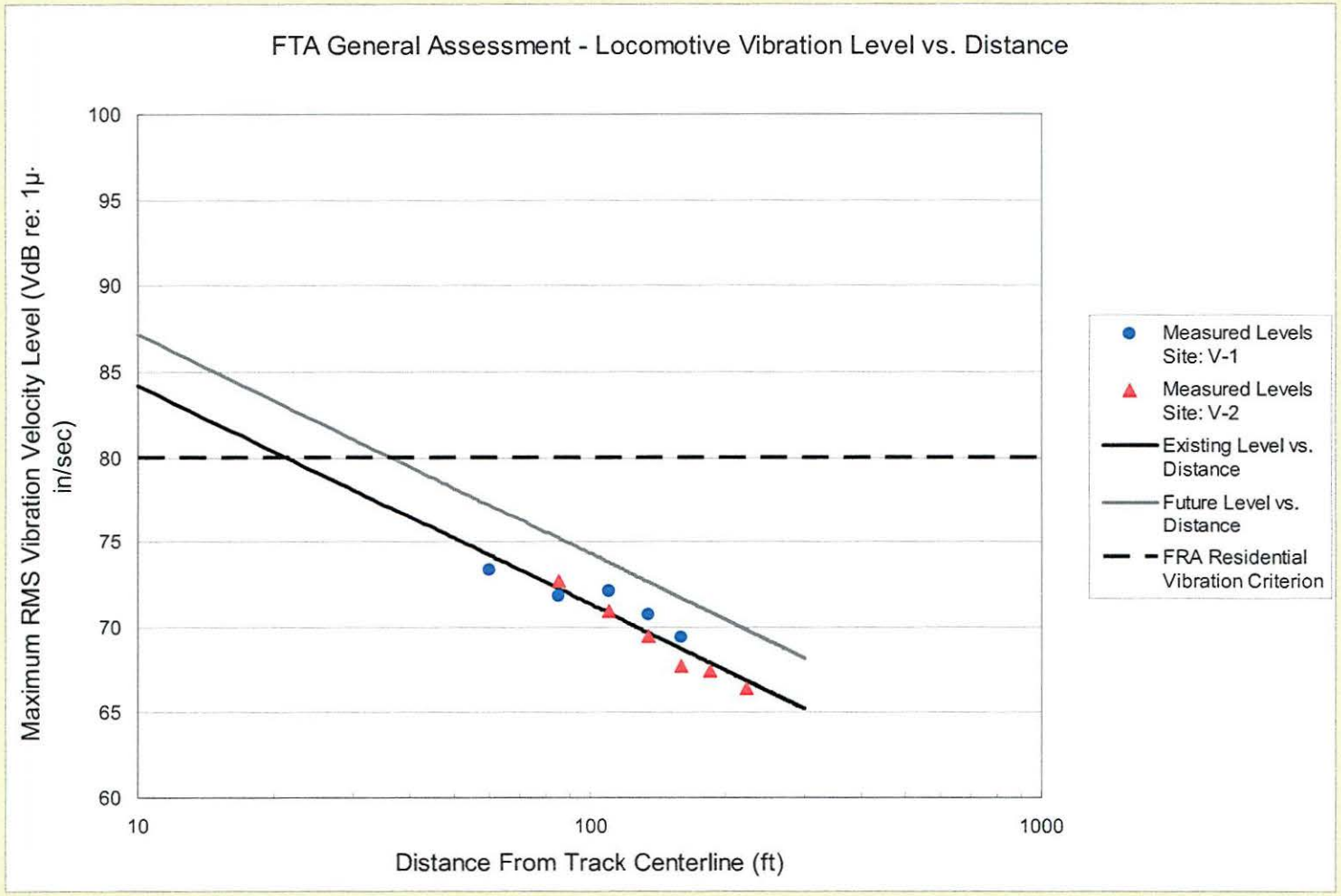


Figure 1

COMMUNITY VIBRATION



Kimley-Horn and Associates, Inc.

VIBRATION CRITERIA

Land Use	Vibration Velocity Level (VdB)		
	Frequent Events (70+/day)	Occasional Events (30-70/day)	Infrequent Events (<30/day)
Special Buildings (concert halls, auditoriums, etc.)	65	65	65
Residential (houses, hotels, motels)	72	75	80
Institutional (schools, libraries, museums, etc.)	75	78	83

Main Identity

From: "Curt Rahman" <curt@pdaminneapolis.com>

To: "Witzig, Jeanne" <Jeanne.Witzig@kimley-horn.com>; <la.Xiong@co.hennepin.mn.us>; <KHroma@CBIZ.com>; "Robb Enslin" <renslin34@hotmail.com>; "Tim Dunsworth" <timdunsworth4034@comcast.net>; "Marjorie Douville" <sarjmarj@aol.com>; "Margaret Heil" <margaret@bodyrelease.com>; "Paula Evensen" <paulaevensen@yahoo.com>; "Lynne Carper" <icarper1@fairview.org>; "Jeremy Anderson" <jeremy@angelar.com>; "Kandi Ames" <ksengels@gmail.com>; "Lois Zander" <loisz18@yahoo.com>; <lapray@comcast.net>; "Thom Miller" <thom@two-rivers.net>; <Katie.Walker@co.hennepin.mn.us>; <Timothy.Spencer@state.mn.us>; <Peter.Dahlberg@state.mn.us>; <frank.pafko@state.mn.us>; <klocke@stlouispark.org>; "Meg McMonigal" <mmcmonigal@stlouispark.org>; "Rolf Peterson" <Rolf1@comcast.net>; "Danielson, Paul" <paul.danielson@kimley-horn.com>; <Michael.Couse@aecom.com>; <bsuko@tcwr.net>; <MWegner@TCWR.NET>; <amber.backhaus@leonard.com>; <David.Wolter@bnsf.com>; <Douglas.Perry@bnsf.com>; "Chris Johnson" <mdsj.caj@usfamily.net>; "Jake Spano" <coldsplice@gmail.com>; "Warren Djerf" <warren@brookcomm.net>; <Kristin.RohmanRehkamp@target.com>; "Kristi Rudelius-Palmer" <krp@umn.edu>; <judy_mitchell@cpr.ca>; <crobertson@sjoquist.com>; "Claudia Johnston" <claudiajohnston@comcast.net>; <eric.knudson@knudson-assoc.com>; "Kathryn Kottke" <prufrock1969@hotmail.com>; <safetyinbirchwood@yahoo.com>; "Hasselbring,Bruce" <bruce.h@ace-aircontrolessentials.com>

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Sent: Tuesday, April 26, 2011 4:05 PM

Attach: Vibration Criteria.pdf; Curt Rahman - Summary on Train Vibration April 25, 2011.pdf; National Transportation Vibration Guidelines.pdf; SLP Vibration Predictions.pdf

Subject: New Vibration Study attached

I had independent vibration measurements done at my building on West Lake Street by an Engineering firm ESI. Their report is attached labeled "Curt Rahman- Summary on Train Vibration April 25, 2011". Measurements were taken April 13th, 2011. Measurements in the building showed 84 VdB. **By the charts provided by Kimley-Horn, vibration measurements today already exceed acceptable guidelines** and probably do at most businesses and many homes along the tracks.

In addition, **Kimley-Horn predicts increased vibration frequency and a severity increase of 5-8 VdB** which puts many of the buildings past the 90 VdB level and far in excess of the 78 VdB the Federal guidelines mandate.

Considering this new information, additional vibration studies need to be done and further mitigation for vibration needs to be added to the project.

Curt Rahman, PMT West Lake Street Business Representative
612-207-5411 cell

----- Original Message -----
From: Curt Rahman
To: Witzig, Jeanne ; la.Xiong@co.hennepin.mn.us ; KHroma@CBIZ.com ; Robb Enslin ; Tim Dunsworth ; Marjorie Douville ; Margaret Heil ; Paula Evensen ; Lynne Carper ; Jeremy Anderson ; Kandi Ames ; Lois Zander ; lapray@comcast.net ; Thom Miller ; Katie.Walker@co.hennepin.mn.us ; Timothy.Spencer@state.mn.us ; Peter.Dahlberg@state.mn.us ; frank.pafko@state.mn.us ; klocke@stlouispark.org ; Meg McMonigal ; Rolf Peterson ; Danielson, Paul ; Michael.Couse@aecom.com ; bsuko@tcwr.net ; MWegner@TCWR.NET ; amber.backhaus@leonard.com ; David.Wolter@bnsf.com ; Douglas.Perry@bnsf.com ; Chris Johnson ; Jake Spano ; Warren Djerf ; Kristin.RohmanRehkamp@target.com ; Kristi Rudelius-Palmer ; judy_mitchell@cpr.ca ; crobertson@sjoquist.com ; Claudia Johnston ; eric.knudson@knudson-assoc.com ; Kathryn Kottke ; safetyinbirchwood@yahoo.com ; Hasselbring,Bruce
Cc: mittelstaedtjohn@yahoo.com ; dkrafft@bitstream.net ; Je_L@yahoo.com ; Jim Beneke ; Greg Suchanek ; Mike Rozman ; Jeff Roy ; eveline.m.haag@wellsfargo.com ; Marc Berg ; Michael.Couse@aecom.com ; Laabs, Jessica ; Jeff Jacobs ; Phil Finkelstein ; Sue Sanger Home ; Anne Mavity ; Julia Ross ; Paul Omodt Home ; Sue Santa Home ; gores.nancy@slpschools.org ; sweitzer.julie@slpschools.org ; shapiro.larry@slpschools.org ; rykken.pam@slpschools.org ; richardson.bruce@slpschools.org ; yarosh.jim@slpschools.org ; cleowedge@comcast.net ; Ron Latz ; Steve Simon ; Ryan Winkler ; Tom Harmening ; kerri.pearce.Ruch@co.hennepin.mn.us ; pomodt@psbpr.com ; Danielson, Paul ; Hermann, Mike ; Kunkel, Beth ; Matthew Flory ; Dutchboy31@juno.com ; BlackstoneAssn@tcq.net ; lpannell@mninter.net ; lindasandbo@msn.com ; Vote4democracy@yahoo.com ; info@slptriangle.org ; Robb Enslin ; jvlbartl@yahoo.com ; sharon.abelson@yahoo.com ; Gail.Dorfman@co.hennepin.mn.us ; al@smdcompanies.com ; srowe@acnpapers.com ; TLOTO@yahoo.com ; Doug Guild ; barrylaz@gmail.com ; cbdonlon@usfamily.net ; mikecohn@yahoo.com ; merlinluke@hotmail.com ; dklinkhammer@comcast.net ; helene.herbst@comcast.net ; crj7972@gmail.com ; maryherfurth@yahoo.com ; kdoty@umn.edu ; jswyman@hotmail.com ; lgulbranson@att.net ; googi001.gail@gmail.com ; michael.rose@patch.com ; jddugdare@yahoo.com ; Tom Johnson ; sdworakoski@yahoo.com ; gazzy92@gmail.com ; susanmelbye@edinarealty.com ; skiss4@gmail.com ; jebmyers@gmail.com ; mbuchk@eartlink.net ; jpmeyerdl@yahoo.com ; brooklawnsslp@gmail.com ; alex@midlandglass.com ; Lance D. Meister ; Christianson, Dave (DOT) ; rachelcallahan@yahoo.com ; angela_bern@yahoo.com ; huntms1@aim.com ; Tony Baxter
Sent: Friday, April 08, 2011 10:57 AM
Subject: MN&S Freight Rail Study - PMT #6 Meeting Summary

On page 14 of the attached Final PMT document, Kimley- Horn states that the "occasional events" column should now be used to evaluate the vibration impact of this project. That means that residences should tolerate up to 75 VdB and routine businesses should tolerate up to 78 VdB of vibration. (on table 1 attached)

Using the Kimley-Horn measurements and predictions from the "SLP Vibration Predictions" chart attached to this email, residences closer than 90 feet of the rail line will exceed the federal vibration guidelines and businesses within 50-60 feet of the tracks will exceed the guidelines. This is a huge change because the preliminary analysis concluded that only residences within 40 feet of the tracks had issues and there were no business issues.

How many houses are within 90 feet of the tracks?

How many businesses are within 50-60 feet of the tracks? I know there are some because I own one 45 feet from the tracks.

Curt Rahman
Business Representative West Lake St.
612-207-5411 cell

Main Identity

From: "Witzig, Jeanne" <Jeanne.Witzig@kimley-horn.com>
To: "Rahman, Curt" <curtrahman@gmail.com>
Cc: <Ia.Xiong@co.hennepin.mn.us>; "Pafko, Frank (DOT)" <frank.pafko@state.mn.us>; "Kevin Locke" <klocke@stlouispark.org>; <kdoty@umn.edu>; "Spencer, Tim (DOT)" <timothy.spencer@state.mn.us>
Sent: Wednesday, April 20, 2011 11:58 AM
Subject: FW: FW: MN&S Freight Rail Study - PMT #6 Meeting Summary

Curt, thank you for your comment regarding the vibration analysis for the MN&S Freight Rail Study.

A noise and vibration report is being prepared to address this complex question and will be part of the Environmental Assessment Worksheet (EAW). It will provide more clarity on the methodology, impacts and mitigation.

At this time, we anticipate that the EAW will be published in May, with a 30-day review and comment period. If upon your review of the EAW you have further comments on the noise and vibration analysis conducted for this study, or on other areas of the evaluation/EAW, you are welcome to submit those comments for inclusion in the EAW record.

Regards, Jeanne Witzig

From: Curt Rahman [mailto:curt@pdaminneapolis.com]
Sent: Friday, April 08, 2011 10:57 AM
To: Witzig, Jeanne; Ia.Xiong@co.hennepin.mn.us; KHroma@CBIZ.com; Robb Enslin; Tim Dunsworth; Marjorie Douville; Margaret Heil; Paula Evensen; Lynne Carper; Jeremy Anderson; Kandi Ames; Lois Zander; lapray@comcast.net; Thom Miller; Katie.Walker@co.hennepin.mn.us; Timothy.Spencer@state.mn.us; Peter.Dahlberg@state.mn.us; frank.pafko@state.mn.us; klocke@stlouispark.org; Meg McMonigal; Rolf Peterson; Danielson, Paul; Michael.Couse@aecom.com; bsuko@tcwr.net; MWegner@TCWR.NET; amber.backhaus@leonard.com; David.Wolter@bnsf.com; Douglas.Perry@bnsf.com; Chris Johnson; Jake Spano; Warren Djerf; Kristin.RohmanRehkamp@target.com; Kristi Rudelius-Palmer; judy_mitchell@cpr.ca; crobertson@sjoquist.com; Claudia Johnston; eric.knudson@knudson-assoc.com; Kathryn Kottke; safetyinbirchwood@yahoo.com; Hasselbring,Bruce
Cc: mittelstaedtjohn@yahoo.com; dkrafft@bitstream.net; Je_L@yahoo.com; Jim Beneke; Greg Suchanek; Mike Rozman; Jeff Roy; eveline.m.haag@wellsfargo.com; Marc Berg; Michael.Couse@aecom.com; Laabs, Jessica; Jeff Jacobs; Phil Finkelstein; Sue Sanger Home; Anne Mavity; Julia Ross; Paul Omodt Home; Sue Santa Home; gores.nancy@slpschools.org; sweitzer.julie@slpschools.org; shapiro.larry@slpschools.org; rykken.pam@slpschools.org; richardson.bruce@slpschools.org; yarosh.jim@slpschools.org; cleowedge@comcast.net; Ron Latz; Steve Simon; Ryan Winkler; Tom Harmening; kerri.pearce.Ruch@co.hennepin.mn.us; pomodt@psbpr.com; Danielson, Paul; Hermann, Mike; Kunkel, Beth; Matthew Flory; Dutchboy31@juno.com; BlackstoneAssn@tcq.net; lpannell@mninter.net; lindasandbo@msn.com; Vote4democracy@yahoo.com; info@slptriangle.org; Robb Enslin; jvlbartl@yahoo.com; sharon.abelson@yahoo.com; Gail.Dorfman@co.hennepin.mn.us; al@smdcompanies.com; srowe@acnpapers.com; TLOTO@yahoo.com; Doug Guild; barrylaz@gmail.com; cbdonlon@usfamily.net; mikecohn@yahoo.com; merlinluke@hotmail.com; dklinkhammer@comcast.net; helene.herbst@comcast.net; crj7972@gmail.com; maryherfurth@yahoo.com; kdoty@umn.edu; jswyman@hotmail.com; lgulbranson@att.net; googi001.gail@gmail.com; michael.rose@patch.com; jddugdare@yahoo.com; Tom Johnson; sdworakoski@yahoo.com; gazzy92@gmail.com; susanmelbye@edinarealty.com; skiss4@gmail.com; jebmyers@gmail.com; mbuchk@eartlink.net; jpmeyerdl@yahoo.com; brooklawnsslp@gmail.com; alex@midlandglass.com; Lance D. Meister; Christianson, Dave (DOT); rachelcallahan@yahoo.com; angela_bern@yahoo.com; huntms1@aim.com; Tony Baxter
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Curt Rahman
Business Representative West Lake St.
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Disclaimer: Information in this message or an attachment may be government data and thereby subject to the Minnesota Government Data Practices Act, Minnesota Statutes, Chapter 13, may be subject to attorney-client or work product privilege, may be confidential, privileged, proprietary, or otherwise protected, and the unauthorized review, copying, retransmission, or other use or disclosure of the information is strictly prohibited. If you are not the intended recipient of this message, please immediately notify the sender of the transmission error and then promptly delete this message from your computer system.

rail systems, such as the MN&S Spur, ground borne noise criteria are applied only to buildings that have sensitive interior spaces that are well insulated from exterior noise.

The FTA also has vibration criteria for locations with existing vibration, such as the MN&S Spur. For locations where trains will be added where existing trains currently operate, vibration impact must be assessed to determine if there will be additional impacts. For infrequently used rail corridors (less than 5 trains per day), such as the MN&S Spur, vibration impacts are assessed using the criteria in **Table 17**. For this assessment, the locomotive events are considered to be infrequent, and the rail cars are considered to be occasional.

Table 17. Ground-Borne Vibration and Noise Impact Criteria by Land Use Category

Land Use Category	Ground-Borne Vibration Impact Levels (VdB re 1 micro-inch/sec)			Ground-Borne Noise Impact Levels (dB re 20 micro Pascals)		
	Frequent Events[1]	Occasional Events[2]	Infrequent Events[3]	Frequent Events[1]	Occasional Events[2]	Infrequent Events[3]
Category 1: Buildings where low ambient vibration is essential for interior operations.	65 VdB[4]	65 VdB[4]	65 VdB[4]	N/A[5]	N/A[5]	N/A[5]
Category 2: Residences and buildings where people normally sleep.	72 VdB	75 VdB	80 VdB	35 dBA	38 dBA	43 dBA
Category 3: Institutional land uses with primarily daytime use.	75 VdB	78 VdB	83 VdB	40 dBA	43 dBA	48 dBA

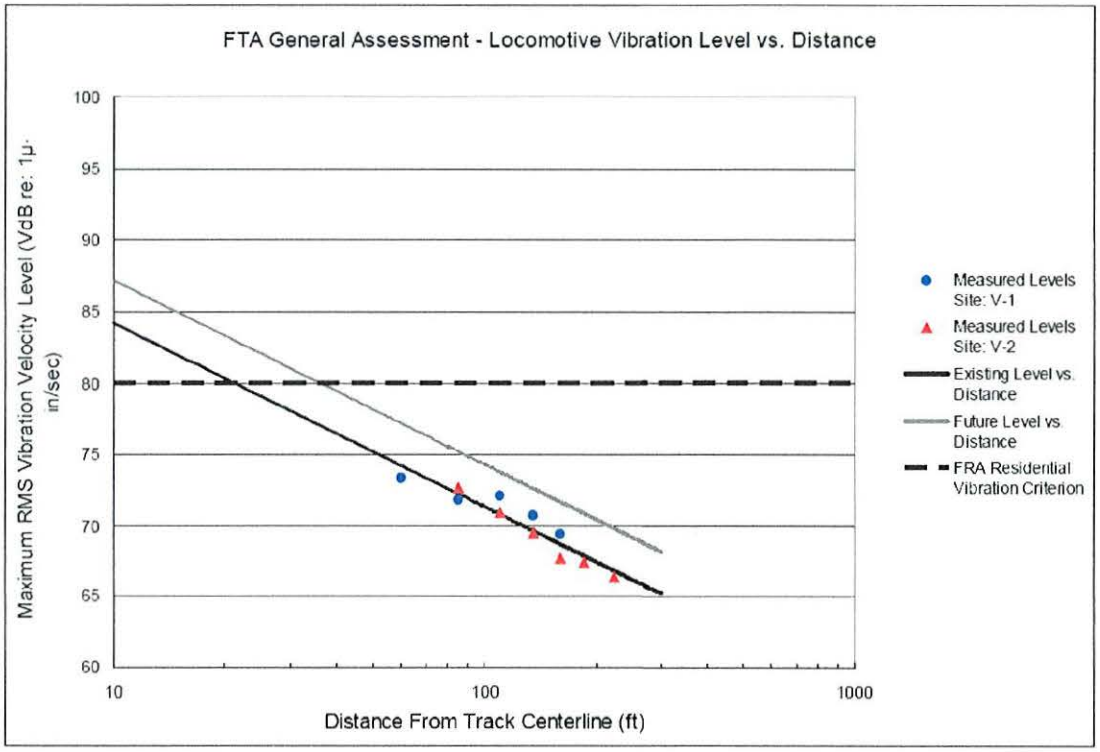
Notes:
1. "Frequent Events" is defined as more than 70 vibration events of the same source per day. Most rapid transit projects fall into this category.
2. "Occasional Events" is defined as between 30 and 70 vibration events of the same source per day. Most commuter trunk lines have this many operations.
3. "Infrequent Events" is defined as fewer than 30 vibration events of the same kind per day. This category includes most commuter rail branch lines.
4. This criterion limit is based on levels that are acceptable for most moderately sensitive equipment such as optical microscopes. Vibration sensitive manufacturing or research will require detailed evaluation to define the acceptable vibration levels. Ensuring lower vibration levels in a building often requires special design of the HVAC systems and stiffened floors.
5. Vibration-sensitive equipment is generally not sensitive to ground-borne noise.

Source: FTA, May 2006.

The vibration impact assessment was carried out in accordance with FTA methodology for a "General Noise Analysis" using project data defined in the Noise Section. The potential vibration impacts of the project are related primarily to the increased in maximum operating design speed in the corridor (10 to 25 mph). The following are project assumptions used in the impact analysis for the vibration assessment:

Based on measurements conducted in Alaska during the summer and winter, there is some variation in vibration levels for efficient soil types, such as peat or clay. This variation results in lower vibration levels in the winter, as compared with the summer. However, for typical soil conditions, which the measurements indicate existing in the MN&S corridor, the vibration levels are the same during the summer and winter.

Exhibit 3. Vibration Measurement Results and Projections



Impacts

The vibration assessment assumed an increase in speed from 10 to 25 mph along with an improvement from jointed rail to continuously welded rail, which will lower vibration levels by 5 VdB. The results of the vibration analysis indicate that locomotive vibration levels of 80 VdB (the impact criterion for infrequent events) would be experienced up to 40 feet from the tracks and that rail car vibration levels of 75 VdB (the impact criterion for occasional events) would also be experienced up to 40 feet from the tracks. There is only one building, an apartment above a business at the southern end of the corridor, which is located within 40 feet of the tracks (**Figure 11**).

Mitigation: Area "B"

There is one location identified with vibration impact on the MN&S Spur. The building identified with impact appears to be a mixed use building with an apartment above a welding shop. A more detailed analysis of this building would need to be conducted to determine if there would be a vibration impact. If impact is identified, potential mitigation measured would be assessed

Picture taken from the Lake Street Bridge looking east in the late 1970's.

SOUTHWEST LIGHT RAIL TRANSIT – DRAFT ENVIRONMENTAL IMPACT STATEMENT

RESPONSE FROM:

Jami Ann and Joseph LaPray
3256 Blackstone Ave.
St. Louis Park, Minnesota 55416
952-929-4443
jjlapray@comcast.net

RECEIVED
DEC 28 2012
BY:

December 28, 2012

3256 Blackstone Ave.
St. Louis Park, 55416
December 28, 2012

Hennepin County Housing, Community Works and Transit
Attn: Southwest Transit way
701 Fourth Ave. S., Suite 400
Minneapolis, MN 55415

To Whom It May Concern:

Almost fifteen years ago we became involved in the effort to stop the proposed freight rail re-route. We started small, writing letters to our elected officials and commenting during the scoping of the Southwest Light Rail Transit (SWLRT) project. Each time we commented we were ignored or told the relocation of freight will make someone else's life easier. We were dismayed at the lack of concern our elected officials had for the residents of St. Louis Park and we vowed to continue to work toward a resolution that would preserve our safety, our home and our community. L2

We have been told, "There are always people who are unhappy about big projects." Our opposition to the placement of the freight rail traffic is not about being unhappy; it is about the safety and well being of the residents of St. Louis Park. The Minneapolis, Northfield and Southern (MN&S) rail line designated for the freight rail re-route was not designed to accommodate the volume of traffic that would come with the re-route and there is no practical way to rebuild the line to make it as safe as the current freight rail route through the Kenilworth Corridor.

The photograph on the cover page of this comment is of the Kenilworth Corridor when it was known as the Kenwood Yard. What Hennepin County alleges to be a "pinch point", where freight rail tracks and SWLRT tracks and a bicycle path can't be squeezed in, is to the left of the grain elevator in the 1978 photograph where seven sets of railroad tracks can be counted. The multiple railroad tracks and the number of trains in the photograph demonstrate that the site was built for high volumes of heavy freight. Although the community has encroached on the former railroad yard in the last 30 years, it is still a straighter, shorter, flatter and safer rail corridor than the MN&S and can accommodate both SWLRT and freight traffic with relatively little effort or expense.

Finally, the current SWLRT, Draft Environmental Impact Statement (DEIS) is just another in a long line of incomplete studies done by Hennepin County to justify their plan to move freight rail traffic from the Kenilworth Corridor to the MN&S. For the last 15 years it has been obvious that increasing freight rail traffic on the MN&S is dangerous and an objective analysis that evaluates the MN&S properly will determine that the co-location of freight traffic and the SWLRT is the only safe way for LRT to move forward. C

Attached to this letter is a CD of the SWLRT-DEIS comment prepared by the community group, Safety in the Park. The conclusions drawn by the Safety in the Park Steering Committee accurately reflect our concerns. Please review the contents of the CD and comment accordingly.

Thank you,

Jami Ann and Joseph LaPray
Phone: 952-929-4443
jjlapray@comcast.net

SAFETY IN THE PARK!

RESPONSE TO THE SOUTHWEST LIGHT RAIL TRANSIT PROJECT--DRAFT ENVIRONMENTAL IMPACT STATEMENT (DEIS)

DECEMBER 30, 2012

EXECUTIVE SUMMARY

Safety in the Park is a St. Louis Park, Minnesota grassroots, non-partisan neighborhood organization. Safety in the Park promotes safety and livability by working with the county, city, and state to create an alternative solution for proposed increases in freight rail traffic on the former Minneapolis Northfield and Southern (MN&S) Railroad tracks. Safety in the Park is politically unaffiliated and does not endorse any candidates for political office. Safety in the Park represents a large community of concerned citizens in St. Louis Park as evidenced by the attached 1,500 plus signatures on our petition. Safety in the Park welcomes the addition of Southwest Light Rail Transit to St. Louis Park and supports its implementation. A

The MN&S freight rail relocation portion of the SWLRT-DEIS is not in the best interests of public safety, railroad operating efficiency or conserving public funds. C

History of the proposed relocation: In the mid-1990s the Minnesota Department of Transportation (MnDOT) and Hennepin County decided to sever, instead of grade separate, the Milwaukee Road railroad line at Hiawatha Avenue and the repercussions of that decision remain to this day.

Because there is no documentation of analysis or of public input, it can only be assumed that MnDOT and Hennepin County blithely displaced freight traffic from a major piece of railroad infrastructure, the 29th Street corridor and planned to move the freight to the "preferred location" on the MN&S a little-known, little-used former electric interurban line, and gave no thought to the negative impact of this action. Due to contaminated land the move to the MN&S was delayed and the freight trains were instead moved to the Kenilworth Corridor which was owned by the Hennepin County Regional Rail Authority (HCRRA).

Since the move to the to Kenilworth Corridor, the HCRRA has worked tirelessly to remove the freight from the Corridor and establish the freight in MnDOT's "preferred location," the MN&S. Each time MnDOT or the HCRRA brings up the wish to move the freight traffic the City of St. Louis Park has answered with a resolution stating that re-routed freight traffic would not be welcomed in the city. The first resolution was passed in 1996 with subsequent resolutions in 2001, 2010 and 2011.

Instead of honoring the resolutions and negotiating a compromise, the HCRRA has repeatedly ignored the St. Louis Park resolutions, maligned and marginalized the residents of the MN&S study area and then moved forward with its plans citing “promises made “ to the residents of the Kenilworth area as the reason for the action. These promises have no foundation in fact; documentation of the specific nature of the promises, who made the promises and to whom they were officially made, and why the alleged promises should be afforded the weight of public policy, does not exist. L2

On May 16, 2011 MnDOT issued an Environmental Assessment Worksheet (EAW) that spelled out how a re-route of freight traffic from the Bass Lake Spur owned by the Canadian Pacific Railroad (CP) to the MN&S Spur also owned by the CP might take place. The City of St. Louis Park and Safety in the Park appealed the findings of the EAW document. The EAW was later vacated and is no longer a valid document.

On September 2, 2011 the Federal Transportation Administration officially added the MN&S re-route to the SWLRT project.

SWLRT-DEIS : The proposed MN&S re-route is included the SWLRT-DEIS due to the FTA’s September 2, 2011 mandate that the re-route be considered a part of the SWLRT project. For 3A (LPA, relocation) to work the MN&S re-route must occur, making the re-route part of the SWLRT and not a connected action. As part of the SWLRT project the MN&S re-route must be included in the “study area” on a regular and consistent basis but the SWLRT-DEIS fails in this regard and violates the essential purpose of the National Environmental Protection Act (NEPA). The purpose of NEPA is to ensure that environmental factors are weighted equally before an infrastructure project can be undertaken by a federal agency. The omission of the proposed re-route leads to incorrect conclusions about the cost of the SWLRT. L4

Safety in the Park demands that relocation of freight traffic be analyzed as diligently as the rest of the SWLRT project. Unless the current version of the SWLRT-DEIS is amended significantly, the health, well-being and safety of St. Louis Park residents will be compromised by the proposed relocation of mainline freight rail traffic from the Bass Lake Spur onto the MN&S Spur. More than 1,500 residents have signed a petition insisting on fair treatment by the government agencies proposing the relocation.

Concerns about the inconsistencies in the SWLRT-DEIS can be found in detail in the following summary:

- Lack of reasoning behind the need for the re-route due to the fact that a viable, less costly and safer option exists with co-location of freight traffic and SWLRT in the Kenilworth Corridor (Chapter 1) L4
- Lack of concern for Interstate Commerce T0
    - The late notification about the existence of the SWLRT-DEIS to the Surface Transportation Board (STB) Wednesday, November 28, 2012
    - Implementation of SWLRT could cause disruption of rail service to TC&W clients (Chapter 1)
    - The Memo Dated December 10, 2012 from the STB to the FTA received incomplete answers. (Chapter 1)
- Lack of public input and documentation (Chapters 2 and 12)
    - No documentation of analysis for determining MN&S as preferred location for freight after the freight tracks in the 29th Street Corridor were severed
    - No documentation of promises made to the residents of Kenilworth area L2
    - The MN&S re-route was not part of the scoping and decision making when route 3A (LPA, relocation) was chosen
- Lack of accurate study into the direct impacts of the proposed relocation with respect to
    - Social Impacts (Chapter 3)
    - Environmental Impacts (Chapter 4)
    - Economic Effects (Chapter 5)
    - Transportation Effects (Chapter 6)
    - Section 4(f) Evaluation (Chapter 7) - Specifically the use of 0.81 acres of Cedar Lake Park which is currently being used for freight trains. S1
- Lack of inclusion of methodology used to determine the cost of the SWLRT project. (Chapter 8) This lack of methodology is particularly glaring in light of the fact that a $100,000,000 “typo” occurred
- Lack of an analysis of the indirect and cumulative impacts caused by the proposed freight relocation (Chapter 9)
- Lack of analysis of Environmental Justice (Chapter 10)
- Lack of 23 CFR 771.111(f) analysis to determine if the relocation of freight is “feasible or prudent” (Chapter 11)

Action requested: Halt any decision on the freight relocation issue until further study is completed such that the missing information and flawed assumptions can be addressed. This secondary study needs to have a scope agreed upon by the city of St. Louis Park, Safety in the Park, and railroad companies. Furthermore, the secondary study must be conducted by a government agency and engineering firm not previously associated with the proposed re-route.

Once the new study is completed, a computer generated simulation representing all of the new findings should be produced. This simulation will help residents and elected officials who are not engineers understand the impacts of the proposed re-route prior to making decisions. **Conclusion of analysis of this SWLRT-DEIS response:** Applying the "test" from 23 CFR Sec. 774.17 reveals that the proposed reroute in LRT 3A (LPA) is neither "feasible nor prudent." Therefore, the use of 0.81 acres of Cedar Lake Park according to the Act of 1966 codified at 49 U.S.C. 303 and 23 U.S.C. 138 will not impede the building of SWLRT. S2

LRT 3A-1 (Co-location) best meets the Southwest Transitway project's Purpose and Need Statement as expressed by the goals of improving mobility, providing a cost-effective and efficient travel option, preserving the environment, protecting quality of life, supporting economic development, and developing and maintaining a balanced and economically competitive multimodal freight system. **In light of the facts presented in this SWLRT-DEIS response Safety in the Park recommends that LRT 3A-1 (Co-location) be chosen as the only viable option for SWLRT.** A

SOUTHWEST TRANSITWAY

DRAFT ENVIRONMENTAL IMPACT STATEMENT COMMENTS

Prepared By:

Safety in the Park
safetyinthepark@gmail.com
St. Louis Park, MN 55416

December 28,2012 — **Thom Miller, Co-Chair**
Safety in the Park

December 28, 2012 — **Jami LaPray, Co-Chair**
Safety in the Park

SAFETY IN THE PARK!

RESPONSE TO THE SOUTHWEST LIGHT RAIL TRANSIT PROJECT--DRAFT ENVIRONMENTAL IMPACT STATEMENT (DEIS)

DECEMBER 30, 2012

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- Lack of reasoning behind the need for the re-route due to the fact that a viable, less costly and safer option exists with co-location of freight traffic and SWLRT in the Kenilworth Corridor (Chapter 1) L4
- Lack of concern for Interstate Commerce
    - The late notification about the existence of the SWLRT-DEIS to the Surface Transportation Board (STB) Wednesday, November 28, 2012 T0
    - Implementation of SWLRT could cause disruption of rail service to TC&W clients (Chapter 1)
    - The Memo Dated December 10, 2012 from the STB to the FTA received incomplete answers. (Chapter 1)
- Lack of public input and documentation (Chapters 2 and 12)
    - No documentation of analysis for determining MN&S as preferred location for freight after the freight tracks in the 29th Street Corridor were severed
    - No documentation of promises made to the residents of Kenilworth area L2
    - The MN&S re-route was not part of the scoping and decision making when route 3A (LPA, relocation) was chosen
- Lack of accurate study into the direct impacts of the proposed relocation with respect to
    - Social Impacts (Chapter 3)
    - Environmental Impacts (Chapter 4)
    - Economic Effects (Chapter 5)
    - Transportation Effects (Chapter 6)
    - Section 4(f) Evaluation (Chapter 7) - Specifically the use of 0.81 acres of Cedar Lake Park which is currently being used for freight trains. S1
- Lack of inclusion of methodology used to determine the cost of the SWLRT project. (Chapter 8) This lack of methodology is particularly glaring in light of the fact that a $100,000,000 “typo” occurred
- Lack of an analysis of the indirect and cumulative impacts caused by the proposed freight relocation (Chapter 9)
- Lack of analysis of Environmental Justice (Chapter 10)
- Lack of 23 CFR 771.111(f) analysis to determine if the relocation of freight is “feasible or prudent” (Chapter 11)

Action requested: Halt any decision on the freight relocation issue until further study is completed such that the missing information and flawed assumptions can be addressed. This secondary study needs to have a scope agreed upon by the city of St. Louis Park, Safety in the Park, and railroad companies. Furthermore, the secondary study must be conducted by a government agency and engineering firm not previously associated with the proposed re-route.

Once the new study is completed, a computer generated simulation representing all of the new findings should be produced. This simulation will help residents and elected officials who are not engineers understand the impacts of the proposed re-route prior to making decisions. **Conclusion of analysis of this SWLRT-DEIS response:** Applying the "test" from 23 CFR Sec. 774.17 reveals that the proposed reroute in LRT 3A (LPA) is neither "feasible nor prudent." Therefore, the use of 0.81 acres of Cedar Lake Park according to the Act of 1966 codified at 49 U.S.C. 303 and 23 U.S.C. 138 will not impede the building of SWLRT.

S2

LRT 3A-1 (Co-location) best meets the Southwest Transitway project's Purpose and Need Statement as expressed by the goals of improving mobility, providing a cost-effective and efficient travel option, preserving the environment, protecting quality of life, supporting economic development, and developing and maintaining a balanced and economically competitive multimodal freight system. **In light of the facts presented in this SWLRT-DEIS response Safety in the Park recommends that LRT 3A-1 (Co-location) be chosen as the only viable option for SWLRT.**

A

CHAPTER 1 - PURPOSE AND NEED FOR THE PROPOSED ACTION:

K0

1.0 - The essential purpose of the National Environmental Protection Act (NEPA) is to ensure that environmental factors are weighted equally before an infrastructure project can be undertaken by a federal agency. The SWLRT-DEIS does not fulfill the essential purpose of NEPA. The SWLRT-DEIS is not an objective analysis of the environmental impacts of the proposed freight rail re-route (3A, LPA re-route) and the proposed co-location freight rail alternative (3A -1 LPA co-location). Instead of being objective the SWLRT-DEIS is written as an advocacy for the favored outcome. SWLRT-DEIS employs a variety of methods to mislead the reader and the Federal Transportation Administration into believing that co-location is not a "feasible or prudent" (NEPA [23 CFR 771.111(f)]) alternative, when in fact the exact opposite is true. The methods used include, but are not limited to inconsistent use of vocabulary, highlighting aspects of co-location while glossing over the same aspects of relocation, manipulation of the co-location site to include more area and completely omitting information about the re-route option that would call the feasibility of that option into question.

1.1 - Although Safety in the Park! does not disagree with the need for the Southwest Light Rail Transit (SWLRT) Project, we do disagree with the need for the re-routing of freight trains from what is referred to in the SWLRT - DEIS as the Canadian Pacific(CP) Bass Lake Spur to the Minneapolis, Northfield and Southern (MN&S) Subdivision and the Burlington Northern Santa Fe (BNSF) Wayzata Subdivision. Using the term "Subdivision" in relation to the MN&S is not only incorrect it but it is also misleading. According to officials at the CP the correct classification of the MN&S is a spur line that is part of the Paynesville Subdivision. The use of the term subdivision when describing both the MN&S and the BNSF in St. Louis Park misleads the reader into thinking the MN&S and the BNSF are similar if not equal in layout and usage. This could not be further from the truth. The Bass Lake Spur and the BNSF Wayzata Subdivision were both built to Main Line rail specifications. They both have wide R-O-W, few if any at grade crossings and they are relatively straight and free of grade changes. Conversely, the MN&S was built as an electric interurban and like all interurban has tight R-O-W, multiple aggressive curves and significant grade changes. Furthermore, the addition of the connections between these freight rail lines will increase both curves and grades on the MN&S. The connection between the Bass Lake Spur and the MN&S will have and eight degree curve and a grade of .86%. While the connection between the MN&S and Wayzata Subdivision will have a four degree curve and a 1.2% grade differential. (SWLRT-DEIS Appendices F parts 2 and 3 and SEH http://www.stlouispark.org/webfiles/file/community-dev/techmemo_4.pdf) Adding to the misrepresentation of the different rail lines is the name given to the rail property owned by the Hennepin County Regional Rail Authority, locally and recently known as the Kenilworth Corridor. This "corridor" was until it was purchased by Hennepin County a major, mainline rail yard called the Kenwood Yard. This yard held as many as 14 sets of railroad tracks and with the exception of a short section, the land used as a rail yard has not been built upon.

The misrepresentation continues at the bottom of page 1-1 of the SWLRT-DEIS in the second bullet point which states, “The co-location of LRT and TC&W freight rail service on reconstructed freight rail tracks on the CP’s Bass Lake Spur and HCRRA’s Cedar Lake (Kenilworth Corridor)”suggesting that the TC&W tracks in the Kenilworth Corridor had to be “reconstructed” when in fact they had never been removed, and only underwent repairs to put them back into service (1-1). (Safe in the Park - Chapter 1 Appendix – Document 4)

K0

A formal abandonment process never took place (an outline of this history was found in a document, T:TRE/3aTransitPlanning/Kwalker/SLP_FreightRail/BackgroundforHCRRA_120709.doc, obtained from the HCRRA through the Freedom of Information Act). (Hennepin County Repair announcements August 27, 2012 - Safe in the Park - Chapter 1 Appendix – Document 4).

Further misuse of the term “abandoned” is found in the last paragraph on page 1-3 , “The LRT line would operate in a combination of environments including operations in abandoned freight rail right-of-way (ROW) acquired by HCRRA, at- grade operations in street and trunk highway ROW, and operations in new ROW that would be acquired from public and private entities” (1-3). When the HCRRA purchased the property in question it was in disuse, but it had not formally abandoned, it was not in use. The difference appears subtle, but it is not. Formal abandonment requires a lengthy legal and administrative process to seek approval from the Surface Transportation Board, which only acquiesces when it has been convinced that the tracks are not needed by any customers or the overall rail system.

1.1.1 - **Public Involvement and Agency Coordination Compliance:**

During the scoping process portions of St. Louis Park were denied a voice. Potential participants in the scoping process were told that the freight rail issue did not belong in the discussions for a preferred alternative for the SWLRT. Consequently, the choice of LPA may have been different had the freight rail question been part of the discussion from the beginning. This issue will be documented and explored further in the Chapter 12 of the SWLRT-DEIS comment.

L2

K0

1.2.1 - **Early Planning Efforts**

On pages 1-6 and 1-7 a list of documents used in early planning of the SWLRT is presented. However there are several important documents left off of the list. These documents are not favorable to SWLRT and therefore seem to have been ignored.

- 1996--City of St. Louis Park Resolution--96-73 (Safe in the Park - Chapter 1 Appendix – Document 1)
- 1999--St. Louis Park Task Railroad Study http://www.hennepin.us/files/HennepinUS/Housing%20Community%20Works%20and%20Transit/Regional%20Railroad%20Authority/Authority/Railroad_Study_March_1999.pdf -
- 2001 City of St. Louis Park Resolution--01-120 (Safe in the Park - Chapter 1 Appendix – Document 2)
- 2010 City of St. Louis Park Resolution--10-070 http://www.stlouispark.org/webfiles/file/freight_rail.pdf
- Short Elliot Hendrickson Inc. (SEH)--Comparison of the MN&S route and the Kenilworth route--http://www.stlouispark.org/webfiles/file/community-dev/techmemo_4.pdf
- 2011 City of St. Louis Park Resolution 11-058 http://www.stlouispark.org/webfiles/file/community-dev/5-31-11_resolution_relating_to_freight_activity_in_slp.pdf
- Evaluation of Twin Cities and Western Railroad responses(EAW) http://www.mnsrailstudy.org/key_documents

To understand the opposition to the proposed reroute the documents listed above must be included in an objective evaluation of re-route portion of the SWLRT project. Furthermore; the SEH study and the comments to the EAW need to be considered before a conclusion about the freight question in the SWLRT-DEIS can be made.

1.2.2 **Environmental Review and Project Development Process**

This DEIS fails to consider the environmental impacts of the proposed reroute portion of the SWLRT project , but instead promotes a course of action that will redistribute property values from lower income neighborhoods in St. Louis Park to higher income neighborhoods in Minneapolis. The result is a net decline not only of property values, but also to overall public safety of Hennepin County. The reason for the effort to promote the re-route option over the co-location option may be based on undocumented promises touched on in the link below: http://hennepinmn.granicus.com/MediaPlayer.php?view_id=10&clip_id=1459 (F)11-HCRRA-0072

On July 20, 2010 a member of St. Louis Park City Staff requested documentation of the analysis that allowed MnDOT to designate the MN&S as the "preferred location" for TC&W freight traffic after the freight tracks were severed while rebuilding Hiawatha Ave. No documentation was ever received by the City of St. Louis Park. (Safe in the Park - Chapter 1 Appendix – Document 3)

1.2 and 1.2.1: Paragraphs discuss the Scoping Process that should comply with MEPA and NEPA rules pertaining to open-to-the-public meetings, comment sessions, and other public comments options with regard to the Alternatives Analysis. The DEIS admits during that time the city of St. Louis Park, residents and businesses were instructed in writing that the freight rail reroute was a separate issue not to be considered with the SWLRT. Therefore the entire time of "public comment" to decide the AAs should be considered null and void because citizens and municipalities were not properly informed of the environmental impacts of the LPA (1-6). During this same time the HCRRA was aware of resolutions made by more than one St. Louis Park City Council opposed the re-routing of freight trains. Had the reroute been considered a connected action during that time, it may have significantly changed support for the LPA by the city of St. Louis Park. Although the process may not have legally violated MEPA and NEPA standards, it did violate the spirit of the law.

1.3.2.1 - **Declining Mobility**

The SWLRT-DEIS continues its misrepresentation of information in its discussion of declining mobility. At the bottom of page 1-9 and the top of page 1-10 a list of current "employment centers" is given. The second item in a bullet point list is "St. Louis Park's Excelsior and Grand – 10,000 jobs" (1-9, 1-10). This information is false. According to the City of St. Louis Park web-site demographics of employment (http://www.stlouispark.org/webfiles/file/stats/employment_stats.pdf) there are a total of 10,078 jobs in St. Louis Park. Many of these jobs are not near the proposed SWLRT alignment. The list on the city web site does not assign any number of jobs to the Excelsior and Grand area. K0

Following the list of "employment centers" (1-10), there is a general discussion about the congestion that could occur should the SWLRT not be built. This information is based on the United States Census conducted in the year 2000. The U.S. Census web site no longer shows census data from the year 2000 (http://quickfacts.census.gov/qfd/states/27000.html) making substantive comment on the data in SWLRT-DEIS impossible for the average resident of Hennepin County. Also, based on this old, unavailable information that does not take into account the downturn in the economy in 2008, vague generalizations are made. For example: "Current express bus travel times may increase, despite the current use of shoulder lanes" (1-10).

A simple if/then statement can be used to sum up and sow doubt on the conclusions made. If the information about St. Louis Park is false then what other information in the document is false?

1.3.2.2 - **Limited Competitive, Reliable Transit Options for Choice Riders and Transit Dependent Populations including Reverse Commute Riders**

Information and generalizations based on the unavailable and outdated 2000 Census are used and therefore all of the DEIS' conclusions are brought into question. When the 2000 Census is not the source of information the exact source and date of the information is often not provided. An example from page 1-10 of the SWLRT- DEIS is a case in point. "A number of major roadways in the study area such as TH 100 and TH 169 are identified by MnDOT as experiencing congestion during peak periods." (1-10) Who at MnDOT made this assertion? When was it made? Was the upcoming rebuild of TH 100 in St. Louis Park taken into account? (http://www.stlouispark.org/construction-updates/highway-100-reconstruction.html) K0

Although the information in section 1.3.2.2 does not discuss the proposed re-route portion of the SWLRT, it does speak to the general misrepresentation of information in the SWLRT.

1.3.2.3 - **Need to Develop and Maintain a Balanced and Economically Competitive Multimodal Freight System**

It is easy to agree in theory with the need for a vibrant freight rail system in a growing economy. However, the unsubstantiated and false assertions in this section make it impossible to agree that rail connections between the Bass Lake and MN&S spurs and the MN&S spur and the BNSF Wayzata subdivision are necessary for the greater good.

The SWLRT-DEIS states, "The construction of a new connection between the Bass Lake Spur and the MN&S Spur, a new connection between the MN&S Spur and the BNSF Wayzata Subdivision, and the upgrading of track on the MN&S Spur are included as recommended actions in the Minnesota State Rail Plan" (1-12). No citation is provided as to where in the Minnesota State Rail Plan this assertion can be found. Presented on pages 4-11 and 4-12 of the Minnesota State Rail Plan (http://www.dot.state.mn.us/planning/railplan/finalreport/MNRailPlanFinalReportFeb2010.pdf) are text and charts describing the upgrades needed to both the BNSF and the CP prior to 2030. There is no mention of the connections mentioned in the SWLRT-DEIS (4-11& 4-12). K3

It needs to be noted that the new construction discussed in the SWLRT-DEIS is the same plan used in the EAW vacated by MnDOT on December 20, 2011 (SWLRT-DEIS Appendix F parts 2 and 3). This plan was rejected as unworkable by the TC&W railroad in their comments to the EAW. (http://mnsrailstudy.org/yahoo_site_admin/assets/docs/Railroad_Comments.18891450.pdf)

K3

The next three sentences in this section are also misleading. "Providing a direct connection to the north- south MN&S line would improve accessibility to CP's Humboldt yard. Currently TC&W interchanges with the CP at their St. Paul yard. Although the Humboldt Yard is much closer, the inefficiency of the existing connection is so great that the extra distance to St. Paul is less onerous" (1-11 and 1-12). These sentences imply that most if not all of the TC&W's business is with the CP. They also mistakenly imply that the TC&W will be happy to get the connection because it will improve the company's efficiency. However, the comments made by the TC&W in the EAW show just the opposite (http://www.mnsrailstudy.org/key_documents--TC&W comments, page 1, last paragraph; also page 3, first bullet point under "Inaccuracies in the EAW..."). The STB Memorandum to Federal Transit Administration, Region V: Questions and Responses for Surface Transportation Board dated December 10, 2012 received incomplete responses about the interconnection needed for the relocation plan to work. The maps given to explain the new interconnects lacked reference to the extreme grade changes that will take place. Figure 1: Relocation Alternative, MN&S Spur does not indicate the need for a mile long ramp to accomplish the .86% grade (Figure 1: Relocation Alternative, MN&S Spur) needed to connect the Bass Lake Spur to the MN&S Spur. Furthermore, Figure 3: Relocation Alternative, Re-Established Connection does not describe the 1.2% grade needed to reestablish the connection between the MN&S Spur and the Wayzata Subdivision. (Figure 3: Relocation Alternative, Re-Established Connection - MN&S Spur to Wayzata Sub)
Missing completely from the discussion of the TC&W using the MN&S Spur to go to the Humboldt Yards in New Hope is the impact the added freight traffic will have on Northern St. Louis Park, Golden Valley, Crystal and New Hope. In St. Louis Park alone there are two at grade rail crossings on the MN&S north of the BNSF. One of the crossings is Cedar Lake Road, a major east/west roadway thought St. Louis Park yet the SWLRT does not document the traffic counts and the impacts of the crossing being closed on a regular basis.

Reading the last sentence in the first full paragraph of page 1-12 and the non sequitur of the next full paragraph continues the misleading information.

"The proposed connection in St. Louis Park allows the TC&W an alternate route at those times when the BNSF route is not available.

Moving commodities along freight rail lines rather than by semi-trailer truck on the roadway system has a significant effect upon the region's mobility. TC&W reports that an average train load equates to 40 trucks on the roadway system. Maintaining freight rail connections as a viable method for transporting goods to, from, and within the Twin Cities region contributes to the healthy economy of this region. As the roadway network continues to become more and more congested, moving commodities by freight rail will become more competitive" (1-12).

K3

Placement of the above passage in the context of the discussion of the MN&S interconnects implies that without the interconnects the TC&W will have no choice but to use semi-trucks to move their freight. The HCRRA's praise for the economic and environmental virtues of freight railroads is laudable but at odds with HCRRA's continuing long-term policy of pushing freight rail traffic to ever more marginal scraps of infrastructure. Examples of the HCRRA's displacement of freight railroad traffic from their purpose-built and most direct and efficient routes includes the closure of the former Milwaukee Road mainline that was used by the TC&W and ran below grade through south Minneapolis, and the constriction of the BNSF mainline adjacent to Target Field in Minneapolis. In both of these cases freight rail traffic ceded right-of-way to relatively frivolous purposes, a bicycle trail for the Milwaukee Road mainline and a sports stadium and bicycle trail that constricts the BNSF Wayzata subdivision. The wording of the DEIS uses the phantom assumption that the further constriction of the BNSF line at Target Field by the SWLRT is a fait accompli and re-routing the TC&W is the only alternative to trucking, but leaving the TC&W traffic in its current route provides it a straighter, flatter, safer, shorter, less costly and more direct route to its most important destination in St. Paul. There are other alternatives to placement of the SWLRT and the bicycle trail that will not constrict freight rail traffic at Target Field.

Severing the TC&W's current route through the Kenilworth Corridor as proposed by the SWLRT-DEIS would have the opposite effect of "maintaining freight rail connections as a viable method for transporting goods" (1-12).

The multitude of unsubstantiated and false assertions in this section make it impossible to agree that rail connections between the Bass Lake and MN&S spurs and the MN&S spur and the BNSF Wayzata subdivision are necessary for the improvement of the Twin Cities rail network. Therefore the bullet pointed benefits at the end of this section are not benefits under the current engineering plan in the SWLRT-DEIS.

- *Access to the Savage barge terminal would improve.* The SWLRT-DEIS only has one connection from the Bass Lake Spur to the MN&S Spur. That connection curves north. For the access to Savage to improve there would also need to be a connection from the Bass Lake Spur to the MN&S Spur curving south.
- *Access to CP's Humboldt Yard and other locations on the east side of the metropolitan area would be improved.* The Humboldt Yard is on the north side of Minneapolis, not the east side of the metropolitan area. The problem would not be the access itself, but with the lack of efficiency and economic benefit to the TC&W of that access. The TC&W comments on this point in their EAW comments. http://www.mnsrailstudy.org/key_documents
- *An alternate route that avoids the downtown Minneapolis passenger station would be available to the TC&W.* Again, the route would be available, but would not prove to be of an economic benefit.
- *The quality of the north-south rail line would be upgraded.* Because the overall benefit of the interconnection does not exist, there is no need to upgrade the current track. (1-12)

1.4 - ***Project Goals and Objectives***

K0

The goals and objectives of the SWLRT-DEIS project are not applied equally to all residents in the study area and this is in violation of the essential purpose of NEPA. The 6 goals stated if implemented without alteration will have a detrimental impact on the residents of St. Louis Park. This details of the detrimental impact will be discussed further in this comment to the SWLRT-DEIS.

1. Improve mobility - Due to blocked crossings and the closed crossing at 29th Street mobility in the MN&S reroute area will decrease.
2. Provide a cost-effective, efficient travel option - The design as stated in the SWLRT - DEIS is not cost effective for the railroads, and there is no discussion of reliable funding for maintenance
3. Protect the environment - The environment in the vicinity of the MN&S will deteriorate. The problems include but are not limited to an increase of noise and vibration and diesel fumes from locomotives laboring to climb steep grades will impact air quality and the threat of derailment and crossing accidents impacts the safety of residents.
4. Preserve the quality of life in the study area and the region - Quality of life will decrease in the MN&S area.
5. Support economic development - Property Values and Small business will be negatively impacted.
6. Support economically competitive freight rail system - Should the proposed reroute be built the opposite to this goal will be accomplished. The rail system in St. Louis Park will not be safe, efficient or effective (1-13 & 1-14).

CHAPTER 2 - ALTERNATIVES CONSIDERED

L2

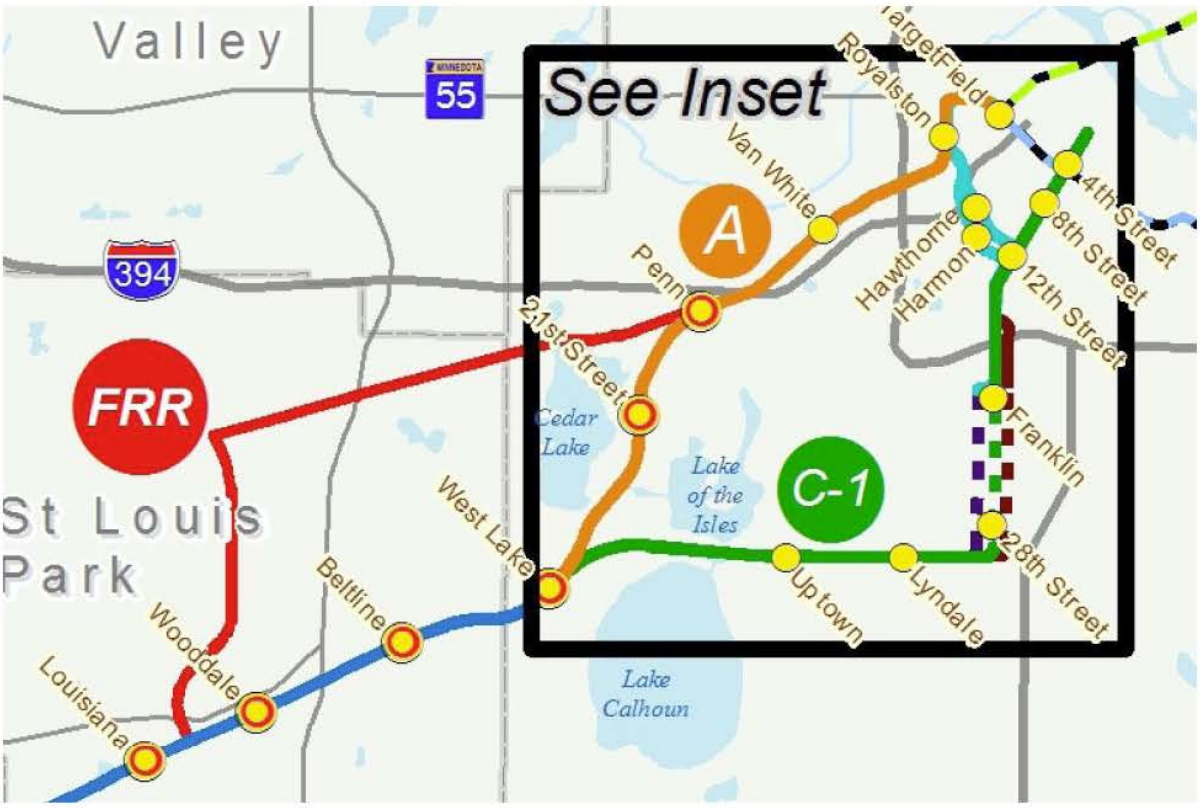
2.1.2 and 2.1.2.1: Paragraphs discuss the Scoping Process that should comply with MEPA and NEPA rules pertaining to open-to-the-public meetings, comment sessions, etc. with regard to the Alternatives Analysis.. However, as the DEIS admits; during that time the City Council of the city of St. Louis Park, the city's residents and businesses were instructed in writing that the freight rail was a separate issue not to be connected with the SWLRT. (The DEIS walks through those events in detail) Therefore this entire time of "public comment" to decide the alternatives should be considered null and void because citizens and municipalities were not properly informed of the environmental impacts of the LPA. That fact should void the entire process for selecting an LPA, an early step in the development of SWLRT, especially when considering that opposition to the re-route by the city of St. Louis Park was not merely implied but the topic of repeated resolutions passed by the city. The city's position was clear. Had the reroute been considered a connected action during that time, it may have significantly changed the question of support for the LPA by the city of St. Louis Park. Furthermore, the process was not consistent with MEPA and NEPA guidelines. Furthermore this influences all of the topics in the DEIS where it is noted that alternatives other than the LPA are not consistent with planned development. This phrase is used repeatedly and refers only to the fact that plans surround the LPA.

C

2.3.1.3 This is a discussion of the number of trains using the current route. This discussion is not up-to-date. The TCW has added additional trains in the last six months.

2.3.3.1: Discusses the easement rights of St. Louis Park for a portion of land. Though the easement is set aside for railroad development in St. Louis Park, the DEIS is written to appear as though St. Louis Park agreed to the re-route. As stated above, resolutions have repeatedly passed by the city opposing a re-route. In addition the state statute, 383B.81, is quite clear that the easement exists for railroad operations but DOES NOT provide any conditions for St. Louis Park agreeing to railroad operations, only that the land can be used for that purpose.

2.3.3.4 Build Alternative Segments: THERE IS A MAJOR FLAW HERE THAT AFFECTS THE ENTIRE DEIS. This section outlines the segments of the route to be analyzed throughout the DEIS but does so incorrectly. The FRR segment is correctly identified. However, segment "A" includes a long portion of track that will NOT BE AFFECTED by a re-route or co-location. It incorrectly adds all of the people, lands, buildings, institutions, etc. to the Segment "A" when that Section "A" should only include the area between the planned West Lake station and the planned Penn Station; the co-location area. The area from the planned Penn Station to the Target field station is common to both the FRR segment and Segment A. and effects in that area should not be attributed to any segment.


Valley
55
See Inset
Royalston
Van White
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Penn
394
21st Street
FRR
Cedar Lake
Lake of the Isles
C-1
West Lake
St Louis Park
Beltline
Wooddale
Louisiana
Uptown
Lyndale
Lake Calhoun
Hawthorne
Harmon
8th Street
4th Street
12th Street
Franklin
28th Street

CHAPTER 3 SOCIAL EFFECTS:

C

1-1.1 discusses the area studied--The study area is wholly incorrect in regard to the Freight Rail Reroute, and the areas chosen for study therefore affect all of the conclusions and render them inaccurate.

The DEIS discusses the area studied to be a ½ mile radius from the LRT track. However, that ½ mile radius is only applied to the LRT portion, not the FRR portion. The text says "the study area has been defined as the area within a one-half mile radius of the proposed Build Alternatives…. and includes the area of the Freight Rail Relocation segment." The ½ mile area of study does indeed include the FRR area, but does not include a ½ mile radius from the FRR (MN&S tracks) Therefore, much of the area that includes people, schools, institutions, and lands that will be affected by the re-route are not being tallied as an affected area.

An argument can actually be made that not only should the FRR track area of study be a ½ mile radius, but in fact because the weight, vibration, noise, etc. are greater for freight trains than light rail trains, an even broader area should be studied for the FRR.

In section 3.1.2.7, the reported MN&S land use is generalized as follows: the largest proportion of land use along this segment is at over 40% housing; park and undeveloped over 15%; schools about 7%, and industrial/retail/office about 7%. That these figures are generalizations ("over 40%" and "about 7%") indicates cursory attention to the affected areas. In addition, the land use area along the MN&S is not specified. The DEIS does not report the area being considered. To illustrate my point, it is stated that the co-location area of consideration is within ½ mile of the track, but there is nothing stated about the distance from the track for the reroute.

In section 3.1.2.4, the reported land use along the co-located route is far more specific, indicating careful study: 19.8% housing; 14.1% parks and open space; 10.7% water; and 11.3% industrial.

In spite of the fact that more than 70% of land use along the MN&S directly impacts human activity—but only 45.2% of land use surrounding co-location impacts human activity—the DEIS claims the reroute is the preferred option.

It is unacceptable that the decision to move main-line freight to a spur track be made without careful, serious study. Hennepin County has not seriously considered the negative impacts on community cohesion or safety impacts on residents, school children, and commuters within St. Louis Park. The DEIS fails to accurately or objectively report impacts on rerouted freight traffic.

3.1.8 Summary of Land Use: it's unclear why the 3A-1 is not compatible with existing land use and the 3A is when the freight trains currently run on 3A-1.

C

On the same summary under the metric: Consistent with adopted regional and local plans, the 3A-1 is listed as Incompatible. This is because the Met Council and others have simply planned for freight rail to go away. (See above argument about the choice of the LPA.

On page 3-15 in the land-use section, the DEIS claims that six separate studies "concluded the best option for freight rail operations was to relocate the TC&W freight rail operations to the MN&S line" (3-15). However, what is missing in chapter three is a list of these "six separate studies." If the DEIS is referring to studies, then there are serious flaws in each "study," including the fact that most of them are not true studies at all. The possible studies are listed and outlined in the document below:

Freight Rail Studies

Freight Rail Realignment Study, TDKA—November 2009

- Undertaken for Hennepin County after the locally preferred alternative for SWLRT was chosen. Needed to support SWLRT locally preferred alternative
- No engineering took place

Analysis of co-location of Freight and SWLRT, HDR—August 2009

- Written for Hennepin County to support what is now the locally preferred option.
- No engineering took place

Evaluation of Twin City & Western Railroad (TCWR) routing alternatives, Amphar Consulting—November 2010

- Co-location and re-route are not discussed in this report.

Analysis of Freight Rail/LRT Coexistence, RL Banks—November 29, 2010

- December 3, 2010 – Francis E. Loetterle, lead engineer for RL Banks study issued a letter admitting mistakes made in co-location analysis.
- Study is flawed.

MN&S/Kenilworth Freight Rail Study, SEH—February 2011

- Used best-fit engineering
- Co-location and re-route possible **without** taking properties
- Co-location less costly

MN&S Environmental Assessment Worksheet (EAW), MnDOT—issued May 16, 2011

- Co-location not mentioned in this document
- December 19, 2011—EAW was vacated.
- It is no longer a valid document.

On page 3-22, the HCRRA Staff Report on Freight Rail Relocation (August 2011) is cited as evidence that relocation is the preferred option. Yet, when I click on the link, the web page cannot be found.

C

In section 3.1.3.1, the DEIS concludes that “re-locating the freight rail activity . . . is identified most frequently by the plans as being the desired alternative for the SW Transitway” (3-26). Further down, the DEIS includes **Table 3.1-2 Summary of Local and Regional Comprehensive Plans and Studies** (3-20 – 3-26) which identifies three plans that make co-location incompatible, but re-location the desired option.
The three plans are the *Hennepin Transportation Systems Plan* (2011), the *Hennepin County Sustainable Development Strategy 2011*, and the *Minneapolis Parks & Recreation Board Comprehensive Plan* (2007).

The link provided for the *Hennepin County Transportation Systems Plan* (2011) connects to a page that states, “The webpage cannot be found.” Regardless, the fact that the plan was published in 2011—AFTER the Environmental Assessment Worksheet was vacated by MNDOT because the document couldn’t defend its position to reroute freight traffic to the MN&S suggests the reroute plan by Hennepin County is biased and invalid.

The problem of validity is the same for the *Hennepin County Sustainable Development Strategy 2011*. However, this document is problematic for a variety of reasons. The link does not lead to a document that clearly states the co-location is incompatible with LRT, nor does it comment on rerouting freight from the Kenilworth Corridor to the MN&S at all. The following excerpts included below are the only comments in the document that allude to freight traffic:

> Midtown Greenway: this six-mile linear corridor across south Minneapolis, opened in phases from 2000 – 2006, exemplifies how a multi-use trail through a low- and middle-income community can create jobs, stabilize property values, foster redevelopment, and encourage non-motorized transportation choices while preserving the opportunity for future transit. The success of this corridor has been enhanced by the Midtown Community Works Partnership, which has provided leadership through its public and business partners and resources for implementation. (9)
>
> Southwest LRT Community Works: This project exemplifies the county’s sustainable development strategy. The proposed 15-mile, 17-station Southwest LRT line, projected to open in 2017, will run from downtown Minneapolis to the region’s southwestern suburbs. The project has advanced through a decade of feasibility studies, an alternatives analysis, and a draft environmental impact statement. A locally preferred alternative for the LRT line was selected in spring 2010. The project is expected to receive federal approval to enter preliminary engineering in spring 2011.

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In anticipation of the Southwest LRT project's entry into preliminary engineering, the Hennepin County Board established the Southwest LRT Community Works project to integrate corridor-wide land use, development, housing, and access planning with the LRT line's engineering and design. Southwest LRT Community Works, in collaboration with the Metropolitan Council and its Southwest LRT Project Office, will integrate LRT engineering and land use planning from the outset of the preliminary engineering process. This coordinated work, which also engages the cities and many other stakeholders along the corridor, seeks to maximize economic and community benefits of public transit investments and stimulate private investment within the corridor. [See box for additional information]. (10)

[Box with additional information] ORGANIZATIONAL MODEL

To achieve the objective of integrating LRT engineering with land use and development planning, the county and the Metropolitan Council have jointly developed an innovative organizational model with the following features:

· Multiple organizational linkages between the SW LRT Project and the SW LRT Community Works project, including shared business and community advisory committees, to advise and inform both the SW LRT and the SW LRT Community Works governing bodies.

· A project office housing both the SW LRT project engineering and Community Works staff, including two full time professional staff, an engineer and a planner, charged with actively promoting and managing the dialogue between engineering and land use, both within the project office and throughout the community.

· Community meeting rooms and public space for residents to learn about the LRT project and review plans for associated development. Residents will also be able to submit ideas for consideration, view models of LRT and station area plans, and learn of scheduled public meetings and other community engagement opportunities.

Drawing on Community Works' successful program emphasis on employment development, community connections, natural systems, tax base enhancement, and public and private investment coordination, the county is updating old and adding new programmatic elements. These changes reflect the connections between housing, transportation, employment, environment, health, and energy and their emerging integration in national public policy, finance, and philanthropy. (11)

Place matters: While not highly prescriptive, county plans recognize the importance of transportation choices, enhanced economic competitiveness, and equitable, affordable housing in fostering sustainable communities. (11)

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Finally, the *Minneapolis Parks & Recreation Board Comprehensive Plan* (2007) contains one brief excerpt included below that mentions transportation corridors, and again, there is no mention of freight traffic whatsoever:

> Work with the City of Minneapolis and other entities to identify and support multi-mode transportation corridors between parks, with preference given to routes that encourage non-motorized linkages between parks. (24)

Section 3.1.3.1, "Land Use and Comprehensive Planning: Conclusions" states the following:

> "Based on the analysis of local and regional plans and studies, it has been determined that . . . relocating the freight rail activity from the Kenilworth Corridor to the previously planned and existing CP Rail corridor through St. Louis Park (Figure 2.3-2), is identified most frequently by the plans as being the desired alternative for the Southwest Transitway" (3-26).

There is no mention in the "plans and studies" listed in the Land Use Chart of the four separate resolutions signed by St. Louis Park city councils and two different mayors in the document. These resolutions are outlined below. In addition, the St. Louis Park Mission Statement and Vision St. Louis Park are not included in the chart, but the visions and mission statements of Minneapolis are included. Nowhere in the vision statements of St. Louis Park is there a desire for rerouting freight traffic from the CP to the MN&S line. These St. Louis Park plans make rerouting freight the incompatible option.

City Council Resolutions

St. Louis Park

- 1996 resolution 96-73—Opposes any re-routing of freight trains in St. Louis Park. Signed by Mayor Gail Dorfman (now Hennepin County Commissioner)
- 2001 resolution 01-120—Opposes re-routing of freight in St. Louis Park, but points out that the city is willing to negotiate should the need arise.
- 2010 resolution 10-070—Reinforced the 2001 resolution opposing a freight rail re-route.
- 2010 resolution 10-071—Reinforced the 2001 resolution asking for proof that no other viable option for freight exists
- 11-058—Opposes the re-routing of freight because the engineering study commissioned by the city of St. Louis Park proved there is a viable alternative to the proposed re-route.

Minneapolis – There are no Minneapolis City Council Resolutions opposing freight continuing in the Kenilworth Corridor.

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St. Louis Park did **NOT** agree to accept the re-route in exchange for the cleanup of a superfund site. Below is a link to the statute and an explanation of pertinent passages.

MINNESOTA STATUTES 2010 383B.81 ENVIRONMENTAL RESPONSE FUND.

- SUBD 6, which states that an easement is being granted to St. Louis Park for economic development and for rail improvements to replace the 29th St. corridor. This can be interpreted to sound like "it **will** replace the 29th St. corridor and freight trains will be re-routed" and that is why the city of St. Louis Park made their intentions clear in their resolutions. The resolutions were passed in 2001, 2010 and most recently May 2011.
- Nowhere does it state that this money is conditionally granted upon the land being used for a re-route. It merely states that the priority for the site is enough **right- of - way** for railroad operations to replace the 29th St. corridor
- SUBD 8, states that the city must approve any work done on the site.
- The statute is vague as to what the rail improvements would be. If the intent of the statute were to absolutely re-route freight trains to the MN&S, it would say so in those words.
- The reality: If this statute meant that SLP accepted the re-route, the county would merely move forward and cite this statute: https://www.revisor.mn.gov/statutes/?id=383B.81&year=2010&format=pdf

Missing documents…

There are no known documents which support the assertion that the people of Minneapolis were promised the freight trains would be removed.

In 3.1.5.1 "Effects to Land Use and Socioeconomics—Segment A," the DEIS states, "in order to achieve adequate ROW for placement of the three facilities [existing freight rail, LRT rail, and a bike trail], up to 57 town homes would be removed in the area north of the West Lake Station on the west side of the corridor and 3 single-family houses would be removed north of Cedar Lark Parkway along Burnham Road" (3-34).

Moving the bike trail is not included as a consideration in this DEIS. Even though the DEIS itself cites an additional cost of $123 million to reroute freight traffic, there is no cost analysis or even consideration for rerouting a bike trail. In addition, the city of St. Louis Park funded its own study regarding the feasibility of co-location when it became clear Hennepin County was not going to study the matter seriously, and this study found co-location possible without taking the 57 town homes. The three houses mentioned in segment A have never been mentioned before, so this property take is unclear.

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The DEIS states that for relocation, “land use is not anticipated to change along the primarily residential areas . . . because improvements are within the existing corridor” (3-34). Failure to mention the increased speed (from 10-25 mph), increased grade (to 0.86%), increased vibrations which have not been studied according to this DEIS, and change in freight (from construction materials to coal and ethanol) constitutes negligence. This DEIS fails to adequately study the very serious impacts on the “primarily residential areas,” not to mention the five schools within ½ mile of the MN&S.

The only mitigation mentioned in section 3.1.7 Mitigation is mitigation for construction. No other mitigation is mentioned. A DEIS of this nature should include mitigation for the community accepting freight rail regardless of its route. A full list of mitigation items has been submitted as a DEIS comment by the City of St. Louis Park

Figure 3-2.1. In this section, neighborhoods are discussed. Again, a very small radius of area is analyzed. The neighborhoods included should be all neighborhoods that where a portion of the neighborhood is within ½ mile of the FRR tracks.

In section 3.2.2.6, “Neighborhoods and Community Cohesion—Segment A,” the DEIS states, “Disruption to the community’s character [with co-location] is the introduction of additional rail facilities, i.e. LRT would be added to existing freight rail operations. With the additional tracks using a wider portion of the HCRRA corridor, the potential to alter historic properties and characteristics of the neighborhood . . . is introduced. The wider corridor with rail operations closer to residences and recreation areas decreases the opportunities for community cohesion” (3-58).

The comment that co-location has “the potential to alter historic properties and characteristics of the neighborhood” fails to recall the historic fact that as many as 14 tracks once occupied that section of the corridor. The historic characteristics of the neighborhood would not be altered at all, but rather, restored—slightly—in the form of one additional resurrected rail line. As described in Minneapolis And The Age of Railways by Don L. Hofsommer (copyright 2005 by Don L. Hofsommer, Published by the University of Minnesota Press) the Minneapolis & St. Louis (M&StL) railroad was operating its line from Minneapolis to Carver, which would have passed through what is now the Kenilworth Corridor, as early as 1871 (pages 36 and 37). At this time in history the MN&S line did not yet exist. The Kenilworth Corridor, then known as Kenwood Yard, continued to be used for mainline freight until the 1980s. The DEIS’ description of the Kenilworth Corridor as “historic,” without consideration of the factual history of the area, further demonstrates bias against co-location rather than serious study.

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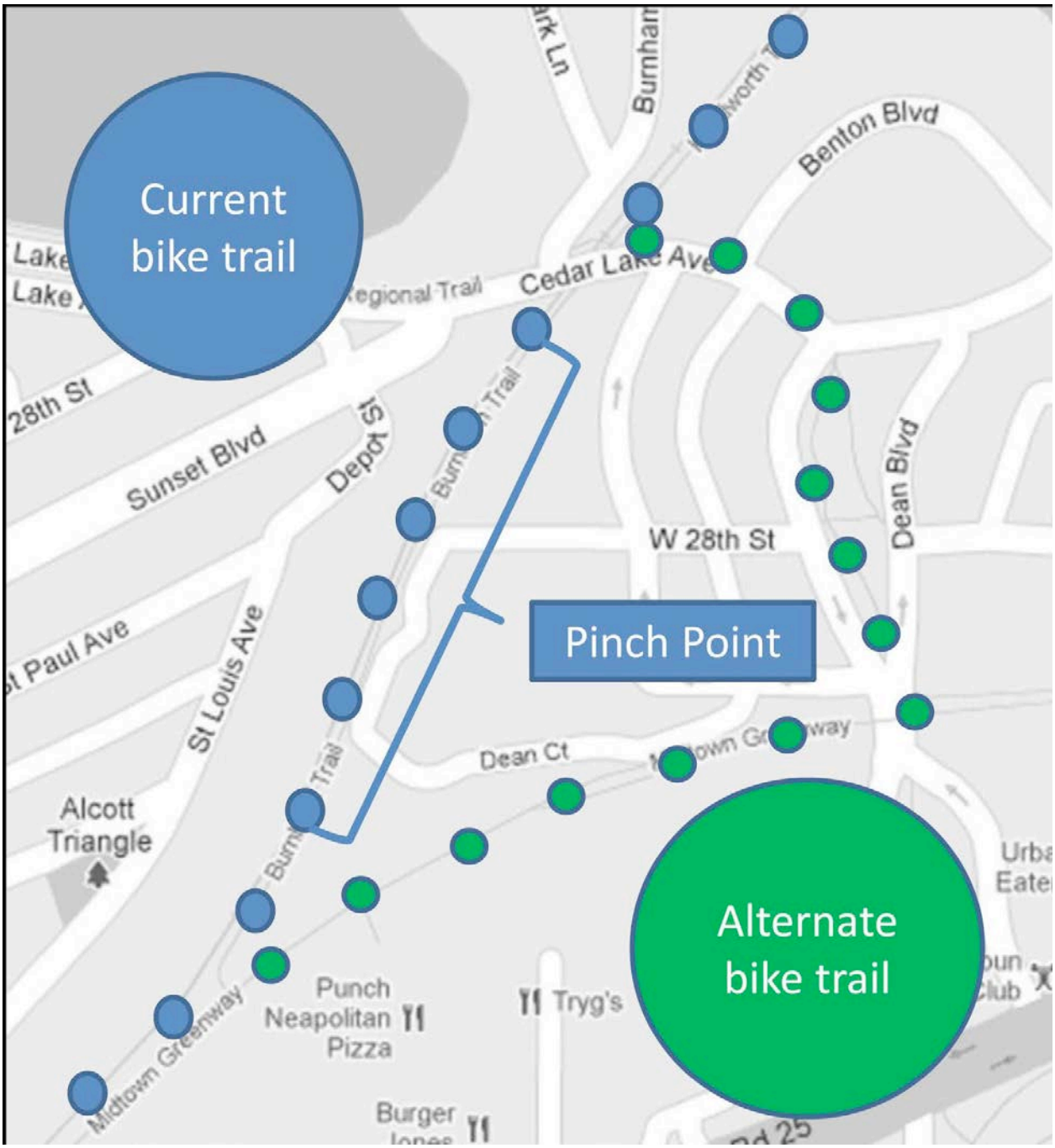
3.2.2.6 Discussion of neighborhood Cohesions ASSUMES that the 60 townhomes would need taking because of the assumption that the width of the Kenilworth corridor in 1/4 mile section is not wide enough for freight and light rail tracks. In fact, moving the bike trail in that same space would eliminate such a need. “With the co-location alternative, the largest disruption in community cohesion would be the acquisition of 60 housing units” (see Section 3.3).

There is absolutely no discussion of moving the bike trail instead of taking the 60 homes which artificially overstates the costs for co-location. Here is a simple diagram that shows how the bike trail can be re-directed which would cost almost nothing since the entire suggested trail is already a designated bike trail.



In the same section, namely, 3.2.2.6, “Neighborhoods and Community Cohesion—Freight Rail Re-Location Segment,” the DEIS states, “The level of freight rail service through St. Louis Park is not anticipated to change, but would be redistributed to the MN&S Line (Figure 2.3-2). Since the MN&S is an active freight rail corridor and the relocation of the TC&W traffic to the MN&S would add only a small increase in freight rail traffic, significant impacts to community cohesion along the MN&S would not be anticipated” (60).

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These statements are flatly incorrect. The relocation of freight will add a significant increase in freight traffic through densely populated residential areas with narrow ROW. Rerouted freight will pass within ½ mile of five schools—within 75 feet of the St. Louis Park Senior High School. In fact, according to the DEIS itself, freight traffic will increase by 788%.

Furthermore, community cohesion will be profoundly, negatively impacted by the increased noise and vibrations due to mile-long coal- and ethanol-carrying trains climbing a grade of .86%, maneuvering through three tight curves in which engineer sightlines are limited to as few as 178 feet. Six at-grade crossings will be blocked simultaneously as the longer rerouted trains travel along the MN&S. The MN&S has never serviced unit trains of coal or ethanol, nor have the trains been longer than 45 cars. Currently, the MN&S services one, 15-20-car train per day, Monday through Friday between 9 a.m. and 6 p.m.—it travels south and returns north once per day. The rerouted traffic will send an additional 258 cars per day, and the trains will effectively travel seven days a week, twenty-four hours per day. These numbers do not include any projected increases in freight traffic.

This DEIS does not seriously consider the detrimental impact on community cohesion for St. Louis Park. It does not include the noise and vibration studies needed for determining real impact as well as necessary mitigation; it does not include traffic counts at the six, at-grade crossings that will experience prolonged blocking due to the rerouted train; it does not include traffic studies that take into account the school bus traffic traveling between the two schools bisected by the MN&S—the St. Louis Park Senior High School and Park Spanish Immersion; it does not take into account the dangerous freight passing within 100 feet and above grade through densely-populated residential areas; and it does not take into account that trains carrying hazardous materials, going around tight corners, accelerating hard to climb the steep grade, or braking hard to travel down the steep grade, will cross on bridges over Highway 7 and Minnetonka Boulevard—two very busy roads—in a compromised position. The rerouted trains would ideally cross on bridges over busy highways/roadways going straight; this is not the case for the MN&S, and there are no derailment studies included in the DEIS that discuss the impacts of this reroute.

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3.2.2.6 Quotes “a small increase in freight rail traffic, significant impacts to community cohesion along the MN&S would not be anticipated.” A 788% increase is not small. The average train cars a day traveling the MN&S today is 28. The average daily train cars if the re-route would go forward would be 253 (per S.E.H. Study, April 2011 commissioned by the City of St. Louis Park). It goes on to dismiss other “community cohesion” issues such as:

A. The added freight rail bisects the high school campus, a high school with over 1300 students. This is the primary concern of most St. Louis Park residents. The tracks runs within 35 feet of the high school parking lot and 75 feet of the building itself. The school’s main athletic field is across the tracks from the high school. Children need to cross the tracks very frequently. An entire analysis of this issue along should be in the DEIS. The dangers here are enormous regardless of any planned “whistle quiet” zone. This is particularly dangerous because of the curves of the track and the speed and weight of the trains to be re-routed. The TC&W has publicly stated, and experts agree, that if a child/children are on the tracks for whatever reason, a train WILL NOT BE ABLE TO STOP to avoid a tragedy. With today’s slower, smaller, lighter traffic on that line, trains CAN stop. This is a core issue.

B. The traffic issues of blocking six at-grade auto/ped crossing including school busses entering/exiting the high school and the ripple effect of those issues because our school system “cycles” those buses from school to school.

C. The inherent danger of the longer, faster, heavier freight trains running near hundreds of homes, in some places on elevated tracks.

D. The noise, vibration issues for all residents and schools in the area.

Ironically, the DEIS states that “moving Freight rail service to the MN&S line will benefit the bus transit system by eliminating delays caused by freight rail operations. The removal of freight rail service from the Wooddale Avenue and Beltline Boulevard areas of St. Louis Park and the West Lake Street area of Minneapolis will make these areas more attractive for development/redevelopment, especially for housing” (60).

If moving freight out of an area will benefit that area, then it is certainly reasonable to assume that moving that same freight into another area will cause harm. The DEIS clearly states that “community cohesion along the MN&S would not be anticipated” (60). The document itself contradicts a fundamental issue that it purports to seriously study. This DEIS does not represent a legitimate look at co-location or re-location. It simply documents a wish by county officials to move freight traffic from its historical, logical, and safe location to a different, less-desirable location.

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In section 3.2.2.7 titled “Summary of Potential Impacts by Build Alternative,” the following is stated: “LRT 3A-1 (co-location alternative) has the potential for adverse community impacts because of the conflicts that could result from having an excess of activity confined to an area not originally intended for such an intense level of transportation. In this scenario a relatively narrow ROW corridor would be forced to accommodate a freight rail line, LRT, and a multi-use trail creating an even greater barrier to community cohesion in Segment A” (3-61).

Again, the assertion that the co-location area was “not originally intended for such an intense level of transportation” is ludicrous in light of the historical facts. The Kenilworth Corridor (where co-location can occur) was originally an intensively used rail route that contained 9 separate rail lines at its narrowest point, and 15 lines at its juncture with the BNSF. In fact, the bike trail is currently using an old rail bed; this could be used by the LRT line, and safety would not be compromised as a result. Additionally, at-grade crossings would not be blocked simultaneously with co-location, nor would the freight and LRT pass residential housing above-grade, nor would the lines pass five schools within ½ mile, nor would taxpayers needlessly spend an additional $123 million.

The DEIS also states that “the addition of the Freight Rail Relocation to all of the alternatives above would have a positive impact to adjacent neighborhoods or community cohesion because removal of freight operations along Segment 4 would eliminate a barrier to community linkages” (3-61).

This sentence simply ignores the fact that relocation would profoundly impact community cohesion in St. Louis Park. If the train is rerouted, six at-grade crossings will be blocked simultaneously by unit trains—cutting off emergency vehicle routes; the St. Louis Park Senior High School’s campus will be blocked by these same unit trains for 10-15 minutes at a time; the school’s bus transportation system will be seriously impaired due to the blocked intersection between the high school and Park Spanish Immersion; residents will face the introduction of noise and vibrations never experienced before (and not studied) in St. Louis Park as a result of the intensive grade increase to get the trains from the CP line to the MN&S. There is not one single “positive impact to adjacent neighborhoods” along the MN&S, and the DEIS itself fails to mention how relocation is an “improvement.”

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In Table 3.2-2. “Summary of Neighborhood, Community Services, and Community Cohesion Impacts by Build Alternative,” co-location is cited as incompatible because “Some neighborhoods are concerned about keeping freight rail and some neighborhoods about additional freight rail traffic” (3-67). What is missing from this table are the robust concerns that St. Louis Park city officials have expressed over a decade in the form of four different resolutions. In addition, St. Louis Park residents/neighborhoods have been extremely vocal. They have expressed their concerns in the following ways: Over 1500 people signed a petition requesting co-location rather than relocation; hundreds of residents attended and spoke at two separate listening sessions held by the City Council of St. Louis Park which Gail Dorfman, county commissioner, attended. Notably, Ms. Keisha Piehl of 6325 33rd St. West in St. Louis Park spoke directly to the question of community cohesion during the April 2012 listening session (http://www.stlouispark.org/webfiles/file/Comm_Dev/freight_comments.pdf).

St. Louis Park citizens, city council members, and the mayor attached extensive mitigation requests to the EAW before MNDOT vacated the document—much of that EAW is repeated in this DEIS, but the city’s and residents’ requests are not acknowledged; the Project Management Team assembled by Hennepin County included residents that represented each of the neighborhoods of St. Louis Park, and the representatives repeatedly voiced concerns about the engineering plans—those concerns were completely ignored. There are many more ways in which St. Louis Park neighborhoods voiced concerns (i.e. letters to the editor in the *Minneapolis Star Tribune* as well as other local newspapers, letters to city, county, state, and federal representatives, and so on). These concerns have been consistently ignored by Hennepin County officials and continue to be disregarded in this DEIS, but they must be included.

There is a core analytical flaw in section 3.2.2.8. It compares effects between section FRR and section A. However, it is flawed because the effects of segment “A” take into account the area north of Kenilworth corridor <u>even though that area will be affected with or without the FRR.</u> Therefore, this is not a reasonable conclusion. The conclusions should be drawn only from a comparison of the FRR vs. Segment A minus the area north of the point approximately at the planned Penn Station. In addition the parkland affected is overstated in the co-location alternative because in this portion entire parcels are counted while the actual amount of space affected by the freight train is nominal. Because the Cedar Lake Park is so large, it appears there is a potential large impact even though the actual area impacted is quite small.

Table 3.6-3. Visual Effects by Segment listed ZERO visual effects for the FRR because the actual Re-route is not examined, only the effects of the LRT. Even though it is clear that there will be major visual effects by the building of the ramp and the enormous increase of freight traffic in the relocation area.

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3.3.3.3 Relocation plans assume purchasing of all of the town homes on the Kenilworth corridor as opposed to moving the bicycle trail. It also arbitrarily assumes the Co-location homes need taking but none of the Relocation home needs taking without any apparent analysis of how that is determined. i.e; # of feet from the tracks, etc.

In section 3.4.5.3 titled “Build Alternatives,” the DEIS states that “No National Register listed or eligible architectural resources have been identified within Segment 3” (3-79) which is the co-location segment. However, further down this page, the DEIS states that because of “the construction of new bridge structures within the historic district[,] the design and footprint of these structures may affect the banks of the historic channel and may affect the district’s overall feeling and setting” (3-79).

The language on this page suggests a direct contradiction. If there are not nationally registered resources in the corridor, why will the “historic channel” be affected? What determines “historic”? The language itself demonstrates bias against co-location and helps to explain the numerous, puzzling exclusions in the DEIS of the negative impacts related to relocation.

To be fair, the DEIS does acknowledge the following regarding relocating freight to the MN&S:

> 3.4.5.3 Build Alternatives: Freight Rail Relocation Segment
> Architectural properties in Segment FRR, which are listed in or eligible for the National Register include two historic districts and two individual properties. See the summary table and map for Segment FRR in the tables in the Section 106 Consultation Package in Appendix H.
>
> Potential long-term effects may occur at the following properties:
> • Brownie and Cedar Lakes, including the connecting channel, part of the Grand Rounds historic district (potential effects of new track construction on the features and settings of lakes and channel)
>
> Other potential effects to historic properties in Segment FRR relate to potential noise issues.
>
> Three areas with archaeological potential, comprising 3 acres, were identified in the Supplemental Archaeological Phase 1A along Segment FRR. Any of these that are found eligible could experience impacts from construction. (3-81)

In spite of the acknowledged impacts to historical resources along the MN&S, the DEIS favors rerouting freight rather than co-locating because the “overall feeling and setting” of the Kenilworth Corridor may be impacted (3-79). It is not made clear by the DEIS how one determines “feeling and setting” or how one even defines these attributes. What is missing from this section is commentary on how the “overall feeling and setting” will be negatively impacted along the MN&S.

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In Table 3.5-2: “Potential Direct Impacts to Parkland by Segment,” the DEIS states that “no permanent impacts [are] anticipated” for the three parks along the reroute, namely Roxbury, Keystone, and Dakota (3-94). However, further down, the DEIS states that “construction footprints for the Freight Rail Relocation segment have not been developed, so acreage of temporary and long-term impacts have not been developed” (3-96). Any statement regarding impacts do not reflect reality when “construction footprints for the [FRR] segment have not been developed” (3-96). Nothing intelligent can be said about the impacts on these parks when the areas have not been studied.

Not surprisingly, the DEIS reveals that “conceptual engineering indicates that Segment A (co-location) would have a long term impact on approximately 0.88 acre. This includes a long term impact on approximately 0.81 acre in Cedar Lake Park, approximately 0.07 acre in Cedar Lake Parkway and approximately 0.01 acre in Lake of the Isles for widening the corridor to accommodate the freight rail line” (3-95). It is unclear why the corridor needs to be widened to accommodate the freight-rail line when the line already exists in the corridor, but the DEIS does not explain this mystery. In addition, as stated earlier, at its narrowest point, the corridor housed nine separate rail lines. The bike trail that now parallels the freight line is on the freight ROW; it is using an old rail bed. There is no need to widen an already wide corridor.

3.7 Safety:

A. No derailment study. merely a mention of “no recent derailments”. There was at least one derailment on the MN&S within the last 20 years. And there was one derailment just two years ago of the actual trains that are to be relocated.

B. Only two schools are listed as being “nearby” the freight rail reroute. Why is the area studied simply “nearby” and not the ½ mile rule that is used in the rest of the DEIS. If that rule was used 6 schools would be listed. Only 2 parks are listed on the FRR using the same methodology. In fact, there are more.

C. At grade safety evaluation looks at HISTORY only when it recaps that no incidents have happened. However, this is an incorrect statement because the evaluation does not examine the new train traffic that will be realized.

D. The entire examination of properties list the “dwellings within 50 feet” versus “property within 50 feet”. It is reasonable to assume that homeowners whose backyards and garages are within 50 feet of the tracks will experience a significant safety risk because that property is inhabited.

E. The schools are listed as merely “entities” versus people. Therefore, an incorrect comparison is done when considering people impacted. The high school alone contains over 1300 students. Other schools contain hundreds of students as well. These numbers should be included in safety hazards.

CHAPTER 4--ENVIRONMENTAL EFFECTS:

C

4.6 Air Quality, pages 66-76
MN&S Freight Rail Report from Appendix H part 1, pages 109-113

The conclusion reached in the air quality section excludes important criteria and flawed assumptions. The proposed action for the Freight Rail Relocation will result in significant increased exposure to a multiple health risk sources and decreased livability for residents.

Flawed Assumption: The DEIS states that 'freight relocation will not be a net increase in train operations but rather a relocation.' This overarching statement fails to consider that the relocation of freight is from a highly industrial land use to a high-density residential area with park and school facilities. Population density maps indicate that the majority of the area along the MN&S Sub is 1000-7500 with pockets of 7500+. In comparison, the area adjacent to the Bass Lake Spur has significantly less population density (Attachment Appendix 4).

Flawed Assumption: The relocation of freight is from the Bass Lake Spur with a straight, relatively flat track and larger ROW. The MN&S ROW is significantly smaller which means that the residents will be in closer contact to the pollution source.

Missing Information: The grade characteristics of the MN&S Spur will cause an increase in the amount of locomotive throttle needed. The necessary connection will introduce gradients that are not currently part of operational activities in St Louis Park: Wayzata Subdivision connection is 1.2% and Bass Lake Spur connection is 0.86%. TCWR commented on this aspect during the MN&S Rail Study EAW: greater grades will result in increased diesel emissions due to the need for more horsepower because of the increased grade (Supporting data A, page 4). There is no assessment for this fact.

Missing Information: The Freight Rail Re-Route design includes a siding track along the Wayzata Subdivision in St Louis Park, Minneapolis. The purpose of this siding to allow for the TCWR to wait for access to the shared trackage along Wayzata Subdivision, from approximately Penn Ave through the Twins Station congestion area. This area is shared with BNSF and Metro Transit NorthStar line. There is no discussion of how this idling of the locomotives will negatively impact air quality. Furthermore, once the the siding is in place it will be possible for not only TC&W trains to use the siding, but also BNSF trains. It is possible that the siding could be in use twenty-four hours a day, seven days a week, three-hundred-sixty-five days a year. There is no discussion about how this very possible increase in idling trains will affect air quality.

C

Flawed Assumption: page 4-76. It states that the queuing of vehicles when freight blocks an intersection will be similar with or without Freight Rail Reroute and would not impact air quality. This statement fails to consider the following: 1. Wooddale and Beltline Blvd are the roads in St Louis Park that would have freight removed. However, these intersections will still have significant congestion from SWLRT crossing and blockage 2. The re-routing of freight will be to an area that has more at-grade crossings (5 vs 2) and within closer proximity of each other. All five crossing on the MN&S are within 1.2 miles but the crossing on the Bass Lake Spur are approximately one mile apart. Motor vehicles will be idling significantly more while waiting at multiple at-grade crossings 3. The close proximity of the at grade crossing on the MN&S will have an accumulative impact. Trains of 20 or 50 cars will be block three intersection simultaneously. Trains of 80 or 100 cars will block all five intersections simultaneously (MN&S Report, Table 5 on page 105).

Inconsistent Statements: Page 4-72. The Freight Rail ReRoute is described as not regionally significant according to MnDot definitions. It is therefore not evaluated or accountable to air quality conformity, including CAAA requirement and Conformity Rules, 40 C.F.R 93. This application of being not significant is contradicted in other areas of the SWLRT DEIS. Including the finding in Chapter 1 of the SWLRT-DEIS that there is a “Need to Develop and Maintain a Balanced and Economically Competitive Multimodal Freight System “(1-10)

Action requested: The EPA has tightened the fine particulate regulations in December 2012. One possible source for soot pollution is diesel emissions which is a possible issue with the freight rail relocation. The locomotives that struggle with the increased grade changes will release an increased amount of diesel fumes. the air quality section should be revised and updated to reflect the tighter regulations.

Action requested: Halt any decision on the freight issue until further study is completed such that the missing information, flawed assumptions, and inconsistent statements can be answered. This secondary study needs to have a scope which the city, residents, and railroad company can agree on. Once the new studies are complete and the scope is decided, a computer generated simulation representing all of the new findings should be produced. This simulation will help residents and elected officials who are not engineers understand the impacts of the proposed reroute prior to making decisions.

C

4.7.7 Noise Impacts to the Freight Rail Reroute
Section 4.7.7, pages 99-104
MN&S Freight Rail Report from Appendix H part 1, pages 114-124

It is important to highlight the current existing traffic is during day hours, specifically from 9 a.m. to 4 p.m., on a Monday-Friday basis. With this situation, a resident with a traditional 9-5 job pattern would have very minimal exposure to the current freight. The proposed action will expand the hours of noise impact to 7AM through evening hours. In addition, the unit trains travel during the overnight hours whenever needed for business. Also, the days of service will increase to weekend usage with at least 6 days of service, if not everyday. This is significant because the current impacts to residents are limited to weekday hours with minimal impact on social, family, or neighborhood events.

It is also important to highlight that the information and hard data used to assess impacts SWLRT DEIS is a repurposing of the MN&S Freight Rail Study EAW. The EAW was in appeal process with both the City of St Louis Park and a residential group when the document was 'vacated'. It has been used in the SWLRT DEIS as the hard data, included in the Appendix H as a the MN&S Freight Rail Study. It is reasonable to state that the same issues that were being appealed with methodology, impact assessment, and environmental act violation exist in the SWLRT DEIS.

Comment on Section 4.7.7 regarding the field study, noise analysis

There is disagreement with the methodology used in the Noise Section in the MN&S report in the appendix. This report is the document used as the field work to evaluate the noise impacts for the Freight Rail Reroute in the SWLRT DEIS. The noise analysis is located in the MN&S Report on pages 114-124. The noise assessment is both missing important criteria and has flawed assumptions within the scope of the field work.

Missing Information: There is no noise assessment or field data gathered for the existing noise along the Bass Line Spur. This data is critical for the full understanding of the existing noise level of the TCWR traffic and how this level of noise compares to the noise measurement taken along the MN&S tracks.

Missing Information: The Bass Lake Spur to MN&S Spur connection will be a mile long structure that has a 0.86% grade change. The noise assessment in the MN&S Report does not discuss or evaluate how this new structure will impact noise. TC&W commented to this aspect- specifically stating that there will be increased and significant noise due to accelerating locomotives struggling to make the increased grades (Supporting data A, page 4). In addition, the City of St Louis Park Appeal to the MN&S Freight Rail Study EAW stated that the noise section did not address the noise created by additional locomotives needed to pull trains up the incline (Supporting data B, page 15).

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Missing Information: The Bass Lake Spur to MN&S connection is a large and significant bridge structure with a tight curve. The noise assessment in the MN&S Report does not study or consider the impacts to the homes located on southeast corner (east of the MN&S Spur, south of the Bass Lake Spur). The residents will have an introduction of noise from a new source due to the additional locomotive throttle and curve squeal.

Missing Information: The MN&S Report and the noise assessment does not consider the grade needed to connect from the BNSF Wayzata Subdivision to the MN&S Spur. This is the area of the project that is known as the Iron Triangle. It is identified as a 1.2% grade on the MN&S Alignment Profile (Attachment Appendix 4). TC&W identified this missing information in their comment to the MN&S Freight Rail EAW (Supporting data A, page 4).

Missing Information: The MN&S Report does not assess the noise impacts to the residential homes near the Iron Triangle. The use of the Iron Triangle for the connection from the MN&S Spur and the BNSF Wayzata Subdivision includes changing the land use from an inactive to an active rail corridor. The adjacent residential homes are located at 50-100 ft distance from the proposed connection. In addition, this is an introduction of freight noise not current experienced by the community.

Missing Information: The Bass Lake Spur to MN&S Spur connection will include an eight degree curve. The field data in the MN&S Report does not evaluate the potential of this curve to be a noise source. Again, a comment by TC&W states that “the increased curvature creates additional friction, which amplifies the noise emissions including high frequency squealing and echoing” (Supporting data A, page 4). The City of St Louis Park also included the squealing wheel as a noise source in the appeal to the EAW (Supporting data B, page 15).

Missing information: The MN&S Report does not include assessment on the noise source of the stationary crossing signals and bells. It does not assess the noise generated from these stationary sources as either a solo intersection or as multiple intersection events. The characteristics of the MN&S sub includes 5 at grade crossing within close proximity. It is fact that multiple crossings will be blocked simultaneously with the re-routed freight causing all stationary sources of noise to be generated simultaneously. This characteristic will compound noise impact.

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Missing Information: FTA Noise and Vibration Manual, Section 2 3.2.2: It is recommended that Lmax be provided in environmental documents to supplement and to help satisfy the full disclosure requirement of NEPA.

- The Lmax was not included in the noise section of the MN&S Report which would satisfy full disclosure.
- FTA Noise and Vibration Manual, Appendix F Computing Maximum Noise Level or Lmax for Single Train Passby (Attachment Appendix 4).
- The net change of Lmax will be significantly increased due to the increase in variables from the existing traffic to the proposed traffic. The variables expected to increase are speed (10 MPH to 25 MPH proposed), Length locos (2 locomotives current vs 4 locomotives for proposal to re-route) and Length cars (average current traffic is 20 cars vs 120 cars in the proposed rerouted traffic).This is a significant and important measurement that could be used to better understand the change in noise impacts.
- MN&S Freight Rail Study EAW Brief of Relators Appeal, Jami Ann LaPray, et al cites the lack of information on the Lmax as evidence that the noise study is inadequate. In detail, the appeal states that the use of Ldn is inadequate because it is an average noise level over 24 hours, not reflective of the noise impacts that a resident will actually hear (Supporting data C, page 23).

Flawed assumption: The noise section assumes that the re-routed freight will be able to travel at 25 MPH without consideration of the grade change of both the current MN&S profile and the new constructed interconnect structure.

Flawed assumption, improper analysis: The noise assessment was done with the current MN&S freight which has 2 locomotives and 10-30 cars. The freight traffic that will be rerouted will have trains that have up to 4 locomotives and 120 car length and it is projected to be a 788% increase as compared to the current freight. The noise assessment in the MN&S Report uses the current freight noise without consideration that the train profile will change, the amount of time of exposure to the noise will increase due to more trains per day with expanded hours of operation, and the duration per pass by will increase.

Missing information, improper analysis: Table 11 on the MN&S Report has a list of properties that are expected to have severe noise impacts. The distance to the impacted sites vary from 80 to 355 feet, with 273 out of the 327 total sites within 120 ft. In general, this analysis is improper because the impacts to the LRT sections are discussed as within half mile. The greatest distance discussed for freight is 355ft so the methodology for noise impact is not equally applied. Specifically, it is highly probable that expanding the impact footprint will increase the numbers for both moderate and severe impacts. Therefore, the number of sites with impacts is grossly underestimated.

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Flawed assumption: There are currently no trains on the MN&S during night hours. The proposed re-routed freight will include unit trains at night. This is briefly discussed in the noise analysis but it was minimized and not properly described as a significant negative impact. The City of St Louis Park appeal asked that this noise source be considered a severe impact (Supporting data B, page 15).

Flawed assumption: The noise impact section for the FRR section describes that all severe noise impacts are a result of the train whistle at at-grade intersections. It is also a flawed assumption to state that a quiet zone will eliminate all severe noise impacts. Page 4-101. The assertion is not correct because the noise assessment within the MN&S Rail Report is missing data as described above.

Table 4.7-13 MN&S Relocation Noise Impacts: This table describes that there would be moderate noise impacts at 95 sites and severe noise impacts at 75 sites. This data is grossly underestimated. It is not possible to understand or evaluate the impacts because the field work and assessment had missing data and flawed assumptions as described above.

Figure 4.7.2- The figure does not include the noise sites for the Freight Rail Reroute. This is missing information and should be considered as an argument that the project proposer has not studied all sections equally or with due diligence.

Comments on the mitigation proposed for noise impacts

Federal guidelines:
FTA Noise and Vibration Manual 2 Section 3.2.4- Mitigation policy considerations--Before approving a construction grant--FTA must make a finding that ...ii the preservation and enhancement of the environment and the interest of the community in which a project is located were considered and iii no adverse environmental effect is likely to result from the project or no feasible and prudent alternative to the effect exist and all reasonable steps have been take to minimize the effect.

Reasonable steps have not been taken to minimize the effect. The only mitigation for noise is a Quiet Zone but after this mitigation, the level of noise impact is still moderate. Assuming that the assessment is valid and complete.

The noise mitigation section of the manual (section 3.2.5) state that moderate level noise should be further mitigated under certain circumstances/factors. There is a compelling argument for mitigation when a. large number of noise sensitive site affected b. net increase over existing noise levels c. community views. The NEPA compliance process provides the framework for hearing community concerns and then making a good faith effort to address these concerns.

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The Freight Rail Relocation is within a high density residential community and within half mile of 5 schools. The MN&S tracks have a narrow Right of Way with many adjacent residential parcels at 50-100 ft. It is within reason to state and request that further mitigation should be part of this SWLRT DEIS due to FTA noise and vibration manual description (section 3.2.5).

A Quiet Zone is described as reasonable mitigation for the noise impacts for the FRR section. A quiet zone evaluation is done with the FRA, MNDot, and Rail companies. The evaluation of the possible improvements needed are based on vehicle traffic traditionally. In fact, the rules on how pedestrians and pedestrian safety should be treated is not clear. It is improper to consider and/or a design a quiet zone in FRR without proper weight on the high pedestrian use of the St Louis Park High School area. In addition, it is critical to note that the traffic analysis within the MN&S Report includes no data on pedestrian or bike traffic for the FRR section. The residents and communities requested this additional count information but were repeatedly ignored during the PMT meeting on the MN&S Study.

The real life situation is that the school is bookended by two blind curves, making it impossible for a rail conductor to view a dangerous situation in time to divert a disaster. The conductor has the right to blow their horn in situation that are considered hazardous, regardless of a quiet zone status. The characteristics of the MN&S have innate conditions with close populations of students, division of a school campus, and blind curves. It should be factored in the noise analysis that the railroad companies will continue to use whistles.

The proposal for a Quiet Zone was also included in the MN&S Freight Rail EAW. Both the Canadian Pacific Railway and TC&W Railroad commented in a negative manner during the comment phase. CP stated “designing and constructing the improvements needed for FRA requirements may be difficult- especially considering the site and geometrics of the corridor.” Supporting document d. The comment by TC&W was that they “have safety concerns due to a number of factors: 1. increase in train size, speed, and frequency: 2. proximity to schools, businesses, and residential and 3. an increased number of at grade crossings” (Supporting document A, page 5).

Action requested: Halt any decision on the freight issue until further study is completed such that the missing information, flawed assumptions can be answered. This secondary study needs to have a scope which the city, residents, and railroad company can agree on. Once the new studies are complete and the scope is decided, a computer generated simulation representing all of the new findings should be produced. This simulation will help residents and elected officials who are not engineers understand the impacts of the proposed reroute prior to making decisions.

Action requested: SWLRT DEIS should include a diagram, discussion, and specifics of the quiet zone designs proposed. This is necessary prior to a decision on the freight issue in order to understand if a Quiet Zone is even feasible or realistic for the FRR.

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Action requested: SWLRT DEIS should include a full list of mitigation that could be considered for both moderate and severe noise impacts for the FRR.

Action requested: SWLRT DEIS should include mitigation option if the implementation of a quiet zone is not plausible.

Action requested: The project management for the SWLRT should engage and include the EPA in the discussion of the noise impacts to the FRR. It should act in accordance to the Noise Control Act (1972) Pub.L. 92-574 (sec. 1). "The Congress declares that it is the policy of the United States to promote an environment for all Americans free from noise that jeopardizes their health or welfare." This interaction should include all stakeholders, including the City of St Louis Park, operating rail companies, and impacted residential groups.

Action requested: The project management should include consideration of the legal precedents for noise impacts and inverse condemnation. Alevizos et al. v. Metropolitan Airport Commission no 42871 on March 15, 1974 is an example. In this case: Inverse condemnation is described as “direct and substantial invasion of property rights of such a magnitude that the owner of the property is deprived of its practical enjoyment and it would be manifestly unfair to the owner to sustain thereby a definite and measurable loss in market value which the property-owning public in general does not suffer. To justify an award of damages, these invasions of property rights must be repeated, aggravated, must not be of an occasional nature, and there must be a reasonable probability that they will be continued into the future.” Although the noise source in this lawsuit was airport based, it is reasonable to use the same guiding principles for the Freight Rail Re-Route section. The FRR, if implemented, is an introduction of a transit method which will have significant impacts to the communities.
source:http://airportnoiselaw.org/cases/alevizo1.html

4.8.4 Vibration Impacts to the MN&S Freight Rail Relocation, page 117
MN&S Freight Rail Report from Appendix H part 1, pages 124-130

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It is important to highlight the current existing traffic is during day hours, specifically from 9AM to 4PM, on a Monday-Friday basis. With this situation, a resident with a traditional 9-5 job pattern would have very minimal exposure to the current freight. The proposed action will expand the hours of noise impact to 7AM through evening hours. In addition, the unit trains travel during the overnight hours whenever needed for business. Also, the days of service will increase to 7 day per week. This is significant because the current impacts to residents are limited to weekday hours with minimal impact on social, family, or neighborhood events. The neighborhoods were developed around a secondary infrequently used track. The re-routed freight will increase the tracks to a moderate use freight line.

It is also important to highlight that the information and hard data used to assess impacts SWLRT DEIS is a repurposing of the MN&S Freight Rail Study EAW. The EAW was in appeal process with both the City of St Louis Park and a residential group when the document was 'vacated'. It has been used in the SWLRT DEIS as the hard data, included in the Appendix H as a the MN&S Freight Rail Study. It is reasonable to state that the same issues that were being appealed with methodology, impact assessment, and environmental act violation exist in the SWLRT DEIS.

There is disagreement with the methodology used in the Vibration Section in the MN&S report in the appendix. This report is the document used as the field work to evaluate the vibration impacts for the Freight Rail Reroute in the SWLRT DEIS. The assessment is both missing important criteria, improper analysis, and flawed assumptions within the scope of the field work.

Missing Information: There is no vibration assessment or field data gathered for the existing vibration along the Bass Line Spur. This data is critical for the full understanding of the existing vibration level of the TCWR traffic and how this level of noise compares to the vibration measurement taken along the MN&S tracks. TC&W commented on this missing information during the comment phase for the MN&S Rail Study EAW (Supporting document A, page 4).

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Missing Information: The Bass Lake Spur to MN&S Spur connection will be a mile long structure that has a 0.86% grade change. The vibration assessment in the MN&S Report does not discuss or evaluate how this new structure will impact vibration.

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Missing Information: The Bass Lake Spur to MN&S connection is a large and significant bridge structure with a tight curve. The vibration assessment in the MN&S Report does not study or consider the impacts to the homes located on southeast corner (east of the MN&S Spur, south of the Bass Lake Spur). The residents will have an introduction of vibration from a new source which is missing for the scoping of the field study.

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Missing Information: The MN&S Report and the vibration assessment does not consider the grade needed to connect from the BNSF Wayzata Subdivision to the MN&S Spur. This is the area of the project that is known as the Iron Triangle. It is identified as a 1.2% grade on the MN&S Alignment Profile (Attachment Appendix 4).

Improper analysis: The same impact guidelines were not used in the vibration impacts for the LRT and the Freight Relocation. For the MN&S Report, the locomotive events were considered infrequent and the rail car events was considered occasional. Appendix H, page 127. For the vibration impacts on the alternatives, the SWLRT DEIS describes the locomotive events to be infrequent also but the rail car events was described as heavy. Page 4-107, 108. The distance for heavy, frequent impacts are at distances of 150 ft. The DEIS statement and the MN&S Report statement do not support each other, conflicting data presented. In addition, the only impacts discussed was at 40 ft but the proper distance should be 150 ft. This improperly underestimates the number of sites which would have vibration impacts.

Missing information: The MN&S Report does not include any information on the proximity of the MN&S tracks to structures at adjacent parcels. The MN&S Report also does not discuss how the building of the connection in the Iron Triangle will introduce a vibration source to the adjacent residents.

Improper analysis: The field work and vibration measurements were established with two train passages: both with two locomotives, one with 6 cars and the other with 11 cars. The existing freight conditions on the MN&S are described in the MN&S Report as 2 locomotives, 10-30 cars. Based on this, the vibration measurements were taken with either below or at the low end of the current vibration conditions. It is improper to consider these measurement as representative of the existing vibration.

Improper analysis: The vibration impacts to the Freight Rail Relocation was evaluated with the current freight traffic. This is improper because the re-routed freight will be significantly different: increased locomotives from 2 to 4, increased rail cars from 20 to 120, increased of speed from 10 MPH to 25 MPH. The result of this error will be that the vibration impacts will not be accurate. The City of St Louis Park commented on this in the appeal to the MN&S Freight Rail Study EAW: vibration analysis doesn’t accurately reflect existing and proposed rail operations because the field work is based on existing short train (Supporting data B, page 16).

Improper analysis: An independent vibration study was done by a Lake Street business owner during the MN&S Freight Rail Study (Attachment Appendix 4). With consideration of the independent study, the vibration information within the SWLRT DEIS and the MN&S Report are improper due to 1. Measurements within the building were 84 VdB. According to the MN&S Rail Study, impacts for category 2 is 72 VdB for frequent events. The impacts specs for frequent events in category 3 is 75 VdB. The conclusion in the independent study is that vibration currently exceeds federal guidelines. 2. the independent measurements were taken within a 24 second time frame. The proposal to re-route traffic is expected to travel past a fixed point for 10 minutes. 3. The independent measurements were taken within a brick construction structure. In

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comparison, vibrations have increased impacts within ‘soft’ construction which is typical of residential house construction. It is reasonable to state that the vibration within an adjacent residential structure would be greater at the same distance. 4. Note: The independent study was conducted on April 13, 2011. The MN&S Study measurements were taken in February 2011 during a year with record snow accumulations. It is possible that the MN&S Report Field study is improper because weather and normal winter ground conditions allowed for an erroneous low measurement. The MN&S Freight Rail Study EAW Brief of Relators Appeal, Jami Ann LaPray.... appealed on the independent study and the failure of the project management for the MN&S Report to address inconsistencies between the two field studies (Supporting data C, page 26).

Improper Analysis: The MN&S Report discusses the vibration impacts based on the vibration levels needed for property damage. It fails to discuss the level of vibration considered for human annoyance. The MN&S Freight Rail Study EAW Brief of Relators Appeal, Jami Ann LaPray.... appealed on this omission (Supporting data C, page 27).

Action requested: Halt any decision on the freight issue until further study is completed such that the missing information, flawed assumptions can be answered. This secondary study needs to have a scope which the city, residents, and railroad company can agree on. Once the new studies are complete and the scope is decided, a computer generated simulation representing all of the new findings should be produced. This simulation will help residents and elected officials who are not engineers understand the impacts of the proposed reroute prior to making decisions.

Action requested: the FTA noise and vibration manual points out that vibration control measures developed for rail transit systems are not effective for freight trains. Consideration of this information should be weighted within the discussion of impacts.

Action requested: SWLRT EIS should include a full list of mitigation that could be considered for both moderate and severe vibration impacts for the FRR.

4.9 Hazardous and Contaminated Material page 119-130

Missing information: Table 4.9-1 has sites listed for the Freight Rail Reroute section. Diagram 4.9-3 to 4.9-5 has the FRR located on the diagram but the sites are not diagrammed as expected. It is not possible to evaluate the impacts of hazardous material without knowing where the sites are located. Therefore, it is not possible to comment effectively

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Missing information: Page 4-127. There is a brief description of the Golden Auto Site. The comments by Canadian Pacific during the MN&S Freight Rail EAW should be considered: Due to the possibility of disturbing contaminates at the Golden Auto National Lead Site, it is unlikely that CP would be interested in taking responsibility for construction or ownership of the new connection between the Bass Lake Spur and the MN&S. The City Of St Louis Park also documented concerns on this site in their appeal to the EAW: The proposed interconnect structure will be constructed between city maintained wells near the Golden Auto site that may be impacted by construction or vibration (Supporting data B, page 20).

Missing information: Highway 7 and Wooddale Ave Vapor Intrusion site is located on the Freight Rail Reroute section. The SWLRT DEIS does not describe this MPCA, EPA site in the Hazardous Material section or analyze how the introduction of longer, heavier trains with increased vibration will impact the pollution potential.

Improper Analysis: Table 4.9-6 lists Short Term Construction Costs of Hazmat/Contaminated Sites. It is improper for the cost of the FRR to be added to alternative 3C-1, 3C-2. Both of these routes have the LRT traveling in the Midtown Corridor which makes it possible for the freight to remain in the Kenilworth Corridor.

Missing information: The SWLRT DEIS fails to analyze the long term costs. In detail, the long term expense of building the Bass Lake Spur to MN&S Spur connection on contaminated soil or the Golden Auto National Lead site.

Action requested: Halt any decision on the freight issue until further study is completed such that the missing information, flawed assumptions can be answered. This secondary study needs to have a scope which the city, residents, and railroad company can agree on. Once the new studies are complete and the scope is decided, a computer generated simulation representing all of the new findings should be produced. This simulation will help residents and elected officials who are not engineers understand the impacts of the proposed re-route prior to making decisions.

CHAPTER 5 - ECONOMIC EFFECTS:

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5.0 Economic Effects:

On September 2, 2011 the FTA mandated that the proposed freight rail reroute from the Bass Lake Spur to the MN&S Spur must be added to the SWLRT-DEIS (Letter from Marisol Simon, FTA to Susan Haigh, Met Council Safe in the Park - Chapter 5 Appendix – Document 1)

Because of this mandate addition of the proposed re-route must be included in the "study area" in a regular and consistent basis. Unfortunately, the inclusion of the proposed reroute in the analysis of this section is inconsistent. The inconsistency of the inclusion of the proposed re-route leads to inconsistent and incorrect conclusion about the cost of the SWLRT.

5.1 - Economic Conditions

Section 5.1 does not present any analysis, it is just cheerleading. Broad generalizations are made without substantiation. Terms such as "study area, market reaction and earning and output" are used, but the study area is not defined, which market is reacting is unclear and how earnings and output are determined is not explained (5-1).

In the last paragraph of this section the names of the resources used to determine output, earning and employment are given, but no links are supplied for reference. Furthermore, not only does the source used for the analysis of multipliers is the 1997 Benchmark Input-Output Table, not have a link, but it will also be over 20 years old by the time the SWLRT is complete (5-2). It seems irresponsible to base the cost of a multi-billion dollar project on decades old data.

Without links or data tables in the Appendix of the SWLRT-DEIS it is difficult if not impossible for the average resident to make substantive comments about the data tables in this sections. Due to the November 26, 2012 revelation (Correction Letter from HDR and updated table Safe in the Park - Chapter 5 Appendix – Document 2) about "typos" the need for reference materials is all the more important.

5.1.1 - Output, Earnings and Employment Effects from Capital expenditures

Capital cost estimates/constructions values are presented in year of expenditure (YOE) dollars. However, the year actually used for analysis in this document is not shared. Also, the YOE must change since the construction of the SWLRT will cover more than one year. Without hard data and a moving YOE substantive comment is impossible creating an analysis that is opaque and not transparent.

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Table 5.1-1 - Summary of Capital Cost (in YOE dollars) by Build Alternative

The re-routing of freight trains from one area to another is not unique to St. Louis Park. Train rerouting has occurred throughout the United States, Canada and Western Europe. Multiple studies about the impacts of such re-routes exist. One item that consistently appears in all the studies (Property Valuation Articles and summary - Safety in the Park - Chapter 5 Appendix – Documents 3-8) is the negative impact of the re-routed freight trains on the community that is forced to accept the trains. Although the negative impacts on small business and the loss of property value in these cases can't be called a capital cost, the negative impacts are costs nonetheless.

Because the table 5.1-1 does not include the loss of property value and loss of small business revenue in the re-route area of LRT 3A (LPA - Re-Route) the true cost of LRT 3A (LPA- Re-Route) route and how it compares to the other LPA routes is not known (5-3).

5.1.1.2 Funding Sources

As with section 5.1 the names of the reference sources are given, but no links or actual data tables are provided. This lack of information puts the average resident who does not have a paid staff to help with their SWLT-DEIS comment at a disadvantage. Despite or perhaps because of the disadvantage, questions about the conclusions arise and are as follows:. T1

- Final demand earnings--Are these earnings adjusted or disappear if a construction company or engineering firm from outside the Minneapolis—St.Paul-Bloomington Metropolitan Statistical Area (MSA) is chosen?
- The state participation dollars are considered "new" dollars, but the MSA is the biggest funding source for the state, so are they truly "new" dollars?
- When the number of jobs and earnings are calculated are the jobs lost to business takes or floundering small businesses in the study area figured into the final numbers?

5.2.1 Land Use

5.2.1.3 - It is unclear from the text of this section if the land use in the re-route area along the MN&S is included in the pecentages given. If not, why not?

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5.2.2 and 5.2.3 Short Term Effects and Mitigation

Although the titles of Table 5.2-2 and 5.2-3 include the words “Station Area” the text of 5.2.2 and 5.2.3 state that the tables will explain the short term effects and needed mitigation for the entire alignment of each LRT route (5-4 and 5-5). The text in each table also refers to the entire alignment of the LRT routes with the exception of the LRT 3A (LPA-reroute.) Because the MN&S Spur area is part of the LRT 3A (LPA-re-route) alignment it must be included in the analysis of the short term effects and needed mitigation . If the re-route portion of the LRT 3A (LPA-reroute) is not in the included in the analysis, the conclusion drawn will be incorrect.

The re-route are of LRT 3A (LPA-re-route) appear to have been left out of the tables 5.2-2 and 5.2-3. Below are comments about short term effects and mitigation that need to be added to LRT 3A (LPA re-route) so it can be compared equally to the other LRT routes.

Table 5.5-2 - Short Term Effects

- Environmental Metric: Access Circulation - LRT 3A (LPA-reroute) **High**
    - Potential impacts to the CP along the MN&S Spur during construction of the new tracks eight feet east of the current track alignment. During regular track maintenance during the summer of 2012 there were anomalies in rail service.
    - Potential to impact access to homeowners whose properties are properties abut the MN&S.
- Environmental Metric: Traffic - LRT 3A (LPA reroute) **Medium-High**
    - During construction temporary closures of at-grade crossings. Depending on the crossing that are closed and the duration of the closings there could be impacts to small businesses and access by emergency vehicles to homes.
    - The building of the new rail bridge over TH 7 will cause service interruptions to the CP. The rail companies commented in the EAW about service delays that could be a month or more during MN&S track reconstruction. http://www.mnsrailstudy.org/key_documents

Table 5.2.3 - Mitigation

- Proposed Mitigation for Short-term Effects - LRT 3A (LPA-re-route) - Besides listed construction mitigation will the CP need a temporary bridge over TH7 or temporary trackage while a new berm is built and new trackage laid?

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5.2.4 Long-Term Effects

Although the title of Table 5.2-4 includes the words “Station Area” the text of 5.2.4 states that the table will explain the long effects and needed mitigation for the entire alignment of each LRT route (5-8). The text in the table also refers to the entire alignment of the LRT routes with the exception of the LRT 3A(LPA reroute.) Because the MN&S Spur area is part of the LRT 3A (LPA reroute) alignment it must be included in the analysis of the long-term effects. If the re-route portion of the LRT 3A (LPA-reroute) is not in the included in the analysis, the conclusion drawn will be incorrect.

Table 5.2-4 - Long Term Effects - Environmental Metrics

- Environmental Metric: Consistency with Land Use Plans
  - LRT 3A (LPA - re-route)
    - Inconsistent with city vision which does not mention as desire for the freight rail to be moved from the Bass Lake Spur to the MN&S Spur http://www.stlouispark.org/vision-st-louis-park/about-vision-st-louis-park.html?zoom_highlight=vision
    - Multiple St. Louis Park City resolutions that state the re-routing of freight is unacceptable (1996--City of St. Louis Park Resolution - 96-73 (Safety in the Park Chapter 1 Appendix- Document 1) 2001 City of St. Louis Park Resolution - 01-120 (Safety in the Park Chapter 1 Appendix – Document 2) 2010 City of St. Louis Park Resolution - 10-070 http://www.stlouispark.org/webfiles/file/freight_rail.pdf 2011 City of St. Louis Park Resolution 11-058 http://www.stlouispark.org/webfiles/file/community-dev/5-31-11_resolution_relating_to_freight_activity_in_slp.pdf)

  - LRT 3A-1 (LPA - Co-location)
    - The Minneapolis and Hennepin County Land Use plans do not predate the St. Louis Park City resolutions rejecting the freight rail reroute.
    - SEH Plan safer and less costly than Re-route (http://www.stlouispark.org/webfiles/file/community-dev/techmemo_4.pdf.
    - Issues with transit-oriented development are surmountable. The Cleveland trains pages 41 to 43 in the common corridors document clearly demonstrates feasibility and safety of running lrt and freight at grade, at high speeds, and without safety fences. Nearly 50 years without incident in this co-location corridor http://www.fra.dot.gov/downloads/research/ord0316.pdf

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- Environmental Metric: Displacement Parking/Access Regulations
    - LRT 3A (LPA - re-route)
        - Small Businesses in the re-route area are likely to experience negative impacts caused by blocked intersections, noise and vibration due to re-routed freight trains
        - Schools in the re-route area are likely to experience access issues due to longer more frequent freight trains
    - LRT 3A-1 (LPA - Co-location) - Access issues are in the co-location area are similar to the access issues faced at Blake Rd. and on the proposed Bottineau Line. All are surmountable.

- Environmental Metric: Developmental Potential
    - LRT 3A (LPA - re-route) -
        - Potential development for Lake Street small businesses will be negatively impacted
        - Potential for homeowners to take part in St. Louis Park City Plans to upgrade their homes will be impacted by the negative implications of increased freight traffic on property values (http://www.stlouispark.org/remodeling-incentives.html)
    - LRT 3A-1 (LPA - Co-location) - No changes needed to text

5.2.5 Mitigation

The statement in section 5.2.5.3 “All Build Alternatives are anticipated to have some degree of positive effect on development potential for the local community and region. No mitigation is required” (5-22) might be true for the alignment areas near the SWLRT, but it is completely untrue about the alignment portion of LRT 3A (LPA - re-route) that includes the re-route. There are no benefits from the SWLRT that are great enough to override the negative impacts of the re-route.

CHAPTER 6 - TRANSPORTATION EFFECTS:

C

Section 6.2 Effects on Roadways
Table 6.2-1 lists all of the Build Alternatives which all include the FRR with the exception of 3A-1. All of these alternatives should be re-evaluated to determine whether the re-route is necessary or that extended co-location of light rail and freight rail can continue east of the MNS crossing.

6.2.2 Long-Term Effects
6.2.2.2 Physical Modifications to Existing Roadways
Missing are modifications for the Freight Rail Re-Route at grade crossings. No evaluation for circulation patterns for the proposed closing of 29th street. Evaluation of impacts of the proposed Whistle Quiet Zones at the MNS/Library Lane/Lake Street intersection and Dakota Ave are also missing. This section requires further study.

6.2.2.3 Operational Impacts at Intersections
According to the criteria for selecting crossings for evaluation, the second criteria is *"Intersections where a signal, roundabout, or stop sign controlling the roadway crossing the tracks was located within 600 feet of the LRT crossing*." MNS crossings at Walker Street, Library Lane, and Dakota all fall into this category and require LOS analysis. Additionally it should be noted that the Lake Street crossing lies within 600 feet of State Highway 7. A more thorough evaluation of the roadways in the vicinity of the MN&S tracks is clearly required. Cedar Lake Road???

Missing are factors for growth both for vehicle traffic and freight train traffic with regard to traffic impacts on the Freight Rail Re-route on the MN&S track at-grade crossings.

On page 6-38, in the queuing analysis for the freight rail re-route, the analysis of traffic delays refer to the afternoon school bus crossing at Library lane/Lake St. The delay was stated to be 3-4 minutes and involved queuing of 2 to 6 vehicles. We conducted our own traffic count over the course of three days this fall and made the following observation:

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	DEIS Survey	Tue, 12/4/12	Wed, 12/5/12	Thu, 12/6/12
Blockage Time mm:ss)	03:00-04:00	02:01	02:09	02:18
Eastbound Lake St	6	9	6	10
Westbound Lake St	2	11	8	9
Southbound Library Ln	4	3	2	1

A brief interview with the police officer who routinely conducted the traffic stoppage stated that the traffic we observed was typical and that occasionally the eastbound Lake St. traffic backs up past Walker St. Extrapolating our counts using the train blockage times listed in the DEIS for the FRR we calculate queues greater than 120 cars (12.5 minutes worst case scenario) may be possible. The discrepancy noted in these observations warrant further study using accurate measurement tools and growth factors for both the vehicle and freight train traffic.

The evaluation using the school bus scenario explained on page 6-38 also completely misses the opportunity to analyze the effect a 12.5 minute delay would have on the afternoon school bus traffic between PSI and the High School. Delays of this magnitude would severely delay and complicate the scheduled bus movements for the rest of the afternoon. A thorough evaluation of both the morning and afternoon school bus traffic is needed to fully determine the impacts to the schools and community.

On page 6-39 during the analysis of Segment A of 3A-1 Alternative a 20 year growth factor of 1.12 were applied to the vehicle counts. This is not comparable to the method used on the FRR segment.

Section 6.2.4 Mitigation
The DEIS suggest the addition of street signage warning motorists of an approaching train to grade separated crossings. The plural on crossings is interesting because to our knowledge no additional grade separated crossings on the MN&S are proposed so only the current Minnetonka Blvd crossing would apply. The placement of these signs would be problematic in that they would need to be far from the affected sites in some cases and have no direct bearing on the local situation. For example, signs indicating train traffic for westbound Lake St traffic would need to be located at Hwy 100 in order to re-direct them onto Minnetonka Blvd. These signs would also have the unintended consequence of putting drivers unfamiliar with the neighborhood on local streets.

C

6.3 Effects on Other Transportation Facilities and Services

6.3.1 Existing Facilities

6.3.1.2 Freight Rail Operations

This section has a discussion of the current freight traffic on the four active rail lines in the study area. Due to the longevity of the decision being made regarding freight rail traffic, any evaluation that does not include predicted future growth of freight and /or commuter rail operations on both the MN&S and Kenilworth configurations seems very short sighted.

Section 6.3.1.4 Bicycle and Pedestrian Facilities

The bicycle and pedestrian trails are referred to as “interim-use trails.” Alignments of the LRT and Freight rail tracks in the Kenilworth corridor should be considered with additional co-located configurations and alternate locations of the bicycle and pedestrian trails.

6.3.2 Long-Term Effects

6.3.2.2, Freight Rail Operations

Discussion of the freight rail track bed in the Bass Lake Spur corridor for the co-location alternative fails to recognize that these improvements would be necessary regardless of which alternative is used. Unless a southern interconnect to the MN&S is built and the Skunk Hollow switching wye is removed these tracks will be necessary to facilitate the use of the wye. This would include the bridge over Hwy 100. This cost must be included in the estimates for either the 3A or the 3A-1 alternatives.

CHAPTER 7 - SECTION 4(f) EVALUATION:

7.0 Section 4(f) Evaluation

Chapter 7.0 of the SWLRT DEIS includes an analysis of the potential use of federally protected properties for the various proposed routes of the project. This response specifically relates to Section 4(f) impacts to routes 3-A (LPA) and 3A-1 (co-location); the remaining routes are not included as a part of this comment. The comment is organized by route, using 3A as a basis for comparison. This comment surfaces omissions, inconsistencies, and route alternatives not included in the DEIS, but that must be addressed in further analysis by the design team and included in the subsequent FEIS.

Before analyzing and comparing Section 4(f) impacts to routes 3A and 3A-1, it is important to make clear that the bike and pedestrian trails currently within the HCRRA ROW are not protected via Section 4(f) rules and guidelines as stated in Section 7.4 on page 7-6 of the DEIS: *" The existing trails adjacent to Segments 1, 4, A and a portion of Segments C (the Cedar Lake LRT Regional Trail, Minnesota River Bluffs LRT Regional Trail, Kenilworth Trail, and Midtown Greenway) were all constructed on HCRAA property under temporary agreements between the HCRRA and the trail permittees. As documented in each trail's interim use agreement, HCRRA permitted these trails as temporary uses with the stipulation that they may be used until HCRRA develops the corridor for a LRT system or other permitted transportation use. Therefore these trails are not subject to protection as Section 4(f) property ".* S3

Route 3A

Table 7.4-1 of the DEIS states that 0.00 acres of section 4(f) property is affected in Section A of the proposed route. The DEIS also states that a historic channel between Brownie Lake and Cedar Lakes may be affected by construction of this route. A calculation of the affected area is not included in Table 7.4-1, and it is not mentioned whether this affected area is considered a permanent or temporary use. This is an omission from the DEIS and an inconsistency between analysis and comparison of routes 3A and 3A-1. For contrast, the analysis of Route 3A-1 includes very detailed Section 4(f) area calculations, down to the hundredth of an acre, for bridge and other related construction at both Cedar Lake Parkway and Lake of the Isles. A revised DEIS or FEIS must address this omission and inconsistency by providing a calculation of the area impacted at the historic channel between Brownie Lake and Cedar Lake. S1

Section 7.4.1.4, page 7-20 of the DEIS explicitly states that land ownership along the segment from downtown Minneapolis to Cedar Lake Park is complicated and may need additional survey or a detailed title search to determine ownership of the underlying land . This is another omission. The U.S. Department of Transportation Federal Highway Administration's Office of Planning, Environment, and Realty Project Development and Environmental Review Section 4(f) Policy Paper dated July 2012, section 3.2, page 7 states:
"In making any finding of use involving Section 4(f) properties, it is necessary to have up to date right-of-way information and clearly defined property boundaries for the Section 4(f) properties. For publicly owned parks, recreation areas, and refuges, the boundary of the Section 4(f) resource is generally determined by the property ownership boundary. Up-to-date right-of-way records are needed to ensure that the ownership boundaries are accurately documented." S2

Without up-to-date property records and boundaries, an accurate representation of Section 4(f) property cannot be stated. The admitted complexity of property boundaries and incomplete understanding of these boundaries shall be rectified by including additional survey and title searches in a revised DEIS or the FEIS to provide a more accurate and transparent representation of Section 4(f) property impact for route 3A.

S3

Table 7.4-1 of the DEIS states that 0.227 acres of Section 4(f) property within the Nine Mile Creek area is necessary for construction of route 3A. According to Chapter 7, Section 7.4.1.4, page 7-20 of the DEIS, the 0.227 acres of Section 4(f) area required for construction of route 3A is considered *de minimus*. This is an important figure as it sets precedent for analysis of the other routes considered for the project. These 0.227 acres of area shall be used as a basis for determining the *de minimus* quantity of Section 4(f) property for the remaining routes considered for this project. Taking this basis into consideration, the Section 4(f) property uses at Lake of the Isles of 0.01 acres, and at Cedar Lake Parkway of 0.07 acres (a total of 0.08 acres) for Route 3A-1 thus become immaterial or *de minimus*. Therefore the only material point of contention in discussing Section 4(f) property uses between routes 3A and 3A-1 is the 0.81 acres of Minneapolis Park Board property listed in the DEIS Table 7.4-1.

Route 3A-1
Taking into consideration the points made above regarding *de minimus* quantities of Section 4(f) property, the Section 4(f) uses at Cedar Lake Parkway and Lake of the Isles are negligible; the remaining 0.81 acres of Section 4(f) property use (Minneapolis Park Board property)is the only material quantity of land that should be analyzed for route 3A-1. S3

Section 7.4.1.5 of the DEIS discusses conceptual engineering as follows:
"*Segment A of LRT 3A-1 (co-location alternative), which would co-locate freight rail, light rail and the commuter trail within this segment would necessitate additional expansion of ROW outside of the HCRRA-owned parcels into adjacent parkland. Section 4(f) uses could occur for the Cedar Lake Park, Cedar Lake Parkway and Lake of the Isles portions of the Minneapolis Chain of Lakes Regional Park for reconstruction of existing bridges, construction of new LRT tracks and realignment of the existing freight rail tracks. The conceptual engineering complete to date for the project identifies approximately 0.81 acres of permanent use of Cedar Lake Park for the location of the reconstruction of the freight rail track."* S3

The DEIS then contradicts the above statement, two sentences later, with this statement:
"*Construction limits have not been determined for the co-location segment, but it is likely that additional temporary uses of parkland will occur."*

Without determining construction limits for the co-location segment, it is unclear how the figure 0.81 acres of Section 4(f) parkland use was calculated. The DEIS calls out this 0.81 acres of use, but it does not clearly delineate the boundaries of the park property that must be used. The only representation of the 0.81 acres is shown in a visual aid - Figure7.4-6, page 7-16. From this graphic, it appears that the Section 4(f) use would occur in Section A of the route between the proposed 21st Street and Penn Avenue Station. The graphic only contains visual representations of where park land use may be required. No detailed engineering drawings containing plan views of construction limits or cross-sections are provided to demonstrate the required use of park land for route 3A-1. This is a critical omission from the DEIS; a revised DEIS or FEIS must clearly show the limits of construction causing the required use of Section 4(f) property within section A of this project. If the delineation of construction limits demonstrates that use of Section 4(f) park property is in fact required for Route 3A-1, alternative permutations of this same route must be given consideration as viable alternatives as outlined in the 1966 FHA Section 4(f) documents. Just because one configuration of route 3A-1 requires park land, does not imply that other configurations of the same route would also require temporary or permanent park land use. Alternative configurations of route 3A-1 that eliminate or minimize Section 4(f) property uses must be included in a revised DEIS or FEIS. From this point forward, this comment will focus on the portion of the project between Burnham Road and the proposed Penn Avenue station, as this is the area that the DEIS states Section 4(f) park land is required for construction of the project. S3

Again, a thorough representation of property boundaries and ownership along section A of routes 3A and 3A-1 is not included within the DEIS. The DEIS explicitly states this in Section 7.4.1.4, page 7-20 “Land ownership along section A is complicated and may need additional survey information to accurately represent property boundaries, etc…” Appendix 7A shows Hennepin County property boundaries and a representation that the existing freight rail tracks in the Kenilworth Corridor appear to be on Cedar Lake Park property. Appendix 7 C also shows how skewed the Hennepin County property boundaries are depicted in conceptual engineering drawings. Hennepin County produced a memorandum attempting to address the issue. The document is in Appendix H,, Part 1, page 50 of the DEIS. It is titled ”Technical Memorandum” by Katie Walker, dated March 23, 2012. This memorandum outlines a problem with Hennepin County parcel data, and very generally dismisses the property boundary issues, additionally stating that the existing freight tracks through the Kenilworth Corridor are on HCRRA property and that survey quality data will be provided during preliminary and final design stages. This is not acceptable. Without accurate survey drawings the Section 4(f) analysis has absolutely no factual survey basis to stand on, rendering the analysis useless and arguably laughable. This is a major omission from the DEIS and project as a whole; accurate definition of property boundaries and ownership is a fundamental and absolutely essential piece of due diligence required for sound planning and design of any land development project.

Taking the above points into consideration and upon further investigation of property boundaries and ownership along Section A of route 3A-1, it is apparent that more property, and subsequently, various permutations of route 3A-1 are available for consideration in eliminating or minimizing Section 4(f) property use. Hennepin County property records show a ROW corridor owned by HCRRA where proposed LRT and trails would be located together. This corridor is generally 50 feet in width. If this corridor is considered as the only property available for construction of LRT, Freight Rail, Pedestrian and Bike trails, it is apparent that there is not enough width to accommodate all of these uses. A blatant and obvious omission from the analysis is the property directly adjacent to the east of this ROW corridors is owned by HCRRA and provides an additional 100 feet to 200+ feet of width to the corridor adjacent to Cedar Lake Park. The DEIS does state on page 7-21 that: “The majority of the land along Segment A through the Kenilworth Corridor by Cedar Lake Parkway belongs to the HCRRA. The additional parcels of property adjacent to the project corridor, owned by HCRRA, and that could be considered for additional configurations of route 3A-1 are recorded in Hennepin County property records and displayed on Hennepin County Property Records website. The parcels that must be included in additional configurations of route 3A-1 include PID 2902904410044, PID 3202924120046, PID 3202924120045, PID 3202924120005, and PID 320292413001. Please see Appendix 7 B for visual representations of these parcels in relation to Cedar Lake Park and the existing HCRRA ROW.

S3

In summary the DEIS calls out 0.81 acres of Section 4(f) property as required for Co-location. This simply is not necessary. As outlined above and shown in appendix 7 of this DEIS comment document there is plenty of width from 21st St to Penn avenue to accommodate lrt, freight, and trails without using any parkland whatsoever. This is a major omission from the DEIS, and a blatant misrepresentation of facts that must be addressed in a revised DEIS or FEIS. With this said, use of Section 4(f) property becomes a non-issue for co-location, and this should be stated as such in the DEIS. Please see appendix 7 D for a discussion of legal aspects of Section 4(f) analysis as it relates to this project. A St. Louis Park resident, Mark Berg, discusses legal ramifications of Section 4(f) analysis on co-location of SWLRT and freight rail. Please consider his written letter as a companion document to this DEIS response. The analysis above combined with the legal aspects discussed by Mr. Berg demonstrate that the DEIS's 4(f) analysis is flawed and a new analysis must be undertaken by the project to rectify omissions, misrepresentation of facts, and ambiguities related to property boundaries, proposed project boundaries and overall section 4(f) property use.

S1

CHAPTER 8 - FINANCIAL ANALYSIS:

8.0 - Financial Analysis

In September of 2011 the FTA mandated that the proposed freight rail reroute from the Bass Lake Spur to the MN&S Spur must be added to the SWLRT-DEIS (Letter from Marisol Simon, FTA to Susan Haigh, Met Council Safe in the Park - Chapter 5 Appendix – Document 1) Because of this mandate addition of the proposed re-route must be included in the "study area" in a regular and consistent basis. Unfortunately, the inclusion of the proposed reroute in the analysis of this section is inconsistent. The inconsistency of the inclusion of the proposed re-route leads to inconsistent and incorrect conclusion about the cost of the SWLRT. C

In section 8.1.2 methodology a list of the resources used to determine the cost of the SWLRT project are given. No links or data tables are actually shared in the SWLRT-DEIS (8.1).

Without links or data tables in the Appendix of the SWLRT-DEIS it is difficult if not impossible for the average resident to make substantive comments about the data tables and information in this section. Due to the November 26, 2012 revelation (Correction Letter from HDR and updated table Safe in the Park - Chapter 5 Appendix – Document 2) about "typos" the need for reference materials is all the more important. In fact, the errors in this section coupled with the misrepresentations, inconsistencies, omitted information and other mistakes, bring the validity of the entire SWLRT-DEIS into question.

Are there any other "typos" in the DEIS? Claiming a $100,000,000 "typo" conveniently narrows (but does not eliminate) the cost disadvantage of the HCRRA's favored LRT 3A (LPA- Re-route) relative to the less expensive LRT 3A-1(LPA - co-location). How will the additional $100,000,000 cost of the project be funded? The HCRRA's "Corrected Table 8.1-1" shows the additional $100,000,000 in "Professional Services". (8-2) Presumably the numbers in Table 8.1-1 come from spreadsheets, and where in the supporting spreadsheets did the error occur? Were the underestimated Professional Services costs in civil engineering, or public relations or project accounting? Who entered the wrong number and how is the public to know that the numbers are now correct? T0

Table 8.1-1 - Cost estimate for build alternatives.

The re-routing of freight trains from one area to another is not unique to St. Louis Park. Train rerouting has occurred throughout the United States, Canada and Western Europe. Multiple studies about the impacts of such re-routes exist. One item that consistently appears in all the studies (Property Valuation Articles and summary - Safety in the Park - Chapter 5 Appendix – Documents 3-8) is the negative impact of the re-routed freight trains on the community that is forced to accept the trains. Although the negative impacts on small business and the loss of property value in these cases can't be called a capital cost, the negative impacts are costs nonetheless. Furthermore, the slim cost margin between re-route and co-location seems inconsistent with the amount of building needed in each alignment. C

Section 8.1.4.1: Federal Section 5309 New Starts. This section states, “The local project partners have assumed that the Southwest Transitway will be funded 50 percent with New Starts funding” (8-3). Justification for this assumption is not provided and a different assumption could just as easily be made that would fundamentally change the cost/benefits outcome of the project.

Section 8.1.4.4: Regional Railroad Authorities. As noted in this section, Regional Railroad Authorities exist “...for the specific purpose of providing for the planning, preservation, and improvement of rail service including passenger rail service and to provide for the preservation of abandoned rail right-of-way for future transportation uses” (8-4). (Contrary to this purpose, re-routing freight trains from the Kenilworth Corridor would sacrifice a relatively straight, flat, direct and efficient railroad route in order to preserve a bike path. If the purpose of “preservation of abandoned rail right-of-way for future transportation uses” had occurred as intended, the land for townhouses at the “pinch point” would never have been sold. HCRRA is not fulfilling the purpose for which it was intended.

8.2 - Operating Funding Strategy

T1

Section 8.2.1: Operating and Maintenance Costs. This section states, “No freight rail operating and maintenance costs will be attributed to the project because HCRRA has no obligation to the freight railroads operating in the study area to reimburse either operating or maintenance costs” (8-5). The TC&W stated publicly during the PMT process that it would cost more for it to operate its trains along the re-route than on their present route through the Kenilworth Corridor and that it needed to have “economic equilibrium” before agreeing to the re-route. As made clear by Section 8.2.1, there is no provision in the DEIS to provide “economic equilibrium” to the TC&W. Leaving a critical stakeholder’s needs unaddressed undermines the credibility of the DEIS. The HCRRA joins the TC&W and the CP in explicitly renouncing responsibility for maintenance of the new MN&S interconnects that would be necessitated by the re-route, leaving this ongoing economic requirement to become an open sore for future county/railroad relations. (http://www.mnsrailstudy.org/key_documents)

T3

Section 8.2.2: Bus O&M Costs. This section states that bus operating and maintenance (O&M) costs vary with the level of service provided, and that, “Fixed costs do not change with the level of service...” while the same paragraph also states. “Therefore, the fixed costs are 20 percent of the total (O&M costs)” (8-5). However, if O&M costs vary with activity levels and fixed costs are 20 percent of total bus O&M costs, the fixed costs are not really fixed and may be understated in the DEIS.

Section 8.2.3: Light Rail Transit Operations and Maintenance Costs. This section states, "Variable costs of LRT are assumed to be 86 percent of the total cost with the fixed cost being 14 percent of the total" (8-5). Left unexplained is what items are included in fixed cost for LRT and why fixed costs for LRT are only 14% of total O&M costs when LRT has a much higher level of fixed assets to maintain (track and overhead power lines) than the bus alternative. If fixed costs for the bus alternative are only 20% of O&M and fixed costs for LRT are 16% of O&M, the ongoing fixed costs of maintaining the larger capital base required for LRT may be understated by the DEIS. T1

Table 8.2-3 . "system O&M costs for building alternatives" shows the cost for LRT 3A (LPA, re-route) and LRT 3A-1 (LPA, co-location) to have exactly the same operating costs. However, LRT 3A (LPA, re-route) needs to include the costs of maintenance for the two interconnects. According to the responses from the CP in the MN&S EAW (http://www.mnsrailstudy.org/key_documents), they have declined to be responsible to maintain the interconnect (8-7). Therefore, the cost of maintenance must fall on the SWLRT and be represented in the cost table.

Section 8.2.5.1: Fare Revenues. This section states, "Ridership i anticipated to grow along with increasing population and employment" (8-7 & 8-8). Unacknowledged in the DEIS is the growth of telecommuting which might reduce demand for transit in the future, leaving the SWLRT as underused as the Northstar commuter line.

The DEIS states, "In 2011, 26 percent of the total MVST (Motor Vehicle Sales Tax) revenues were dedicated to transit needs in the Twin Cities metropolitan area" (8-8). This percentage could go up or down in the future but without explaining why, the numbers in Table 8.2-4 show the percentage increasing to 26.47% in 2012 and the following years, a higher percentage than 21.7% to 26% range observed since 2009 (8-8). Left unexplained is which part of Minnesota will give up some of its share of MVST revenues to provide more to the metropolitan area.

Section 8.2.5.2: CTIB Operating Funding. As described in this section, the Counties Transit Improvement Board has agreed to provide a percentage of the operating assistance required for the SWLRT and other light rail projects as well as the Northstar commuter line (8-8). If Northstar continues to miss its budget targets how will CTIB continue to subsidize the SWLRT?

Section 8.2.5.5: State General Funding. This section states, "State funding for transit operations has grown over recent biennia" (8-9). The numbers provided show that state funding declined 32.45% in the most recent biennium and funding declined in two of the last four biennia. The DEIS takes an optimistic case for continued state funding. T3

Section 8.3: Strategy for Potential Funding Shortfalls. It is asserted in this section that, “Short term shortfalls are covered by the operating reserves. In the longer term, Metro Transit relies on the MVST growth and its fare policy.” “The MVST revenues are projected to increase at a rate of 4.6 percent per year in the long run. This forecast is viewed as conservative for financial planning purposes as historical trended MVST receipts for the period of 1973 to 2008 averaged 5.7 percent” (8-9, 8-10). Assuming the above percentages indicate real growth rather than inflation-based growth, the 1973 to 2008 growth was calculated from a recession year to a year at the end of a financial bubble that may have artificially exaggerated growth. Normalized long-term growth in U.S. Gross Domestic Product is generally forecast in the 2% to 3% range, and Minnesota’s gross domestic product is likely to be in the same range, but if MVST receipts increase at a faster 4.6 percent rate over the long term, eventually 100% of Minnesota’s gross domestic product will be collected in MVST, an arithmetically unlikely outcome rendering the DEIS’ long-term operating funding projections questionable.

Another source of operating funding noted in this section is higher fares, which admittedly reduce ridership. The DEIS states, “The state’s commitment to transit in the Metro region may be regarded as an opportunity of financial risk management for operations” (8-10) which might be rephrased, “maybe they will bail us out.” Also mentioned as sources of supplemental operating funding are “non-farebox revenue sources” which raises the question of why these potential sources haven’t been previously developed.

CHAPTER 9 - INDIRECT EFFECTS AND CUMULATIVE IMPACTS:

C

As stated in the comment for Chapter 1 of this SWLRT-DEIS response the essential purpose of the National Environmental Protection Act (NEPA) is to ensure that environmental factors are weighted equally before an infrastructure project can be undertaken by a federal agency. The extent to which this SWLRT-DEIS does not fulfill the essential purpose of NEPA is particularly evident as the indirect and cumulative impacts of the SWLRT are discussed.

In September of 2011 the FTA mandated that the proposed freight rail reroute from the Bass Lake Spur to the MN&S Spur must be added to the SWLRT-DEIS (Letter from Marisol Simon, FTA to Susan Haigh, Met Council Safe in the Park - Chapter 5 Appendix – Document 1). Because of this mandate addition of the proposed re-route must be included in the "study area" in a regular and consistent basis. Unfortunately, the inclusion of the proposed reroute in the analysis of this section is inconsistent. The inconsistency of the inclusion of the proposed re-route leads to inconsistent and incorrect conclusion about the cost of the SWLRT.

In sections **9.1- 9.2** The methods used and criteria of indirect and cumulative impacts are defined. Section 9.1.12 - states that " Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time" [40 C.F.R. § 1508.7] (9-1). On the next page of the SWLRT-DEIS section 9.2.2 states "Build Alternative and other actions, including past, present, and future, were identified and added to the direct effects of each alternative (as presented in Chapters 3, 4, 5, 6, and 7 of this Draft EIS) to arrive at the total potential cumulative impact" (9-2). What is left out of these sections is the fact that the re-route area of the SWLRT-DEIS has never been evaluated in respect to 40 C.F.R. § 1508.7 and that in Chapters 3, 4, 5, 6 and 7 of this DEIS the direct impacts of the re-route portion were not evaluated in a good faith effort.

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9.2.3 Study Area Definition

Section 9.2.3.1 defines the area "½ mile around the station areas" (9-3) as the area for indirect impact while section 9.2.3.2 defines the cumulative impact area as the area "about one mile on each side of the Build Alternatives' alignments" (9-3, 9-4). This is true for all of the SWLRT build options except for the MN&S re-route area. Despite being an official part of the SWLRT project, the area "about one mile on each side" of the MN&S re-route area has been left out the evaluation of cumulative impacts. An argument can actually be made that not only should the MN&S re-route track area of study be a one mile radius, but in fact because the weight, vibration, noise, and other factors are greater for freight trains than light rail trains, an even broader area should be studied for the freight re-route area.

It must be pointed out that although segment A is part of the 3A(LPA - Re-route) the area from approximately Penn Station east to Downtown Minneapolis has not been included in the discussion of the re-route. However, that same area is considered part of the co-location discussion of 3A-1(LPA-Co-Location). This is thoroughly discussed in Chapter Two comments of this document.

9.3 - Existing Conditions and Development Trends

There are so many vague assertions in this section that it is difficult if not impossible for the average resident of Hennepin County to substantively comment on this section . It is asserted that the economy of the Southwest metro is vibrant and growing, but in Chapter one of this DEIS document errors were found in regard to the number of jobs near the SWLRT alignment. It stated that the information comes from the October 2008 Market assessment (9-4). However, using the search bar on this DEIS and a close scrutiny of Appendix H, it is impossible to find the 2008 Market assessment or the data about population, household, and employment as it relates to the re-route portion of the 3A (LPA-re-route)

The existing conditions and the impacts regarding the proposed reroute area were NOT covered in Chapters 3,4,5 and 6 of the SWLRT-DEIS. The conclusions drawn in section 9.3 about the proposed reroute area are at best under represented and at worst completely wrong.

9.4 - Reasonably Foreseeable Future Actions

The proposed new intersection at TH 7 and Louisiana in St. Louis Park seems to be missing. The St. Louis Park City Council voted unanimously on December 3, 2012 to move forward with the project.

C

9.5 Potential for Indirect Effects and/or Cumulative Impacts

Missing from the SWLRT-DEIS is a comprehensive look at the indirect and/or cumulative impacts on the proposed re-route area. Using the Report done for the City of St. Louis Park by Short, Elliot and Hendricson (SEH) http://www.stlouispark.org/webfiles/file/community-dev/techmemo_4.pdf
the responses to the MN&S EAW (http://www.mnsrailstudy.org/key_documents)
and the Comments to Chapters 3,4, 5 and 6 from this document, a table detailing the indirect and/cumulative impacts is presented. For purposes of evaluating the indirect and cumulative impacts of the proposed re-route area, we define the area for both indirect and cumulative impacts as the area about one mile on either side of the re-route alignment beginning just east of Minnehaha Creek on the west and the point where the new alignment joins the BNSF near Cedar Lake in the east.

Indirect impacts are the things that can only be qualified, while the cumulative impacts are as defined in section 9.1.12: " Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time" [40 C.F.R. § 1508.7] (9-1).

Table 9.5-1. Resources with potential for indirect effects or cumulative impacts

NEPA TOPIC	**POSSIBLE INDIRECT IMPACT TO RE-ROUTE AREA**	**POSSIBLE CUMULATIVE IMPACTS TO RE-ROUTE AREA**
Land use and socioeconomics	Yes, Parks will be less attractive as noise and pollution from freight trains increases.	Yes, small businesses in the area will experience difficulty due to traffic conditions
Neighborhoods, community services and community cohesion	Yes, Loss of community pride after FRR is 'forced'. Areas around the MN&S will become blighted as homes suffer from effects of extreme vibration	Yes, Loss of property value will cause higher rate of foreclosure and rental vs ownership rates. Emergency vehicles will have difficulty moving about the re-route area, STEP will be impacted by noise and vibration. Gentrification will become impossible!
Acquisitions and displacements/relocations	Yes, homes will need to be taken to create a safer ROW or if not taken neighborhood blight will occur	Yes, removal of homes or decline in value of homes that are not taken will result in a lower tax base for St. Louis

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		Park. Inverse condemnation due to loss of enjoyment from negative impacts.
Visual quality and aesthetics	Yes, garbage stuck in fencing needed to create the supposed whistle free zones will be an eyesore. The interconnect structure will be site for graffiti.	Yes, The interconnect structure needed to accomplish reroute will dwarf everything in the area and change the overall look of the community. Maintenance and upkeep will be neglected because ownership of interconnect is not clear.
Safety and security	Yes, the amount of hazardous material transported will increase with increased track usage. Increase usage will decrease the enjoyment of residential backyards, as this is used as a buffer zone for derailment.	Yes, safety concerns will be a factor in the housing and resale of the residents, leading to increased housing turnover, higher rental percentages. Concerns for students will be a factor in considering school facilities for families as they establish households.
Environmental justice	Yes, Students at St. Louis Park High and Peter Hobart (both schools have significant minority populations) will be impacted.	The FRR will decrease school morale and possibly increase destructive behavior as the community reflects on the significance of forcing the FRR. A 'Rondo' effect.
Air quality	Yes, laboring locomotives will spew diesel fumes, and vehicles on the roadways will spend more time idling while waiting for trains.	Yes. negative impacts to resident health from increase pollution exposure. Property maintenance, upkeep will increase due to the settling of pollution on structures.
Noise	yes, inverse condemnation, loss of property rights as residents can no longer enjoy their backyards. Lack of direct south connection may cause the FRR area to become a defacto switching yard.	Yes, introduction of a direct route will encourage more freight traffic, use of ports and yards will change which allow for more traffic also. Noise level, exposure are not stagnant but should be expected to increase.

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Vibration	Yes- increased vibration will impact structure foundations and could increase radon exposure.Lack of direct south connection may cause the FRR area to become a defacto switching yard.	Yes, introduction of a direct route will encourage more freight traffic, use of ports and yards will change which allow for more traffic also. Vibration level, exposure are not stagnant but should be expected to increase.

Economic effects	Yes, due to lower property values the tax base of St. Louis Park will no longer be raked as one of the 100 best Cities in America	Yes, a lower tax base due to lower property values will raise taxes on the homes a distance from the tracks and will also result in fewer services for residents.
Station Area Development	No, Most of the re-route area is too far from a station to benefit.	No, Community works dollars will be spent on station areas and the re-route area will be left to flounder
Transit effects	Yes, The MTC bus that crosses the MN&S at Lake Street, Library Lane and Dakota Ave. could experience schedule problems due to trains in crossing.	Yes, because of problems with scheduling the busses could be removed from service leaving people who need the bus and make transfers in uptown or downtown in Minneapolis without transportation
Effects on roadways	Yes, side streets will be difficult to traverse because of queues of cars. Since these queues will be at random times people will not be able to effectively plan their day.	Yes, emergency vehicles will have difficulty traversing the area. People will suffer because of delayed response time. Because people will attempt to avoid the roads in the re-route area as much as possible, traffic on Minnetonka Boulevard will become even more congested.

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9.6 Long–Term Effect

This section states that no mitigation is "needed, proposed or anticipated" for the MN&S spur. It is difficult to believe that a 788% increase in the number of rail cars moving on the MN&S spur will need no mitigation, yet that is what is proposed in section 9.6. The section even goes on to say that "Because the indirect effects and cumulative impacts (of SWLRT) are considered desirable and beneficial no mitigation is required. " The benefits of Light rail will in no way ameliorate the negative impacts done by the re-routed freight. Light rail will not straighten tracks to save neighborhoods from derailments, it won't decrease noise and vibration or fix any other of the negative impacts caused by increased rail traffic.

As pointed out in the comments to Chapters 3, 4, 5 and 6, the negative impacts from moving freight traffic to the re-route area are extensive but these impacts are unaddressed by the SWLRT-DEIS which simply asserts in section 9.6 that no mitigation is needed for the freight rail re-route area. Should freight be re-routed from a former Chicago to Seattle mainline to tracks that were built to accommodate electric interurban trains, the mitigation needs will be extensive. Lists that include, but are not limited to all of the mitigation that will be needed in the MN&S re-route area, from just east of Minnehaha Creek to the junction of the new BNSF siding with the BNSF main line, can be found in the City of St. Louis Park comments and the SEH report. http://www.stlouispark.org/webfiles/file/community-dev/techmemo_4.pdf (SEH document); http://www.mnsrailstudy.org/key_documents EAW Comments. These lists are in no way definitive. No matter how much mitigation is done, the MN&S Spur will always be a retro fitted interurban carrying freight trains that belong on tracks built for mainline rail traffic.

9.7 - Greenhouse Gasses

Increased diesel fumes caused by locomotives laboring up the two steep interconnects , idling for long periods of time, perhaps making multiple trips through the neighborhoods will have a cumulative impact. The area around the MN&S re-route area will become intolerable because of the added pollutants. The community further afield will suffer indirectly because of the increase of smog.

CHAPTER 10 - ENVIRONMENTAL JUSTICE:

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Improper Analysis: Section 10.3.1: The same methodology was not used in both identifying census blocks for the five alternatives and the Freight Rail Relocation. It is discussed that a half mile buffer was created but there is a footnote 2 on Page 10-2. The footnote clearly states that the area of impact for the Freight Rail Relocation was geographically narrower to ensure the analysis did not miss a minority population. First, it is poor process and suspect when a project doesn't use equal parameters. Second, it is not logical to state that a narrower impact area would help include more information. A narrower area can only leave a segment with lower impact due to less geographical area. And finally, it should also be considered that Hennepin County did not take serious consideration of the Sept 2011 letter by FTA. The letter requested that the Freight Rail and impacts be a part of the SWLRT. It is suspect that the information used in the SWLRT DEIS for the FRR environmental impacts was pulled from the MN&S Report (Located in Appendix H, Part 1). The MN&S Report is essentially the same information as the Minnesota State MN&S Freight Rail EAW which didn't include a half mile impact buffer because the scope of the state project would only consider adjacent properties. The fact that the area of impact is narrower for the FRR correlates the small scope of the original project.

Improper analysis: Table 10.3.1: The percentage of minority population impacts increases with the Co-Location option. Figure 10.3-2 with the LPA 3A indicates that the there are pockets of high minority census blocks along the FRR, with the largest section in the Iron Triangle area of the FRR project. Co-Location would both eliminate these areas and is geographically smaller. Action requested to have the analysis of this percentage increase with co-location explained further.

Improper Analysis: There is a core analytical flaw in figures 10.3 when it describes the FRR and the Co-location area. It is flawed because the effects of segment "A" take into account the area north of Kenilworth corridor <u>even though that area will be affected with or without the FRR.</u> Therefore, this is an improper comparison. The figures should be divided as a.) FRR from the Interconnect structure to the BNSF siding. b.) Co-location section from West Lake to Penn Station area. c.)common area which is north and east of Penn Station to Target Field. Including the common area can only unfairly overestimate the impacts to the co-location segment.

Improper Analysis: It is important to highlight that the FRR segments have areas with high minority population. In comparison, the co-location area in Kennilworth Corridor have none. If the Re-Route section is chosen, the project will have a disproportionate negative impacts to minority in the freight decision- which is concern for the EPA and the principles of environmental justice and fair treatment. It is improper for the conclusion that the re-route is the environmentally preferred alternative for the freight. Maps of the FRR area vs co-location with minority populations (Attachment Appendix 10).

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Missing from the environmental impacts for minority and low-income groups is an analysis of the demographics of the St Louis Park schools within half mile: Peter Hobart Elem., St Louis Park Senior High, and Park Spanish Immersion.

'A minority population means any readily identifiable group or groups of minority persons who live in geographic proximity, and if circumstances warrant, geographically dispersed or transient persons such as migrant workers or Native Americans who will be similarly affected by a proposed DOT program, policy or activity.' FTA C 4703.1. The population of a school can be accurately described as a geographically dispersed people that gather for the purpose of education. In addition, the school board and each school administration has the liability of protecting and policing students while on campus, similar to the responsibilities of a local government.

School	Population	Percent Minority	High Minority Population Fit[1]	Percent Free and Reduced Meals
St Louis Park School District	4472	38.9%	yes	31.2%
Senior High	1381	38.4%	yes	32.9%
Peter Hobart Elementary	549	43.5%	yes	37.2 %
Park Spanish Immersion	513	26.5%	no	14%

[1] The percentage used to determine high minority population kit was 28.3%, Section 10.3.1.1

Source: slpschools.org- Fall 2012 Enrollment Comparison and Demographic information. (http://www.rschooltoday.com/se3bin/clientgenie.cgi?butName=Fall%202012%20Enrollment%20Comparison%20and%20Demographic%20Information&cId=0&permission=3&username=)

Missing Information: The percentage of free or reduced meals is significant for the St Louis Park School District, Senior High, and Peter Hobart. it is difficult to determine from the free/reduced meals if there is an impact to low income population because the criteria is not a match. However, this is information that the project should investigate further to prevent improper high impacts.

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Improper Analysis: The LPA discusses that the adverse effects on environmental justice populations. The different segments and criteria (construction, transit service and accessibility, air quality, multimodal environment) reach a conclusion that there is no disproportionate high or adverse effects anticipated. This conclusion is improper because the populations of minorities in the community of the FRR segment, school populations minorities, and possible low income students at the schools are not considered. In addition, it is stated the LRT will provide benefits to the environmental population. The Freight Rail Re-Route section of the LPA will have no benefits to the impacted populations, only negative impacts. Therefore, no offset of negative impacts by the LRT benefit. The conclusion of the Environmental Justice for the LPA is incorrect and improper.

Action requested: Halt any decision on the freight issue until further study is completed such that the missing information, flawed assumptions can be answered. This secondary study needs to have a scope which the city, residents, and railroad company can agree on.

Action requested: Change the scope of the impact areas for the FRR and co-location segments to exclude the area that is north and east of the Penn Station.

Action requested: More weight should be given to the minority areas of the Freight Rail Re-Route because the impacts will be negative with no positive LRT offset.

Action requested: Include the minority and possibly low income populations of the impacted schools in the analysis.

CHAPTER 11 - EVALUATION OF ALTERNATIVES:

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On November 29, 2011 Hennepin County Commissioner Gail Dorfman stated, “How do we explain co-location being added without people thinking that co-location is on the table in a serious way, promises were made going a long way back”
http://hennepinmn.granicus.com/MediaPlayer.php?view_id=10&clip_id=1459
Consequently, the comparison done on the proposed reroute of freight from the Bass Lake Spur to the MN&S Spur then from the MN&S to the BNSF Wayzata Subdivision and the co-location of the same freight trains was not done to ensure that the essential purpose of NEPA was fulfilled.

The purpose of this comment and our evaluation of each chapter is to show that the conclusion of the SWLRT-DEIS prepared by the HCRRA concerning the co-location or re-routing for freight trains is incorrect. We submit that based on our evaluation the conclusion that the re-route is preferable co-location should be re-evaluated.

- The inconsistencies and inaccurate information in Chapter 1 bring into doubt the need for the proposed reroute. The claims that the interconnects are part of the MnDOT State Freight Rail plan are unsubstantiated.
- The lack of public process discussed in Chapter 2 should bring into question the choice of Build Alternative 3A even being considered as an option much less chosen as the LPA
- The evaluations on impacts and indirect and cumulative impacts caused by the proposed reroute discussed in Chapters 3,4,5 , 6 and 9 do not fulfill the the purpose of each chapter.
- Chapters 7 and 10 of the SWLRT-DEIS fail to address the Federally mandated questions.
- The financial chapter 8 not only is suspect because of the “typo” found on November 26, 2012 but also because it does not discuss the ongoing maintenance cost associated with the building of two large pieces of infrastructure.
- The last Chapter 12, as with Chapter 2 spells out the lack of public process and the contempt with which the residents of St. Louis Park have been treated.

The following Table 11.1-1 is based on the table of the same number in the SWLRT-DEIS (11-2 to 11- 7). The information in this chart has been compiled to evaluate and compare the proposed reroute to co-location. The SWLRT-DEIS presents comparison tables for several aspects of the SWLRT but fails to provide a comparison table showing the attributes of the re-route and co-location. Using the table comparison format featured for other purposes in the SWLRT-DEIS, a reroute/co-location comparison table is presented below. Please note that only publicly available information is included in the table below, and that publicly available information does not include specifics of the SWLRT Light Rail alignment. All public documents used in this table are referenced in this SWLRT-DEIS Comment.

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Table 11.1-1 Re-route Option/Co-Location Option

Goal and Evaluation Measure	Re-Route Option	Co-location Option
Traffic impacts - queue lengths (in vehicles) at freight rail at-grade crossings	Numbers for the re-route options looked at only one day in time.	Numbers looked at projected growth of area and traffic that impact on queue lengths.
Air Quality impacts	Higher emissions due to laboring diesel freight locomotives.	No change from emissions from diesel freight locomotives
Noise	Extreme increase not only because of increase in the number of trains, but also due to freight locomotive noise caused by steep grades of interconnects. Brake and wheel noise will also increase. Quiet Zone will not stop noise from trains	Noise from Freight trains will remain the same. The only increases in freight will cause by normal market factors.
Vibration	Extreme increase due to a 788% increase in rail cars	No, number of freight trains will remain consistent with current number
Hazardous Regulated materials	High - Potential to encounter more hazardous and regulated materials sites along the MN&S Spur and the BNSF Wayzata Subdivision as well as with the construction of the interconnect at the contaminated Golden site.	
Construction Impacts	High - The building of two interconnects and moving tracks eight feet east above grade in close proximity to homes and businesses will be disruptive	Information in the DEIS is vague on the subject

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Community Cohesion	Extreme impact	Impact caused by freight trains will not change, therefore, no impact
Property Acquisitions	At the very least the homes east of the MN&S between West Lake St. and Minnetonka Blvd. must be removed for safety reasons	Townhomes taken in the "pinch point" If they are removed a r-o-w wide enough for LRT, bicycles and freight will occur
Environmental Justice	St. Louis Park High School and Peter Hobart School both within ½ mile of the MN&S tracks have minority populations large enough to be considered a protected group	Impacts to minority groups caused by freight trains will not change. Freight trains already exist in the area.
Land use consistent with comprehensive plan	Yes	Yes, links in Chapter 3 are not conclusive.
Compatible with planned development	Yes	Yes, co-location occurs west of Louisiana Blvd. and on much of the Bottineau line, therefore LRT and development are compatible
Economic Effects	No, beneficial effects to the local economy	Yes, co-location occurs west of Louisiana Blvd. and on much of the Bottineau line, therefore LRT and development are compatible
Development Effects	No, beneficial effects to development	Yes, co-location occurs west of Louisiana Blvd. and on much of the Bottineau line, therefore LRT and development are compatible
Safe, efficient, and effective movement of freight throughout the region, state and nation	No, the proposed re-route is not safe, efficient or effective	Yes
Continuous flow of freight throughout the study area	Yes	Yes

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Table 11.2-1 - Evaluation of Alternatives

	Re-route Option	Co-location Option
Improved Mobility	does not support goal - re-route area will be congested	supports goal - co-location occurs west of Louisiana Blvd. and on much of the Bottineau line, therefore LRT/ mobility issues are compatible
Provide a cost-effective, efficient travel option	supports goal	supports goal
Protect the environment	does not support goal - improper use of infrastructure is dangerous	supports goal, the co-location area was an active main line Freight rail yard for 110 years and then an active rail line. It has never been legally abandoned
preserve and protect the quality of the life in the study area and the region	does not support goal, improper use of infrastructure is dangerous	Supports goal, the co-location area was an active main line Freight rail yard for 110 year and then an active rail line. It has never been legally abandoned. Nothing about the freight changes
Supports economic development	Does not support goal, small businesses in the re-route area will be negatively impacted by the increased number or freight trains.	Supports goal, co-location occurs west of Louisiana Blvd. and on much of the Bottineau line, therefore LRT and development are compatible
supports economically competitive freight rail system	Does not support goal, re-route is unsafe, inefficient and ineffective	Supports goal
Overall performance	Supports goal, LRT will be able to proceed as hoped	Supports goal, LRT will be able to proceed as hoped

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11.2.43 and 11.2.5 - LRT 3A (LPA- re-route) Compared to LRT 3-1 (LPA-Co-location)

In a September 2, 2011 letter the FTA informed the HCRRA that since the proposed freight rail reroute is a connected action to the SWLRT, it must be added to the SWLRT-DEIS (Letter from Marisol Simon, FTA to Susan Haigh, Met Council Safe in the Park - Chapter 5 Appendix – Document 1)

This letter also instructed the HCRRA to add co-location to the SWLRT- DEIS study. Since NEPA was written to ensure that environmental factors are weighted equally, it should be assumed that all factors concerning the re-route as part of SWLRT and co-location as part of SWLRT would be given the same scrutiny. In fact, statute 23 CFR Sec. 774.17 under NEPA, which contains a "test" for determining whether an alternative is "feasible and prudent," should have been applied equally to both the proposed reroute and co-location options. The lack of effort to do a true "feasible and prudent" analysis of the freight rail reroute as part of the SWLRT--DEIS is staggering.

Had the "test" from 23 CFR Sec. 774.17 been applied equally to the re-route portion of LRT 3A and the co-location portion of LRT 3A-1 the following would easily have been determined:
LRT 3A / LRT 3A-1 - "Test" 23 CFR Sec. 774.17

"Test" Category	**LRT 3A - Re-route**	**LRT 3A-1 - Co-location**
(i) It compromises the project to a degree that it is unreasonable to proceed with the project in light of its stated purpose and need;	Yes	No
(ii) It results in unacceptable safety or operational problems;	Yes, Safety issues include, but are not limited to, aggressive curves, excessive grade changes, multiple at grade crossing that are blocked simultaneously, narrow right of way. Operational issues include but are not limited to, locomotives pulling 100+ car trains up steep grades, more miles to St. Paul destination.	No, Safety issues caused by co-location of freight and LRT are surmountable. They are similar to problems at Blake Road on the SWLRT and most of the proposed Bottineau LRT line.

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(iii) After reasonable mitigation, it still causes:	The City of St. Louis Park estimates a minimum of $50 million needed for mitigation yet the reroute still causes:	Cost of mitigation for co-location has not been estimated, but since the issues are not unusual it is logical to think mitigation will take care of issues
(A) Severe social, economic, or environmental impacts;	Yes, Mitigation will not straighten tracks, lesson grade changes or move crossings or lesson the increase in heavy rail cars.	No, Impacts to communities will all be caused by LRT because mainline freight has been established in the area for over 100 year.
(B) Severe disruption to established communities;	Yes, The increase of 788% in the number of rail cars on the MN&S is excessive. The noise from the locomotives on the interconnects will be greater than any noise currently cause by freight trains, (a whistle-free zone will not solve noise issues) and the length of vehicle queues at grade crossing will be disabling	No, The number of rail cars in the area will not change. Any disruption will be cause by the addition of LRT.
(C) Severe disproportionate impacts to minority or low income populations;	Yes, Minority populations at two of the 6 area schools will be impacted.	No
(D) Severe impacts to environmental resources protected under other Federal statutes;	Yes, there is potential for additional water resource impacts along the MN&S Spur and the BNSF Wayzata Subdivision.	No, freight rail in this area will not change and therefore, any impact on the environment will be caused by LRT
(iv) It results in additional construction, maintenance, or operational costs of an extraordinary magnitude;	Yes, the building of the interconnects and new track needed will be very disruptive in the short term. Long term costs of the project also may be excessive since the railroads have not agreed to maintain the interconnects. Also, the cost to the CP during construction and the TC&W following	Yes, during construction of SWLRT there could be some additional costs however, once implemented co-location will be no different for freight traffic than what occurs today.

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	implementation or the interconnect could be extensive	
(v) It causes other unique problems or unusual factors;	Yes, there is potential to encounter more hazardous and regulated materials sites along the MN&S Spur and the BNSF Wayzata Subdivision. There is also potential to encounter hazardous materials from the construction of the interconnect over the contaminated golden site.	No. The freight will not be any different than the freight today.
(vi) It involves multiple factors in paragraphs (3)(i) through (3)(v) of this definition, that while individually minor, cumulatively cause unique problems or impacts of extraordinary magnitude.	Yes, the cumulative impacts of the problems faced by the rerouting of the TC&W freight are unprecedented in their magnitude.	No. Although there will be some minor issues cause by the introduction of the SWLRT to the area, the problems are all not unusual to LRT and are surmountable.

Applying the "test" from 23 CFR Sec. 774.17 reveals that the proposed reroute in LRT 3A (LPA) is neither "feasible or prudent." Therefore, the use of 0.81 acres of Cedar Lake Park according to the Act of 1966 codified at 49 U.S.C. 303 and 23 U.S.C. 138 will not impede the building of SWLRT.

LRT 3A-1 (Co-location) best meets the Southwest Transitway project's Purpose and Need Statement as expressed by the goals of improving mobility, providing a cost-effective and efficient travel option, preserving the environment, protecting quality of life, supporting economic development, and developing and maintaining a balanced and economically competitive multimodal freight system. **In light of the facts presented in this SWLRT-DEIS response it is recommended that LRT 3A-1 (Co-location) be chosen as the only viable option for SWLRT.**

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11.4 - Next Steps

Should, despite overwhelming evidence that LRT 3A-1 (LPA - co-location) is the option that best fits the needs of the SWLRT, LRT 3A (LPA - reroute) be chosen as the route for the SWLRT the next steps by Safety in the Park will include but not be limited to the following:

- A request for an independent investigation of “typos” in the SWLRT-DEIS and the time it took to find and correct the “errors”

- A request for an independent investigation as to the reason for the STB from being notified of the publication of the the SWLRT-DEIS and the time it took to find and correct the over-site.

- An appeal of the SWLRT-FEIS

- An effort to convince the City of St. Louis Park that municipal consent should be denied based on resolution that make it clear the City of St. Louis Park opposes the rerouting of freight trains from the CP’s Bass Lake Spur to the CP’s MN&S Spur if a viable option exists. (St. Louis Park City Resolutions, 1996--City of St. Louis Park Resolution - 96-73 [Appendix 1]; 2001 City of St. Louis Park Resolution - 01-120 [Appendix 1]; 2010 City of St. Louis Park Resolution - 10-070 http://www.stlouispark.org/webfiles/file/freight_rail.pdf; 2011 City of St. Louis Park Resolution 11-058 http://www.stlouispark.org/webfiles/file/community-dev/5-31-11_resolution_relating_to_freight_activity_in_slp.pdf).

- An effort will be made to convince the State of Minnesota not to fund SWLRT until further study is completed such that the missing information and flawed assumptions can be addressed. This secondary study needs to have a scope agreed upon by the city of St. Louis Park, Safety in the Park, and railroad companies. Furthermore, the secondary study must be conducted by a government agency and engineering firm not previously associated with the proposed re-route. Once the new study is completed, a computer-generated simulation representing all of the new findings should be produced. This simulation will help residents and elected officials who are not engineers understand the impacts of the proposed re-route prior to making decisions.

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Document list for chapter 11

- 1996 - City of St. Louis Park Resolution - 96-73 (Appendix 1)
- 1999 - St. Louis Park Task Railroad Study http://www.hennepin.us/files/HennepinUS/Housing%20Community%20Works%20and%20Transit/Regional%20Railroad%20Authority/Authority/Railroad_Study_March_1999.pdf -
- 2001 City of St. Louis Park Resolution - 01-120 (Appendix 1)
- 2010 City of St. Louis Park Resolution - 10-070 http://www.stlouispark.org/webfiles/file/freight_rail.pdf
- Short Elliot Hendrickson Inc. (SEH) - Comparison of the MN&S route and the Kenilworth route - http://www.stlouispark.org/webfiles/file/community-dev/techmemo_4.pdf
- 2011 City of St. Louis Park Resolution 11-058 http://www.stlouispark.org/webfiles/file/community-dev/5-31-11_resolution_relating_to_freight_activity_in_slp.pdf
- Evaluation of Twin Cities and Western Railroad responses(EAW) http://www.mnsrailstudy.org/key_documents

MnDot Finding of Facts and Conclusions
c. City of St Louis Park appeal
d. MN&S Freight Rail Study EAW Brief of Relators Appeal, Jami Ann LaPray, et al
e. Office of Hennepin County letter, dated Dec. 19, 2011
f. MnDot Dot Resolution, dated Dec. 20, 2011

CHAPTER 12 - PUBLIC AGENCY COORDINATION AND COMMENTS:

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12.1.1
The statement is made that "the public and agency involvement process has been open and inclusive to provide the opportunity for interested parties to be involved in planning. Stakeholders had an opportunity to review and comment on the analysis and results at major milestones reached during the course of the study. The program was conducted in a manner consistent with National Environmental Policy Act (NEPA) and Section 106 regulations." This statement is completely false considering the public concerned about the freight rail re-route issue.

NEPA 1500.2(d) states that the leading agency must "encourage and facilitate public involvement in decisions which affect the quality of the human environment." This regulation was clearly ignored in regards to the potential freight rail re-route issue. Hennepin County did not "encourage and facilitate" public involvement concerning this issue. Hennepin County did not allow the "opportunity to review and comment on the analysis and results at major milestones reached" In fact, Hennepin County refused attempts for public comments and concerns regarding the freight rail issue at all of the outreach meetings prior to September 2, 2011. This included major milestone including the selection of the LPA. Because of the deliberate exclusion of the freight issue, the LPA selection process must be reopened and reexamined allowing public input to become part of the process.

12.1.1.2
CAC Process - After the proposed re-route was added to the SWLRT project Safety in the Park was added to the Community Advisory Committee of the SWLRT. The CAC group had a reputation of being well run, open minded and inclusive. Our wish was to explain that our opposition to the re-route is not (as has been heralded by the county) to be anti-LRT. We wanted it known that our concern is simply that our county and state governments are misusing a piece of infrastructure and in doing so creating an unlivable, unsafe environment for a significant segment of the population.

Instead of listening to our concerns, the leadership of the CAC committee took the highly unusual step of changing the CAC Charter that had just been accepted by the committee. The original charter allowed for alternate members to take part in meetings as long as the leadership was notified in advance of the alternates attendance. (Appendix 12.1.1.2) The new charter rescinded the rights of alternates. Making it impossible for residents to be adequately represented.

The Community Engagement Steering committee is a local coalition of community groups formed around the Corridors of Opportunity within the Minneapolis- St Paul metro area. This body has met with the staff of the SWLRT, in regards to the principles and strategies of the CAC meeting.

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The following is a list of recommendations that were adopted in Spring 2012.

Based on lessons learned from community engagement on the Central Corridor, SWLRT, Gateway Corridor, and Bottineau, the Community Engagement Steering Committee makes these recommendations on the formation, structure, and process for Community Advisory Committees (CAC):

a) CACs will be formed early in the transitway corridor planning process at the start of the scoping phase.
b) The purpose of CACs will include being a resource and check point for community engagement throughout the transitway corridor and the adjacent communities. They will review and approve a corridor project community engagement plan.
c) CACs will identify the community issues and assign problem solving teams that include community members and project staff.
d) Community Advisory Committees will be a community driven body facilitated and provided staff support by corridor project staff.
e) CAC membership will be selected by communities they represent along transitway corridors.
f) CAC and Business Advisory Committees will meet together on a quarterly basis.
g) The Community Engagement Steering committee will support transitway corridor project staff with connections to underrepresented groups along the transitway corridors such as contacts to:

- Faith communities
- Cultural communities
- Place based groups
- Communities of color
- Small and Ethnic businesses
- Community Engagement Steering Committee members
- Disability community
- New immigrant communities
- Low-income communities
- Students at high schools, community colleges

h) The orientation for the CAC will include environmental justice, equitable development, and cultural awareness training in their orientation that includes a combined map identifying where the underrepresented communities (low income, communities of color, new immigrants, and disabled) live.
i) CACs will have the ability to set their own agenda, pass motions, and make recommendations to the corridor policy advisory committee and the corridor management committee through their voting representative.

j) CACs will elect a chairperson from their membership who represents a grassroots community along the transitway corridor
k) A community representative will be elected to serve by the CAC on the transitway corridor policy advisory committee as a voting member.
l) Construction Communication Committees should be set up at least one month in advance of construction, with representatives appointed by grassroots community groups.

The SWLRT CAC has not being conducted in good faith on some of the recommendations that were adopted. It should be considered that the recommendations were agreed upon but not acted upon or implemented in process.

1. The SWLRT CAC was expanded in April 2012. The BAC was formed also in August 2012. To date, the CAC and the BAC has not met, nor is it in the agenda for the near future. part f.

2. The CAC does not have representations for the minority group along the Freight Rail Re-route or students from the St Louis Park High School. There has been no active recruitment for these group by the SWLRT Staff. part g.

3. The CAC members have not been able to set the agenda, pass motions, or make recommendations to the policy advisory committee. If there is a voting representative, the members of the CAC are not aware of this ability, who is the voting member, or how this vote is conducted. part i.

4. There has been no election to establish a chairperson. part j.

5. There has been no election to establish a representative the Management Committee. part k

6. Community issues were identified in a “dot-mocracy” survey, however details of the survey were denied the CAC committee and no subcommittees have been established. part c

7. The CAC has not been included as a resource and check point for community engagement throughout the transitway corridor and the adjacent communities. They have not reviewed or approved a corridor project community engagement plan. part b

12.1.1.4
Table 12.1-1 lists meetings of Neighborhood, community and business groups where Southwest Transitway information was presented. The discussion of the freight issue was not allowed at any of these meetings.

L1

12.1.1.5
Since the DEIS was launched, three additions of the Southwest Newsline were published and distributed. The freight issue was deliberately excluded from all three publications.

12.1.1.6
Table 12.1-2 lists community events where staff attended southwest materials were distributed. The opportunity to learn about the freight issue or discuss the freight issue was deliberately excluded from every one of these community events.

12.1.1.8
Information about the freight issue was deliberately excluded from the southwesttransitway.org website prior to Sept, 2011.

12.1.2
None of the articles on SW LRT listed in Table 12.1-4 included the freight issue. Table 12.1-5 lists media outlets contacted to run stories about the SW LRT project. None of the media outlets were contacted by project staff and asked to run a story about the freight issue.

12.1.3
Twenty-five public meetings and open houses were held at locations within the Southwest Transitway project corridor to provide information to affected and interested communities and parties. The primary purpose of these meetings was to inform of the public about the study's process and to give all interested parties an opportunity to provide input, comments, and suggestions regarding the study process and results. The opportunity to provide input, comments and suggestions regarding the freight issue was deliberately excluded from each and every one of these 25 meetings.

L2

12.1.3.1

The scoping process is designed to inform the public, interest groups, affected tribes, and government agencies of the Draft EIS and to present the following items for comment:

1. Purpose and need for the project;
2. Alternatives to be studied; and
3. Potential social, economic, environmental, and transportation impacts to be evaluated.

The freight issue is the most controversial issue of the SW LRT project. The freight issue has the greatest potential social, economic and environments negative impacts yet it was not included during the vast majority of the SW LRT scoping process. The freight issue was deliberately excluded after multiple requests to include it in the scoping process. A specific and formal request from the City of St. Louis Park was made on October 14, 2008 to include the freight issue under the scope of the SWLRT DEIS. (Appendix 12.1.3.1a) The St. Louis Park Public Board of Education made a similar request on November 3, 2008. (See Appendix 12.1.1.3.1b) The NEPA Implementation Office of Enforcement and Compliance Assurance wrote a letter dated November 6, 2008 that stated the "impacts and contributions to the existing transportation network including freight/industrial, automotive, pedestrian, and bicycle modes should be fully presented in the DEIS".(Appendix 12.1.3.1c) Despite all of these requests, the freight issue was denied inclusion in the DEIS scope prior to Sept 2, 2011. The reason for this exclusion is unknown and not published in the DEIS.

12.1.3.2

The discussion of the freight issue was deliberately excluded from all three of the open houses held on May 18, 2010, May 19, 2010 and May 20, 2010.

12.1.5

The only opportunity the public was given by Hennepin County to discuss the freight rail re-route was at the PMT meetings discussed in section 12.1.5. However, any discussion of possible alternatives to the re-route (co-location) or the freight re-route's connection with SWLRT was strictly forbidden at these PMT meetings. In addition, the vast majority of PMT members and St. Louis Park community were not satisfied with the PMT process. The last PMT meeting included a public open house where over 100 St. Louis Park citizens attended and expressed their outrage regarding the PMT process. The comments made at the open house need to be part of the DEIS since the freight issue was excluded from all other opportunities for public input. The open house can be viewed at http://vimeo.com/17945966

L2

In addition, Sue Sanger and Paul Omodt (St. Louis Park Council Members) wrote a letter to Hennipen County Commissioner Gail Dorfman and described the PMT as an "illegitimate and indefensible process" The complete letter can be found in the appendix. (Appendix 12.1.5a) Another letter was written by Ron Latz (State Senator), Steve Simon (State Representative) and Ryan Winker (State Representative) to Hennepin County Commissioner Mike Opat. (Appendix 12.1.5b)The letter was written because of the multitude of complaints made about the PMT process from their constituents. The letter asked that the residents of St. Louis Park receive fair treatment as Hennepin County makes a decision about a the possible re-route. They asked that fair studies and a transparent process. Despite these letters, Hennepin County did not change the way they treated St. Louis Park residents.

The following are comments made by PMT members to provide an overview of the severe shortcomings of the PMT process.

Kathryn Kottke (Bronx Park): "The 'process' was very frustrating because the questions I asked were not answered. In addition, during the open session residents were allowed to ask questions, but they were openly ignored; at some points, Jeanne Witzig, who facilitated the meetings, would simply respond, 'Next?' after residents had asked a question. Any discussions about SW LRT or possible alternatives to the reroute were not not allowed.

"Perhaps most frustrating was that we were asked to list our mitigation requests, but when the engineers had completed their work, they not only ignored every single mitigation request we had made, but they added mitigation we openly rejected such as a quiet zone by the high school and the closure of the 29th street at-grade crossing. Instead of making the reroute safer, Kimley-Horn planned for welded rails that would enable trains to run faster through a very narrow corridor."

Karen Hroma (Birchwood Neighborhood): "The PMT meetings were held only so Hennepin County can check a box and claim that they gathered "public input". The experience was frustrating and insulting. Several questions of mine went unanswered. None of the Birchwood residents' mitigation requests were given consideration. In fact, quite the opposite happened. Although the Birchwood residents very specifically asked that the 29th Street intersection remain open, the PMT concluded that the 29th Street be closed and that is was considered "mitigation". When the PMT wanted to discuss possible alternatives to the re-route we were told that this was not the appropriate time or venue to discuss."

Jake Spano (Brooklawns Neighborhood Representative) and current St. Louis Park Council Member): "I do not support increasing freight rail traffic through St. Louis Park or the rerouting of freight rail traffic North through the city until it has been proven that there is no other viable route. To do this, we need objective, honest assessments and an acceptance of mitigation requests by the people of the St. Louis Park. What was presented during the Project Management Team (PMT) process was lacking in all three of these areas."

L2

Claudia Johnston (City of St. Louis Park Planning Commission): “PMT meetings were conducted to get input from cities, residents and businesses impacted by the SWLR and rerouting freight. The document that was produced from those meetings – the EAW – completely ignored the input of those stakeholders. Therefore the conclusion is that Hennepin County never had any serious intention of working with those stakeholders and used that process to complete one of their required goals which was to conduct public meetings. Hennepin County has continued to withhold information from public authorities like the Met Council, Regional Rail Authority and the FTA by producing documents like the EAW and the DEIS that contain false information.”

Kandi Arries (Lenox Neighborhood): “I participated in the PMT as a concerned resident of Lenox neighborhood. The PMT was ‘pitched’ as a chance to problem solve and discuss issues openly. It became apparent though that the PMT was a poster child for government decisions that are made at the top, regardless of the input of the residents and the people impacted. Residents asked questions during the open forum but no answers were given. PMT members gave input to the consultant staff but responses were rare, if at all. Major changes were implemented by the county and the engineer- the lose of the southern connection and change of the cedar lake bike trail to a bridge. These changes were just implemented without the input of the members. The PMT was the forcing of the county wishes regardless of the resident concerns. Shameful.”

Jeremy Anderson (Lenox Neighborhood): "I participated in the PMT meetings as a representative--along with Kandi Arries--of the Lenox neighborhood. Together, we solicited many pages of comments and suggestions for remediation, and submitted that information to the County. Everything we submitted was summarily ignored. At every turn, the County pretended that the changes THEY wanted were the ones which we had submitted, and that we had never submitted any suggestions. When questions were asked, the answer given by the representatives of the county was: 'this meeting is not to address that question.' -- it didn't matter WHAT the question was. My time was wasted, every citizen who attended had their time wasted, and the County wasted a significant amount of money on a consultant who did nothing other than look confused or defer to a representative of the county. I have never experienced anything so frustrating in my years of dealing with government at all levels. I have learned from this process that Hennepin County does what Hennepin County wishes, regardless of what the citizens say. I would expect government like this in a Monarchy, an Oligarchy, or some sort of despotic Dictatorship. Behavior such as this from a supposedly representative government is absurd, shameful, and should not in any way be encouraged. The irregularities around the EAW and DEIS are so massive, so coordinated and so mind-boggling as to suggest fraud and graft on a quite noticeable scale. The County has continually dodged funding questions, and whenever a number is suggested which looked unfavorable to the freight reroute, that number has magically been declared a typo at a later date. It is my suspicion that if the proposal were shown to violate several of Newton's Laws, that Hennepin County would declare that Newton had been incorrect in his fundamental discovery."

L2

Lois Zander (Sorenson Neighborhood): “As a member of the PMT and representative of the Sorensen Neighborhood, I was able to see first hand how the public process was manipulated to make it look as though our neighborhood concerns were actually going to be considered in making a determination about the re-route. Prior to the meetings, PMT representatives were asked to get input from their neighborhoods regarding mitigation, should the reroute go through St Louis Park. In good faith, a neighborhood meeting was called and a list of concerns and possible mitigations was put together. This process put me in the position of getting our hopes up that our position would be heard, just to be dashed when exactly zero mitigations were revealed in the final document. I then needed to go back to my neighbors with this unhappy news and an explanation as to why I bothered them in the first place.

“During PMT meetings, faulty results were given as proof we needed no mitigation for vibration, noise and safety. For example: an "expert" took a reading next to the current small train as it passed along the MN&S. He had beautiful charts and graphs all proving the noise was below any level of concern and therefore did not need to be mitigated. This certainly does not represent the noise of the mile long 2 or 3 engine train which will be passing through our neighborhood and by our schools. The same ploy was used to prove to that vibration would not be a concern to our homes and schools. Do they take us for fools? This is a waste of taxpayer money and an insult to all of us who worked in good faith at our meetings.

“When we raised safety concerns about students being on the tracks going to the football field or to lunch, we were told the trains cannot stop and if someone were killed it would be their fault for trespassing. Students will still be at risk simply by walking across a sidewalk crossing and there they will not be trespassing.

“I was extremely disappointed to find that the SWLRT-DEIS was also a sham. Instead of a new study, the same faulty results were once again used to disprove our need for mitigation or co-location. Even though studies have clearly shown the MN&S is not suitable for the reroute and that co-location is a cheaper and more viable alternative, the powers that be inexplicably insist on going through on the MN&S in St Louis Park.

“We do not want this hideous reroute through the middle of our city for which we have worked so hard to gain model city status as a top 100 city in the country to live. We are very disappointed by this process, which took so much of our time and energy, and we will continue to fight this egregious ‘mistake’.”

L2

Joe LaPray (Sorenson Neighborhood) and Jami LaPray (Safety in the Park): "Almost fifteen years ago we got involved in the effort to stop the proposed freight rail re-route. We started small, writing letters to our elected officials and commenting during the scoping of the SWLRT. Each time we commented we were ignored or told the relocation of freight will make someone else's life easier. We vowed to continue to work toward a resolution that would not cost us our safety and home.

"When the PMT was formed we both volunteered to take part. The idea that we might finally be heard was wonderful. We were told the PMT members would have input on the design of the proposed re-route . We believed that even if we did not get everything we wanted, at least our ideas would be part of the design and life would be better for all of St. Louis Park. From the beginning this was not the case. Questions we asked either went unanswered or if answered after weeks of waiting the answers were cursory. We were told during the August 26, 2010 PMT meeting where in the process mitigation would be discussed and considered. In good faith we worked hard to reach out to our neighbors and compile a list that was not frivolous (we wanted things like bushes and sound barriers) we submitted that list to Kimley-Horn the engineering firm writing the EAW. When the EAW was finally published the list we worked hard to compile was not even a footnote in the EAW document.

"Other information gleaned during the PMT process that is pertinent to our concern was also left out of the EAW document and subsequently left out of the SWLRT-DEIS. For Example: during one of the meetings, Joseph asked, Bob Suko General Manager of the TC&W Railroad a question about the ability of a loaded unit train to stop should an obstacle be in an intersection near the Dakota and Library Lane intersections. The answer was "no" they could not stop.

"In the end it can only be concluded that the PMT process was designed to fulfill the duty of government agency to hold public meetings. Nothing else came from the process."

Thom Miller (Safety in the Park): "The entire PMT process was clearly not designed for public input, but rather for the county 'check the box' that they had held public meetings. Each meeting included a rather heated exchange between the facilitators and members on the re-route issue because the facilitators tried to shut down any such discussion."

The DEIS fails to mention the 2011 April 17 and 28 freight re-route listening sessions that were held by the city of St. Louis Park. Hundreds of St. Louis Park residents voiced their opposition to the freight reroute. Those comments should be included as part of the DEIS. These comments are especially valuable considering the freight issue discussion was excluded from the DEIS scoping process. Video of the listening sessions can be found at http://vimeo.com/23005381 and http://vimeo.com/23047057.

L2

12.2.1
SATETEA-LU Section 6002 states:
"'(1) PARTICIPATION- As early as practicable during the environmental review process, the lead agency shall provide an opportunity for involvement by participating agencies and the public in defining the purpose and need for a project.

'(4) ALTERNATIVES ANALYSIS-
'(A) PARTICIPATION- As early as practicable during the environmental review process, the lead agency shall provide an opportunity for involvement by participating agencies and the public in determining the range of alternatives to be considered for a project.
'(B) RANGE OF ALTERNATIVES- Following participation under paragraph (1), the lead agency shall determine the range of alternatives for consideration in any document which the lead agency is responsible for preparing for the project.
'(C) METHODOLOGIES- The lead agency also shall determine, in collaboration with participating agencies at appropriate times during the study process, the methodologies to be used and the level of detail required in the analysis of each alternative for a project.
'(D) PREFERRED ALTERNATIVE- At the discretion of the lead agency, the preferred alternative for a project, after being identified, may be developed to a higher level of detail than other alternatives in order to facilitate the development of mitigation measures or concurrent compliance with other applicable laws if the lead agency determines that the development of such higher level of detail will not prevent the lead agency from making an impartial decision as to whether to accept another alternative which is being considered in the environmental review process."

Hennepin County purposely kept the freight issue out of the SW LRT scope despite multiple requests from the City of St. Louis Park, the City of St. Louis Park School Board and the public. They clearly were not following the SAFETEA-LU directive to involve the public and participating agencies as early as possible. In fact, they did quite the opposite. The reroute was purposely excluded from the SW LRT scope so that Hennepin County could keep its agenda to remove the freight from the Kenilworth Corridor. The preferred alternative was developed to a much higher level of detail than LRT 3A-1 (co-location). Hennepin County has made every effort to keep co-location off the table. By the time the FTA forced Hennepin County to include co-location in the scope of the DEIS, so much progress has been made on the SW LRT project that it is impossible for the Met Council to make an impartial decision on the reroute verses co-location. The Met Council is not seriously considering co-location because a vote on the LPA has already occurred. The LPA selection process must be reopened with the freight issue included in order for an impartial decision to be made.

12.2.2

The Section 106 review process is an integral component of the National Historic Preservation Act (NHPA) of 1966. Section 106 of the NHPA requires each federal agency to identify and assess the effects their actions will have on historic resources. The process requires each federal agency to consider public views and concerns about historic preservation issues when making final project decisions. The ultimate goal of Section 106 is to seek agreement among these participants regarding preservation matters arising during the review process. At the time that the Section 106 notification letters were sent out, the potential reroute of freight was not considered part of the SW LRT project. The Section 106 review process should be done with the potential reroute of freight included.

S4

12.3.1

From the initiation of the Draft EIS process in the spring of 2008, Southwest Transitway project staff have been collecting public comments and filing a public comment database specifically designed for the project. Currently, this database contains more than 1,000 comments provided by approximately 250 commenter. The database excludes any comments regarding the freight issue because the freight issue was not part of the SW LRT scope prior to Sept, 2011. The LPA selection process must be redone with the freight issue included so that public input and an unbiased decision about the LPA can be obtained.

C

L2

12.3.2

In this section the FTA and the Metropolitan Council state that they will continue to meet with interested parties and stakeholders throughout the NEPA process. This section describes Metropolitan Council developed Communications and Public Involvement Plan (CPIP) which recognizes the need to communicate with the public. The CPIP's goals are:

1. Develop, maintain and support broad public understanding and support of the project as an essential means to improve our transportation system and maintain regional competitiveness.

2. Build mutual trust between the Metropolitan Council, its partners and the public by creating transparency through information sharing and regular, clear, userfriendly, and two-way communication about the project with community members, residents, businesses and interested groups in the corridor.

3. Promote public input into the process by providing opportunities for early and continuing public participation and conversation between the Metropolitan Council and the public.

4. Maintain on-going communication with project partners and ensure that key messages are consistent, clear and responsive to changing needs.

5. Inform elected officials and funding partners of the project and status to ensure clear understanding of the project, timing and needs.

6. Provide timely public information and engagement to ensure that the project stays on schedule and avoids inflationary costs due to delays.

The Metropolitan Council has failed reaching any of these goals in regards to individuals concerned with the freight issue. Because the freight issue was excluded from the vast majority of the SW LRT scoping period, Safety in the Park has attempted to set up a conference call between the Met Council, the FTA and the Safety in the Park co-chairs. Safety in the Park believes that this conference call would not make up for the exclusion of the freight issue for the majority of the SW LRT scoping period but would be a small step towards helping the FTA and Met Council understand the public's concerns regarding the potential reroute. Safety in the Park is optimistic that a conference call can be set up in the near future.

APPENDIX H, PART 1:

L2

MN&S Rail Study, March 13 (pages 64-189)

In September 2011, the FTA requested that the SWLRT DEIS include an analysis of the impacts of re-routing the TC&W freight traffic. The FTA also requested an analysis of the co-location of the freight rail with the LPA or 3A such that a full analysis of alternatives would be completed according the NEPA regulations.

The MN&S Report is the information and data that was used in the analysis of the environmental impacts for the FRR sections.

It is important to note that the information contained within the report is the same data that was presented as the MN&S Freight Study Environmental Assessment Worksheet completed by the Minnesota Department of Transportation, dated May 12, 2011, with collaboration from the Hennepin County Regional Rail Authority. During the 30 day comment period, Safety in the Park!, the City of St Louis Park, local agencies, Canadian Pacific and TC&W Rail companies, and many residents and neighborhood associations commented on the impacts discussed, including a request for further study.

The Minnesota Department of Transportation released a Finding of Facts and Conclusions on June 30, 2011 which listed the projects as a Finding of No Significant Impacts and that the project did not warrant further study as an EIS. The City of St Louis Park and a group of impacted residents and businesses appealed this decision to the Minnesota Court of Appeals, following the guidelines established within the State of Minnesota.

The City Of St Louis Park appealed on the basis of: 1) that the MN&S freight rail project and SWLRT was a connected action; 2) failure to treat the freight rail project as a connected action eliminated the option of including a environmental analysis of co-locating the freight rail and light rail in the Kenilworth Corridor and 3) the MN&S freight rail project as a stand alone project has the potential for significant impacts, requiring an Environmental Impact Statement.

The impacted residents and businesses appealed on the basis that: 1) the EAW violated Minnesota Environmental Protection Act (MEPA) because it fails to consider the SWLRT as a connected and phased action; 2) MN&S Freight Rail Study analysis of Noise and Vibration, and mitigation, is inadequate and 3) the analysis of the project's impacts to safety was inadequate.

After the September 2011 FTA letter and during the appeal process, representatives from Hennepin County requested that the appeals would be dropped. (LaPray Response to the motion to dismiss Jan 10, 2012)

L2

Within two weeks of the scheduled appeal court date, the Office of the Hennepin County Attorney issued a statement dated December 19, 2011 from the Hennepin County Regional Rail Authority that the MN&S Freight Rail Project no longer warranted a separate environmental analysis as a stand alone project. On December 20, the Minnesota Department of Transportation issued a statement proclaiming that MnDot 'vacates' the EAW for the Proposed Freight project. The action of 'vacating' the document was an unprecedented end to an Environmental Assessment Worksheet in Minnesota but it forced the appeal to be dropped because there was no environmental document to appeal. This is a violation of the trust of constituents that governing bodies will act in good faith and without a predetermined objective - an important right within government projects.

It is with this history that the MN&S Report included as supporting documentation for the freight rail reroute must be considered. The MN&S report is the same hard field data that was presented as the MN&S Freight Rail Project EAW. The MN&S report does not include anything significantly different even though the EAW project was in the steps for an appeal, requesting more study of the impacts. It has the same inaccuracies and NEPA, MEPA violations. The SWLRT DEIS usage of this as supporting evidence therefore can only include the same inaccuracies and environmental act violations, partly due to the fact that the request for additional study was ignored by Hennepin County. A significant part of the EAW appeal was the request that the project was studied to the level of an Environmental Impact Statement. This only highlights that the MN&S Report and the included field studies are not to the level of study of an EIS. Yet, this is the information simply inserted into the SWLRT DEIS as an equal study and evaluation.

In addition, the MN&S Report is dated as March 13, 2012 but it is not clear who the report was released to. The staff at the City of St Louis Park were not consulted which highlights that the report did not have full disclosure with impacted stakeholders.

Whenever possible- comments from the EAW or the appeals have been used in this response.

Source for the MN&S Freight Rail Study:
http://mnsrailstudy.org/yahoo_site_admin/assets/docs/FINAL_MNS_Freight_Rail_Study_EAW_05-12-2011.131184329.pdf

Source for the MnDot Finding of Facts and Conclusions
http://mnsrailstudy.org/yahoo_site_admin/assets/docs/MNS_Findings_of_Fact_June302011.187180927.pdf

SAFETY IN THE PARK!

APPENDIX

CHAPTER 1 DOCUMENTS

Councilmembers Latz and Young praised the caliber of the candidates and encouraged them to apply for the various City Boards/Commissions.

8f. Resolution opposing railroad construction in St. Louis Park
Resolution 96-73

Tony Kranz, 7831 Edgebrook Dr., addressed Council. He was the spokesman for the railroad noise problems in his neighborhood. He offered comments on the proposed resolution as well as some additional verbiage.

City Attorney Popham said the wording of the Whereas clauses in Mr. Kranz' proposed additions to the resolution were consistent with the thrust of the resolution before Council.

Councilmember Jacobs noted a potential amendment to the resolution language, i.e. in the 12th Whereas, rewrite to say, ".....locomotives and cars have a potential to become a nuisance..."

Mr. Petersen said the resolution reflects the position of Council of opposing construction of an interconnection between the east/west portion of CP Rail and the north/south portion which will cause the Twin City and Western rail line to have to head east out of St. Louis Park and up through the Kenwood area and connect with the Burlington Northern tracks.

It was moved by Councilmember Jacobs, seconded by Councilmember Sanger, to adopt Resolution 96-73 entitled "A resolution expressing opposition to construction of railroad intersections at the Milwaukee junction and at the Canacian Pacific and Burlington Northern Railroad tracks" as amended in the 12th Whereas, incorporating the additions as proposed by Mr. Kranz and further, to make his May 6 letter a part of the official record.

The motion passed 6-0.

8g. Second reading of ordinance amending Code relating to required signatures on checks
Ordinance No. 96-2062

It was moved by Councilmember Jacobs, seconded by Councilmember Young, to adopt Ordinance 96-2062 entitled "An ordinance relating to facsimile signatures on City checks; Amending Sections 5-102 and 5-103."

The motion passed 6-0.

8h. Approval of 1995-97 labor agreement with firefighters
Resolution 96-62

RESOLUTION NO 96-73

A RESOLUTION EXPRESSING OPPOSITION TO CONSTRUCTION OF RAILROAD INTERSECTIONS AT THE MILWAUKEE JUNCTION AND AT THE CANADIAN PACIFIC AND BURLINGTON NORTHERN RAILROAD TRACKS

WHEREAS, the Hennepin County Railroad Authority has acquired the 29th Street rail line through the City of Minneapolis, and

WHEREAS, the closure of this route will cause the Twin City and Western Railroad to need an alternative route to the St. Paul barge facilities, and

WHEREAS, the Canadian Pacific Railroad has evaluated the alternatives of either constructing new trackage interconnections within St. Louis Park or use of a rail trackage in the City of Minneapolis, and

WHEREAS, the Canadian Pacific Railroad, has indicated they prefer to use the existing route through the City of Minneapolis, and

WHEREAS, the Birchwood, Lenox, Bronx Park and Sorenson neighborhoods would experience additional train traffic, which would cause additional noise and vibration, and

WHEREAS, the north -south trackage in St. Louis Park is in close proximity to existing residential areas with a minimal distance to existing homes which would unduly cause visual pollution, and

WHEREAS, the north-south trackage is in proximity to the St. Louis Park High School, and has several uncontrolled railroad crossings with residential streets causing additional danger to the residents and blowing of the train whistle, and

WHEREAS, the existing rail lines through Minneapolis can be used without expenditure of State funds to create a new interconnection of trackage where none currently exists, and

WHEREAS, the City of St. Louis Park is a community with deep historical roots in the railroad history of the State of Minnesota, and

WHEREAS, the railroad industry has undergone significant change recently due to property real property sales, route mergers and bankruptcies, and

WHEREAS, residents of the City are stakeholders in any change that results in operational modifications inconsistent with the historical railroad use of the track in their neighborhood, and

WHEREAS, the switching operations of railroad locomotives and cars have a potential to become a nuisance if performed in residential neighborhoods.

NOW THEREFORE BE IT HEREBY RESOLVED by the St. Louis Park City Council that they are opposed to the construction of the new railroad interconnections of the Canadian Pacific Railroad in St. Louis Park and endorse the use of the Minneapolis rail route and that the City continue its efforts to gain cleanup of the industrial environmental contamination on railroad property and continue to encourage moving the present switching operations from the Edgebrook Park area to an industrial area to the West.

BE IT FURTHER RESOLVED that copies of this resolution be distributed to State legislative leaders and the affected railroad companies.

Adopted by the City Council May 6, 1996

Mayor

ATTEST:

City Clerk

Reviewed for Administration:

City Manager

Approved as to form and execution:

City Attorney

SAFETY IN THE PARK –

RESOLUTION NO. 01-120

CHAPTER 1 APPENDIX – DOCUMENT 2

RESOLUTION ADOPTING THE RAILROAD TASK FORCE RECOMMENDATIONS AND STATING THE INTENT OF THE CITY TO MOVE TOWARD IMPLEMENTATION OF THE STRATEGIES CONTAINED IN THE REPORT

BE IT RESOLVED by the City Council of the City of St. Louis Park, Minnesota as follows:

WHEREAS, A Railroad Task Force was created to establish an overall strategy for addressing rail issues in the city; and

WHEREAS, Several affected neighborhoods and other affected parties met from April 2000 to May 2001 and drafted a series of recommendations and a position statement; and

WHEREAS, the City Council desires to support the work of the task force and establish a strategy for directing our efforts regarding rail issues.

NOW THEREFORE LET IT BE RESOLVED THAT, The City Council of the City of St. Louis Park hereby adopts the recommendations of the Railroad Task Force, attached as Exhibit A to this resolution, and states the intent of the City to direct efforts toward the implementation of the strategies contained in the recommendations.

LET IT BE FURTHER RESOLVED THAT, The City Council will re-evaluate these strategies should significant changes in rail traffic, or assumptions about rail traffic, occur in the future.

Adopted by the City Council of the City of St. Louis Park, Minnesota, on October 15, 2001.

Reviewed for Administration:

City Manager

Adopted by the City Council October 15, 2001

Mayor

Attest:

City Clerk

CITY OF ST. LOUIS PARK

St. Louis Park Railroad Advisory Task Force
Position Statement Summary

The Task Force recommends that freight rail traffic through St. Louis Park should be through traffic only. The Task Force is opposed to introducing any additional rail traffic through the City of St. Louis Park.

All railroad blocking operations should be eliminated in St. Louis Park, Hopkins, and Minnetonka. This should be accomplished by constructing a switching yard west of these three cities.

Construct a southern connection and associated mitigation in the Oxford industrial area based upon a design study that allows for a direct connection of the east-west to north-south rail lines, that has the least effect on the adjacent neighborhoods, and that allows the ability to build the northern connection.

Freight rail traffic from the west headed for St. Paul should continue to travel through the Kenilworth Corridor in Minneapolis unless and until such time as a viable form of mass transit displaces it. The Task Force recognizes that other entities are evaluating the use of the Kenilworth Corridor to be used for mass transit. This Task Force recommends that these entities also evaluate other corridors, specifically the Highway 100 right-of-way be evaluated for mass transit.

The City should proceed with negotiating with all relevant parties to effect the above, seek funding from possible sources, conduct environmental studies, prepare plans to mitigate impact of increases in rail traffic, evaluate structural capacity and safety of existing railroad infrastructure, and implement a "quiet zone".

If at a future date, it is determined that the Kenilworth Corridor is the most feasible route for mass transit and that freight rail and a mass transit system cannot coexist in that corridor, freight rail traffic will be re-routed through St. Louis Park. This is to be accomplished by constructing a northerly connection on the Golden Auto Site and a connection on the iron triangle property. All environmental mitigation must be completed according to the environmental studies prior to re-routing.

The City Council should re-evaluate this strategy if significant changes in rail traffic patterns occur.

Position Statement
Agreement and Understanding of Affected Neighborhoods
of
The St. Louis Park Railroad Advisory Task Force

Proposed Strategy Plan

Based on all material reviewed, the St. Louis Park Railroad Advisory Task Force recommends that the City of St. Louis Park Council initiate the following actions:

Immediate Action

1. The Twin Cities & Western Railroad Company's freight rail traffic to and from the terminals in St. Paul will continue to be routed over its present course through the Kenilworth Corridor.

2. Negotiation of an agreement between the City of St. Louis Park, the Hennepin County Regional Rail Authority, Canadian Pacific Railway, Burlington Northern Santa Fe, and Twin Cities & Western Railroad to maintain TC&W St. Paul freight rail traffic through Kenilworth unless and until such time as freight rail is displaced by some means of mass transit. The agreement must contain the following elements in order to permit re-routing of traffic from Kenilworth to St. Louis Park:

   - In order to trigger re-routing of freight rail traffic, a study must be completed that evaluates other corridors (specifically including the Highway 100 corridor with an eastbound connection either via the Burlington Northern Santa Fe right-of-way, or the I-394 right-of-way). The study must identify the Kenilworth Corridor as the most feasible route for mass-transit.
   - The means of mass transit must physically displace freight rail traffic (light rail transit, heritage trolley, express busway, etc.). Commuter rail is not included in this definition since commuter trains use the same infrastructure as freight rail trains. The study must further conclude that there is no reasonable way to accommodate both freight rail and mass transit within the Kenilworth Corridor in order to trigger re-routing.
   - The mass transit must be a significant form of regional mass transit capable of transporting large numbers of commuters between Minneapolis and the southwest suburbs or greater areas. Transportation intended for recreational use is excluded.
   - In order to implement mass transit in Kenilworth, the project must include sufficient funds to pay for the following items:
     a) Noise, safety, and additional environmental mitigation of the segments in St. Louis Park that will be exposed to increases in rail traffic to the levels defined by the environmental studies performed under items #10 and #11 below.
     b) The construction of a south connection, if such has not already been constructed, in compliance with the most feasible routing alternative determined per paragraph 3 of this document, if necessary for freight rail traffic to reach Savage.
     c) The construction of a north connection across the Golden Auto Site, and a connection to the BNSF line on the iron-triangle property, if necessary to permit freight rail traffic to reach St. Paul.

3. Completion of a study reviewing the engineering and financial feasibility of the construction of the south connection. The major components of the study shall include:
    - Real estate purchases and business relocations;
    - Impact to Methodist Hospital by an at-grade crossing of Louisiana Avenue;

- Identifying the environmental impacts to the adjacent communities, and determining the route that has the minimum impact to these communities;
- Evaluating alternatives to assure that a north connection across the Golden Auto Site can still be funded and constructed if the south connection is built;
- Evaluating the alternatives to assure that the south connection will allow rail traffic to continue through the Kenilworth route if a north connection is also constructed without obstructing the HCRRA transit corridor;
- Conducting neighborhood meetings to present the study to the affected neighborhoods to gain their support.

The study should consider the following options:

a) A direct connection to the north-south track from the east-west track in the north-east corner of the industrial park (Avoids all at-grade crossings, and removes the entire existing switching wye).
b) Extending the west-end of the existing switching wye track to connect to the east-west track (Includes an at-grade crossing of Louisiana Avenue and creates a new crossing of Oxford Street. Includes removal of the north leg of the switching wye).
c) Extend the south leg of the existing switching wye track to connect to the east-west track east of the Louisiana Avenue bridge (Creates an at-grade crossing of Oxford Street and includes the removal of the north leg and west stub of the switching wye).
d) By any other feasible means.

4. If the study described under #3 above finds a south connection to be feasible, purchase right-of-way for the connection including business condemnation/relocation, and construct the south connection according to the recommendation of the study.

5. If and when a south connection is built, negotiate an agreement with the Canadian Pacific and Twin Cities & Western Railroad Companies that would grant the City the power to review potential changes in rail traffic patterns and/or rail users over this proposed rail connection. The City would reserve the right to deny additional rail traffic if alternative routes were available, or to require the operating rail company to fund mitigation to maintain environmental impacts at their existing levels.

6. If and when a south connection is built, negotiate an agreement with the Canadian Pacific Railway to facilitate the removal of track and abandonment of railroad rights-of-way on the portions of the existing switching wye that are to be removed (as defined by the study under item #3 above). This agreement must also provide for eliminating rail service to any businesses served by the wye track.

7. Construction of a switching yard outside of the cities of St. Louis Park, Hopkins, and Minnetonka and removal of all sidetrack through these cities (with the exception of the sidetrack to remain for run-around/passing track as determined by the study under item #3 above).

If public funding subsidizes construction of the switching yard, negotiate an agreement that requires rail car storage and blocking operations to be performed outside of the cities of St. Louis Park, Hopkins and Minnetonka. The agreement will allow no exceptions based upon future railroad growth or infrastructure deployment. The agreement must prohibit storage, blocking or switching of railroad cars on the run-around/passing track, and all other locations in these cities.

8. Acquisition and environmental cleanup of all or part of the Golden Auto Site through the use of the Hennepin County Environmental Response Fund. The property would be platted such that sufficient right-of-way in the southeast portion of the site would be owned by the Hennepin County Regional Rail Authority and is reserved for a future rail interconnect. The remainder, if any, of the site would either be retained as a potential transit station site, or sold for private development, as determined by the City of St. Louis Park.

9. Negotiate an agreement with the Minnesota Department of Transportation (MnDOT) to reconstruct the Highway 100 freight rail bridge if the Highway 100 reconstruction project is implemented before such time as freight rail is displaced in the Kenilworth Corridor.

   This agreement should also include a provision where if the freight rail is eliminated from Kenilworth prior to the Highway 100 reconstruction project, the money savings realized by MnDOT to avoid constructing a freight rail bridge (including any temporary construction elements) will be completely turned over to fund railroad mitigation in St. Louis Park.

10. Complete an environmental analysis of the rail segments in St. Louis Park and Minneapolis that will accomplish the following:
    - Identify and model the environmental impacts of the existing and proposed rail traffic (including, but not limited to, impacts on the residential homes adjacent to the track; the impact of the railroad on the St. Louis Park High School; air, noise, and vibration impact; and street-railroad crossing impacts);
    - Study the environmental impacts along the Kenilworth corridor and determine the appropriate mitigation measures for railroad and/or other transit activities;
    - Study wetland and wildlife impacts from proposed rail construction and rail traffic;
    - Identify a series of mitigation steps that can be implemented based on levels of impact; (including but not limited to: upgrade track to seamless rail, landscaping, earthen berms, noise walls, home and school soundproofing, and removal of homes)
    - Develop a finance plan and identify funding source(s) for the various mitigation steps.

11. Assist the St. Louis Park School Board in assessing safety, noise, or other impacts introduced by additional rail traffic to the High School and Peter Hobart School. The assessment must include analysis of pedestrian and vehicular safety at the grade crossing of Dakota Avenue and Library Lane. The study should recommend physical mitigation measures, and revisions to school evacuation procedures. Identified mitigation measures must be implemented prior to freight rail traffic being re-routed through St. Louis Park.

12. Evaluate the existing St. Louis Park Railroad infrastructure for assessment of structural capacity (i.e. rail, bridge and street crossings). Compare the findings to the short-term and long-term expected railroad traffic projections, and recommend structural improvements if required. This assessment should be performed by an outside party, and not by the railroad companies. The railroad companies or parties not including the City of St. Louis Park will be responsible for funding the required improvements.

13. The City of St. Louis Park, in cooperation with the Cities of Minneapolis, Hopkins, and Minnetonka should evaluate the implementation of a southwest regional "Quiet Zone". The evaluation should analyze the existing at-grade intersections and determine which improvements would be cost-effective to implement a "Quiet Zone" according to the new FRA Regulations. The key elements in the evaluation should be:
    - Pedestrian safety considerations (including evaluating the installation of fencing along the tracks adjacent to residential areas and pedestrian bridges at appropriate locations)
    - Noise impacts of crossing bells vs. train horns.
    - Cost estimates and identification of funding sources.
    - Physical improvements (street closure, signal installation, safety barriers, and other geometric improvements).

14. The City of St. Louis Park should distribute this Official Position Statement to MnDOT, Met Council, and any other entities considering light rail transit, busways, and other mass transit options in the Kenilworth Corridor. These parties must be fully informed of the conditions that the City of St. Louis Park has established concerning re-routing of freight rail traffic through their communities, including the requirement to fund infrastructure improvements as well as the identified noise, safety, and other environmental mitigation measures.

Future Action

The Task Force is not in favor of accepting additional freight rail traffic over the any rail track segment in St. Louis Park as a result of re-routing the traffic; however, the Task Force has identified possible scenarios that may occur at some future date. Each scenario requires a specific set of actions if the above Immediate Actions are implemented.

Kenilworth Corridor – Transit Displacement

If freight rail is displaced by some viable form of mass transit (defined by #2 under Immediate Action above) freight rail traffic will be eliminated from the Kenilworth Corridor and re-routed on the north-south line through St. Louis Park. In such case, the Task Force recommends the following actions:

1. Implement the environmental mitigation measures that are recommended by the studies defined under items #10 and #11 under Immediate Actions.

2. Construct a connection to the north with a bridge over the HCRRA right-of-way to provide a through movement for the TC&W St. Paul trains. A southern connection must be in place or be constructed concurrently to assure that rail traffic to/from Savage does not back-up into the northern neighborhoods.

3. Construct the iron triangle connection.

4. Remove the existing freight rail track in the Kenilworth corridor.

5. Remove the existing freight rail track east of the north/south line in St. Louis Park, including the full length of the run-around/passing track and Bass Lake Yard. Canadian Pacific Railway rights-of-way will be purchased by Hennepin County Regional Rail Authority.

6. If the freight rail traffic is re-routed prior to the reconstruction of Highway 100, the cost savings realized by MnDOT to construct a bridge for light rail transit in lieu of a freight rail bridge will directly be passed along to St. Louis Park to fund environmental mitigation.

Commuter Railroad from the South

If the Dan Patch commuter rail project is implemented, the iron triangle connection would be constructed to carry commuter trains into Minneapolis. If this occurs while freight rail traffic is still being routed through Kenilworth, the Task Force recommends that the City of St. Louis Park take the following action:

1. Maintain the Twin Cities & Western Railroad Company's freight rail traffic to and from the terminals in St. Paul over its present course through the Kenilworth Corridor, until such time as that freight rail traffic is displaced by mass transit.

Whether freight rail traffic is being routed through Kenilworth or St. Louis Park, the Task Force recommends that the City of St. Louis Park take the following action:

1. St. Louis Park City work closely with MnDOT on the planning of the commuter rail line to assure that the appropriate mitigation measures are implemented to limit the effects of the environmental impacts from the projected rail traffic.

Rail Traffic from West to North

The Official Position Statement of the St. Louis Park Railroad Advisory Task Force is based on the anticipated shift of the Twin Cities & Western Railroad's river traffic from its current market to the north (Camden), to the south (Savage). It is possible that economic conditions may change and the Camden traffic may continue or increase. If the Camden traffic increases and/or if other new rail traffic coming from the west to the north exceeds projected volumes, the following actions may be taken:

1. If conditions reach unreasonable levels, the neighborhood leaders from the southern affected neighborhoods (Brooklawns, Elmwood, South Oak Hill, Creekside, and Brookside), will contact the St. Louis Park City Council to initiate action.

2. Based on the severity of the problem and the anticipated duration, the City Council may implement one of the following series of actions:
   A) Serious situation/Long-term Duration:
      - Request MnDOT, the HCRRA, and/or the railroad companies to construct a northern connection on the Golden Auto Site with a bridge over the HCRRA right-of-way.
      - Implement environmental mitigation along segments with additional rail traffic.
   B) Serious situation/Temporary Situation:
      - City staff will work with TC&W to conduct operations in such a way where the impacts are minimal to the adjacent residents.
   C) Less than serious situation/Long-term Duration:
      - City staff will work with TC&W on minimizing impacts to adjacent neighborhoods
      - Implement environmental mitigation measures, if necessary
   D) Less than serious situation/Temporary Situation:
      - City staff will work with TC&W on minimizing impacts to adjacent neighborhoods

The St. Louis Park City Council will interpret the situation according to the above criteria.

Rail Traffic from South to East

Although there is no indication that freight rail traffic would be introduced on this path, the Task Force recommends the following actions to prevent northbound trains from using a new south or north interconnect to connect to the east-west line and proceed through Kenilworth. These actions would only be necessary if this additional traffic could not be obstructed by the agreement defined under Item #5 under the Immediate Actions.

1. Study the environmental impacts from the additional traffic to determine if impacts from projected volumes would exceed reasonable levels.

2. If the conditions reach unreasonable levels, The City Council may take one of the following actions, based on the severity of the problem and the anticipated duration:
   A) Serious situation/Long-term Duration:
      - Study alternate routes to determine if there is a feasible route that could entirely avoid, or minimize the additional rail traffic through St. Louis Park. The selected route should not include an east connection in St. Louis Park, or allow trains to perform switching movements that involve stopping or backing of trains.
      - Implement environmental mitigation on segments with increased rail traffic.
   B) Serious situation/Temporary Situation:
      - City staff will work with the operating rail company to conduct operations in such a way where the impacts are minimal to the adjacent residents.
   C) Less than serious situation/Long-term Duration:
      - City staff will work with the operating rail company to minimize impacts to adjacent neighborhoods.
      - Implement environmental mitigation measures on segments with increased rail traffic.
   D) Less than serious situation/Temporary Situation:
      - City staff will work with the operating rail company to minimize impacts to adjacent neighborhoods

The St. Louis Park City Council will interpret the situation according to the above criteria.

Attachments to this Position Statement

(A) List of Advisory Task Force members;
(B) Chronology of meetings, field trips and neighborhood meetings since the initiation of the Task Force;
(C) Financing Plan.

St. Louis Park Railroad Advisory Task Force Members List

Neighborhoods

Birchwood:	P. Gardner/S. Silvernail
Blackstone:	Gerri Nassen
Bronx Park:	Ruth Bergene
Brookside:	Dee Welsh
Brooklawns:	Scott Lorentz
Cedarhurst:	Jerry Stamm
Eliot View:	Tom Powers
Elmwood:	John Basill
Lake Forest:	Lynne Carper
Bronx Park:	Kim Daniels
Sorenson:	Jami LaPray
Minneapolis:	George Puzak

City of St. Louis Park Staff

Councilmembers:	Sue Sanger
	Sue Santa
	Chris Nelson
City Manager:	Charlie Meyer
Planning:	Judie Erickson
School Board:	Joel Koch

Consultants

Project Managers:	Dick Koppy/Lee Koppy
Rail Design:	Roger Anderson
Environmental:	Eric Hansen
Noise:	David Braslau

Hennepin County

Commissioner:	Gail Dorfman/Kate Walker
HCRRA:	Gary Erickson/Warren Potter

Other Affected Cities

Minneapolis:	John Wertjes
Minnetonka:	Desyl Peterson

Railroad Companies

TC&W:	Dan Rickel
Canadian Pacific:	Mark Nordling
BNSF:	Brian Sweeney

MnDOT

Railroad/Waterway:	Robert Swanson
Hwy 100 Design:	Wayne Norris

Multi-Modal:	**Kate Garwood**
Commuter Rail:	Gabe Guevara

From: "Kevin Locke" <klocke@stlouispark.org>
To: <la.Xiong@co.hennepin.mn.us>, "Meg McMonigal" <mmcmonigal@stlouispark.org>, <timothy.spencer@state.mn.us>, "Dahlberg, Peter (DOT)" <Peter.Dahlberg@state.mn.us>
Cc: <Katie.Walker@co.hennepin.mn.us>, <Jeanne.Witzig@kimley-horn.com>, "Meg McMonigal" <mmcmonigal@stlouispark.org>
Date: 07/20/2010 03:23 PM
Subject: RE: History on Freight Rail Relocation

I am reading through the handout and will get back to you as I can. Couple quick general comments:

One, it is absolutely critical that the handout be accurate and something that the authors, which I assume are Hennepin County, can stand behind. I would expect that many readers will scrutinize the language and meaning of each phrase and word; and, potentially challenge some of it. I would note that the opening paragraph sure seems to say, the HCRRA is responsible for finding TCW an alternative route to St. Paul; and, while routing TCW through Kenilworth may have been expected to be temporary, it is permanent until HCRRA provides another route.

I also suspect that some people will want to know what was the "analysis" in the 1990's that determined that the MNS line through SLP was the "preferred location" for TCW traffic and who made the decision? Does the analysis still exist in a document somewhere? Is there a record of the decision to choose the

Aug. 27, 2012

Dear Resident or Business Owner:

We wanted to let you know about an upcoming freight rail track replacement project taking place this fall in the Kenilworth Corridor.

Scheduled to start in mid-October, the Hennepin County Regional Railroad Authority (HCRRA) is replacing a two-mile stretch of freight rail track within its Kenilworth Corridor from Interstate 394 to just east of Beltline Boulevard. The current freight rail track is aging and wasn't designed for modern freight operations. To ensure ongoing safe operations within the corridor, the HCRRA made the choice to replace the track instead of doing ongoing repairs.

The replacement rails will arrive by train; we estimate their arrival in Minnesota sometime the week of September 10. Rail replacement is scheduled to start mid-October and, weather permitting, should be completed within a month.

What can you expect to see happening in the Kenilworth Corridor?

- Upon arrival, a machine will convey the 1,500-foot to 1,800-foot rails from the train car and place them parallel to and near the existing track. Minor delays are expected at the intersections of West 21st Street and Cedar Lake Parkway when the rail is being unloaded from the train.
- Workers and equipment will be in the corridor mid-October cutting and welding the freight rail track into place. We expect their daily schedule to be between 7 a.m. – 7 p.m. and will do everything possible to minimize any activity after dark.
- There are no plans for detours or closures where the Kenilworth Corridor intersects with West 21st Street and Cedar Lake Parkway, and we do not expect any impacts to the Cedar Lake Bike Trail. Twin Cities & Western Railroad Company will maintain regular freight operations in the corridor during the replacement project.

Upon completion of the rail replacement, there is no plan to increase train speeds. The new continuously welded rail will result in smoother operations for freight trains passing along this portion of the corridor.

This project is not related to the Metropolitan Council's future decision on the final location of freight rail operations. That decision will be considered as planning for the Southwest Light Rail Transit line advances.

If you would like to speak to someone about this project, please contact Phil Eckhert (HCRRA) at 612-348-6445, email *Phil.Eckhert@co.hennepin.mn.us* or Tim Jeske, (TC&W Railroad) at 302-510-0407, email *tjeske@tcwr.net*.

Sincerely,

Philip C. Eckhert
Director
Housing, Community Works and Transit Department
Hennepin County

Mark Wegner
President
Twin Cities & Western Railroad
Minnesota Prairie Line, Inc

Hennepin

Hennepin County **News**

Public Affairs • 612-348-3848 • 300 S. 6th St., Minneapolis, MN 55487-0011

Aug. 27, 2012

Contact: Phil Eckhert, HCWT Department Director: 612-348-6445
Tim Jeske, TC&W Railroad: 302-510-0407
Cara Lee, Public Affairs: 612-348-6883

Freight rail track replacement project scheduled for mid-October

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– more –

Freight rail track/2

- There are no plans for detours or closures where the Kenilworth Corridor intersects with West 21st Street and Cedar Lake Parkway, and we do not expect any impacts to the Cedar Lake Bike Trail. Twin Cities & Western Railroad Company will maintain regular freight operations in the corridor during the replacement project.

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Look for more news on the Hennepin County website – *www.hennepin.us*.

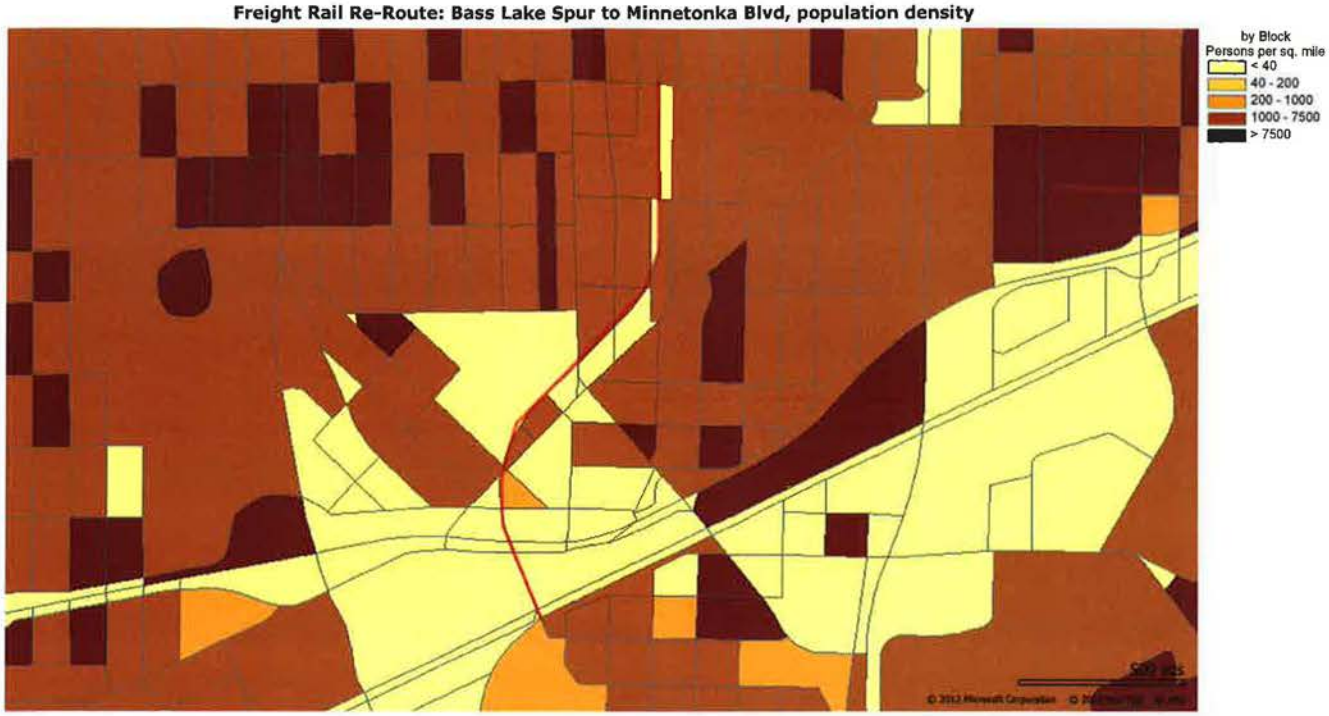
SAFETY IN THE PARK!

APPENDIX

CHAPTER 4 DOCUMENTS

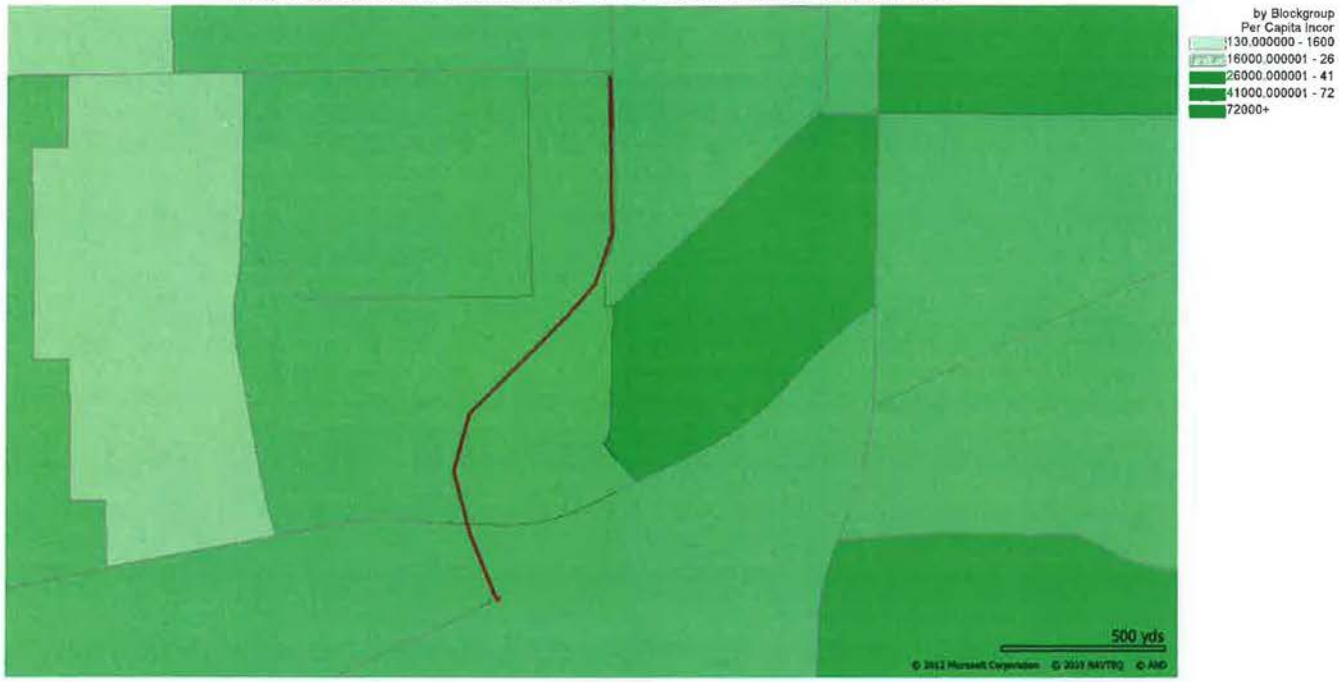
Freight Rail Re-Route: Bass Lake Spur to Minnetonka Blvd

Freight Rail Re-Route: Bass Lake Spur to Minnetonka Blvd, population density

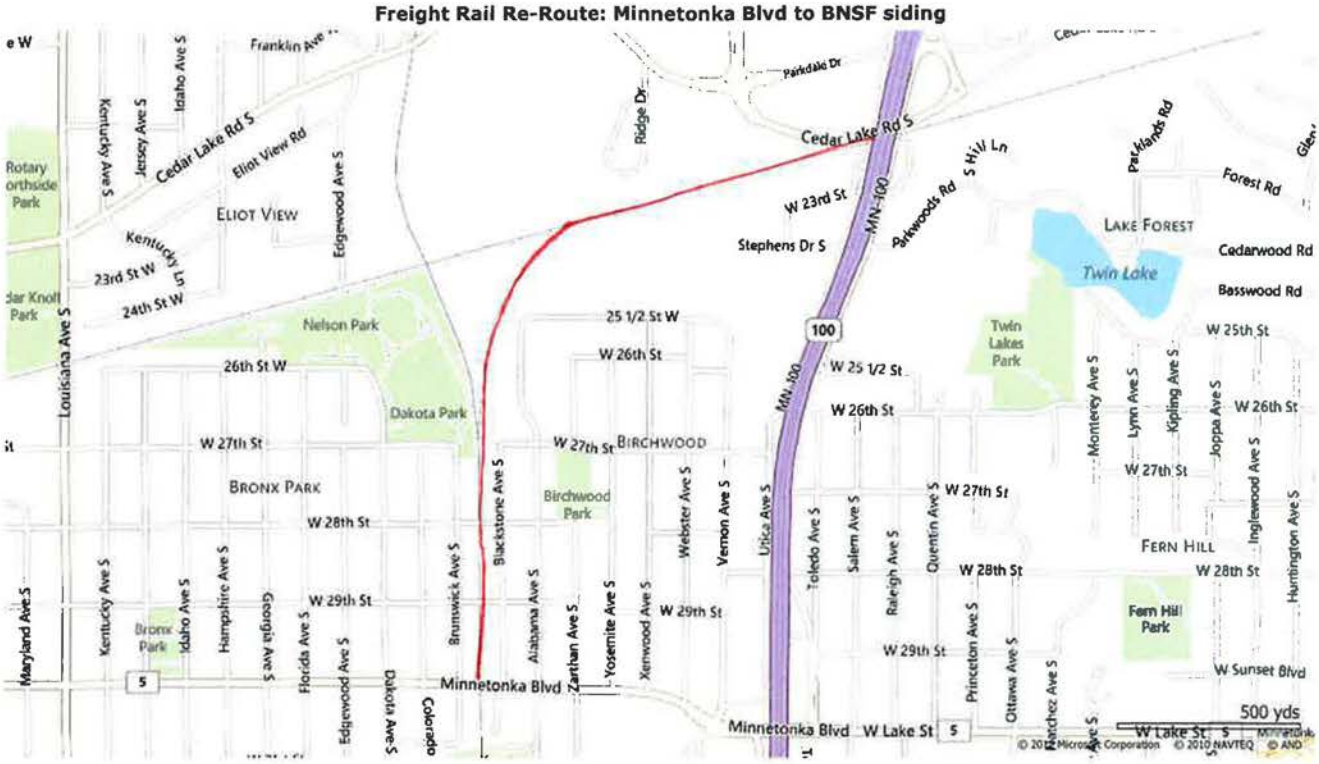


Freight Rail Re-Route: Bass Lake Spur to Minnetonka Blvd, minority population

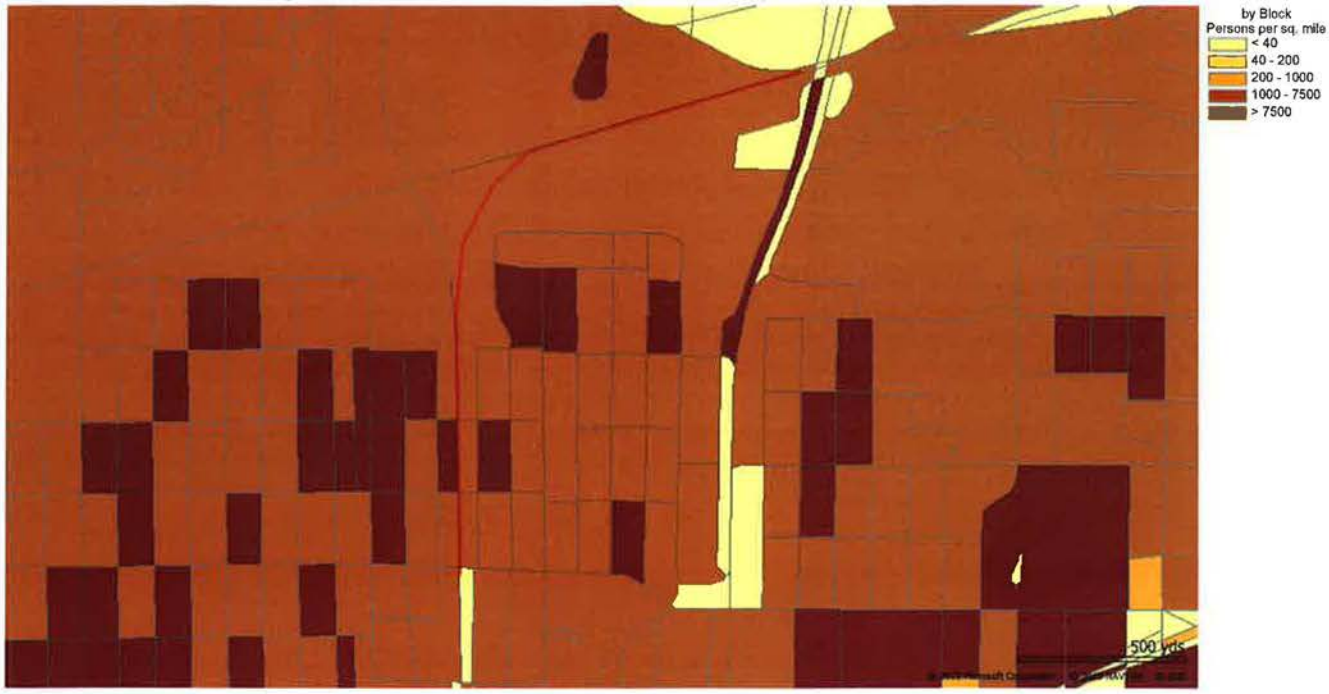
Freight Rail Re-Route: Bass Lake Spur to Minnetonka Blvd, Per capita income



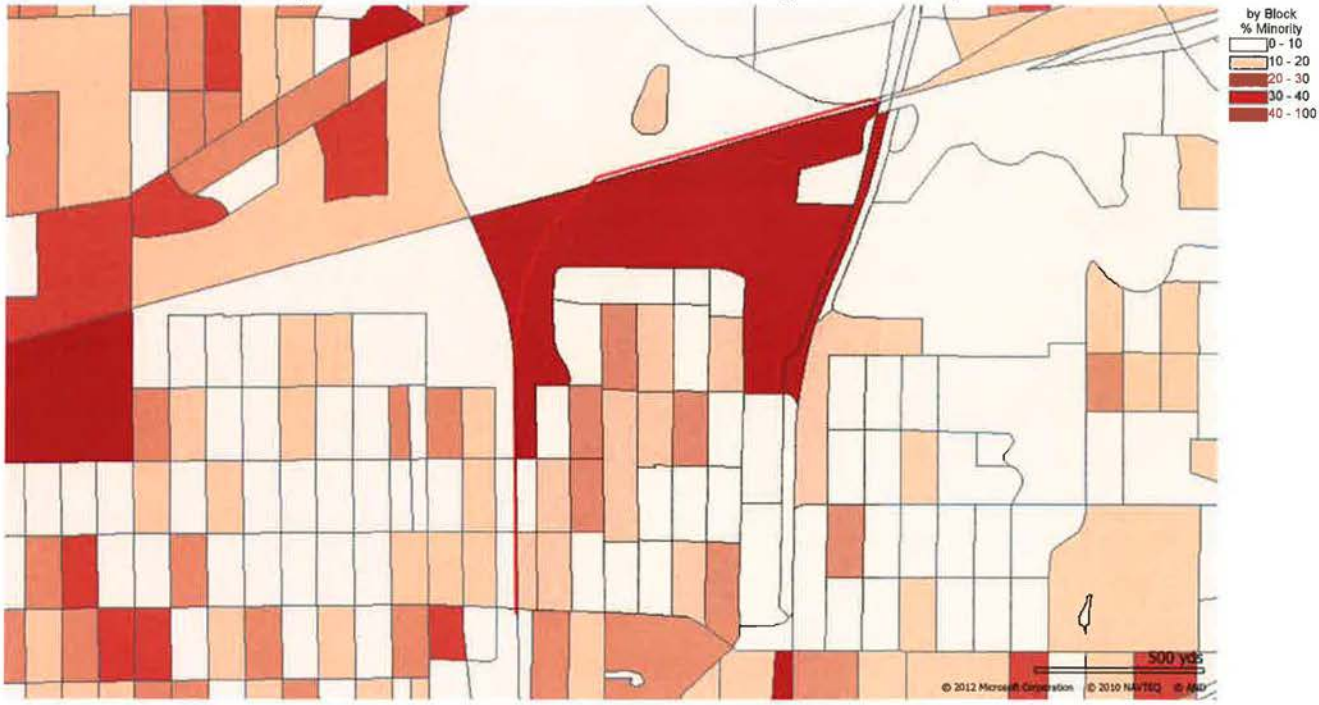
Freight Rail Re-Route: Minnetonka Blvd to BNSF siding



Freight Rail Re-Route: Minnetonka Blvd to BNSF Siding: population density

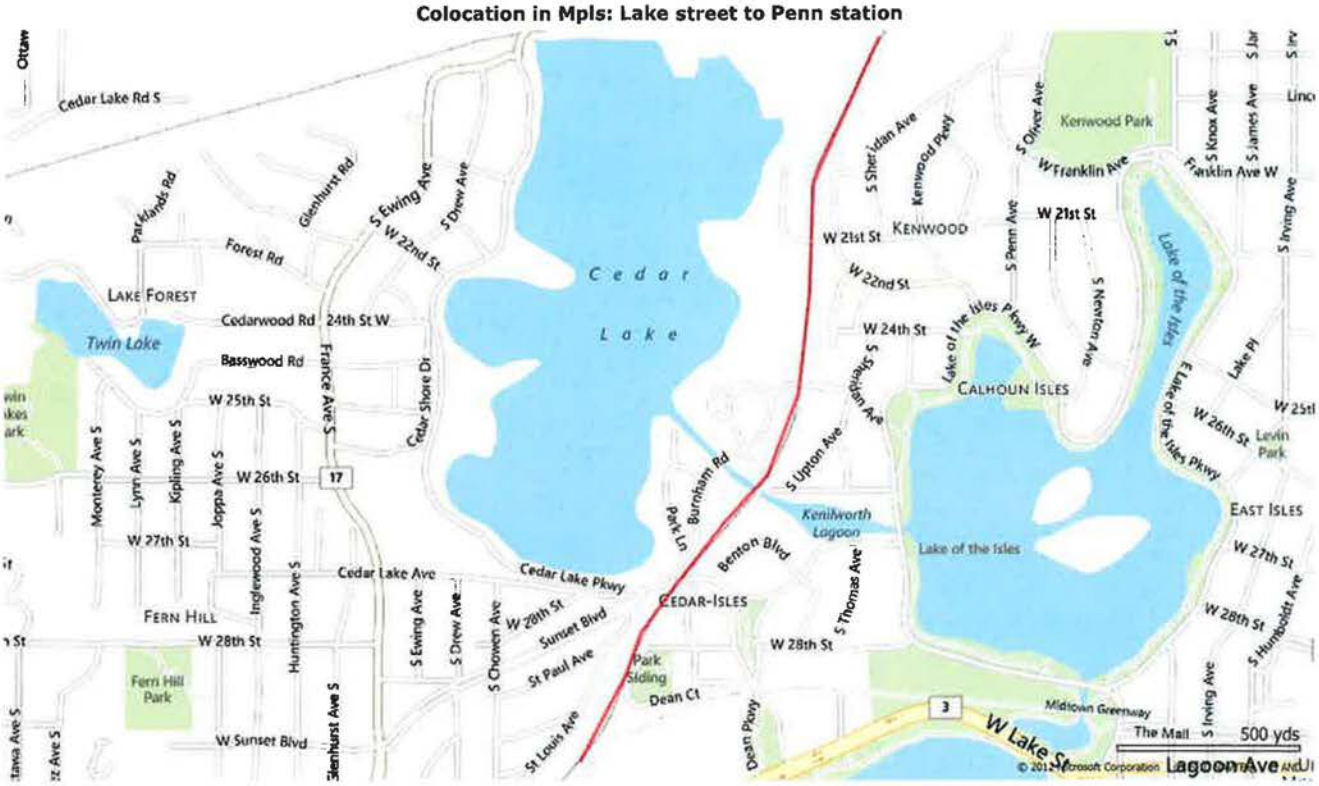


Freight Rail Re-Route: Minnetonka Blvd to BNSF Siding, Percent Minority



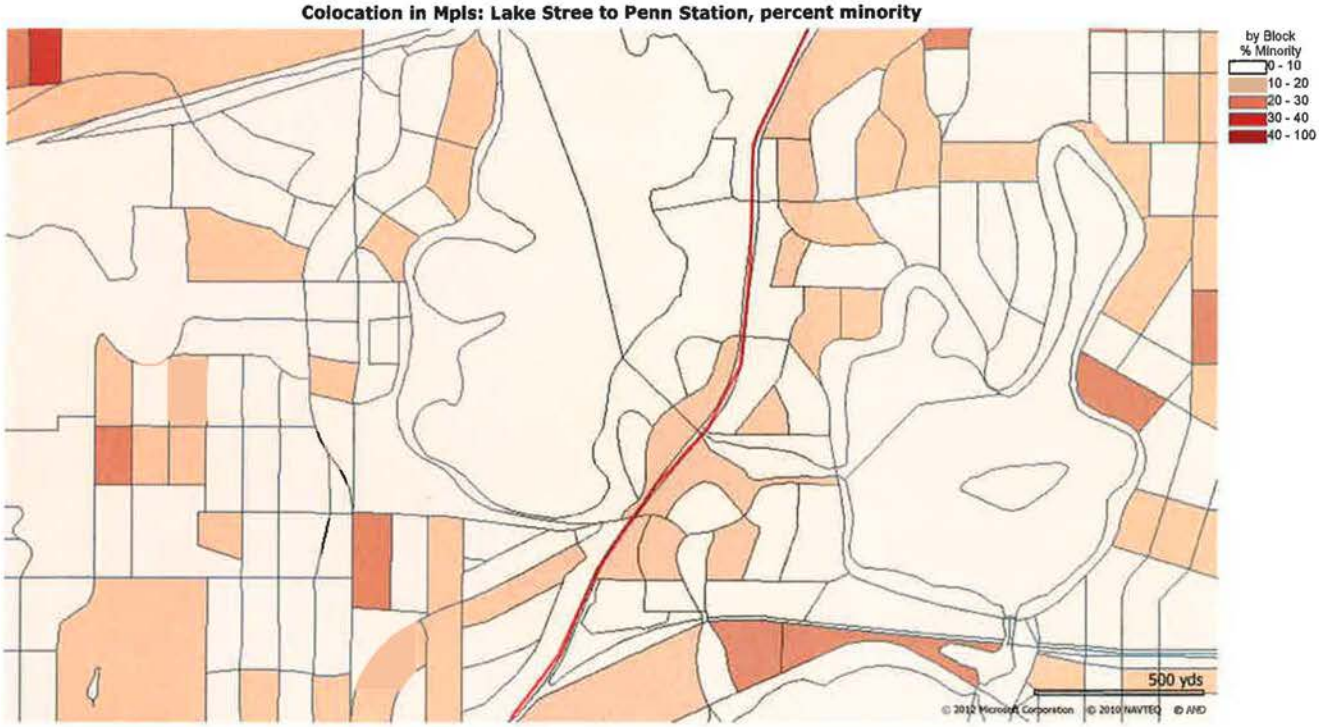
Freight Rail Re-Route: Minnetonka Blvd to BNSF Siding, Per capita income

Colocation in Mpls: Lake street to Penn station



Colocation in Mpls: Lake Street to Penn Station, population density

Colocation in Mpls: Lake Stree to Penn Station, percent minority



Colocation in Mpls: Lake Street to Penn Station, per Capita income

Supporting data

OFFICE OF THE HENNEPIN COUNTY ATTORNEY

MICHAEL O. FREEMAN COUNTY ATTORNEY

December 19, 2011

VIA ELECTRONIC MAIL

Patrick Whiting
Assistant Attorney General
Minnesota Attorney General's Office
Bremer Tower, Suite 1800
445 Minnesota Street
St. Paul, MN 55101-2134

Dear Pat:

This is to notify you that the Board of the Hennepin County Regional Railroad Authority passed the following resolution today:

"BE IT RESOLVED, that the HCRRA Board directs staff to notify the Minnesota Department of Transportation that, in light of direction from the Federal Transit Administration regarding the Southwest LRT project (and only for purposes of completing the Southwest LRT project): (1) the Hennepin County Regional Railroad Authority has determined that freight rail relocation no longer warrants separate environmental analysis under state law as a standalone project and is no longer being pursued as a standalone project under state law; (2) HCRRA will amend the DEIS to include freight line relocation in the scope of the Southwest LRT project; and (3) freight rail location either to the MN&S corridor or within the Kenilworth Corridor will be included as an element of that overall Southwest LRT project that will be subject to environmental review under state and federal environmental law."

Sincerely,

HOWARD R. ORENSTEIN
Sr. Assistant Hennepin County Attorney
Telephone: (612) 348-4618
FAX: (612) 348-8299

Minnesota Department of Transportation
395 John Ireland Boulevard
Saint Paul, MN 55155

Supporting data
pg 1 of 2

December 20, 2011

To Whom It May Concern:

RESOLUTION

WHEREAS, a project consisting of track improvements to the existing Canadian Pacific (CP) Bass Lake Spur, CP Minneapolis, Northfield & Southern (MN&S) Spur, and the Burlington Northern Santa Fe (BNSF) Wayzata Subdivision in the City of St. Louis Park was proposed to accommodate the relocation of the Twin Cities and Western (TC&W) freight rail traffic currently operating in the Kenilworth Corridor in Minneapolis (Proposed Freight Project); and

WHEREAS, the Hennepin County Regional Railroad Authority (HCRRA) was the Proposer of the Proposed Freight Project, as the term "Proposer" is defined by Minn. R. 4410.0200, subp. 68 (2011); and

WHEREAS, the Minnesota Department of Transportation (MnDOT) was the Responsible Governmental Unit (RGU) for the Proposed Freight Project pursuant to Minn. R. 4410.0500, subp. 2 (2011), and as the term "RGU" is defined by Minn. R. 4410.0200, subp. 76 (2011) ; and

WHEREAS, MnDOT prepared an Environmental Assessment Worksheet (EAW) for the Proposed Freight Project pursuant to Minn. R. 4410.1400 (2011), and as the term "Environmental Assessment Worksheet" is defined by Minn. Stat. § 116D.04, subd. 1a(c) (2011) and Minn. R. 4410.0200, subp. 17 (2011); and

WHEREAS, MnDOT published notice of the completion of the EAW for the Proposed Freight Project and provided copies of the EAW to the Minnesota Environmental Quality Board and its member agencies, and received and responded to comments on the need for an Environmental Impact Statement (EIS) following publication pursuant to the requirements of Minn. Stat. § 116D.04, subd. 2a(b) (2011), Minn. R. 4410.1500 (2011); Minn. R. 4410.1600 (2011); and

WHEREAS, MnDOT determined that the Proposed Freight Project does not have the potential for significant environmental impact pursuant to Minn. R. 4410.1700 (2011); and

Supporting data
pg 2 of 2

WHEREAS, MnDOT determined that an Environmental Impact Statement (EIS) was not required pursuant to the Minnesota Environmental Protection Act, Minn. Stat. § 116D.01, et seq. (MEPA), and accordingly issued and distributed a Negative Declaration on June 30, 2011, pursuant to Minn. R. 4410.1700 (2011); and

WHEREAS, on December 19, 2011, the HCRRA Board passed a resolution determining that the Proposed Freight Project no longer warrants separate environmental analysis under state law as a standalone project and is no longer being pursued as a standalone project;

NOW THEREFORE, MnDOT hereby vacates the EAW for the Proposed Freight Project; and

NOW THEREFORE, MnDOT hereby vacates its Negative Declaration for the Proposed Freight Project; and

NOW THEREFORE, because the Proposed Freight Project is no longer being pursued as a standalone project by the Proposer, environmental review as a standalone project is no longer required; and

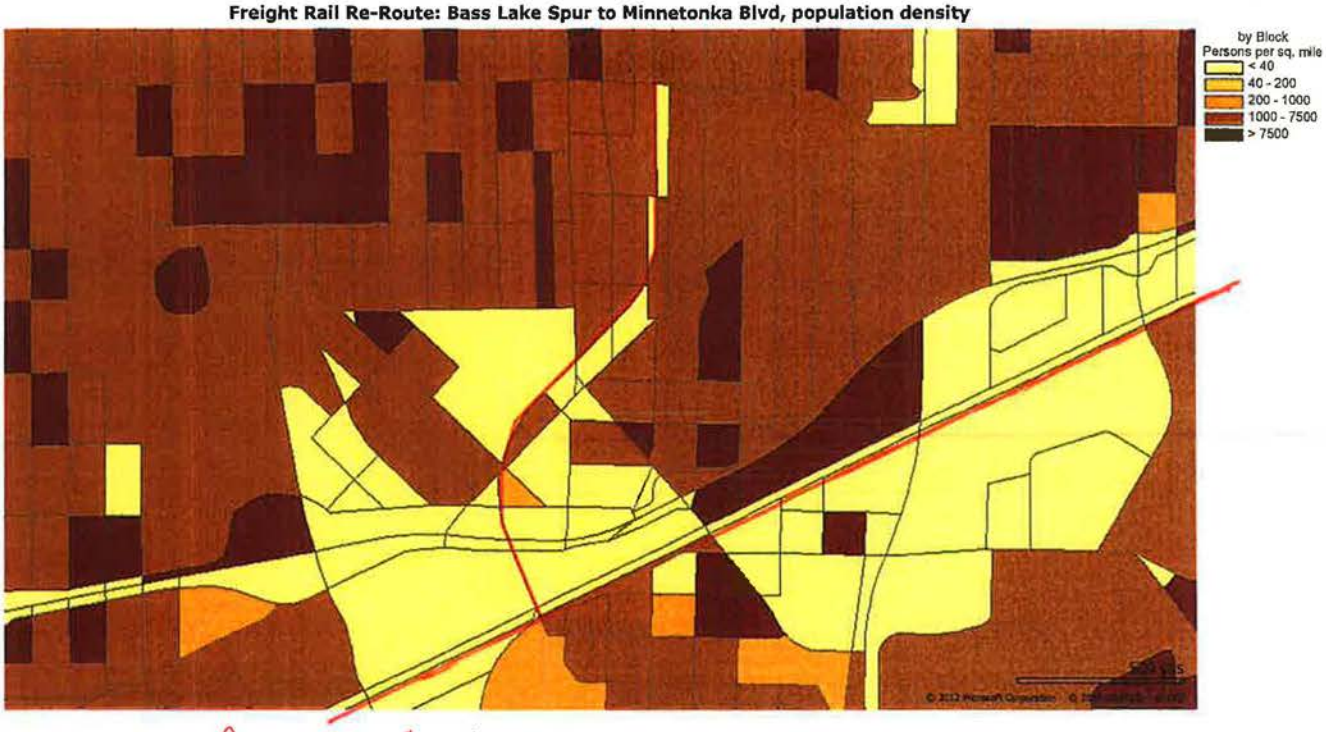
NOW THEREFORE, if any other project is proposed in the future, the need for a new environmental review will be evaluated in accordance with the provisions of the Minnesota Environmental Policy Act.

Frank Pafko

Frank Pafko
Chief Environmental Officer
Minnesota Department of Transportation

Air Quality section Attachment A, pg 1 of 2

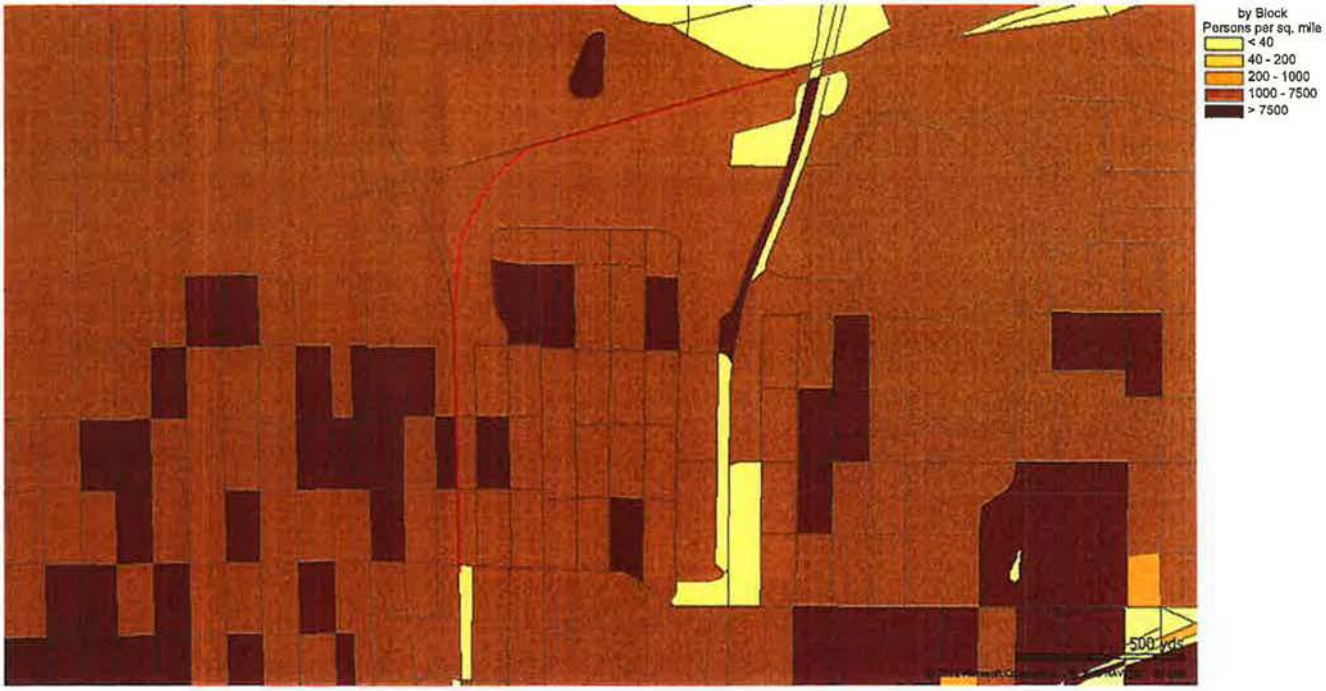
Freight Rail Re-Route: Bass Lake Spur to Minnetonka Blvd, population density



Bass Lake Spur

Air Quality Section, Attachment A pg 2 of 2

Freight Rail Re-Route: Minnetonka Blvd to BNSF Siding: population density



~~Resolution Section, Attachment H~~
Noise Section, Attachment A

Noise Section, Attachment B page 1 of 2

APPENDIX F. COMPUTING MAXIMUM NOISE LEVEL (L_{max}) FOR A SINGLE TRAIN PASSBY

This appendix provides procedures for the computation of L_{max} for a single train passby, for those readers desiring such procedures. Table F-1 contains the equations to compute L_{max}. The procedure is summarized as follows.

- Collect the following input information:
  - o SEL_{ref}'s from Chapter 6, specific to both the locomotive type and car type of the train
  - o N_{locos}, the number of locomotives in the train
  - o N_{cars}, the number of cars in the train
  - o L_{locos}, the total length of the train's locomotive(s), in feet (or N_{locos}(unit length)
  - o L_{cars}, the total length of the train's set of rail car(s), in feet (or N_{cars}(unit length)
  - o S, the train speed, in miles per hour
  - o D, the closest distance between the receiver of interest and the train, in feet
- Compute $L_{max,locos}$ from the locomotive(s) using the first equation in Table F-1.
- Compute $L_{max,cars}$ from the rail car(s) using the second equation in Table F-1.
- Choose the larger of the two L_{max}'s as the L_{max} for the total train passby.

Table F-1. Conversion to L_{max} at the Receiver, for a Single Train Passby	
Source	**Equation**
Locomotives	$L_{max,locos} = SEL_{locos} + 10\log\left(\frac{S}{50}\right) - 10\log\left(\frac{L}{50}\right) + 10\log(2\propto) - 3.3$
Rail Cars	$L_{max,cars} = SEL_{cars} + 10\log\left(\frac{S}{50}\right) - 10\log\left(\frac{L}{50}\right) + 10\log[2\propto + \sin(2\propto)] - 3.3$
Total Train	$L_{max,total} = \max[L_{max,locos}\ or\ L_{max,cars}]$

D = closest distance between receiver and source, in feet
L = total length of measured group of locomotive(s) *or* rail car(s), in feet
S = vehicle speed, in miles per hour
$\propto$ = $\arctan\left(\frac{L}{2D}\right)$, in radians

Example F-1. Computation of L_{max} for Train Passby

A commuter train will pass by a receiver of interest and its L_{max} is desired. For this train, the following conditions apply:

SEL_{ref}	=	92 dB for locomotives and
	=	82 dB for rail cars
N_{locos}	=	1
N_{cars}	=	6
S	=	43 miles per hour
D	=	125 feet.

The locomotive and rail cars each have a unit length of 70 feet. Therefore,

L_{locos}	=	70 feet
L_{cars}	=	420 feet

Using the equations in Table F-1,

$\propto_{locos}$	=	0.27
$\propto_{cars}$	=	1.03

and the resulting Lmax's are as follows:

$L_{max,locos}$	=	84 dBA
$L_{max,cars}$	=	74 dBA
$L_{max,total}$	=	84 dBA.

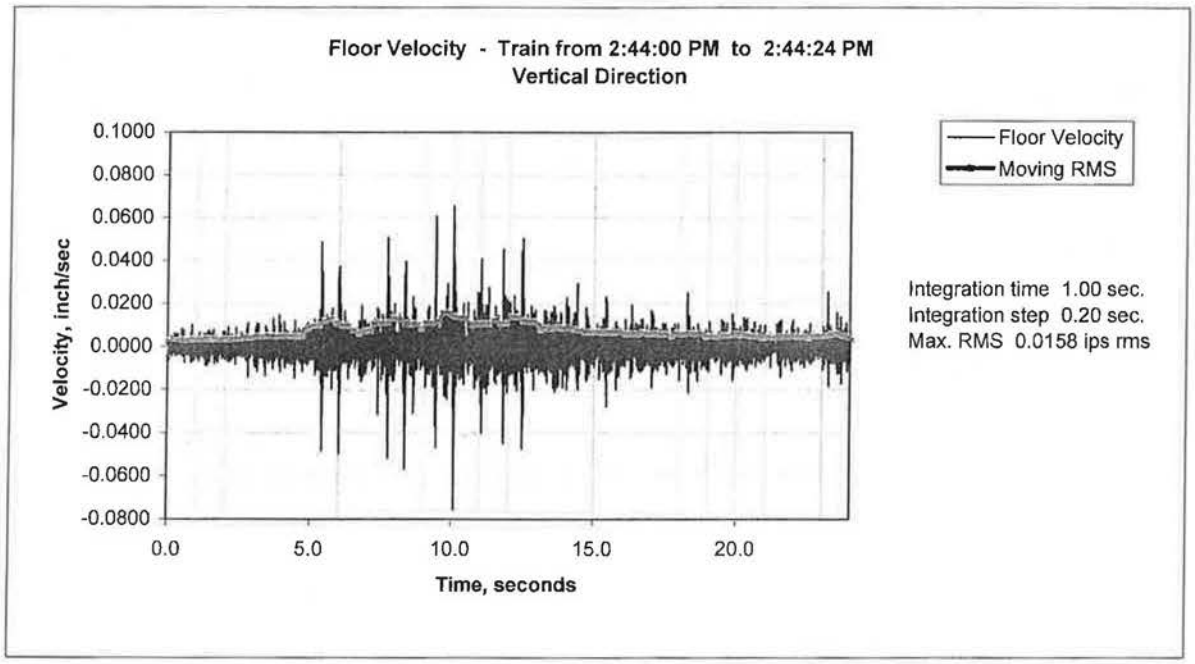
End of Example F-1

Vibration Section, Attachment A

ESI Engineering Inc.

Project / Location: Curt Rahman - Train Vibration
Date: 13-Apr-2011

Ch3 - vertical



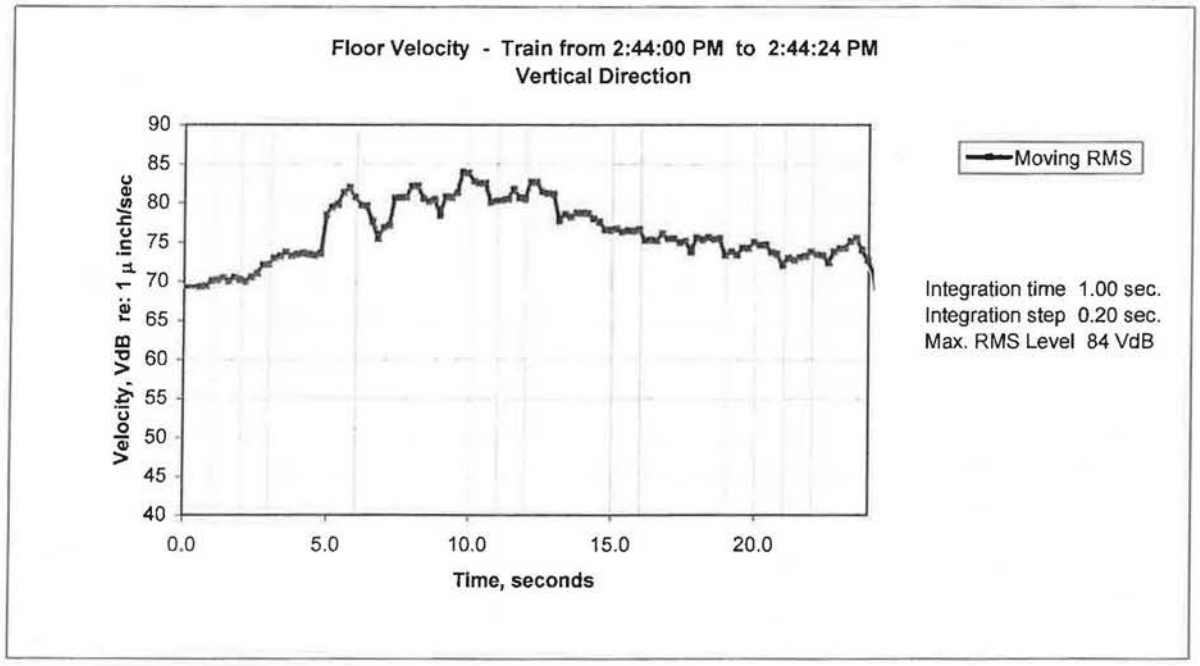


Figure 1

SAFETY IN THE PARK!

APPENDIX

CHAPTER 5 DOCUMENTS

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
312-353-2789
312-886-0351 (fax)

The Honorable Susan Haigh
Chairman
Metropolitan Council
390 Robert Street North
St. Paul, MN 55101-1805

September 2, 2011

Re: Preliminary Engineering Approval for the Minneapolis Southwest Corridor Light Rail Project

Dear Ms. Haigh:

The Federal Transit Administration (FTA) is pleased to inform you that the Metropolitan Council's (MC) Southwest Corridor light rail transit (LRT) project located in the City of Minneapolis and Hennepin County has been approved into the preliminary engineering (PE) phase of project development of the New Starts program. This approval for the initiation of PE is a requirement of Federal transit law governing the New Starts program [40 U.S.C. Section 5309(e)(6)].

This PE approval is for an approximately 15.8-mile double track light rail line extending from the current Target Field station on the eastern end of the route in downtown Minneapolis through several suburban municipalities, including Minnetonka, Hopkins, St. Louis Park and terminating in Eden Prairie at Mitchell Road/Trunk Highway 5 on the western end of the route. The project includes construction of 17 new at-grade stations, 15 park-and-ride facilities with 3,500 total spaces, 26 light rail vehicles and a new rail maintenance facility. The project will operate in a dedicated surface transitway in the median of existing streets, with approximately 1.47 miles of elevated guideway via a flyover bridge over active Burlington Northern Santa Fe Railway freight tracks at Lyndale Junction in Minneapolis and 0.2 miles of tunnel where the LRT line will operate under existing streets near Target Field. The project will link to the existing Hiawatha LRT and the Northstar commuter rail lines and the Central Corridor LRT line, currently under construction, at Target Field and will share tracks with the Central Corridor on 5th Street in downtown Minneapolis, thus providing a one-seat ride from Eden Prairie to Union Depot in downtown St. Paul. The estimated capital cost of the project in year-of-expenditure dollars is $1,250.48 million. MC is seeking $625.24 million (50 percent) in Section 5309 New Starts funds. The Southwest LRT line is expected to carry 29,700 average weekday riders in 2030.

With this approval, MC has pre-award authority to incur costs for PE activities 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 environmental review process.

FTA is required by law to evaluate a proposed project against a number of New Starts criteria and ensure that prospective grant recipients demonstrate the technical, legal and financial capability to implement the project. Based on an evaluation of the Southwest LRT project against these criteria, FTA has assigned the project an overall rating of "*Medium*."

FTA and its Project Management Oversight Contractor (PMOC) conducted a detailed review of the scope, schedule, cost and project risks of the Southwest LRT and the technical capacity and capability of MC to implement the project. FTA has determined that the project meets the requirements for entry into PE and that the MC possesses the technical capacity and capability to implement the project. Some of the key items that MC must address during PE include:

Project Scope

- Solidify the scope for an Operating and Maintenance Facility (OMF). It is unclear if a heavy OMF or a light OMF will be needed. MC must make a decision as early in PE as possible so the corresponding impacts can be properly evaluated during the environmental review process.
- In consultation with the Federal Railroad Administration (FRA), determine the design requirements for adequate safety features for street-grade crossings between the Southwest LRT line and existing freight rail tracks. During PE, MC must address any design standards that FRA requires such as crash walls or grade separations between the Southwest LRT and freight traffic prior to seeking entry into Final Design.
- Analyze the impacts of relocating the Twin Cities & Western freight line, which currently operates on a segment of the planned Southwest LRT route, in the project's Environmental Impact Statement (EIS). Because the freight relocation is necessary for MC to be able to implement the Southwest LRT project as planned, the cost and scope of the freight line relocation must be included in the Southwest LRT project scope and budget, regardless of the funding sources that may be identified to pay for the work. This must be completed prior to seeking entry into Final Design.
- Analyze the reconfiguration of the Canadian Pacific Railroad's freight tracks where they will be elevated over the Southwest LRT line and include the analysis in the Southwest LRT project's EIS and cost and scope. The planned flyover, as currently designed by MC, shows sharp curvature, steep grades, and insufficient clearances. This must be completed prior to seeking entry into Final Design.
- Analyze the infrastructure needs, implementation schedule, and planned operations of the Interchange project as it may impact the design, cost, and operations of the Southwest LRT project. The evaluation must be completed prior to seeking entry into Final Design.

Project Schedule

- Based on the results of FTA's pre-PE risk assessment, the schedule for the project is overly aggressive. MC currently projects a Revenue Service Date (RSD) of April 2017. FTA recommends a RSD no earlier than the first quarter of 2018. MC should work with FTA during PE to arrive at an agreed upon schedule.

- During PE, MC should develop a comprehensive third party coordination plan to address all stakeholder issues, particularly right-of-way acquisition plans, memoranda of agreement (if appropriate), and all requisite permits.

Project Cost

- MC should implement design-to-budget controls and procedures that would require the design team to continually monitor the affect of design development and evolution on the overall project cost, in conjunction with cost estimating activities.

Technical Capacity

- During PE, MC should revise the Project Management Plan (PMP) to specify that staff from the Central Corridor LRT project will also be used for the Southwest LRT project. The MC needs to ensure that adequate staff with the requisite technical expertise will be available to manage the Southwest LRT project's implementation.

Project Funding

The payout of FTA Section 5309 New Starts funds in MC's financial plan exceeds $100 million per year from 2015 through 2017. Given the current uncertainty surrounding a timeframe for surface transportation reauthorization, the significantly reduced Fiscal Year (FY) 2011 budget for the New Starts program, and the current conversations in Congress surrounding development of the FY 2012 budget, MC should assume no more than $100 million per year in annual New Starts funding. Given the considerable number of large, high cost projects currently in the New Starts pipeline, it is not possible for the program to provide significantly higher amounts than this on an annual basis to any one project should the program funding level remain at its FY 2011 level of $1.6 billion. In the event the New Starts program's funding level increases prior to execution of a Full Funding Grant Agreement for the project, FTA will reconsider adjustments to the annual New Starts funding assumptions and coordinate with MC appropriately.

Civil Rights Compliance

Pursuant to the Civil Rights Act of 1964 and its implementing regulations, including FTA Circular 4702.1 (Title VI Program Guidelines for FTA Recipients, Part II, Section 114), FTA approved MC's Title VI program on March 17, 2011. MC must submit a Title VI program update at least 30 calendar days before the current Title VI approval expires on March 17, 2014.

MC has an approved Disadvantaged Business Enterprise goal (DBE). An updated DBE three-year goal is due to FTA on August 1, 2014. MC's most recent Equal Employment Opportunity Plan expires on November 11, 2013.

As project development continues, MC is reminded to ensure that the vehicles, stations and facilities are designed and engineered to ensure compliance with current standards for accessibility under U.S. Department of Transportation regulations implementing the transportation provisions of the Americans with Disabilities Act of 1990 (ADA). MC is advised to independently verify manufacturers' claims of ADA compliance, and to consult with FTA's Office of Civil Rights concerning ADA requirements as project development progresses. The Office of Civil Rights will provide MC a separate letter further detailing ADA compliance issues in the near future.

MC must work with FTA during PE to address the concerns identified above, along with any others that are identified as project development progresses. As PE proceeds, FTA will provide more detail to MC regarding other deliverables that should be completed prior to requesting approval to enter Final Design.

FTA looks forward to working closely with MC during the development of the Southwest light rail project. If you have any questions regarding this letter, please contact Cyrell McLemore of my office at (312) 886-1625.

Sincerely,

Rhonda Reed

Marisol R. Simón

HDR ONE COMPANY | *Many Solutions*

November 21, 2012

Re: Southwest Light Rail Transit Draft Environmental Impact Statement

Notice of Correction to a Typographical Error in Chapter 8 Financial Analysis

To All Interested Parties:

In the October 2012 Draft Environmental Impact Statement (DEIS), the Professional Services line item for the LRT 3A -1 (co-location alternative) in Table 8.1-1 Cost Estimate for Build Alternatives contains a typographical error which resulted in an understatement of the overall capital costs and per mile cost for the co-location alternative. In the published DEIS on page 8-2 of Chapter 8 Financial Analysis, the professional services cost in 2012 dollars for the LRT 3A-1 (co-location) alternative is shown as $99,357 (in thousands) but should be $199,357. The overall capital cost for the alternative is shown as $1,071,770 (in thousands) but should be $1,171,770. The per mile capital cost is shown as $65,352 (in thousands) but should be $71,449. The typographical error is corrected on the attached revised page 8-2 and does not alter the overall conclusions presented in the DEIS.

Please note that in Chapter 5 Economic Effects, page 5-3, table 5.1-1; Professional Services costs for the LRT 3A-1 (co-location) alternative are shown to be $221,968,000 in year of expenditure (2015) dollars, which is equivalent to $199,357,000 in current (2012) dollars.

Previous draft versions of Chapter 8 included the correct cost numbers. Editing and formatting of the document in response to Federal Transit Administration comments resulted in the typographical error.

HDR Engineering, Inc.

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Addendum – Corrected Table 8.1-1

express bus routes and minor modifications to existing express bus service including an increase in service frequencies.

Table 8.1-1. Cost Estimate for Build Alternatives

Standard Cost Category	2012 Dollars (thousands)				
	LRT 1A	LRT 3A (LPA)	LRT 3A-1 (Co-location Alternative)[1]	LRT 3C-1 (Nicollet Mall)	LRT 3C-2 (11th/12th Street)
Guideway & Track Elements	176,352	218,044	185,353	384,245	399,984
Stations, Stops, Terminals, Intermodal	92,218	122,810	122,810	186,051	191,175
Support Facilities: Yards, Shops, Buildings	33,444	38,936	38,936	51,729	47,696
Sitework & Special Conditions	91,238	111,544	111,544	141,261	160,874
Systems	135,045	167,073	167,073	174,607	194,136
Right-of-Way, Land, Existing Improvements	56,543	117,629	142,601	129,093	129,093
Vehicles	87,560	96,778	96,778	138,253	129,036
Professional Services	160,913	203,458	199,357	294,850	313,154
Unallocated Contingency	94,068	118,364	107,318	160,746	167,251
Total Cost (2012 Dollars)	**927,378**	**1,194,636**	**1,171,770**	**1,660,834**	**1,732,398**
Total Length (Route Miles)	**13.76**	**16.4**	**16.4**	**17.09**	**17.43**
Cost per Mile (2012 Dollars)	**67,397**	**72,843**	**71,449**	**97,181**	**99,392**

Source: SCC Workbook, HDR, SEH, Kimley Horn, 2012

8.1.4 Capital Funding

The Metropolitan Council 2030 Transportation Policy Plan (TPP) assumes that for rail projects, the region will secure federal **New Starts** funds for 50 percent of the cost. The remainder of the cost is projected to be funded 30 percent with Counties Transit Improvement Board (CTIB) sales tax revenues, 10 percent from the state with anticipated **General Obligation bonds**, and 10 percent from the County Regional Rail Authorities (RRA).

"New Starts" is the federal funding program for new transit systems or extensions of existing transit systems; these funds are granted under Section 5309 (B) of the United States Code.

A "General Obligation bond" is a municipal bond backed by the credit and taxing power of the issuing jurisdiction rather than the revenue from a given project.

[1] Please see Section 2.1.2.1 of this Draft EIS for why LRT 3A-1 (co-location alternative) is included in this Draft EIS.

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The relationship between property values and railroad proximity: a study based on hedonic prices and real estate brokers' appraisals*

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Key words: cost-benefit analysis, expert panels, hedonic pricing, railroad noise

Abstract. We study the relationship between the price of residential property value and proximity to railroads in Oslo, by two different methods, namely a) through a hedonic price study where the statistical relationship between property prices and railroad proximity is estimated, and b) through a multi-attribute utility investigation of real estate agents' evaluation of such a relationship. We find in both cases that there are strong effects of proximity to railroad lines on property prices, at distances less than 100 meters from the lines. In the statistical study log-linear relationships fit the data best, and our estimates indicate that a doubling of the distance from the railroad line, within a 100 meter bound, increases the property price by about 10%. With real estate agents only a linear relationship is probed. This yields an increase in the price of an average relevant housing unit by about 182,000 NOK, due to a increase in the distance to a railroad track from 20 to 100 meters. The equivalent figure from the statistical study is in the range 120–150,000 NOK. The two figures are thus of the same magnitude.

1. Introduction

Railroad tracks and traffic imply a number of environmental effects to the public, many of which are negative. The most important of these are the noise and vibrations associated with passing trains, which generally are greater the closer one is located to the railroad line, and the less protected the line is through special noise-reducing measures. Another potential negative effect is caused by the barriers created by the railroad track itself (mobility in the direction across the track may be hindered when there are no close crossings; and when there are such crossings, hazards may be created for residing children). Finally, there may be negative aesthetic effects attached to having ones house located close to a railroad track. Note that the nuisance associated with railroad noise and vibrations is quite different from that associated with road traffic, and may be more similar to air traffic, with greater peaks and essentially no background noise; while the aesthetic and barrier effects are more similar to those created by proximity to major highways (while such

effects are less important for air traffic). A potential positive effect for some is that having ones house located close to a railroad station may give ready access to public transportation.

The work reported in this paper consists of two separate studies which both aim to derive a relationship between housing values and railroad proximity in the eastern part of Oslo. These are as follows:

a. a statistical hedonic price study, of the relationship between the values of (owner-occupied) residential properties and their distances from the nearest railroad line in Eastern Oslo;
b. an expert panel study, whereby real estate agents with particular knowledge of the relevant housing market have conducted appraisals of such a relationship, with the aid of a computer program based on a multi-attribute utility approach.

The background for this work was the construction of a new main eastward railroad line from the Oslo Central Station to the new main airport, at Gardermoen, 40 km north of Oslo. One of the proposed alternatives was to place such a line in a tunnel so as to essentially eliminate all environmental nuisance associated with the present main line, which cuts through a heavily populated area in east central Oslo. A proper calculation of the costs and benefits of such an alternative must consider the positive welfare effects of eliminating these negative externalities. Such calculations can be attempted in various ways. One obvious way is to attempt to derive the public's total willingness to pay for such changes, through contingent valuation or similar stated preference techniques. Alternatively, one may derive hedonic price functions, where the effects of distance to the railroad lines on property values are measured. Such effects should have the potential of indicating individuals' and businesses' willingness to pay to locate farther from the lines, thus representing a "revealed preference" measure of such value.

In deriving willingness-to-pay measures of environmental changes from statistical hedonic price relationships one encounters a number of problems. Among them are the following:

1. It may be difficult to correct for selection effects, whereby persons tolerant to noise and vibrations, and persons who need frequent railroad transportation, choose to reside close to the lines or to stations lying along the lines.
2. It may be difficult in a hedonic price study to appropriately account for all individuals who are affected by railroad traffic, in particular those persons who visit or pass through the area.
3. Altruistic or other passive-use motives for willingness to pay are disregarded.
4. If the proposed environmental change is large, it may significantly affect

the equilibrium in the entire local property market. It may then the difficult to decide on which basis to calculate the respective value measures.

5. A number of possible "irrelevant" factors could affect property prices, in ways that will systematically bias the observed property prices relative to the measure one seeks. E.g., price regulations may imply that property price variations are less than they would be in a perfectly functioning market; and expectations of future environmental changes are likely to be picked up by property values, leading to potential biases.
6. There may be specification errors in the hedonic price function. This point will be expanded on in Section 2 below. For one thing, unobservable house quality, which affects property values, may at the same time vary systematically with distance to the railroad lines, and proximity to railroads may be (positively or negatively) correlated with other environmental variables, such as proximity to major roads or industry, or general noise or pollution. The estimated relationship may then to some extent pick up such variations in housing quality or other environmental variables, and not the environmental variables associated with railroads. Secondly, proximity to the railroad line may be valued positively when it is correlated with easy access to trains. This factor will be ignored in our study; there is only one local railroad station in the region in question, and this station is of little consequence compared to the local subway and bus net in this region.[1]

Points 1–5 above concern the ability of (correctly) estimated hedonic price relationships to measure social value of an environmental change, while point 6 relates to the possibility of actually estimating this relationship correctly. Following Rosen's (1974) seminal work, much of the literature dealing with the estimation of hedonic price functions and their interpretation and applications have concentrated on the former of these two issues.[2] Although our study was used as an input into a larger study with the aim of measuring the social value of removing the railroad line, the main purpose of the work reported here was the correct estimation of the hedonic price function for residential property. This is thus limited to overcoming problems in group 6 on the list above. This is however no small problem in a hedonic price study, since (residential or commercial) property data are almost never provided in sufficiently great detail to overcome potential specification problems, with no exception in the present case. We will still argue that the hedonic price approach should, when appropriately applied, be able to indentify public valuations which are associated with different distances from railroad lines, and which are derived from underlying behavioral relationships.

An objective of part b of our study is in light of this to provide an independent check of the robustness of the estimated hedonic price relationship. The idea is that professional appraisers, accustomed to selling properties in the

relevant areas, in principle should be able to assess the effect on house prices of proximity to railroads in isolation, and thus hopefully correct for such possible heterogeneity in their answers. We are aware of no published study where a statistical hedonic price relationship is combined with appraisers' evaluations, in the way done here.

A potential weakness of our data is that while the brokers' survey was done at one particular instant of time (in 1996), the hedonic price study was conducted on data for the entire period 1988–1995. We consider this no major problem, since there is little reason to suspect that the structural relationship to be estimated from the hedonic price study has changed fundamentally over this period.[3]

As a background for the current study, we are neither aware of any similar isolated hedonic price studies related to proximity to railroads. A number of studies have been conducted to measure the effects of noise variables on house values, both for road and air traffic.[4] We will however argue that railroad nuisance has its own characteristics (partly similar to road traffic, and partly to air traffic, as noted above), which makes an understanding of such effect important and interesting in their own right. An important related issue is the construction of a correct operational measure of nuisance due to railroads, to include in a hedonic price relationship. The two main alternatives are physical distance to the railroad, and a measure of average noise levels from passing trains. For our study the latter type of information was not available. We will in addition argue that in the case of railroads, distance may be a better variable for representing such a relationship, as it appears in terms of real estate vales. For one thing, distance to a train line is easily observable for a house buyer, implying that it is likely to have significant impact on house purchase prices, if closeness is viewed as a drawback. Secondly, for railroad lines distance may be a quite good indicator of nuisance. Both negative aesthetic effects and vibrations are likely to be strongly correlated with distance from the track and are not directly picked up in a decibel noise variable. In addition of course peak noise (associated with a passing train) is also strongly correlated with distance. Possible, peak noise, and not average noise, is the main nuisance variable for railroad noise, although this of course ought to be studied more carefully, whenever such data are available.

We need to underline that the aim of our study is the measurement of effects of railroad proximity on house values, and not necessarily social values. It is far from obvious how a measure of social loss, resulting from the proximity of housing units to railroad lines in Oslo, can be calculated from our data. This is a separate issue that involves several other concerns, and perhaps additional data.[5] The issue dealt with here is thus quite limited in scope, and just one step in the process of arriving at the correct social values associated with the nuisance of railroad proximity.[6]

In the next section we present the statistical hedonic price study, and in Section 3 we present the real estate agent appraisal study. In Section 4 we compare the results from the two studies, and draw some general conclusions.

2. The statistical hedonic price study

For this study we utilized a data set drawn from the Central Government Data Registry (SDS) data base, containing information on all sales of owner-occupied housing units sold in the period 1988–1995, in a zone close to the railroad tracks in eastern central Oslo (about 500 meters on each side of the tracks). This data set contains 2495 observations of sales, out of which 2152 are usable for our analysis (and such that the same unit may have been sold more than once in the period), with the sale price, the address, type of residential unit (multi-unit or single-family house), and year of construction. House and lot sizes are available for single-unit houses, while for multiple-unit buildings only the average floor unit size for each building is reported. We have no information on location of individual units within multi-unit buildings. This implies that the data on single-family homes are clearly those best suited for our statistical analysis, as will also be expanded on below. We argue that data for apartments also can be used, although they are likely to contain more "noise" than the single-family data, and may imply biases; see the discussion below. A problem in this context is that the great majority of housing units in the areas very close to the railroad lines in this part of Oslo consists of apartments. Only 364 useable observations (or 17% of the total) are for single-family units, and the rest for multi-family units. From the address for each unit, we measured (from detailed maps) its distance to the nearest railroad track. 623 units were found to lie within 200 meters from the nearest track, and 305 units within 100 meters. The data set was also split up into a central (inner-city) part, containing 1080 observations, and a peripheral (suburban) part containing 1072 observations, where, naturally, the former set has the greater predominance of apartment units.

At an exploratory stage, we conducted estimations with several different specifications for the relationship between house unit price and the variables to explain the price. Our general conclusion was that log-linear relationships on the form

$$\log(\text{pkv}) = a + b \log(\text{dist}) + c \log(\text{area}) + d \log(\text{age}) + e, \qquad (1)$$

were found to yield the clearly best fit to the data.[7] Here pkv = sales price per square meter, dist = distance of the unit from the nearest railroad track,

area = net size of the residential unit,[8] age = number of years since construction at the time of sale, *a–d* constants, and *e* an error term.[9] The relationships to be reported below are all estimated by OLS regression. This in effect implies an assumption that the e terms are uncorrelated with the explanatory variables included in the relationship. This is a strong assumption which is unlikely to hold in practice, for a number of reasons. In the following we will discuss four such reasons. The arguments behind them differ somewhat according to whether the residential units are single-family or multi-family housing.

1. For multi-unit housing there are likely to be errors in the variable "area", since as noted only data on average floor areas of all housing units in the building are available for these. This will generally bias the estimate of all coefficients, *b* in particular. When this error is uncorrelated with *e*, it leads to a downward bias in this estimate, and more so the larger the average error. As a result, *b* is likely to be downward biased for multi-unit housing, while no similar downward bias can be expected for single-family homes.

2. The distance variable is an imperfect measure of the environmental nuisance associated with living close to the railroad. In reality noise and vibrations also depend on topographical properties, e.g. on whether the train line is elevated above the house, on level with it or sunk below it; whether there are objects (such as trees and rocks) that shield the house from noise; and whether there are other houses in between the railroad line and ones own house, and whether the unit has extra protection against noise and vibrations (such as noise-reducing windows). For multi-family housing it also matters whether the residential unit is located towards or away from the railroad line, and on what floor. When "nuisance" is the correct variable to include in the house price relationship, entering the "distance" variable instead will be equivalent to a measurement error in the "correct" nuisance the "distance" variable instead will be equivalent to a measurement error in the "correct" nuisance variable. The presence of measurement errors in the area variable will tend to bias the estimate on the coefficient *b* downward, as long as they are not correlated with distance (which may appear reasonable). Such errors may tend to be greater for multi-unit housing than for single-family housing. One reason is that multi-unit housing will tend to exhibit a relatively greater variation in nuisance, for a given distance to the railroad, because of the variation in location relative to the railroad for a given address in the latter case (in terms of floor location, the apartment turning away from or towards the railroad, etc.), and because location relative to (in particular, close to) the railroad is likely to be more conspicuous for a single-family house than for a multi-unit building. This factor will, at least with our data, tend to render estimations based on multi-family housing units less reliable than those based on single-family homes.

3. As commented above we may have specification errors in (1), whereby variables affecting pkv are at the same time correlated with the right-hand side variables, and are left out of the relationship as we have no observations on them. One obvious such variable is house unit "quality", for which we have no observations. A higher level of "quality" in most cases increases the price. The possibility exists of a systematic tendency for houses that are located farther away from the railroad line to have higher quality (e.g., because maintenance is more profitable farther from the railroad line, or because persons who have bought houses and apartments farther from the line have a higher propensity to maintain their homes). If so *b* may tend to be biased upwards.

4. Specification errors may also result if other environmental variables than railroad proximity, which affect residential prices, and which may be correlated with railroad proximity, have been left out of the estimated relationship. One prime candidate for such a variable is road traffic density, which may be both positively and negatively correlated with railroad proximity. Over the area in question, this correlation is perhaps most reasonably negative, since being close to the railroad implies that you are likely not to be close to a major road. Since increased road traffic density most likely reduces house prices, such a factor will (in the case of a negative correlation) tend to induce a downward bias in the estimated relationship between railroad proximity and house prices.

Point 3 is here likely to bias the estimated relationship between house prices an railroad proximity in the upward direction, and the other points in the downward direction. For single-family homes the two first factors (namely an imprecise observation of residential area of the individual housing unit, and distance being an imprecise proxy for nuisance) may be small. The unobservable quality variable (which most likely produces an upward bias) may then dominate, also because for this type of homes there is greater heterogeneity then for multi-unit homes. For multi-unit homes it is less clear that the relationship should have an upward bias, when all factors are considered together.

The results from the estimations are presented in the three tables 2.1–2.3.[10] We essentially only present estimation results for the coefficient b, although in all equations the coefficients c and d, in addition to a (large and varying) number of dummy variables, are actually estimated.[11] Table 2.1 shows estimations without correcting for type of house (single- or multi-unit). The first equation is estimated on the entire data set. In this case there is essentially no relationship between house price and distance to the nearest railroad line (it is very weakly, and not significantly, negative, and the explanatory power of the relationship is very weak).

The two last equations reported in Table 2.1 are for housing units which

Table 2.1. Log-linear relationships between house unit price and distance to the railroad track, for the entire material, and without correction for housing type.

Type of relationship	Distance coefficient	*R* squared	Number of observations
All data	−0.010 (−0.46)	0.043	2152
Distance less than 200 m	0.082 (1.63)	0.205	623
Distance less than 100 m	0.290 (3.61)	0.095	305

lie closer to the railroad than 200 and 100 meters respectively. The sample size is now reduced substantially (to 623 and 305 observations, respectively). Most interestingly, the distance coefficients are now both positive, about 0.08 for distances below 200 meters, and about 0.290 for distances below 100 meters. Only the latter coefficient is significantly different from zero, at level of significance of 10% or less.

Table 2.2 shows a more interesting picture, namely what appears after correcting for house type (single-family versus multi-family housing), through a dummy variable which is also reported in the table. We now find a significant relationship between house price and distance to the railroad for the entire material, with a coefficient of about 0.06 (implying that a doubling of the distance to the railroad increases the house price by 6 per cent). If we focus on distances below 200 meters, the relationship is in fact somewhat weaker and not significant. Going down to distances below 100 meters, however, the coefficient increases substantially (to about 0.1), and is now significant. This indicates that most (if not all) of the systematic effect of railroad proximity on house prices is due to effects at distances below 100 meters. This accords well with brokers' perception of such a relationship reported in Section 3 below. The coefficient on housing type in Table 2.2 is in the range 0.2–0.27, i.e., single-family homes' prices are about 25 percent higher than multi-unit homes, all other observed variables (such as square meter size of the housing unit, and location) being equal.

Table 2.2. Log-linear relationships between housing price and distance to the railroad track, for the entire material when corrected for housing type.

Type of Relationship	Coefficient on distance	Coefficient on housing type	*R* squared	Number of observations
Entire material	0.059 (2.87)	0.27 (5.44)	0.182	2152
Distance less than 200 m	0.040 (0.93)	0.27 (3.06)	0.243	612
Distance less than 100 m	0.102 (2.09)	0.20 (2.32)	0.239	298

From the discussion above we should expect the data for single-family houses to be better suited for such estimations, than the data for multi-family housing. Table 2.3 reports estimations done on the set of single-family houses alone. Unfortunately the number of such houses is relatively small, in total 364 with only 66 lying at a distance less than 200 meters. We still find a very strong relationship between price and distance for these, for all distances (about 0.35) and even more for distances below 200 meters (0.7), and both coefficients are highly significant. The sample size in the latter case is however very small, making the estimated coefficients quite unstable and implying that one should not put too much trust in the actual numbers. This is illustrated by an estimation of the same relationship for the subperiod 1988-1993 alone; for this subperiod the distance coefficient is less than half of that for the entire period.[12] The results still clearly indicate that the relationship between house price and railroad proximity is stronger for single-family houses than for other types of housing. It is also noticeable that the R squared coefficients are far higher for the former relationships.

In Table 2.3 we also report regressions for the "central" and the "peripheral" area comprised by our sample. We find for the overall data that the effect for the central area is approximately the same as for the total sample, while for the peripheral area the relationship is negative (but not significant). The peripheral area however contains very few observations of houses lying close to the railroad, implying that the estimated relationship is likely to be spurious. The interesting thing to note about these estimations is then that basically all the effect of railroad proximity on house price appears to be picked up by the data from the central area.

3. The real estate agent appraisal study

The hedonic price study reported in Section 2 above, while arguably useful, was also noted to be subject to a number of potential problems that may render

Table 2.3. Log-linear relationships between house price and distance to the railroad track, for single-family homes.

Type of relationship	Distance coefficient	*R* squared	Number of observations
All data	0.345 (8.89)	0.363	364
Central area	0.342 (5.78)	0.344	110
Peripheral area	−0.159 (−0.66)	0.300	254
Distance less than 200 m	0.692 (4.89)	0.387	66
Distance less than 200 m, 1988–93	0.299 (1.30)	0.360	49

the results inaccurate or unreliable. It was thus of interest to be able to obtain figures on the relationship between railroad proximity and housing prices, by a method that was alternative to that described above, and as independent as possible of that method. For this purpose we also carried out an expert panel study, which involved a selection of real estate brokers with particular knowledge of the housing market in the relevant parts of Oslo. The idea here was to let these brokers themselves derive such values, on the basis of their experience from this market, and using an established interactive procedure designed for such valuations.

Involving experts to perform the valuation of a good which is related to environmental quality is a procedure that so far has had few applications. A reason for this is the scepticism among most economists, in leaving valuation issues to experts who may have imprecise knowledge of the true preferences of the population, or have their own incentives that may bias their answers.[13] Most applications of such procedures have thus so far been in management science.[14] But increasingly, also economists are becoming aware of the potential benefits of such procedures, at least as supplements to other types of valuation.[15] In this particular case we felt that expert opinion could provide a useful supplement, in particular since the data to be provided (house values) appear to be rather "objective".

This study involved 15 real estate agents with particular knowledge of the relevant housing market, who were faced with a procedure to trade off different attributes of housing units in the relevant areas, using an interactive computer program. For each of the brokers this procedure took approximately 1–2-hours, and was restricted to apartment housing units. The purpose of the procedure was to derive an expression of how the relative and absolute valuation of apartments in the relevant housing market, as viewed by the brokers, would be affected by changes in different characteristics of apartments, one of which was proximity to a railroad line. In the procedure we let each individual broker face a sequence of pairwise comparisons, for apartments with different characteristics, and make him or her choose which of the two apartments was considered to be the more attractive for buyers. Two of the characteristics of each apartment were its distance from the nearest railroad, in meters, and its price (in 1000 NOK). The other characteristics were the following:

- Neighborhood: The attractiveness of the neighborhood in eastern Oslo; three categories where 3 was best.
- Size: The size of the apartment; in square meters.
- Standard: The standard of the apartment; three categories, where 3 is best.
- Protection: The noise protection of the apartment; three categories, where 3 is best.
- Road: The distance to road with heavy traffic; in meters.

In the study only two characteristics were varied at a time. Since a large number of pairwise comparisons were made, the procedure however made it possible to derive mutual relationships for the tradeoffs between all the characteristics, for each of the brokers. Table 3.1 describes the range of variation of the different variables entering this choice process. The actual valuation procedure was conducted as a multi criteria utility analysis (MAUT), using an interactive computer program, Pro&Con (Wenstøp et al. 1994). This program has previously been used in other contexts for elicitation of experts' preferences for environmental goods, e.g. due to changes in air quality.[16] More closely to the present application, this procedure has before also been used on a sample of real estate brokers, to assess the value on house prices of changes in proximity to power lines in suburban Oslo.[17]

The real estate brokers were "interviewed" interactively, sitting at a computer that fed them a sequence of questions, where the next question would depend on the answers to previous questions. The trade-off analysis they are asked to perform in any one question is illustrated in Table 3.2, where A and B are two identical apartments except for differences in two variables: distance to railroad track, and sales price.

The brokers were then asked to consider whether and to what extent the housing market in general would prefer apartment A to B or vice versa. This trade-off analysis is carried out for all pairs of characteristics, 21 times for each broker. The points A and B are randomly chosen by the computer program. After having considered all trade-offs for any one broker, the broker's "consistency" is calculated. If this is low, implying that there are contradictions between some of the brokers' responses, the broker is asked to adjust his responses. When an acceptable consistency has been achieved, the computer program calculates the weights attached to each characteristic. Since one of the characteristics is the money price of the apartment, the implicit monetary value attached to changes in the different characteristics can be derived.

Table 3.1. Description of the fictitious apartments assessed by the real estate brokers, defining the expert study's influence range.

Characteristic	Apartment			
	A	B	C	D
Neighborhood; attractiveness	1	2	3	1
Size of apartment	50	65	80	100
Standard of apartment	1	2	3	3
Noise protection of apartment	1	2	3	3
Distance to heavy traffic road	20	40	60	100
Distance to railroad track	**20**	**40**	**60**	**100**
Price of apartment	250	350	450	550

Table 3.2. Illustration of the tradeoffs facing brokers in the interview process.

Preference								
☐ Prefer A strongly		550		*Worst				
☐ Prefer A moderately		500						
☐ Prefer A weakly		450					*B	
☐ Indifferent	Price	400						
☐ Prefer B weakly		350			*A			
☐ Prefer B moderately		300						
☐ Prefer B strongly		250						Best*
			0	20	40	60	80	100
					Railroad			

The calculated weights for each of the real estate brokers are presented in Table 3.3, while Table 3.4 summarizes the means and standard deviations of these figures. Table 3.3 expresses how each of the 15 participating brokers systematically trades off the different characteristics, against each other and against the money value of the apartment. The figures in the 6 first columns of Table 3.3 represent each broker's final assessment of the market's willingness to pay for one unit improvement in the respective variable. The central figures in our context are those associated with the heading "railroad" in this table, and "distance to the railroad track" in Tables 3.4 and 3.6. These represent each of the brokers' implicit assessments of the increment in house

Table 3.3. Implicitly derived WTP per unit of the different characteristics of apartments; Broker A–O (in 1000 NOK).

Broker	Neighborhood	Size	Standard	Protection	Road	**Railroad**	Price
A	226.484	8.629	199.456	124.109	3.060	**2.963**	1.000
B	299.920	6.583	133.301	63.940	2.249	**2.201**	1.000
C	459.025	11.558	146.035	7.291	1.039	**2.039**	1.000
D	355.886	11.434	116.569	47.386	832	**2.598**	1.000
E	357.681	9.215	81.363	48.037	1.921	**2.272**	1.000
F	296.563	9.157	191.558	115.296	1.447	**3.886**	1.000
G	293.217	13.248	199.641	69.485	1.531	**3.761**	1.000
H	253.561	4.988	29.343	50.773	1.758	**2.816**	1.000
I	213.636	3.238	104.330	8.179	168	**586**	1.000
J	338.936	7.888	193.583	101.379	2.677	**1.277**	1.000
K	241.145	7.285	60.906	39.292	423	**90**	1.000
L	338.394	9.238	189.588	117.996	1.288	**1.179**	1.000
M	351.589	11.455	129.847	75.448	1.344	**2.119**	1.000
N	400.480	7.866	84.717	45.560	4.877	**4.596**	1.000
O	175.121	5.338	97.966	45.191	1.082	**1.826**	1.000

Table 3.4. Mean WTP per unit for all observations (in 1000 NOK).

Characteristic	Mean	St. dev.
Neighborhood; attractiveness	306.776	76.033
Size of apartment	8.475	2.760
Standard of apartment	130.547	55.102
Noise protection of apartment	63.957	36.898
Distance to heavy traffic road	1.713	1.171
Distance to railroad track	**2.281**	**1.230**
Price of apartment	1.000	0

Table 3.5. Sensitivity analysis for mean WTP per meter extra railroad distance (in 1000 NOK).

Type of relationship	Mean	St. dev.
All observations	2.281	1.230
Without lowest observation	2.437	1.110
Without highest observation	2.115	1.089
Without both lowest and highest observations	2.271	958

Table 3.6. Consistency weighted mean WTP per unit (in 1000 NOK).

Characteristic	WTP
Neighborhood; attractiveness	307.289
Size of apartment	8.501
Standard of apartment	130.818
Noise protection of apartment	63.903
Distance to heavy traffic road	1.717
Distance to railroad track	**2.284**
Price of apartment	1.000

unit price (measured in units of 1000 NOK), resulting from a one meter increase in distance from the railroad line, over the range of distances 20–100 meters. The figures in Table 3.4 represent averages of the numbers in Table 3.3.

Tables 3.3–3.4 reveal considerable variation in tradeoffs between the brokers. The railroad variable is the most interesting one for our purposes. We see that there is considerable variation in how this variable is assessed, with a standard deviation of about 54% of the mean. Still many of the brokers center around the average value given in Table 3.4, of about 2300 NOK per meter of extra distance from the railroad, for an "average" apartment. Sensitivity analysis of the data, where the lowest, the highest, and both the lowest and the highest observations are omitted, shows that the WTP estimates change by at most 7%. This is presented in Table 3.5.

In order to include and utilize a measure of precision in the brokers' answers, we constructed a variable called "consistency", expressed through an adjusted R^2 for each individual broker, and which was used to weigh individual brokers' implicit valuations. The consistency weighted mean valuation is calculated as:

$$\mathrm{WTP}_{\mathrm{Weighted}} = \frac{\Sigma\ (\mathrm{Consistency} \times \mathrm{WTP})}{\Sigma\ \mathrm{Consistency}}$$

The consistency figures are given in Table 3.6.

It should be underlined that the real estate broker appraisal study is not a valuation study in the traditional sense, as it is not done on a sample of the general public. It may still be argued to give useful information about the relationship between apartment prices and distance to railroad tracks, and this information is arguably quite separate from that obtained in the hedonic housing price study. The observation from each broker in the study can be interpreted to reflect this broker's experiences from the housing market. It can be argued that brokers who continuously observe and participate in the relevant housing market are likely to have considerable knowledge of what factors affect apartment prices and in what way. In the relevant section of Oslo proximity to the railroad is a major nuisance factor, which has lately been heavily exposed in the media. It therefore appears reasonable that brokers with experience from property sales in this particular are of Oslo, ought to be able to identify at least an approximate effect on property value of the distance to railroad tracks in isolation. Besides, an expert study is relatively inexpensive and can as well include more site-specific variables.[18]

An additional advantage of the expert study as a support to the hedonic price study, is that it should make it possible to overcome many of the noted statistical problems associated with our hedonic price study, and which could render the estimations from that study biased. In particular, brokers should in principle be able to correct for other explanatory variables that could be correlated with the railroad distance variable, such as average house quality. Provided that brokers assess these relationships correctly, their answers may thus be more reliable than those based on house price estimations.

One should however be aware of some possible problems with the broker assessment study. Among them are the following:

1. Different brokers may have experience from different submarkets, and may have difficulty in forming a qualified opinion concerning the market as a whole.
2. Brokers may find it difficult to isolate the partial effect on the housing price of the railroad variable as such. In particular, they may tend to implicitly

correlate closeness to the railroad track with other unfavorable attributes, such as a low housing standard or a smaller-size apartment, although this was not intended.

3. Brokers may tend to mix the objective market value of apartments with their own personal views on the attractiveness of railroad proximity.
4. Brokers may have other problems of actually conducting an abstract valuation process, due to computational and cognitive limitations.

Point 1 should here tend to yield variability in the answers from different brokers, but not necessarily any systematic bias. If this were the only problem, an averaging over a sufficient number of brokers might then yield unbiased estimates of the sought relationships. Problems 2 could however tend to produce an upward bias in the stated valuations by brokers, in the same way as those that may be inherent in hedonic price data. Problems 3–4 may add to uncertainty in the relationship between stated and true values, and without us having much control of the degree of uncertainty. In all, the four points at least indicate some of the potential reasons why individual brokers' assessments vary, and for some, quite widely so.

4. Overall results and concluding comments

We will now sum up and compare the conclusions from the two studies, and draw general concusions about the relationship between housing prices and railroad proximity. The main conclusions from the hedonic price study is that when considering housing units within a 100 meter range of the nearest railroad line, there is a significant and strong relationship between the house or apartment value and railroad proximity. This relationship generally becomes weaker when also considering housing units at greater distances from the railroad lines, and seems to disappear completely when estimations are done on data where housing units at distance below 100 meters are excluded. This strongly indicates that verifiable effects on housing prices are found only inside of a 100 meter zone from the lines. A corresponding conclusion can be drawn from the real estate broker study. Here brokers explicitly state that effects on house prices can be found only inside of a 100 meter range. It thus appears reasonable that our attention in the following discussion focus only on this range.

Most of the coefficients for the elasticity of house or apartment prices with respect to railroad proximity, from Table 2.1–2.3, are in the range 0.1–0.3. A rather "conservative" estimation result among these is given in the last line of Table 2.2, for the entire material (within 100 meters of the lines) corrected for housing type, with a coefficient of approximately 0.1. In our material

the average residential unit price was approximately 640,000 NOK. On this basis an elasticity of the residential unit price with respect to distance from the railroad of 0.1, implies that when moving from a distance of 100 meters to a distance of 20 meters from the railroad, the house value should be reduced by approximately 23%.[19] From a calculated average of 640,000 NOK at a 100 meter distance, this implies a drop in the house price by approximately 147,000 NOK, for a residential unit at a 20 meter distance. Considered alternatively, the house value should increase by 23% when moving from a 20 meter to a 100 meter distance. This implies a value gain of 120,000 NOK (from 520,000 to 640,000 NOK). On this basis we tentatively conclude that when the residential value change is calculated from this particular estimation, the average increase in residential property value due to partial increase in distance from the nearest railroad, from 20 to 100 meters, should lie in the range 120,000–147,000 NOK, when based on this particular estimation from the hedonic price study. These figures could however easily be higher, since the elasticity parameter used for these calculations (0.1) is arguably "conservative", when considering the entire set of estimations conducted in the hedonic price study.

In the real estate broker study, a linear relationship between house values and railroad proximity was suggested and probed. As already noted, brokers generally stated that measurable effects on housing price should be found only within the 100 meter range from railroad lines in the relevant part of Oslo. Since hardly any housing units lie closer to the railroad line than 20 meters, we find it reasonable to assume that the relationship to be derived from the broker study is linear within the 20–100 meter range. From Table 3.4, the price of the average residential unit increases by about 2280 NOK as a result of an increase in distance from the nearest railroad by one meter, within the 100 meter distance from the railroad. This implies that a housing unit that lies at a distance of 100 meters from the railroad should have a value that is approximately 182,000 NOK higher than a unit at a distance of 20 meters, all other house characteristics being equal.

These figures in total show that when using the hedonic price estimation in which we choose to place the most trust, the measured effect on house prices of a given increase in distance from the nearest railroad line appears to be of the same magnitude in the two studies. The uncertainties are however great in both studies. In the hedonic price study, there are problems of choosing which estimation to use as the basis for the calculations, as the different estimations given quite different results. In addition there are potential problems of bias due to model misspecification and unobservability of key variables. In the broker study there are problems as well, both because brokers may have imperfect knowledge of the relevant relationships, and difficulties with actually conducting the ranking of apartments. This is indicated in the rather

large spread of broker valuations. Thus both figures are uncertain. A comforting strength of the study is therefore the fact that the two figures are, after all, quite similar.[21]

As already stated above, Our scope is limited to the objective of finding the "correct" relationship between house price value and railroad proximity. The results derived here are only one ingredient into the process of measuring the social value of the nuisance caused by the relevant train lines. We will however argue that it is an important ingredient. Proceeding to the next step, of attempting a full cost-benefit analysis of changes in nuisance from railroad, is in our opinion an urgent topic for further research in this field.

Notes

* This study was conducted as part of a study for the Norwegian State Railroads (NSB), dealing with socioeconomic effects of alternative train routes through eastern Oslo. We thank Geir Asheim, Fred Wenstøp, NSB reviewers and the referees of this journal for helpful and constructive comments. The usual disclaimer applies.

1. One could then instead argue that proximity of the relevant housing units to the nearest public transportation in general (be it bus, subway station or train station) should be entered as an explanatory variable in the hedonic price function. This was not done in our study.
2. For some particularly influential contributions see Freeman (1974), Mäler (1977) and Harrison and Rubinfeld (1978), and the surveys by Freeman (1993, chapter 11) and Palmquist (1991). See also surveys of work using the hedonic price approach in the meta analyses of Smith and Kaoru (1990) and Burton and Nijkamp (1997).
3. There was however a tendency for general property prices in Oslo to first fall (until 1993) and then rise over the period, and this cycle may have also affected the partial effect of railroad proximity. There is however little reason to believe that this cyclicality in any serious way has affected the reliability of the estimated coefficients.
4. For some important studies and reviews pertaining to road and air traffic, see Nelson (1978, 1980, 1982) and O'Byrne et al. (1985). A recent Norwegian study of effects of road traffic on housing values is Grue et al. (1997).
5. See the discussion of such problems in Freeman (1979, 1993) and Palmquist (1991).
6. We are thus e.g. totally ignoring locational factors, such as those relevant for explaining patterns of location for businesses and residences. This may in principle be a source of specification error as discussed under point 6 above, and as will be expanded on below.
7. The documentation of this conclusion can be obtained from the authors on request. The results for coefficients c and d are not reported here. Note however that c in general is strongly and significantly negative (of the order -0.6, implying that a doubling of housing unit size only increases unit sales value by 40%). d is also negative (and in most cases significant and of the order -0.10, i.e. a doubling of the unit's age reduces its sales price by 10%).
8. Net size of the housing unit is here a technical term to describe net available floor space in habitable rooms of the unit. As noted exact net size is given only for single-family homes, while for multi-unit housing average unit size for each building is given.
9. Note also that such a specification is equivalent to one where the total sales price is the left-hand variable, and the coefficient attached to area equals $c + 1$.

10. In all tables, t statistics are in parentheses.
11. We saw no particular need to report these coefficients here. Generally, the coefficient c is highly significant and of the order −0.7 in most of the estimated relations. This implies that an increase in the square meter area of the individual housing unit by 1 percent increases the unit price by 0.3 percent, both over the entire material and for single-unit and multi-unit housing separately. The age variable is negative and on the order −0.05 to −0.1, and generally significant. This implies that a doubling of the age of the housing unit reduces its price by 5–10 percent. We also included dummies for sales year and regional location. The sales year dummies confirmed a well-known general property of the Norwegian housing market over this period, namely that house prices had a peak in 1988 and were falling steadily until 1993, with a significant recovery over the 1994–1995 period, thus again reaching a level close to the 1988 peak.
12. Note in this context that over the last subperiod (1994–1995), plans that a railroad tunnel may be built through the relevant area were known. This may to some degree have reducedsed the difference in property prices between areas close and far away from the railroad line in that period, as the market may have anticipated a future environmental improvement in the relevant area. Thus the subperiod 1988–1993 may be the most reliable period on which to base a valuation of the nuisance effects of railroad proximity. Since the plans to build a tunnel all the time have been (and still are) uncertain, and since the market is likely to react slowly to such information, the effects of such expectations are in any case likely to be small.
13. For discussions of such problems, see e.g. Halvorsen et al. (1996) and Wenstøp (1994).
14. See in particular the seminal work by Keeney and Raiffa (1976), Saaty (1982) and Keeney (1992). Among other recent applications are Barda et al. (1990), Goodwin and Wright (1991) and Nitsch and Weber (1993).
15. Examples of applications in environmental and resource economics are Jansson (1992), Karni et al. (1991), Wenstøp and Carlsen (1988) and Stam et al. (1992). See also the implicit valuation study, which is indirectly based on policy maker decisions, by Carlsen et al. (1993).
16. For other related applications of MAUT to environmental valuation issues, see e.g. Jansson (1992) and Stam, Kuula and Cesar (1992).
17. See Vågnes (1995) for an account of this study.
18. For a general comparison of expert studies using a MAUT procedure, against more traditional stated preference procedures such as contingent valuation and conjoint analysis, see Halvorsen, Strand, Sælensminde and Wenstøp (1996).
19. To obtain this result, note that reducing the distance variable from 100 to 20 meters is the same as reducing the log of this variable by approximately 2.3.
20. We have not attempted to conduct any formal testing of differences between the two studies. This would in any case be difficult, since the broker study is based not on a statistically controllable sample but rather on a small preselected set of brokers. We will however view it as quite likely that we would not be able to reject a hypothesis that the numbers from the hedonic study are equal to those from the broker study, by only considering the statistical uncertainty associated with the hedonic study. It thus appears "very likely" that the figures from the two studies can not be discriminated from each other, in a statistical way.

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Railway Externalities and Residential Property Prices

Larry C. L. Poon

A. INTRODUCTION

Many urban areas in North America are debating whether to relocate the interurban railways which pass through their centers, [1] and the Canadian federal government has recently established a program to subsidize such relocation projects.[2] One of the potential social gains of urban railway relocation is the elimination or reduction of railway air, noise, and "visual" pollution in adjacent residential neighborhoods. Railway pollution represents a source of nuisance to many people, especially those living near the tracks, and is likely to have adverse effects on human health. Unclean air and vibration caused by trains may cause damage to structures and result in more frequent repairs and paintings. There has been a fair amount of literature which deals with the physical effects of various kinds of pollution.[3] However, no study has attempted to determine the effects of railway pollution on human health, properties and the environment.

In light of the difficulties in estimating a railway pollution damage function directly, this paper attempts to determine the economic costs of railway pollution indirectly, namely, through a study of its influence on housing prices. The rationale underlying this approach is the following: if people have some knowledge of the effects of railway pollution on themselves and their property and are able to place a monetary value on these damages, they will be willing to offer a higher price for a property which is free or has suffered less from railway pollution than for a similar house which is affected by railway pollution. Thus, the purpose of this paper is to examine whether railway pollution is capitalized in residential property prices and to derive an estimate of the economic costs of railway pollution. The empirical study presented below is a case study of railway pollution in London, Canada.

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[1] Six cities in Canada have completed railway relocation projects. Thirty more cities or towns still have their railway relocation proposals before the Canadian Transportation Commission. See Poon [1976 Table I.1]. In the 1950s and 1960s, almost fifty communities in the United States prepared detailed plans for relocation according to U.S. Department of Transportation [1974].

[2] In 1974, the Canadian Federal government passed the Railway Relocation and Crossing Act [S. C. 1974, chap. 12].

[3] See, for example, the studies citied in Dewees, Emerson and Sims [1975, chap. 3].

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B. A REGRESSION MODEL AND EMPIRICAL RESULTS

In this section a regression model of the determinants of residential property prices is presented. The main objective is to find out whether and to what extent a railway causes the reduction of sale prices of residential properties located in its neighborhood. The following items will be discussed in turn: data and sample, specification of the model, and empirical results.

1. Data and Sample

The sample consists mainly of single-family detached dwellings. However, a number of multiple-family dwellings (duplexes, triplexes) are included as well. The latter represent approximately 15 percent of the total sample of 285 observations.

The principal source of data is Multiple Listing Service (MLS) sheets from the files of several real estate firms in London, Canada.[4] The following information is available from MLS sheets for each property sold: (a) address of the property; (b) physical features such as style, type of siding, number of stories, age, lot size, number and size of each type of room, garage, paved driveway, basement, type of heating, etc.; (c) asking price and down payment requirements; (d) financial terms and mortgages; (e) assessment and taxes; (f) actual sale price and date of sale as recorded by the real estate firms.

To obtain distances from railways, each observation was located on city land use maps and the distance was measured in 100-foot intervals. The data used cover a period of six years, from 1967 to 1972. The main reason for using data from six years is to enlarge the sample size.

Instead of taking a random sample of all residential property sales in the city, four areas within the city were selected for study (see Figure 1). There are two reasons for this approach. First, properties which are far from the tracks will not be affected by railway externalities and hence need not be included.[5] The inclusion of these transactions might create unnecessary statistical "noise." In this sample the maximum distance between track and property is about 1,400 feet. Second, in order to isolate the effect of railway facilities on property values, other locational and environmental variables are best kept constant. By selecting a sample of given size from a limited area, one minimizes the number of explanatory variables required in the regression equation.

All areas are primarily residential in use. Some commercial and/or light industrial activities are present in areas 1, 2 and 3. Area 4 has the highest average income and average property value. Areas 1 and 4 are relatively new in comparison with areas 2 and 3.

2. Specification of the Model

The price of a residential property is hypothesized to be a function of the characteristics of its structure, its lot and its neighborhood. In addition, characteristics of the existing mortgage may affect price. Also, since the data span a period

[4] Published by Middlesex Real Estate Board, Ontario, Canada. In London MLS sales appear to be 45% of the total. There seems to be no significant differences between MLS and Non-MLS properties. The above information is provided by Peter Chinloy at the Department of Economics, University of Western Ontario, who has been doing research concerning the housing market in London, Canada.

[5] Tests of the data indicate that railway effects reach less than 1,000 feet from both sides of the railway.

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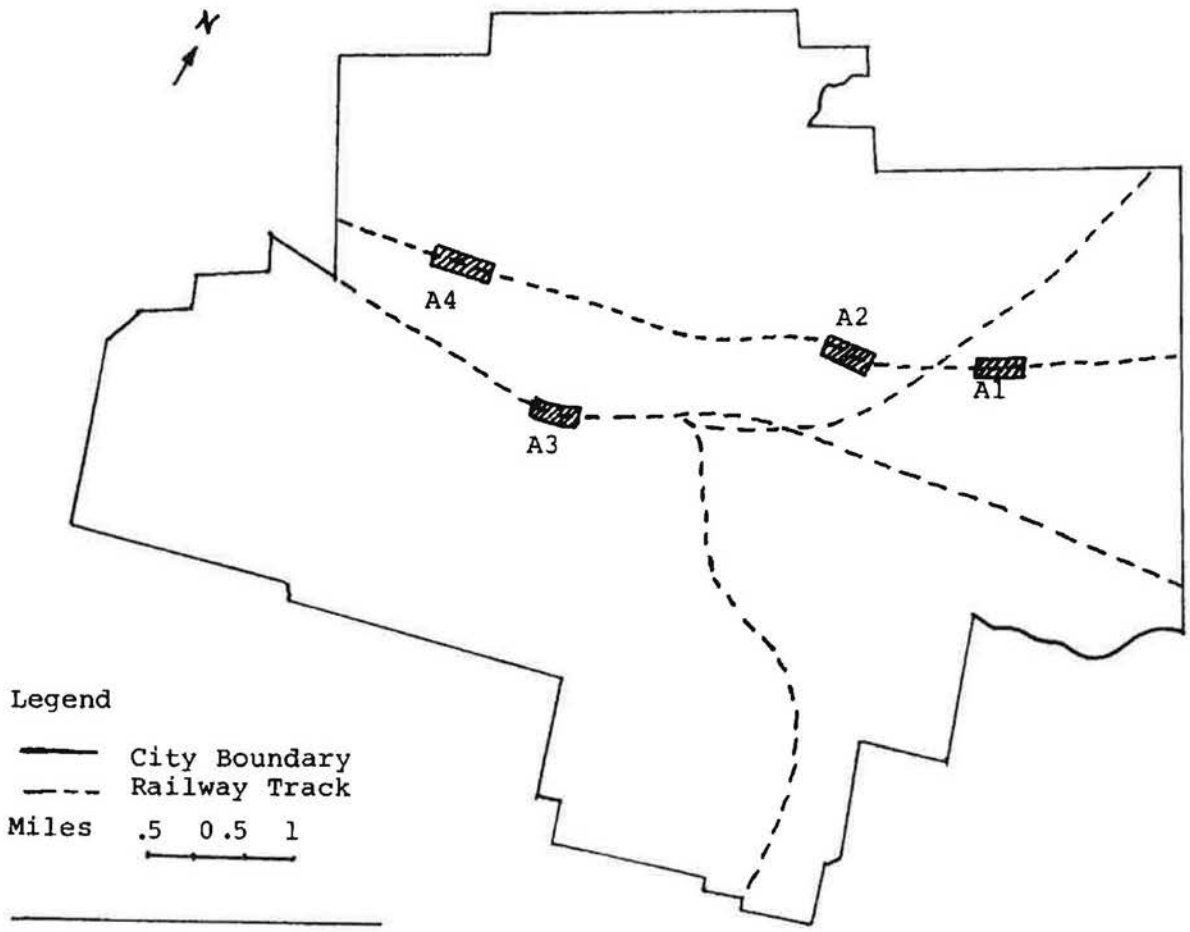

FIGURE 1
MAP OF LONDON, CANADA, SHOWING SAMPLE AREAS
Source: Statistics Canada, Catalogue 95-742.

of six years, account must be taken of the change in property prices over time.[6]

Thus, for single-family residential properties one can estimate the following function:

$$P = f(X_1, \ldots, X_n)$$

where P is the price of a residential property and $X_1, \ldots, X_n$ are locational, housing characteristics, environmental, and other variables which affect housing prices. One of the independent variables, say X_i, will be distance from the railway. The main hypothesis will be that because of railway pollution,

$$\frac{\partial P}{\partial X_i} > 0$$

As mentioned before, railway pollution comes in different forms: air, noise, vibration and "visual" pollution. All of them

[6] Another variable which may also be included is property tax assessment. We tried this variable without success. The tax variable will not be discussed in the rest of this paper.

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may be assumed to vary directly with the distance from the railway.[7]

For empirical testing the model is specified in two basic forms:

$$P = a_o + a_1x_1 + a_2x_2 + \ldots + a_nx_n + e \quad [1]$$

$$\ln P = b_o + b_1 \ln x_1 + b_2 \ln x_2 + \ldots + b_n \ln x_n + e \quad [2]$$

where P is the sale price of an individual property, $x_1, \ldots, x_n$ are independent variables, e is the error term, ln is the natural logarithm operator, and $a_o, a_1, \ldots, a_n, b_o, b_1, \ldots, b_n$ are coefficients to be estimated.

A priori one cannot determine which, if either, of the specifications represents the true relationship. Both forms have been used in previous studies.[8] Both forms as well as some other specifications will be tried.

(a) Dependent variables. The dependent variable is the sale price of an individual residential property. In order to calculate all costs in terms of 1972 dollars, a house price index developed by Davies and Jackson [1975] for London was used to inflate all sale prices to 1972 dollar levels. Consequently, time trend is not included as one of the independent variables.[9]

(b) Structural variables. The structual variables included are: age (number of years since the house was built); number of rooms (including dining room, living room, family room, bedrooms and kitchen); number of bathrooms; recreation room (dummy = 1 if the house has a finished recreation room in the basement); basement (full = 1, half = .5, none = 0); number of stories; fireplace (dummy = 1 if the house has one or more fireplaces); number of dwelling units (dummy = 1 if the house is single detached, dummy = 0 if duplex or triplex); garage (dummy = 1 if the house has a garage); type of siding (dummy = 1 if stone or brick).

Most of the structural variables are expected to be positively related to sale price. The age variable is likely to be negatively related to sale price, except in the case where older houses may have better landscaping and better construction.[10]

(c) Lot-related variables. Four lot-related variables are considered: lot size (square feet); corner lot (dummy = 1 if it is a corner lot); distance from arterial road (dummy = 1 if a property is within 3 lots of an arterial road); and distance from railway (in units of 100 feet). All of the properties are connected to the city sanitary sewers and none of them use septic tanks. Data on other lot-related variables such as landscaping and frontage are not available.

Lot size and distance from railway are expected to be positively related to sale price. Distance from arterial road is expected to be negatively associated with sale price. The sign of the corner lot variable is ambiguous.[11]

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[7] It would be extremely difficult to separate the effects on property prices of the various forms of railway pollution because all of them tend to vary with distance from the railway. If desired, information concerning the relative significance of the various forms of railway pollution may be determined by interview techniques.

[8] Different forms have been used by different authors, for example: *linear*: Brigham[1965], Ridker and Henning [1967], and Richardson, Vipond and Furbey [1974]; *log*: Anderson and Crocker [1971] and Emerson [1972]; *both linear and log combination*: Grether and Mieszkowski [1974].

[9] A separate time trend employing the monthly housing price index for Canada has been tried. The results do not change appreciably except that the magnitude of the coefficients estimated changed.

[10] Some realtors have suggested that the average quality of workmanship in construction in London declined after about 1967 or 1968, e.g., use of cheaper materials such as plywood instead of hardwood for floors, less wood per house, etc.

[11] In an area where commercial activities are allowed, a corner lot may command a positive premium. However, in a purely residential area, this probably would not be the case.

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TABLE 1
DETERMINANTS OF RESIDENTIAL PROPERTY PRICE, REGRESSION RESULTS
(Pooled Sample: Linear, Quadratic, and Log)

Independent Variable†	[1a] Linear	[1b] Quad.	[1c] Quad.	[1d] Quad.	[1e] Linear	[2] Log
Age of house	−134.27	−500.94	−487.78	−470.75	−121.14	−.13
	(6.28)*	(3.64)*	(3.52)*	(3.36)*	(1.15)	(5.60)*
Garage	576.28	643.66	701.67	939.14	410.09	.00
	(1.57)	(1.87)*	(1.92)*	(2.37)*	(1.50)	.10
Bathrooms	1459.28	1538.87	1583.85	1565.71	1174.51	.13
	(3.04)*	(3.24)*	(3.30)*	(3.03)*	(3.28)*	(2.75)*
Lot size	.38	.39	.23	.37	.40	.15
	(3.92)*	(4.06)*	(2.09)*	(3.73)*	(5.60)*	(4.15)*
Number of rooms	852.08	827.12	814.64	1002.07	594.60	.35
	(5.19)*	(5.08)*	(4.95)*	(5.60)*	(4.86)*	(4.98)*
Siding material	1498.87	1318.42	1364.46	1334.97	1176.92	.09
	(2.75)*	(2.43)*	(2.51)*	(2.31)*	(2.89)*	(2.76)*
Number of stories	1245.69	1266.82	1321.23	1280.35	952.98	.05
	(2.18)*	(2.24)*	(2.33)*	(2.09)*	(2.24)*	(1.04)
Basement	1766.91	1957.43	1840.01	1300.18	1722.90	.21
	(1.91)*	(2.14)*	(2.00)*	(2.32)*	(2.50)*	(2.39)*
Heating	538.73	456.22	521.20	677.46	410.56	.04
	(1.18)	(1.01)	(1.14)	(1.41)	(1.21)	(1.55)
Fireplace	688.64	735.12	798.69	793.40	1076.67	.03
	(1.15)	(1.26)	(1.37)	(1.29)	(2.49)*	(.82)
Recreation room	−280.54	−120.75	−115.70	35.85	189.59	.00
	(.35)	(.15)	(.45)	(.04)	(.32)	(.82)
Corner lot	1077.92	2041.77	2036.58	2173.11	1784.46	.12
	(3.00)*	(2.99)*	(2.97)*	(3.00)*	(3.44)*	(2.94)*
Distance from arterial road	−592.44	−499.39	−538.83	777.23	641.86	−.04
	(.81)	(.69)	(.75)	(1.03)	(1.10)	(1.02)
Duplex, triplex	1264.99	1135.98	1117.31	—	533.16	.05
	(2.05)*	(1.86)*	(1.81)*		(1.16)	(1.27)
Areas dummy A2	532.19	598.63	572.86	966.36	1060.94	.05
	(1.00)	(1.14)	(1.09)	(1.68)*	(2.65)*	(1.53)
A3	−717.15	−616.33	−667.54	−480.92	−44.05	.03
	(.87)	(.75)	(.81)	(.56)	(.07)	(.58)
A4	7464.52	4116.08	4334.41	3810.61	8145.52	.08
	(5.30)*	(2.24)*	(2.35)*	(2.06)*	(5.78)*	(.87)
Distance from railway	217.04	588.72	—	599.93	136.08	.05
	(2.99)*	(2.45)*		(2.26)*	(2.52)*	(3.71)*
Distance from railway squared	—	−35.43	—	−35.88	—	—
		(1.68)*		(1.61)		
Mortgage variable	−.00	.00	−.00	.00	−.00	−.00
	(.30)	(.06)	(.00)	(.10)	(.01)	(.34)
Age of house squared	—	5.77	5.57	5.23	.67	—
		(2.67)*	(2.55)*	(2.33)*	(.40)	
LSDR	—	—	.062	—	—	—
	—	—	(1.67)	—	—	—
LSDRR			−.00			
			(1.00)			

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TABLE 1 (*Continued*)

Independent Variable	[1a] Linear	[1b] Quad.	[1c] Quad.	[1d] Quad.	[1e] Linear	[2] Log
Time trend	—	—	—	—	.28 (4.10)*	—
Constant	6739	10030	11276	9964	107	7.9
N	285	285	285	242	285	285
R^2	.84	.85	.85	.87	.88	.73

Note: t-statistics are in parentheses. $LSDR$ = Lot size times distance from railway; $LSDRR$ = Lot size time distance from railway squared.
* Significant at 5% level.
†The dependent variable is sale price (equations [1a], [b], [c], [d], [e]) and ln (equation [2]).

(d) Neighborhood variables. Each of the areas from which observations were drawn is fairly uniform with respect to neighborhood variables such as population density, distance from employment centers, average income, and public services. Consequently, no neighborhood variable is included in the regressions for individual areas. However, when observations for all areas are combined and one regression run is made, area dummies are used.

(e) Mortgage variables. If a property has a large, open, long-term, low-interest mortgage, it offers some financial advantages. The present discounted value of the potential saving in interest payment for the buyer is approximately

$$S = \sum_{t=c}^{N} \frac{(r_c - r_m)M_t}{(1 + h)^t}$$

where:

r_c = interest rate on new mortgages at time of sale ($t = c$);
r_m = interest rate on the existing mortgage;
M_t = outstanding mortgage at time t (in dollars);
h = buyer's annual discount rate; and
N = year in which existing mortgage will be paid off.

In the regression equation, $S^1 = (r_c - r_m)M_c$ is used as a proxy for S since data on N or h are not available and the only value of M_t available is M_c. Both S and S^1 are expected to be positively related to sale price.

(f) Alternative specification of some variables. In specification [1] above, a linear relationship is assumed for all variables. However, for the variables "age" and "distance from railway," it was hypothesized that the relationship with the dependent variable would likely be nonlinear. Thus, in addition to specifications [1a] and [2], nonlinear (quadratic) forms of these variables were tried in the otherwise linear regression [1b] (see Table 1).

3. Empirical Results

The regression results are presented in Table 1. Most of the variables have the expected signs and are significantly different from zero at the five percent level. The results related to the railway variable will be discussed but not those of other variables, since the latter are not of direct interest to this study.

The distance from railway (DR) variable is significant at the five percent level and has the expected sign in all regressions. The estimated coefficients for the

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pooled sample of 285 observations are as follows:

$$P = \ldots + \underset{(2.99)}{217\,DR} + \ldots \qquad [1a]$$

$$P = \ldots + \underset{(2.45)}{588.7\,DR} - \underset{(1.68)}{35.4\,DR^2} + \ldots \qquad [1b]$$

$$\ln P = \ldots + \underset{(3.71)}{.05 \ln DR} + \ldots \qquad [2]$$

The figures in brackets are t-statistics of the individual coefficients. All these relationships show that, other things equal, residential property sale price increases with distance from the railway.

The linear and log forms do not indicate where railway adverse effects on property value would terminate. However, the quadratic form seems to indicate that discount in sale price terminates around 800 to 900 feet from the railway track. Unfortunately, only a limited number of observations beyond 900 feet from the railway were available. Thus, one cannot run separate regression equations for those observations which lie beyond 900 feet from the railway to test the significance of the railway variable. However, the following test was performed. The 28 observations which lay beyond 900 feet from the railway were selected and their estimated sale prices found based on the assumption that they were 850 feet from the railway. The estimated sale prices were compared with the actual sale prices (adjusted to 1972 dollars). The hypothesis is that if railway externalities terminate around 850 feet from the railway, the estimated sale prices should not be significantly different from the actual sale prices. Two tests were used. The first one is a simple t-test of the difference of two means. The second one is a "paired sample" test, comparing each of the 28 pairs of actual and estimated sale prices. In each case no significant difference between the actual and estimated sale prices was found at the five percent level.

When the distance from railway variable was tested with subsamples, it was found to be significant at the five percent level and to have the expected sign in three of the four areas. It is a bit surprising to find that this variable is not significant in area 4, which is a relatively high-income area. A closer look at this area suggests why the properties near the railway may not be adversely affected. In this area, most of the tracks are buried in cuttings and are fenced off. This reduces the unpleasant noise and visual impact of the railway considerably. In the other areas, this is not the case.

Equation [1c] in Table 1 specifies the distance from railway variables in a different manner. It was hypothesized that the discount in residential sale prices due to railway externalities would be on a per square foot of lot basis rather than on a per lot basis. To test this hypothesis the equation was specified as follows:

$$P = a + \ldots + rLS + \ldots$$

where P = sale price of property; a = constant (servicing cost, etc.); r = value per square foot, which depends on distance from railway (DR) according to a quadratic function such as $r = c_1 + c_2\,DR + c_3 DR^2$, where $c_1 > 0$, $c_2 > 0$, $c_3 < 0$; and LS = lot size (square feet).

Thus, the regression to be estimated would be:

$$P = a + \ldots + c_1\,LS + c_2\,LS{\cdot}DR + c_3\,LS{\cdot}DR^2 + \ldots$$

The regression results show that LS and $LS{\cdot}DR$ are significant at the five percent level. However, $LS{\cdot}DR^2$ is found to be not significant at the five percent level.

Since the sample consists of both single-detached and duplex and triplex dwellings, regressions with only single-de-

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tached units were run. The results do not change significantly from those with both types of dwellings (see equation [1d] in Table 1).

As an alternative to adjusting all sale prices into 1972 dollars, the London housing price index constructed by Davies and Jackson [1975] was entered as an independent variable. The results are illustrated in equation [1e] in Table 1. The index is significant but there is no important change in the results for other variables.

Some qualifications to the above findings are called for. The above results are based on a sample which consists mainly of single-family detached homes. It is not clear whether they would apply to high-rise apartments as well. The differences in physical structure and also in ownership (owner versus tenants) [12] could mean that some of the above conclusions would not hold for high-rise apartments.[13]

Due to data limitations we may not have succeeded in isolating the effects of some other factors on property sale prices. Hence, the distance from railway variable may pick up the effect of some correlated variables which are not included in the regression equation, such as housing quality.[14]

C. ECONOMIC COSTS OF RAILWAY EXTERNALITIES

To estimate the value of social costs of railway externalities, the following function can be used:

$$SC = \Sigma\, d(x_i)\, n(x_i)$$

where

SC = dollar value of social costs of railway externalities as measured by the discount in property values;

$d(x_i)$ = average discount in dollars in property value between 100 x_i and 100 $(x_i - 1)$ feet from the railway;

$n(x_i)$ = number of properties between 100 x_i and 100 $(x_i - 1)$ feet from the railway.

To calculate $d(x_i)$, one of the empirical functions estimated may be used, namely, equation [1b] in Table 1:

$$P = \ldots + 588.7x - 35.4x^2 \ldots$$

Based on this relationship, column 2 of Table 2 shows the difference in property value in dollars if the same house is located farther and farther from the railway. The effect of railway externalities on property values terminates about 800 to 900 feet from the track according to this relationship. Comparing two similar properties, one within 100 feet of the track, and the other over 800 feet from the track, the latter sells for $2,161 more than the former. In other words, the discount of the house located within 100 feet of the railway is $2,161. Column 3 of

[12] Because of the short-term nature of apartment living, people may care less for railway externalities. Hence it may not be fruitful trying to detect railway externalities by looking for differences in apartment rents. Condominium sale prices could be a much better indicator. However, this form of ownership was still not popular in London during the period under consideration.

[13] For example, the conclusion with respect to the distance where railway externalities terminate.

[14] It is conceivable that people who do not care about railway externalities also do not care about the quality of their homes (interior and exterior), so the houses near railways may be of systematically lower quality. On the other hand, people near railways may have a greater incentive to do landscaping to cut down on railway externalities, so properties near railways have systematically better landscaping (hedges, trees). In the first case, the estimated value of the coefficient of the railway variable would be biased upward, and in the second case, the bias would be in the other direction. However, a priori, one cannot determine which, if any, of these cases represent the true picture. Hence the estimated coefficient can but may not be biased.

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TABLE 2
DIFFERENTIAL IN HOUSE SALE PRICE AT VARIOUS DISTANCES FROM A RAILWAY IN 1972

(1) (x), Distance from Railway (ft.)	(2)[a] Increase in Sale Price Compared to $x = 0$	(3)[b] Discount in Sale Price Compared to $x = 850$
50	$ 285	$2,161
150	883	1,563
250	1,250	1,196
350	1,627	819
450	1,932	514
550	2,167	279
650	2,329	117
750	2,424	22
850	2,446	0

[a] Based on the estimated coefficient of the distance from railway variable of equation [1b] in Table 1.
[b] Based on figures in column (2).

Table 2 gives the discount in dollars of property value at various distances from the railway.

Multiplying the discount in dollars per property by the number of properties at various distances from the railway, one can obtain a measure of the present discounted value of external diseconomies imposed by railways on their neighborhood residential areas. For London, an estimate of $4.65 million was obtained.[15]

It may be worthwhile to emphasize at this point that one should not consider gains or losses in property values per se as aggregate consumption benefits or costs of railway relocation. Rather, the differences in property value *provide a measure* of railway externalities. As a result of railway relocation, part or all of these externalities might be eliminated. This represents a real gain to society regardless of how property prices behave after railway relocation.

D. CONCLUDING REMARKS

The empirical evidence presented here supports the hypothesis that railway externalities are at least partially capitalized in residential property prices. The estimated discount in property prices offers a measure of economic costs of railway pollution in residential areas. This type of information should facilitate urban land use planning and be useful in the evaluation of urban railway relocation and noise abatement projects. Unfortunately, this indirect method suffers a potential drawback, that is, there appears to be no practical way to determine whether the economic cost derived by the method would underestimate or overestimate the true costs of railway pollution.[16] Nevertheless, this indirect method is probably the most cost-effective method to obtain information regarding the economic costs of railway pollution.

Due to the lack of data this paper has not attempted to estimate the economic costs of railway pollution on commercial and institutional areas. However, one would expect that these costs are probably less significant than those imposed on residential areas.

[15] See Poon [1976] for further details.
[16] For a discussion of various factors which may bias the estimates, see Poon [1976, chap. 4].

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