Resolution 2015-254

Resolution Approving the Comment Letter to Metropolitan Council for the Southwest Light Rail Transit Supplemental Draft Environmental Impact Statement

Whereas, The Minneapolis Park and Recreation Board (MPRB) is the steward of the Minneapolis park system;

Whereas, The Southwest Light Rail Transit (SWLRT) project is proposed by the Metropolitan Council to provide light rail transit between downtown Minneapolis and communities southwest of Minneapolis;

Whereas, A Locally Preferred Alternative (LPA) is adjacent to MPRB property and includes trails that are maintained by the MPRB (part of the Cedar Lake Regional Trail and all of the Kenilworth Regional Trail);

Whereas, The MPRB formed an appointed Community Advisory Committee (CAC) to prepare recommendations to the Board of Commissioners on the contents of a formal comment letter in response to the Draft Environmental Impact Statement (DEIS) for the proposed SWLRT Alternative 3A;

Whereas, The MPRB submitted a formal comment letter to the Hennepin County Regional Rail Authority on the DEIS for the SWLRT on December 12, 2015;

Whereas, Changes proposed to the SWLRT project since the DEIS was released required the Metropolitan Council to prepare a Supplementary Draft Environmental Impact Statement (SDEIS) to document the impacts of the proposed changes;

Whereas, The SDEIS for the SWLRT was published on May 22, 2015 and the comment period ends on July 21, 2015;

Whereas, The MPRB invited members of the original CAC to offer comments related to the SDEIS with a focus on desired outcomes relative to historical, cultural, visual, recreational, social, environmental, and safety issues as they relate to lands owned or managed by the MPRB;

Whereas, The SDEIS comment letter combines insights from members of the original CAC and staff comments; and

Whereas, This resolution is supported by the MPRB 2007-2020 Comprehensive Plan, which envisions “Dynamic parks that shape city character and meet diverse community needs”;

RESOLVED, That the Board of Commissioners approve the comment letter to the Metropolitan Council for the Southwest Light Rail Transit Supplemental Draft Environmental Impact Statement; and

RESOLVED, That the President of the Board and Secretary to the Board are authorized to take all necessary administrative actions to implement this resolution.

TO: Minneapolis Park and Recreation Board

FROM: Michael Schroeder,

DATE: July 15, 2015

SUBJECT: Resolution Approving the Comment Letter to Metropolitan Council for the Southwest Light Rail Transit Supplemental Draft Environmental Impact Statement

BACKGROUND

The Southwest Light Rail Transit (SWLRT) project is proposed to provide light rail transit service between Minneapolis and the southwest suburbs of the metro area. The alignment proposed for the SWLRT project is on or adjacent to land owned and managed by the Minneapolis Park and Recreation Board (MPRB) and includes trails that are maintained by the MPRB (part of the Cedar Lake Regional Trail and all of the Kenilworth Regional Trail). A Draft Environmental Impact Statement (DEIS) for the SWLRT was released by the Hennepin County Regional Rail Authority (HCCRA) on October 12, 2012 and the Board of Commissioners approved a formal comment letter that was submitted according to the requirements of the DEIS on December 5, 2012. Since the issuance of the DEIS, the Metropolitan Council, the body authorized to implement the SWLRT project, has determined that changes to the proposed alignment of the Locally Preferred Alternative (LPA) require the issuance of a Supplemental Draft Environmental Impact Statement (SDEIS). Comments on the SDEIS are due to the Metropolitan Council on July 21, 2015.

The DEIS was required for the SWLRT project under the National Environmental Policy Act (NEPA) because federal funds are being sought to help pay for its construction. The Federal Transportation Administration (FTA) uses the NEPA process as the overarching umbrella under which the mandates and considerations of all laws affecting transit project development are considered. For the DEIS, the FTA was the federal lead agency under NEPA and HCRRA was the state lead agency under the Minnesota Environmental Policy Act (MEPA). Because of the Metropolitan Council's role as the local implementation agency, it becomes the state's lead agency under the MEPA for the SDEIS.

Like the DEIS, the SDEIS discusses (1) the purpose and need for the project, (2) the alternatives considered, (3) the impacts of these alternatives, and (4) the agencies and persons consulted—all with a focus on adjustments to the LPA after publication of the DEIS that could result in new adverse impacts that were not identified in the DEIS. The SDEIS addresses potential impacts resulting from adjustments to the design of the SWLRT project with changes evaluated in three segments, one in Eden Prairie, one related to a proposed Operations and Maintenance Facility

in Hopkins, and one stretching from St. Louis Park to Minneapolis. This third segment includes adjustments to proposed light rail and freight rail alignments and LRT stations, generally between Louisiana Avenue and Penn Avenue.

Due to the proposed alignment of the SWLRT project, it is important that the MPRB continue to comment on the impacts to MPRB lands and facilities to ensure proper mitigation or avoidance planning occurs through the continued engineering of the project.

For the DEIS, the MPRB formed an appointed community advisory committee (CAC) with the following charge:

> *Prepare recommendations to the Board on the contents of a formal Comment Letter in response to the Draft Environmental Impact Statement (DEIS) for the proposed Southwest Light Rail Transit Alternative 3A. The recommendations of the CAC shall focus on desired outcomes relative to historical, cultural, visual, recreational, social, environmental, and safety issues as they relate to lands owned or managed by the Minneapolis Park and Recreation Board.*

The CAC's recommendations were incorporated into a formal comment letter that was approved by the Board of Commissioners and submitted to the Hennepin County Regional Rail Authority.

While the review period for the SDEIS did not allow for the intensive review that occurred for the DEIS, the MPRB invited members of the original CAC to meet informally to assist in developing content of a comment letter for the SDEIS. Members of the original CAC met on June 29, 2015 and are being provided a draft of the MPRB comment letter. MPRB staff will incorporate comments received as appropriate to MPRB interests related to the SWLRT project.

In March 12, 2015, the MPRB entered into a Memorandum of Understanding (MOU) with the Metropolitan Council regarding the SWLRT project and the Bottineau Light Rail Transit (BLRT) project. A part of that MOU affirmed the MPRB's position supporting transit in the metropolitan area. Still, state and federal environmental review processes require the MPRB to offer comments related to the impacts of a project like the SWLRT project and the MPRB is obligated to maintain its role in advocating for and protecting parks and park resources under its jurisdiction and, in fact, the MOU includes provisions stating it does not limit the MPRB's ability to "take any action or make any decision that will prejudice or compromise any processes required under state or federal environmental or other laws or regulations." The comments offered by the MPRB on the SWLRT SDEIS are not in conflict with the MOU and support the MPRB's role as the entity with jurisdiction over parks in the City of Minneapolis.

RECOMMENDATION

Staff recommends that the Board of Commissioners approve the comment letter to Metropolitan Council for the Southwest Light Rail Transit project Supplemental Draft Environmental Impact Statement.

This action is supported by the following vision and goal statements in the MPRB 2007-2020 Comprehensive Plan.

Vision Theme 3: Dynamic parks that shape city character and meet diverse community needs.

Goal: Parks shape and evolving city.

ATTACHMENTS:

- SDEIS comment letter (PDF)

Prepared By: Michael Schroeder,, Planning Services
Review:
Michael Schroeder Completed 07/06/2015 10:40 AM
Jayne Miller Completed 07/06/2015 1:42 PM
Minneapolis Park and Recreation Board Pending 07/15/2015 5:00 PM