

Regular Meeting Public Hearing Action Item Consent Item Resolution Ordinance
 Presentation Other:
EDA Meeting Action Item Resolution Other:
Study Session Discussion Item Written Report Other:

TITLE:

Possible Updates to City of St. Louis Park Freight Rail Policy.

RECOMMENDED ACTION:

Direct staff to prepare draft freight rail policy update.

POLICY CONSIDERATION:

The City Council has set as its objective the adoption of an updated freight rail policy resolution on May 31st.

The focus of this week's freight rail study session discussion is to provide direction to staff on what the key elements of an updated freight rail policy should be. Staff will then craft a draft policy statement for City Council consideration at the May 23rd study session.

BACKGROUND:

At the May 9th Study Session the City Council discussed key findings from SEH Technical Memorandum #4; and, key themes expressed at the Listening Sessions on April 27th and 28th and in written comments submitted to the City. At the May 9th meeting City Council members also asked for additional information on a number of topics. Staff, the City Attorney and our railroad consultants are preparing responses to the City Council's questions and we will provide this information as it becomes available.

Framework for Freight Rail Policy Update

An updated freight rail policy could include many elements. A starting point for an updated policy is the current policy as established by Resolution 10-070 in July, 2010 (see attached). This policy was prepared prior to the start of the MNS Rail Study and prior to the studies prepared by consultants working for Hennepin County/MNDOT and the City. The policy update will benefit from the information provided by all of these studies.

The fundamental question for updating the City's freight rail policy statement is:

- Based on the various studies, analysis, and public process undertaken since last July, are the conditions under which rerouting freight trains to the MNS as established in Resolution 10-070 still applicable; and, have they been met?

Are the 2010 conditions still applicable and have they been met?

The July, 2010 freight rail resolution included six conditions under which the City would not oppose rerouting freight rail from Kenilworth to St. Louis Park (MN&S route). Of the six conditions, five address mitigation and/or potential improvements in St. Louis Park.

The first condition in the resolution presents a more basic question. It says the City will only accept the MNS route if "It is established through a thorough and careful analysis that no other viable route exists". Much of the analysis and study undertaken since July has been dedicated to answering this question from a physical and engineering perspective. The stakeholders involved

in addressing the freight rail routing question have differing opinions about whether a viable alternative to the MNS route exists or not. The work done on behalf of the City by SEH supports the argument that from a physical and engineering perspective, a viable alternative does exist via co-locating freight rail and LRT in the Kenilworth Corridor. The SEH analysis does point out that the co-location alternative is not without its challenges. For example, to allow a co-location of freight rail and LRT in the Kenilworth Corridor would require the partial relocation of the regional trail and the likely acquisition of property. The analysis undertaken by SEH did not address the political viability of co-locating freight rail and LRT in the Kenilworth Corridor or its impact on the planning of the SWLRT project.

The other five conditions in Resolution 10-070 identify specific mitigation or improvements that would be necessary as conditions to the City agreeing to a freight rail reroute. Mitigation has been discussed as a part of Hennepin County's MNS Study/EAW and PMT process. The EAW being prepared as part of the MNS Study will identify the proposed measures to be undertaken to mitigate environmental impacts associated with a freight rail reroute. Based on information that has been supplied to the City by the County, it does not appear all of the mitigation or improvement measures identified in Resolution 10-070 are being proposed. At some point, perhaps as a part of the EAW public comment period, it would be in the City's best interest to identify again and in greater detail the mitigation measures it believes would be needed. Mitigation measures should be identified for both the potential reroute alternatives. There are mitigation measures that the City would want whether Kenilworth or MNS were to become the permanent route for TC&W freight trains.

Mitigation

The five mitigation and freight rail improvement related conditions identified in the July 2010 freight rail resolution would seem to be an appropriate beginning for creating an updated freight rail mitigation list. In some cases it would be appropriate to refine and update some of the specific mitigation measures previously identified. The analysis done by the consultants working on freight rail issues over the past year will serve as a source of information for refining the mitigation measures listed previously. It may be appropriate to add new items too. The five items in the July 2010 resolution are,

1. There is appropriate mitigation of any and all negative impacts associated with rail rerouting, funded by sources other than the City of St. Louis Park. Potential negative impacts that should be addressed include but are not limited to noise, vibration, odors, traffic congestion and safety, school use and safety, park use and safety; and, circulation/access in the community by vehicle, pedestrian, transit and bicycle;
2. Elimination of railroad switching, sorting and blocking operations within the City of St. Louis Park; and funded by some other source than the City of St. Louis Park;
3. Removal of the existing "wye" rail tracks in the vicinity of Oxford Street and any other tracks not needed for through train traffic including the rail tracks east of any new interconnections between the East-West CP-TCWR tracks and the North-South CP-MNS tracks;
4. Creation of a freight rail single track corridor with significant right-of-way and safety measures incorporated between the track and adjacent properties;
5. Creation of a whistle-quiet zone funded by sources other than the City of St. Louis Park throughout the entire north-south MNS corridor.

SEH Technical Memorandum #4 listed potential mitigation measures. This list is being updated and cost estimates added. A list of mitigation items for the Kenilworth Corridor is also being created. These materials will be available for City Council consideration Monday evening.

MN&S Environmental Assessment Worksheet (EAW)

At this time the MN&S Freight Rail Study EAW is expected to be published May 16th. The 30 day official comment period would start once the EAW is published and end in mid-June. June 8th has been identified as the tentative date for an Open House for the EAW. Once the EAW is published and the Open House meeting date is confirmed, more specific information on the meeting will be available. Staff and SEH are preparing to provide possible comments on the EAW for the City Council's consideration at the earliest possible date.

What is the schedule after the May 16 meeting?

- May 23rd Council Study Session
Continued policy discussion on freight rail and MN&S EAW (Environmental Assessment Worksheet). Review a draft policy.
- May 31st Special City Council Meeting
Adopt a resolution updating the freight rail policy .

Date to be determined: Comments for submission on MN&S EAW will be discussed and approved depending upon the EAW publication date.

FINANCIAL OR BUDGET CONSIDERATION:

Not applicable.

VISION CONSIDERATION:

This item is linked to the City's Vision Strategic Direction that St. Louis Park is a committed to being a connected and engaged community. It is also related to the broader Vision elements about the variety of transportation modes, sidewalk & trails and environmental stewardship.

Attachments: Resolution 10-070 and 10-071 (regarding rail)

Materials distributed Monday night will include: Updated mitigation lists.

- Prepared by:** Kevin Locke, Community Development Director; and,
Meg J. McMonigal, Planning and Zoning Supervisor.
- Approved by:** Tom Harmening, City Manager

RESOLUTION NO. 10-070

RESOLUTION RELATING TO FREIGHT RAIL ACTIVITY IN
THE CITY OF ST. LOUIS PARK

WHEREAS, the City of St. Louis Park is committed to protect and enhance the quality of its neighborhoods; and,

WHEREAS, several railroads operate within the City of St. Louis Park and railroad operations can have adverse impacts on the City and its neighborhoods; and,

WHEREAS, the City of St. Louis Park seeks to provide a clear, concise statement of its position regarding freight rail activity in the City today and in the future; and,

WHEREAS, the City of St. Louis Park has always opposed the rerouting of freight rail traffic through our community; and

WHEREAS, the City of St. Louis Park adopted the Railroad Task Force Recommendations of May 23, 2001 by Resolution No. 01-120, which included St. Louis Park's opposition to the rerouting of freight rail; and,

WHEREAS, the City of St. Louis Park has been an active participant and supporter of transit in the Southwest corridor, and

WHEREAS, the City of St. Louis Park has participated in the Technical, Policy and Community Advisory Committees for the Southwest Transitway, and

WHEREAS, the Technical Advisory Committee (TAC) unanimously recommended the selection of Route 3A as the locally preferred alternative with conditions including that agencies work cooperatively to identify impacts, mitigation requirements, and mitigation funding options to address the potential of rerouting freight rail in a parallel process with the Southwest LRT DEIS and to identify the freight rail issue and impacts as a part of the "secondary and cumulative impacts."; and,

WHEREAS, the City of St. Louis Park adopted Resolution No. 10-05 in support of Hennepin County's decision of LRT alignment 3A (through the Kenilworth Corridor) as the locally preferred alternative for the Southwest Transitway ; and,

WHEREAS, the City of St. Louis Park participated in the Technical, Policy and Community Advisory Committees for the Southwest Transitway.

Resolution No. 10-070

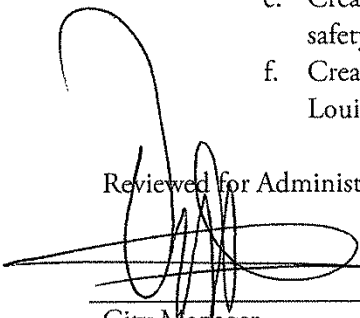
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NOW THEREFORE BE IT RESOLVED by the City Council of St. Louis Park that the City of St. Louis Park:

1. Supports the implementation of the Southwest Transitway LRT project; and,
2. Continues to support the May 23, 2001 Railroad Task Force Recommendations adopted by the City Council October 21, 2001; and,
3. Opposes the introduction of any rerouted freight rail traffic north and south through the City of St. Louis Park; and,
4. Opposes the rerouting of freight rail traffic from the Kenilworth corridor to St. Louis Park unless the following conditions are clearly met:
 - a. It is established through a very thorough and careful analysis that no other viable route exists;
 - b. There is appropriate mitigation of any and all negative impacts associated with rail rerouting, funded by sources other than the City of St. Louis Park. Potential negative impacts that should be addressed include but are not limited to noise, vibration, odors, traffic congestion and safety, school use and safety, park use and safety; and, circulation/access in the community by vehicle, pedestrian, transit and bicycle;
 - c. Elimination of railroad switching, sorting and blocking operations within the City of St. Louis Park; and funded by some other source than the City of St. Louis Park;
 - d. Removal of the existing "wye" rail tracks in the vicinity of Oxford Street and any other tracks not needed for through train traffic including the rail tracks east of any new interconnections between the East-West CP-TCWR tracks and the North-South CP-MNS tracks;
 - e. Creation of a freight rail single track corridor with significant right-of-way and safety measures incorporated between the track and adjacent properties;
 - f. Creation of a whistle-quiet zone funded by sources other than the City of St. Louis Park throughout the entire north-south MNS corridor.

Reviewed for Administration:

Adopted by the City Council July 6, 2010




City Manager



Mayor

Attest:



City Clerk

RESOLUTION NO. 10-071

RESOLUTION REQUESTING HENNEPIN COUNTY REGIONAL RAIL AUTHORITY
(HCRRA) REANALYZE THE POTENTIAL ROUTES IN THE 2009 TCWR FREIGHT
RAIL REALIGNMENT STUDY IN GREATER DETAIL

WHEREAS, in 2009 Hennepin County Regional Rail Authority conducted a study titled, "TCWR Freight Rail Realignment Study" that evaluated options for moving freight rail from the Kenilworth corridor; and

WHEREAS, this study considered six options for TCWR operations, and

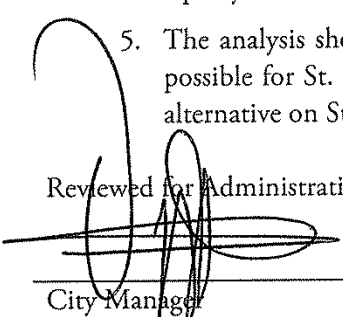
WHEREAS, the six options were not adequately or equally evaluated in the report, and

WHEREAS, additional information that evenly applies criteria to each option is necessary to ensure a viable, cost-effective route is selected.

NOW THEREFORE BE IT RESOLVED BY the City Council of the City of St. Louis Park:

1. The City Council hereby requests Hennepin County Regional Rail Authority more fully evaluate the six options previously evaluated.
2. The additional study should evenly apply the same evaluation criteria to each route.
3. The evaluation should include, but not be limited to, such items as: an explanation of the future routes to Minneapolis and St. Paul; impacts to crossing Highway 100; a quantification of the number of at-grade road crossings and number and proximity of homes, schools and other sensitive uses along each route; impacts on public safety and transportation networks; operational impacts for TCWR and cost to compensate for possible competitive TC&W disadvantage due to route selection; an analysis of routing both freight rail and light rail through the Kenilworth corridor right-of way; and more detailed analysis of the projected costs for each route, including property acquisitions, environmental mitigation, and other factors outlined in the letter from St. Louis Park to the County in July 2009.
4. The evaluation should ensure that the analysis and criteria are applied consistently and equally for each route to provide a basis and understanding for decision making.
5. The analysis should be done in sufficient detail and reported in a format that makes it possible for St. Louis Park to fully understand the positive and negative impacts of each alternative on St. Louis Park itself.

Reviewed for Administration:



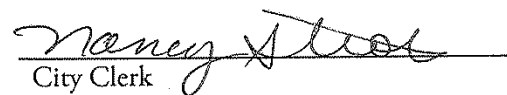
City Manager

Adopted by the City Council July 6, 2010



Mayor

Attest:



City Clerk