

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:

Final Draft - MN&S EAW Comments and Mitigation Measures.

RECOMMENDED ACTION:

The attached comments and mitigation measures are for the City Councils review and comment before they are submitted to MnDOT by the deadline of June 15.

POLICY CONSIDERATION:

Does the City Council have any further comments on the MN&S EAW it wishes to include in the City's submittal?

BACKGROUND:

On June 6, 2011 the City Council approved a motion authorizing submittal of comments on the MN&S Freight Rail Study EAW and recommended mitigation measures. The 30-day official comment period extends through June 15, 2011. The City Council has expressed concerns in relation to the proposed mitigation measures identified in the EAW. The Council has discussed providing comments on the EAW to address in particular the inadequacy of the proposed mitigation in the EAW and identify additional mitigation measures the City believes is necessary.

Mitigation and Comments

At the May 16, May 31 and June 6, 2011 Study Sessions the City Council discussed mitigation for the potential re-route of freight traffic from the Bass Lake Spur to the MN&S line; and, other comments on the EAW. Attached is an updated list of proposed mitigation measures and comments. These comments, along with the proposed mitigation measures, comprise the comments to be formally submitted from the city.

June 15th is the deadline for submittal of comments on the MN&S EAW.

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 and trails and environmental stewardship.

Attachments: Final Draft MN&S EAW Comments
 MN&S Mitigation Measures

Prepared by: Kevin Locke, Community Development Director
 Meg J. McMonigal, Planning and Zoning Supervisor

Approved by: Tom Harmening, City Manager

Draft Comments on MN&S EAW from St Louis Park

General Comments:

- 1) The original goal for the City was to minimize the time, noise and disruption that freight trains have in the City of St Louis Park. The stated purpose of the proposed action is inconsistent with the City's goals as stated in Resolution 10-070 (see attached); and, the purpose of the proposed action ignores the fact that a key purpose for the reroute of freight rail trains off of the Kenilworth alignment is to accommodate SW LRT. However, SLP has determined that SWLRT and freight rail can both be accommodated within the Kenilworth corridor, with certain modifications, at considerably less expense.
- 2) As stated on Page 2, the purpose of the Proposed Action is tied to the State Rail Plan. ***"The purpose of the Proposed Action is to study how to provide the TC&W railway with a relocated connection for operational and available freight movement to St. Paul, while minimizing adverse impacts to the surrounding community, and providing a system that is consistent with the State Rail Plan."***
And yet, there is very little reference in the EAW as to how the MN&S Freight Rail Study fits into the broader system described in the State Rail Plan; nor is there any explanation as to how the proposed reroute of TC&W trains furthers the implementation of the State Rail Plan.
- 3) If the MN&S EAW is to be consistent with the State Rail Plan, then the analyses and calculations of impacts in the EAW should be based on projected train activity levels consistent with the State Rail Plan's 2030 planning horizon. The MN&S EAW calculations and projections are based only on existing train traffic levels and make no provision for any increased train activity, even though the State Rail plans projects a 25% overall increase. The MN&S EAW also does not take into account in its calculations, any increased train traffic resulting from the impact of the MN&S track improvements on the overall State Rail system. The improved connectivity and the upgrading of tracks identified in the State Rail plan as part of a potential CP bypass of the bottlenecks like University Junction could result in increased train traffic. The fact that these factors have not be considered could mean that the EAW's calculations under estimate the potential impacts of improvements to the MN&S tracks.
- 4) Page 15 details that the elimination of the Skunk Hollow track is not part of the proposal even though it is was a major goal of the City. The idea of rerouting coal trains west of the metro area is also not a part of the proposed action.
- 5) There is reference to meeting with the three affected railroads but there is no documentation on those meetings or the official position of the railroad on the design assumptions.

Formatted: Bullets and Numbering

Formatted: Bullets and Numbering

- 6) There are no track profiles shown in the EAW. There are three major concerns about the lack of information about the profiles:
- a) The City is concerned that the track profiles match the existing road crossings to minimize roadway work or the project would be required to pay for the extensive street work. The Lake/Library area drainage is very sensitive to any grade changes.
 - b) The analysis assumes 25 mph for the trains. The profile is a critical component of speed and noise. The grades will not allow a consistent 25 mph speed, how the varying train speeds affects noise and vibrations is not explained.
 - c) The grades exceed mainline standards, and the EAW states that the grades over 1 percent are relatively short and match the current track profile. The longer trains may have difficulty with these grades. The City had requested earlier in the study for a speed profile analysis on how the longer trains will be affected by these grades. No speed profile analysis has been provided.
- 7) The EAW states that the track design will meet current CP standards, but the typical cross sections do not reflect the wider sub grade standard.
- 8) There is no discussion on how this EAW meshes with the DEIS being conducted for the SW LRT. The primary purpose of any MN&S reroute project is to gain space in the Kenilworth Corridor for the SW LRT tracks. There are inconsistencies in the design factors in these environmental studies such as whether freight rail tracks east of Beltline remain in place. These two environmental documents should match each other.
- 9) There is no discussion about ownership and maintenance of the track and other improvements. The CP and TC&W railroads have indicated to the City that they do not want to own the new structures. In addition to the tracks themselves, who and how landscaping and the right of way will be landscaped and maintained should be addressed.
- 10) The traffic analysis uses inadequate assumptions:
- a) Railroad crossing signals are activated before the train arrives at the crossing and remain down after the train exits the crossing. The time is normally about 30 seconds before the train enters plus 5 seconds after the train exits the crossings. There is no reference in the blockage computations that this time has been accounted for, and it appears this has not been included. This will change the traffic analysis.
 - b) The length of the rail car varies by the type and commodity. The EAW used 85 foot length for all cars. Coal cars are 55 to 60 feet long. Ethanol cars are about 60 feet. Grain cars are 65 to 70 feet long. Generally the length of trains is overstated.
 - c) The peak hour traffic near the high school is not the normal peak hour. Bus schedules are sensitive to time and a train at the school's peak hour would be a major disruption to the bus system.

Formatted: Bullets and Numbering

Deleted: so ho

Deleted: w

Deleted: does affect the analysis

Deleted: t

Formatted: Bullets and Numbering

- 11) There is no discussion about potential derailments and how emergency personnel would develop an evacuation plan.
- 12) There is only a 20'6" clearance between the bottom of the new bridge over the Bass Lake Spur track and the Bass Lake Spur tracks; this does not meet the minimum State requirements.
- 13) Pages 19-21: Remediation of the Golden Auto National Lead site involved extensive processing of a large volume of lead contaminated soils and concrete, much of which has been safely contained on the site. A 10-18 inch impervious cap covers the bulk of the site. Excavation on this site has the potential to encounter areas of contaminated soils and areas of crushed concrete. The construction proposes to pierce the cap. Great care will need to be taken to ensure the integrity of the impervious cap is maintained and any contaminated soils that must be removed are handled properly. Geo-technical challenges may also be encountered due to the significant deposits of crushed concrete on the site. The distribution of contained contaminated soils and crushed concrete is not evenly distributed nor is it of a uniform thickness throughout the site. Further analysis is needed to establish the extent of capped contaminated soils and crushed concrete that will be encountered for construction of footings and foundations, or other earthwork on the Golden Auto National Lead site. The EAW minimizes and does not fully address these potential construction issues.
- 14) Page 77: In the Louisiana SW LRT station area it is noted the SW DEIS plans a facility for 250 cars – this is not the amount in the DEIS. It also states that this project will provide “optimal developable land” for development in the station area, however there will be property taken property off the tax rolls, and impacted greatly by the proposed rail bridge, leaving land remnants that are not “optimal.” There would also be impact on the local road system.

Deleted: ¶

Specific Comments:

Formatted: Bullets and Numbering

15) Page 2: The proposed action statement makes no reference to the SW LRT project.

16) Page 8: Closure of 29th Street is a City decision. The closure is proposed because the proposed track profile would be about 4 feet higher than the existing crossing making it difficult to construct a roadway approach that works. There are no details on how much of 29th Street is proposed to be removed or how the dead end streets resulting from closure of 29th Street's rail crossing will be handled. No cul de sacs or other means for vehicles, including street maintenance vehicles and emergency vehicles, to turn around is provided.

Formatted: Bullets and Numbering

17) Page 12- track grade erroneously stated as .80%; should be .86% - which exceeds TCW's stated acceptable maximum incline. If MNDOT, County or other entity has agreed or intends to provide compensation to railroad due to operational difficulties, such compensation must be publicly and promptly disclosed.

Formatted: Font color: Black

- 18) Page 16: No timeline explaining how and when this project will proceed is provided. This uncertainty adversely impacts residents, businesses and property owners within the MN&S area.
- 19) Page 16: The list of permits is incomplete. There needs to be a series of agreements with the three railroads and Hennepin County as well as between the railroads; these may not easily be achieved. Approvals are also needed from Three Rivers Park District for the trail revisions.
- 20) Page 20 – There is no discussion of the potential impacts or mitigation regarding the impacts of construction or increased train traffic on vapor intrusion in the MN&S Section.
- 21) Page 24-25 – Net loss of wetlands, no replacement identified.
- 22) Page 28- More detail is needed regarding the changes to the floodplain and whether nearby property owners will be affected. What is impact to Sungate West townhomes on Alabama Ave, which I believe are in floodplain?
- 23) Page 30- 70,400 cubic yards of material will be moved in the MN&S Section of the project area and 14,050 cubic yards will be moved in the BNSF Section. The EAW does not specify how they plan to move such massive amounts of soil, particularly given the lack of road access into the Iron Triangle. What will be the erosion impact?
- 24) Page 32-33 Existing soil and groundwater contamination may limit how stormwater ponds are constructed and where they are located.
- 25) Page 30 – It should be noted that today the short trains on the MN&S occasionally stop to get food at McDonalds; if this practice were to occur with the longer rerouted TC&W trains, severe traffic congestion and safety issues could occur.
- 26) Page 39 – Only the St. Louis Park High School and Park Spanish Immersion schools are noted as within close proximity to the MN&S tracks. Metropolitan Open School, Holy Family School and Dakota School are equally as close to the tracks as the Park Spanish Immersion school and should be referenced as well. Also, only the school bus movements at the schools are noted and analyzed. Parents dropping off and picking up children will also be affected by increased train activity on the MN&S tracks.
- 27) Page 40: 28th and 29th Streets are classified as local streets. The 2011 traffic count for 29th is 190 ADT. The impact on Minnetonka Blvd from closing 29th street is not discussed. This is especially important because it is anticipated that the 27th street access onto Hwy 100 is expected to be closed in the future meaning neighborhood traffic seeking to go south of Hwy 100 will need to access Minnetonka Blvd to access Hwy 100 in addition to traffic diverted to Minnetonka Blvd because 29th Street is closed.
- 28) Page 40-41; Page 47 – Blockage of intersections by trains will cause diversion of traffic into the Bronx Park, Birchwood, Lenox and Sorenson neighborhoods. These impacts are not considered, nor is the air quality impacts of this delayed and diverted traffic.
- 29) Page 42 – At-grade crossing times table, shows the length of time single and multiple intersections would be blocked by trains. It shows the time 5 intersections could be blocked by the longest trains (80 and 100 car trains), however it does not show how long 3 intersections

Formatted: Bullets and Numbering

Formatted: Bullets and Numbering

Formatted: Bullets and Numbering

Formatted: Font: (Default) Adobe Garamond Pro

Formatted: Indent: Left: 0 pt, Line spacing: single

Formatted: Superscript

Formatted: Superscript

Formatted: Superscript

could be blocked by these longer trains. This under represents the potential disruption, traffic diversion and delay impacts of rerouting trains to the MN&S; these impacts should be identified and analyzed.

30) Page 54 – References Table 4, it appears it should really reference Table 14.

31) Page 56 - Under represents the potential severity of noise impacts do to coal night trains (long trains) passing through residential neighborhoods. It is assumed that coal trains will be traveling at 25 mph. In reality trains may much more likely be traveling at 10 to 15 mph. The nighttime trains should be considered to be a severe noise event for St. Louis Park's residential areas.

32) Page 57 – Table 15 shows Dakota Park as 510 feet, Roxbury Park as 155 feet and Keystone Park 130 feet from the MN&S tracks. All three of these City Parks are immediately adjacent to the MN&S rail right of way and much closer to the rail tracks than represented in Table 15. This table should be revised and potential impacts on these parks re-evaluated.

33) Page 58 – Implementation of Whistle Quiet Zones at Library Lane and Dakota Avenue will need to accommodate important access ways to the St. Louis Park High School. This will be a design challenge. Costs for these improvements need to be included in the project costs for the MN&S reroute and should not be the responsibility of the City of St. Louis Park or the St. Louis Park School District.

Formatted: Font: Adobe Garamond Pro, 12 pt

34) Page 48-64 – The noise section does not address noise created by the addition of locomotives needed to pull trains up the interconnect incline, it does not account for noise due to squealing wheels on tight curves, braking as westbound trains go down the interconnect and bells on crossing arms installed per WQZ.

35) Page 64: There were two field locations for the vibration. The nearest site was 60 feet, yet the analysis assumes that there is no impact past 40 feet from the track. The City has heard from the High School and the businesses that they have vibration disruptions now, without the reroute. The vibration analysis does not accurately reflect the existing and proposed rail operations. The field work is based on the existing slow, short trains. No mitigation is proposed despite the potential for significant disruptions at the Lake Street businesses and the High School. The potential for vibration issues on the BNSF area due to trains idling on a new BNSF siding is not addressed.

36) Page 71: The proposed Cedar Lake Trail ~~Bridge~~ over the new Iron triangle track will also be 30 feet above the surrounding ground surface and will have a significant visual impact.

Deleted: bridge

Deleted: ¶

37) Page 72 – It is noted that St. Louis Park residents were represented on the MN&S Study Project Management Team. It should also be noted that many of the neighborhood representatives on the PMT were dissatisfied with the process and felt their mitigation recommendations were disregarded.

38) Page 77: It is stated that the SWLRT DEIS is “currently being prepared” whereas it is under review by the Federal Transit Administration (FTA) at this time.

Formatted: Bullets and Numbering

Deleted: ¶

- 39) Page 81-83 – Sufficient property should be acquired to create a minimum separation between residential properties and the center line of the MN&S tracks of 50 ft. This could be achieved by acquiring approximately 40 properties on the east side of the MN&S tracks from Minnetonka Blvd North to 27th Street; and, shifting the tracks to the east from its proposed alignment.
- 40) Page 81: Section 30b deals with right of way and relocations. The EAW comments that only one parcel is required and 13 partial takings. Table 19 understates the impacts.
- a) There are two residential units that have been proposed to be taken that are not listed in Table 19.
 - b) There is extensive construction work in the iron triangle area but there is not access into the construction site. The area is surrounded by wetlands, flood plains, parks, railroads and private developed property. The EAW should provide a construction access plan to this area and provide an evaluation of the environmental impacts of this access.
 - c) Parcels 108,109 and 110 will have a bridge within 25 feet of their building edges and for parcels 108 and 109 their parking lots and driveways will be impacted.
 - d) Parcels 97, 98, 100 and 101 are underdeveloped lots used primarily for outdoor storage of construction materials. Table 19 has inaccurate areas of impact.
- 41) Page 86 – The EAW acknowledges that the MN&S tracks separate the otherwise adjacent Roxbury and Keystone Parks. With increased train traffic on the MN&S, the tracks will become an increasingly severe barrier and pedestrian safety hazard. A pedestrian tunnel or bridge inter-connecting these parks should be provided.
- 42) Page 87 – Insufficient analysis is provided of the potential extent and impact of a derailment of a train carrying hazardous substances.
- 43) Page 87 – Crossing gates are needed at all crossings and fencing between the railroad tracks and adjacent properties should occur along the full MN&S route.
- 44) Page 89 – Property value analysis includes only a portion of the properties along the MN&S tracks. The value of the properties north of Minnetonka should be included in the EAW analysis.
- 45) Page 90 – Impacts of potential disruption of businesses during construction needs to be more fully addressed, including the possibility of one or more businesses needing to be relocated.
- 46) Page 90 - Page 93: The proposed improvements will be constructed between City maintained monitoring wells near the Golden Auto site that may be impacted by construction or vibration. There is no reference on how the project will affect these wells and how they will be protected.
- 47) Page 93: Table 20 estimates that 2 acres of wetlands will be impacted. The City would prefer that the wetland replacement be located within St Louis Park and the EAW should address possible mitigation sites.
- 48) Page 94: There is a reference to constructing 3 storm water runoff ponds. The City has had difficulty locating drainage facilities in this area because of development and contamination. The

Formatted: Superscript

Formatted: Bullets and Numbering

Formatted: Bullets and Numbering

EAW does not describe in any detail where these ponds would be located and what properties will be affected.

49) Page 97: Commitment to include welded rail in the project should be an Area, since the CP and BNSF standards for mainline tracks is welded rail.

Deleted: ¶

50) EAW fails to include any analysis of aesthetic impacts of new interconnect and other constructions.

Formatted: Space After: 0 pt

51) EAW fails to include a plan to replace trees and other vegetation after construction is completed, and to maintain same thereafter.

Formatted: Bullets and Numbering

Formatted: Indent: Left: 0 pt

DRAFT

MN&S Mitigation Measures
Track improvements <ul style="list-style-type: none">• Replace and upgrade the MN&S track with 136# seamless tracks reducing noise and vibrations• Install rail lubricators• tie and road bed construction to minimize train vibrations
Mandatory environmental requirements such as wetland, floodplain, hazardous materials handling, wildlife habitat, etc.
Whistle Quiet Zones to upgrade rail crossings safety measures to eliminate the need to blow whistles or horns as trains approach intersections.
Provide fencing and signing along the length of the railroad r-o-w to discourage people intruding unsafely on the MN&S tracks.
Create grade separated frontage road on north side of Hwy 7 by lengthening the MN&S bridge over Hwy 7 to provide space to create a frontage road on the north side.
Build a pedestrian overpass near High School and Dakota Avenue to connect the High School to the Lake Street area and football field.
Create pedestrian and non-vehicle access under MN&S tracks at Dakota Park by building an under pass at 27 th St. to connect to the N. Cedar Lake regional trail from the east.
Expansion of MN&S r-o-w in residential area by acquiring homes immediately east of MN&S tracks north of approximately the intersection of MN&S tracks with Brunswick Avenue to 27 th Street on the north.
Reroute coal trains west of metro area.
Elimination of sidings as well as through tracks east of Wooddale on Bass Lake spur to eliminate the possibility of cars being stored in this area or trains blocking Wooddale or Beltline.
Completely remove the Oxford industrial area switching wye tracks, abandon the rail r-o-w, and build a southern connection to MN&S.
Funding and construction of Louisiana & Hwy 7 Interchange.
Structure Improvement Program – Create a grant program to provide technical assistance and financial help for property owners to make noise and/or vibration mitigation improvements.
Sound and vibration mitigation improvements for all schools, businesses and homes adjacent to the MN&S line.
Pedestrian bridge over Hwy 7 close to the MN&S bridge to provide access for pedestrians.
Eliminate blind curves in the Lake Street/High School area.
The freight rail should only be rerouted if firm commitments are in place for implementation of SWLRT.

Property owners should be compensated for loss of property value due to rerouting of TCW trains to the MN&S tracks.
Any disruption of businesses due to construction of the MNS improvements must be appropriately mitigated.
Special care must be taken to protect and ensure no damage occurs to monitoring water wells as a result of the MN&S project.
Housing Buyout Program – Create a program to purchase homes on the west side of the MN&S tracks from willing sellers and remove, remodel or resell them.
Provide a pedestrian tunnel or bridge inter-connecting Roxbury and Keystone parks.
Mitigation for noise and vibration impacts on the neighborhoods surrounding the proposed BNSF siding.
Mitigation of blocking and switching activities if these activities are not being relocated to a Glencoe switchyard.
Mitigation of the MN&S tracks and crossings south of Bass Lake Spur including mitigation of the at grade crossings most notably Excelsior blvd.