

**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:

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**TITLE:**

Draft MN&S EAW Comments and Mitigation Measures.

**RECOMMENDED ACTION:**

Motion to authorize the submission of comments for the MNS EAW along with recommended mitigation measures.

**POLICY CONSIDERATION:**

Does the City Council wish to submit comments on the MNS EAW including a list of recommended mitigation measures?

**BACKGROUND:**

On May 16, 2011 the MN&S Freight Rail Study EAW was released for public review. 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

At the May 16 and 31, 2011 Study Sessions the City Council discussed mitigation for the potential re-route of freight traffic from the Bass Lake Spur to the MNS line. Attached is an updated list of proposed mitigation items for the MNS route. Also attached is a set of comments on the MNS EAW in general. These comments, along with the proposed mitigation measures, would comprise the comments formally submitted from the city. *Please note that the proposed comments on the EAW are a work in progress and will evolve over the coming days.* The intent is to discuss the final set of comments at the June 13 Study Session as noted in the schedule below.

June 6 <sup>th</sup>	Special Study Session discussion of proposed comments on the MN&S EAW Regular City Council meeting authorizing submission of comments
June 8 <sup>th</sup>	MN&S EAW Open House at the Rec Center
June 13 <sup>th</sup>	Finalize EAW comments
June 15 <sup>th</sup>	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:** Draft MNS Mitigation Measures List (clean)  
Draft MNS Mitigation Measures List (redline)  
Draft EAW Comments (clean)  
Draft EAW Comments (redline)

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

**Approved by:** Tom Harmening, City Manager

<b>MNS Mitigation Measures</b>
Track improvements <ul style="list-style-type: none"><li>• Replace and upgrade the MN&amp;S track with 136# seamless tracks reducing noise and vibrations</li><li>• Install rail lubricators</li><li>• Concrete ties to reduce the vibration</li></ul>
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 <sup>th</sup> 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 <sup>th</sup> 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 MNS.
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 MNS 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 MNS 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 MNS project.

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## Other Potential Mitigation Measures

Removal of north arm of the switching wye so CP trains could continue to serve the existing customer by using the south arm of the switching wye.

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.

Place MN&S tracks on overhead structure from Walker to Brunswick.

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## 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.
- 2) 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.
- 3) 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.
- 4) 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, so how does affect the analysis.
  - 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.
- 5) 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.
- 6) 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.
- 7) There is not 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.
- 8) 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.
  - 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.
- 9) There is no discussion about potential derailments and how emergency personnel would develop an evacuation plan.
- 10) 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.
- 11) 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.
- 12) 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.

### 13) Specific Comments:

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

- 15) Page 8: Closure of 29<sup>th</sup> 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 29<sup>th</sup> Street is proposed to be removed or how the dead end streets resulting from closure of 29<sup>th</sup> 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.
- 16) 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.
- 17) Page 40: 28<sup>th</sup> and 29<sup>th</sup> Streets are classified as local streets. The 2011 traffic count for 29<sup>th</sup> is 190 ADT.
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- 21) 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.
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  - 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.
- 22) 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.
- 23) 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.

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