

12.0 PUBLIC AND AGENCY COORDINATION AND COMMENTS

12.1 Public Involvement

The planning for the Southwest Transitway involved extensive coordination and consultation with the affected public and agencies. The affected public includes not only the community members residing in the Southwest Transitway corridor, but individuals, businesses, groups, clubs, civic organizations, and others interested in the project. The agencies include local governments and state and federal agencies with regulatory oversight and permitting responsibilities. The planning process was structured and implemented to consider concerns and issues related to engineering solutions, social impacts, environmental impacts, economic effects, financial impacts, and other items of concern to the community.

12.1.1 Public Outreach Activities and Information Exchange

The goal of the public and agency involvement program and process is to have an informed local community and government leadership to help make decisions regarding the impacts and implementation of possible transitway alternatives. 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 program has been designed to be consistent with the Transportation Equity Act for the 21st Century (TEA-21) of 1998 and Safe, Accountable, Flexible, Efficient, Transportation Equity Act: A Legacy for Users (SAFETEA-LU) of 2005, and the U.S. Department of Transportation (DOT) guidelines for public involvement including, but not limited to, Title VI of the Civil Rights Act of 1964 and Executive Order 12898 Environmental Justice provisions. The program is also consistent with local, regional, and state agency policies that seek to fully involve the public in the planning and project development processes.

12.1.1.1 Southwest Policy Advisory Committee

The Southwest Transitway Policy Advisory Committee (PAC) was formed in 2002 and is composed of representatives of key **stakeholder** groups including:

- Hennepin County, the lead agency
- Cities along the corridor
 - Eden Prairie
 - Minnetonka
 - Hopkins
 - Edina
 - St. Louis Park
 - Minneapolis
- Metropolitan Council
- Metro Transit
- SouthWest Transit
- Three Rivers Park District

“Stakeholder” is a person or entity that has some interest in a project. For example, stakeholders can be community residents, businesses, construction, and design contributors, funding sources and/or government agencies.

- Midtown Community Works Partnership
- Cedar Lake Park Association
- Local chambers of commerce

The purpose of the Southwest Transitway PAC is to provide policy oversight regarding major aspects of the planning of the Southwest Transitway, to provide information regarding community concerns/issues, and to communicate with community groups, elected officials, and other key stakeholders. With regard to the Draft Environmental Impact Statement (Draft EIS), the Southwest Transitway PAC received various technical presentations, reviewed technical reports, and provided input and advice as the Draft EIS was developed.

In addition to working with stakeholder agencies and groups through the Southwest Transitway PAC, project staff made presentations to committees of City Councils and the Metropolitan Council, as well as to groups such as the Minneapolis Civil Rights Commission and the Minneapolis Park and Recreation Board. Briefings were held with interested officials as requested.

12.1.1.2 Community Advisory Committee

The Southwest Transitway Community Advisory Committee (CAC) is composed of citizens appointed by neighborhood organizations or cities from along the Southwest Transitway corridor and meets approximately every other month. In addition to their charge of representing their communities in identifying environmental issues to be addressed during the Draft EIS, CAC members also help to inform community members about the Draft EIS process and key opportunities to provide input. CAC members identified ways to reach out to their neighborhood groups and in some cases also served as liaisons to their neighborhoods. The Southwest Transitway CAC did not provide comment as a group during the scoping process because this was outside this committee's scope, but members were encouraged to work with their respective community groups to determine whether those groups wished to submit comments.

12.1.1.3 Technical Advisory Committee

The Southwest Transitway Technical Advisory Committee (TAC) is composed of engineers and/or planners from each of the stakeholder cities, the Three Rivers Park District, SouthWest Transit, MnDOT, the Metropolitan Council, and the Twin Cities and Western (TC&W) Railroad. In addition to advising the project team on the technical aspects of Southwest Transitway planning work for the Draft EIS, Southwest Transitway TAC members provided suggestions and support for the public outreach effort. Southwest Transitway TAC members advised on how best to connect with community members and assisted in setting up displays, posting information to city and agency websites, and distributed project materials.

Southwest Transitway TAC members were instrumental in getting information about upcoming Scoping Meetings and project open houses to their citizens through notices in their city newsletters: Life on the Prairie, Hopkins Highlights, St. Louis Park Perspective, and the Minnetonka Memo.

12.1.1.4 Outreach to Neighborhood, Community and Business Groups

Since the outset of the Southwest Corridor Rail Transit Study in 2002, the Southwest Transitway project’s public outreach strategy emphasized reaching out to existing neighborhood, community, and business groups to engage these groups in learning about and providing input to the Southwest Transitway project. Project staff attended and presented information at the meetings listed in Table 12.1-1.

Table 12.1-1. Meetings of Neighborhood, Community, and Business Groups where Southwest Transitway Information was Presented

Date	Meeting
9/25/2008	Minneapolis TMO Executive Committee Meeting
12/8/2008	League of Women Voters Chapter
1/29/2009	Cedar Lake Shore Townhome Residents
1/29/2009	Calhoun Isles Townhome Residents
3/3/2009	Cedar Isles Dean Neighborhood Association Board Meeting
3/5/2009	Stevens Square Neighborhood Association
3/6/2009	Eden Prairie City Council Workshop
3/9/2009	Citizens for a Loring Park Community
3/9/2009	Whittier Alliance Community Issues Committee
3/10/2009	East Isles Neighborhood Association
3/10/2009	Downtown West Neighborhood Association
3/11/2009	Lowry Hill East Planning and Zoning
3/11/2009	Whittier Business Association
3/17/2009	Harrison Neighborhood Association
3/18/2009	North Loop Neighborhood Association
3/23/2009	Citizens for a Loring Park Community
4/17/2009	City of Lakes Chamber-Sponsored meeting with businesses
4/21/2009	Lyn-Lake Business Association
4/29/2009	Nicollet Lake Business Association
5/5/2009	Cedar Isles Dean Neighborhood Association Board meeting
5/19/2009	Loring Business Association
5/19/2009	East Isles Neighborhood Association
6/3/2009	Kenwood Isles Community Meeting on SW LRT (Light Rail Transit)
7/24/2009	Midtown Community Works Partnership Board
7/28/2009	Dean Court Condominiums and Townhouses
8/27/2009	North Mpls Community Forum - Harrison Neighborhood
9/9/2009	Transit for Livable Communities
9/9/2009	I-494 Corridor Commission
9/21/2009	West Metro Sustainability Roundtable
10/6/2009	Minnetonka Citywide Open House
10/6/2009	Linden Hills Neighborhood Council
10/28/2009	Womens Transportation Studies
11/3/2009	Eden Prairie SW Transit Station – residents and businesses
11/10/2009	West Calhoun Neighborhood Association

Date	Meeting
11/17/2009	Edina Realty Meeting
11/18/2009	Citihomes Condominium Association
12/10/2009	Hwy 169 Corridor Coalition
1/13/2010	SouthWest Transit (suburban bus service) Transportation Summit
1/14/2010	I-35W Solutions Alliance
1/29/2010	Eden Prairie Chamber of Commerce
2/22/2010	Dessert with Don (Council Member Don Samuels)
4/6/2010	Cedar Isles Dean Neighborhood Association Board Meeting

12.1.1.5 Newsletters and Scoping Booklet

The Southwest Transitway publishes a newsletter called the Southwest Newslines at key intervals. Since the Draft EIS process was launched, three editions of the Southwest Newslines have been produced and distributed, focusing on:

- Fall 2008: Launch of the Draft EIS project phase
- Spring 2009: Completion of **scoping**; Next steps
- Fall 2009: Selection of LRT 3A as recommended Locally Preferred Alternative (LPA)

NEPA “scoping” is a formal process to identify issues and alternatives for analysis in the NEPA document, which is either an Environmental Assessment (EA) or an Environmental Impact Statement (EIS).

In addition, a Scoping Booklet was prepared and distributed widely to inform the public about Scoping Meetings held in October 2008. Nearly 3,000 Scoping Booklets were distributed throughout the Southwest Transitway study area including booklets translated into Hmong, Spanish, and Somali.

12.1.1.6 Distribution of Materials at Major Neighborhood and City Events

In response to suggestions from Southwest Transitway PAC and TAC members and to increase awareness of upcoming Scoping Meetings, project staff attended and staffed tables at a variety of community events in the summer and fall of 2008. At these events, the Southwest Transitway presentation map board was displayed, and materials including the Southwest Newslines, bookmarks with Scoping Meeting dates, and Scoping Booklets were offered to interested community members. Community members were also given the opportunity to sign up for electronic alerts that are sent out from the project office.

Project staff attended and distributed materials at the events listed in Table 12.1-2.

Table 12.1-2. Community Events where Staff Attended and Southwest Materials were Distributed

Date	Meeting
7/15/08	Kenwood Isles Neighborhood Ice Cream Social
7/17/08	North Loop - Loop de Loop Summer Affair
7/24/08	Bryn Mawr Ice Cream Taste Off
8/10/08	Eden Prairie International Festival
8/13 & 8/15/08	Eden Prairie Movies in the Park
8/20/08	Harrison Block Party at Redeemer
8/20 & 8/27/08	St. Louis Park Farmers' Market
9/13/08	Edina Fall Into the Arts
9/20/08 & 10/4/08	Hopkins Farmers Market
10/7/08	Minnetonka City-Wide Open House
10/11/08	Eden Prairie City-Wide Open House
10/11/08	Hopkins Fire Station Open House

12.1.1.7 Newspaper Advertisements

Newspaper advertisements announcing Scoping Meetings for the Southwest Transitway were published as listed in Table 12.1-3.

Table 12.1-3. Publications where Advertisements were Placed for Southwest Transitway Draft EIS Scoping Meetings

Publication	Circulation
Star Tribune	Twin Cities Metro Area (circulation of approximately 376,000)
St. Louis Park Sun Sailor	St. Louis Park
Minnetonka Sun Sailor	Minnetonka
Hopkins Sun Sailor	Hopkins
Edina Sun Current	Edina
Eden Prairie Sun Current	Eden Prairie
One Nation News	Minneapolis
Lakeshore Weekly News	Minnetonka
Spokesman-Recorder	Minneapolis
Insight News	Minneapolis
La Prensa	15,000 rack
Hmong Times	Distributed free to over 350 Asian businesses, organizations, libraries, and schools in the Twin Cities area.
African News Journal	Distributed at over 180 locations in the Twin Cities, including libraries, book stores, community centers, government agencies and schools.
Asian Pages	Distributed to 450 locations in the Twin Cities. Serves over 20 Asian groups

12.1.1.8 Website

Stories about Scoping Meetings were posted on the Southwest Transitway website (southwesttransitway.org.) In addition, the Scoping Booklet was posted online, and a comment page allowed interested community members to post scoping comments. Public hearings were shown live on streaming video and after the hearings the archived video was also available for viewing.

The Southwest Transitway website continues to invite interested members of the community to sign up for alerts that are distributed by e-mail. 'E-lets' are sent to inform community members about key policy actions and upcoming public open houses and meetings.

12.1.2 Media Outreach

Research shows that community members most often receive information about public projects from local and community media sources. The Southwest Transitway project endeavored to reach out to all media outlets that could reach community members who could be affected by or who are interested in the Southwest Transitway project. In addition to sending news releases and articles to media outlets, project staff directly contacted reporters at key times, such as prior to Scoping Meetings, to encourage them to run articles about the project. Contacts are regularly made with major media including the Star Tribune newspaper and local TV and radio stations. In addition, project staff contacted reporters from widely read neighborhood papers including the Southwest Journal and Downtown Journals, the Sun Newspapers, and business journals.

Articles that ran in local media outlets on the Southwest Transitway project since October 2008 are shown in Table 12.1-4.

Table 12.1-4. News Articles on Southwest Transitway

Media	Title/Program	Date
Eden Prairie News	Time To Sound Off On Light Rail Options?	10/16/08
Star Tribune	It's Not About The Road (Or The Rails); It's About How You Pay For It	10/16/08
KSTP TV	Scoping Meetings story (ran several times)	10/15/08
Star Tribune	Which route should a third light-rail line take?	10/7/08
Star Tribune	How to get involved?	10/14/08
Star Tribune	Which route is best for Southwest LRT?	10/14/08
Southwest Journal	Southwest transitway planners seeking feedback	10/7/08
KMSP website	Public hearings kickoff on Southwest light rail project	10/7/08
Eden Prairie News	Light rail takes a big step forward	9/22/08
Star Tribune	Time to weigh in on Southwest LRT line	11/1/2008
Southwest Journal	Southwest LRT alignment discussions continue	Oct 08
KSTP TV	SW Metro residents to meet in hopes of agreement on rail plan	10/14/2008
Eden Prairie News	EP Chamber receives update on light rail project	11/26/2008
Star Tribune	Four suburbs are betting big on light rail	11/30/2008

Media	Title/Program	Date
Star Tribune	The future of Twin Cities public transit	1/12/2009
Star Tribune	Southwest LRT: Down to 2	1/28/2009
Southwest Journal	East Isles supports LRT on the Kenilworth Corridor	June 2009
WCCO	Southwest Suburbs Ask For LRT Line Into Mpls	7/27/2009
Star Tribune	Light-rail plans for southwest metro area start to take shape	7/30/2009
Sun Newspapers	Preliminary southwest light rail planning reaching the home stretch	7/30/2009
MinnPost	Open houses set for proposed Southwest light rail line	8/6/2009
Minnesota Daily	Open houses for proposed Southwest rail line	8/6/2009
Southwest Journal	Southwest LRT open houses lined up for August	Aug 09
Southwest Journal	One proposed route for Southwest LRT line gets nod	Aug 09
Daily Planet	Consultant analysis narrows Southwest light rail options	8/10/2009
KSTP TV	Light rail informational meetings	8/10/2009
MPR News	New numbers raise prospects for southwest light rail	8/10/2009
Star Tribune	Is light-rail to southwest suburbs in the numbers?	8/10/2009
Daily Planet	Another light rail project moves forward	8/11/2009
Star Tribune	3A - all the way?	8/11/2009
The Minnesota Independent	Southwest light rail could qualify for federal assistance	8/11/2009
Eden Prairie News	New data sheds light on light rail costs and benefits	8/12/2009
Star Tribune	A clear favorite for southwest light rail	8/20/2009
Southwest Journal	County sets public hearings for light rail options	Sept 09
Star Tribune	Southwest rail route gets initial OK	9/10/2009
Daily Planet	The other side of the tracks	10/04/2009
Star Tribune	SW transit plan to keep trails in the mix	10/17/2009
Southwest Journal	County OK's Route 3A for light rail	11/04/2009
Downtown Journal	A bumpy ride for Southwest light rail?	11/9/2009
Southwest Journal	Light rail on Kenilworth Corridor looks likely	Nov 09
Star Tribune	County taps Route 3A for light rail	11/4/2009
Hill & Lake Press	Kenilworth LRT proposal needs appropriate mitigation	12/11/2009
Southwest Journal	A view into Eden Prairie's light rail future	12/29/2009
Sun Newspapers	Edina eyes its place in the new world of light rail	1/14/2010
Southwest Journal	Kenilworth Corridor gets OK - with contingencies	Jan 10
Minnesota Daily	Southwest Transitway light-rail line progresses	2/25/2010

A complete list of media outlets that received information from the Southwest Transitway project is shown in Table 12.1-5.

Table 12.1-5. Media Outlets contacted to run stories

Print Media	Community/Newsletter/Online Media	Broadcast Media
Associated Press	African News Journal	Minnesota Public Radio Network
Chanhassen Villager	Asian American Press	Minnesota News Network
Chaska Herald	Blake Road Corridor	KARE-TV
Downtown Journal	Bryn Mawr Bugle	KLTK-AM
Eden Prairie News	Eden Prairie Life on the Prairie	KMSP-TV
Minnesota Business Magazine	Hill and Lake Press	KSTP-TV
Minnesota Finance & Commerce	Hmong Times	WCCO-TV
Minneapolis/St. Paul Business Journal	Hmong Today	WCCO-AM
Lakeshore Weekly News	Hopkins Highlights	WUMN TV 13
Prior Lake American	Insight News	Somali TV
Savage Pacer	Lowry Hill East Wedge	TPT2
Shakopee News	Linden Hills Line	Univision
Southwest Journal	Lyndale Neighborhood News	NA
Southwest Suburban Publishing	Met Council Website	NA
Star Tribune	Minnetonka Memo	NA
St. Paul Pioneer Press	Minnesota Women's Press	NA
Sun Newspapers-Edina	MinnPost.com	NA
Sun Newspapers-Eden Prairie	One Nation News	NA
Sun Newspapers-Minnetonka	Spokesman-Recorder	NA
Sun Newspapers-St. Louis Park	St. Louis Park Perspective	NA
Sun Newspapers-Hopkins	Steven's Square Community Organization	NA
Twin Cities Business Journal	The Bridge	NA
(University of) Minnesota Daily	The Circle	NA
Upsize Minnesota	Twin Cities Daily Planet	NA
NA	Uptown Newspaper	NA
NA	Whittier Alliance	NA

12.1.3 Public Meetings

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 meeting venues were accessible to the public including those with disabilities in accordance with the Americans with Disabilities Act (ADA).

12.1.3.1 Scoping Meetings – October 7, 14, and 23, 2008

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.

Three Scoping Meetings were held:

- Tuesday, October 7, 2008, Hennepin County Government Center (open house at 2:00 p.m., public hearing at 3:00 p.m.)
- Tuesday, October 14, 2008, St. Louis Park City Hall (open house at 5:00 p.m., hearing at 6:00 p.m.)
- Thursday, October 23, 2008, Eden Prairie City Hall (open house at 5:00 p.m., public hearing at 6:00 p.m.)

The public Scoping Meetings began with an informational open house, followed by a formal scoping **hearing**.

At a scoping "hearing," comments made by individuals are transcribed to become part of the public record.

Attendees were encouraged to provide comments at the formal scoping hearings held immediately after the open houses. There were several ways, however, for submitting public comments during the Scoping Period (comments were accepted September 8, 2008 through November 7, 2008) as shown in Table 12.1-6.

The Scoping Summary Report for the Southwest Transitway project was published in January 2009. This report documented the scoping process, the comments received during scoping, and the alternatives and issues to be covered in the Draft EIS.

In their September 2, 2011 letter to the Metropolitan Council authorizing the Southwest Transitway project to enter Preliminary Engineering, FTA stated the freight rail relocation project should be considered as part of the Southwest Transitway project under NEPA to avoid any segmentation concerns.

Additionally, FTA, in response to the public comments received, requested the Metropolitan Council and Hennepin County Regional Rail Authority (HCRRA) to include a discussion of an alternative that co-locates freight rail and LRT operations

in the Kenilworth Corridor in the Draft EIS, in considering the “full range of alternatives” under NEPA (23 CFR 771.111(f)).

Subsequently, on September 25, 2012, HCRRA amended the Scoping Summary Report to change the No Build alternative to include freight rail in the Kenilworth Corridor; change LRT 1A, LRT 3A (LPA), LRT 3C-1 (Nicollet Mall) and LRT 3C-2 (11th/12th Street) to include freight rail relocation to the MN&S line; and, to add the LRT 3A-1 (collocation alternative) under which freight rail, light rail and the commuter bike trail will coexist from just east of Louisiana Avenue in St. Louis Park to Penn Avenue in Minneapolis.

Table 12.1-6. Methods for Submitting Public Comments

Testimony at Scoping Hearings	Comments were transcribed for the record (translation services for non-English speakers were offered to anyone who requested the service)
Written Comments	Paper comment forms were distributed at a range of locations including Scoping Meetings, and were also included as part of the Scoping Booklet. Comment forms were accepted at Scoping Meetings, or could be mailed to the project office.
Electronic means	On-line form was on project website (website address was included in Scoping Booklet and other publications)
	E-mailed comments (e-mail address was included in Scoping Booklet and other publications)
	Faxed comments (a fax number was included in Scoping Booklet and other publications)

12.1.3.2 Public Open Houses – May 18-20, 2010

A series of public open houses was held at three locations in the project area on May 18, 19, and 20, 2010. The purpose of the public open houses was to update citizens and stakeholders on the progress of the project and timing for the Draft EIS.

Minneapolis Public Library – May 18, 2010

At the Minneapolis Public Library, 49 people signed in. In addition, approximately 65 people stopped to receive information at the sign in table and/or stopped and talked to staff at the boards, but chose not to sign in.

Eden Prairie Transit Station – May 19, 2010

At the Eden Prairie Transit Station, 36 people signed in and another approximately 15 people received information but did not sign in.

St. Louis Park City Hall – May 20, 2010

At the St. Louis Park City Hall, 56 people signed in and another approximately 25 people collected materials from the sign in table and open house, but did not sign in.

12.1.4 Public Hearings as part of LPA Selection

12.1.4.1 Public Hearings

On October 20, 2009, at the Hennepin County Government Center, HCRRA held a public hearing to solicit comment on its proposed recommendation to the

Metropolitan Council for the LPA for the Southwest Transitway. The Metropolitan Council subsequently held two public hearings in April 2010 to solicit comments on the Transportation Policy Plan amendment to include the Southwest Transitway LPA. Those hearings were on April 12, 2010, at the Metropolitan Council chambers, 390 Robert Street North, St. Paul, MN, and on April 15, 2010, at the Hopkins City Hall, 1010 1st Street South, Hopkins, MN. Resolutions supporting the selection of the LRT 3A (LPA) alternative as the LPA were passed by the cities of Eden Prairie, Minnetonka, Edina, Hopkins, St. Louis Park and Minneapolis.

12.1.5 Freight Rail Relocation

In addition to the public involvement discussed above, a series of public meetings was held by the HCRRA and the Minnesota Department of Transportation (MnDOT) for the MN&S Freight Rail project, which is a part of four of the five build alternatives included in this Draft EIS. For the MN&S Freight Rail project, a Project Management Team (PMT) was established. PMT members were MnDOT, Hennepin County, City of St. Louis Park (staff and planning commission), St. Louis Park School Board, Canadian Pacific (CP), BNSF and TC&W rail companies, fifteen neighborhood representatives, and two representatives from Safety in the Park, a grassroots organization established in 2010.

The role of the PMT was to provide input and guidance that was representative of the various groups on the PMT, but that also works toward collaborative solutions that effectively and feasibly balance the interests of the various groups.

The PMT met on the following dates to discuss various aspects of the MN&S Freight Rail project:

- July 22, 2010
- August 26, 2010
- October 2, 2010 (working tour of the study area with PMT members)
- November 9, 2010
- December 16, 2010 Open House
- February 24, 2011

12.2 Agency Coordination

On September 23, 2008, a Notice of Intent (NOI) was published in the *Federal Register*, Vol. 73, No. 185, announcing the intent of the FTA and HCRRA to prepare a Draft EIS. The environmental process began with a scoping effort to solicit agency and public comment on transportation alternatives.

The "*Federal Register*" is the official journal of the Federal Government of the United States that contains most routine publications and public notices of government agencies.

12.2.1 Early Agency Coordination and Scoping

The scoping process for the Southwest Transitway began with a notice in **Finance and Commerce** on August 23, 2008, and the publication of the NOI in the **Minnesota Environmental Quality Board (EQB) Monitor** on September 8, 2008, and the *Federal Register* on September 23, 2008. These notices can be found in Appendix I, Public Notices. The notices announced the beginning of the Scoping Comment Period, which extended from September 8 to November 7, 2008, and included dates for three public Scoping Meetings/Hearings. The process provided opportunities to inform the public, government agencies, elected officials, organizations, and businesses that the Draft EIS process was commencing and to solicit issues of concern.

An Agency Coordination Plan was completed and sent to federal, state, local, and regional agencies that may have an interest in the Southwest Transitway Project. The Southwest Transitway Agency Coordination Plan provides the structure for coordination between FTA, HCRRRA, participating agencies, and the public during the process of preparing the Draft EIS to satisfy the requirements of:

- NEPA and its implementing regulations, SAFETEA-LU, and the Minnesota Environmental Policy Act (MEPA), Chapter 4410 Environmental Quality Board (EQB) Environmental Review Program.

SAFETEA-LU was signed into law on August 10, 2005, refining the programmatic framework for federal surface transportation projects. SAFETEA-LU includes several provisions intended to enhance the consideration of environmental issues and impacts within the transportation planning process, including Section 6002 for Efficient Environmental Reviews for Project Decision-making. Among the tools mandated by Section 6002 is the lead agency's development of a Coordination Plan, addressing how coordination and communication with agencies and the public will occur throughout the NEPA process.

HCRRRA sent letters to 41 agencies inviting them to become participating agencies in the Southwest Transitway Draft EIS process and to attend an agency Scoping Meeting (See Section 1.1.1 of this Draft EIS). The Scoping Meeting, held at the Metro Counties Building on October 15, 2008, provided an opportunity for regulatory agencies to respond to the idea of the proposed transit project and express issues of concern. Nine representatives from seven agencies attended the meeting. These agencies are identified in Table 12.2-1.

"Finance and Commerce" is a daily newspaper and online publication in Minneapolis/St. Paul, covering local business news.

The Minnesota "Environmental Quality Board (EQB)" brings together the Governor's Office (as chair), five citizens, and the heads of nine state agencies to develop policy, create long-range plans, and review proposed projects that would significantly influence Minnesota's environment.

The "EQB Monitor" is a biweekly publication of the EQB that lists descriptions and deadlines for Environmental Assessment Worksheets, Environmental Impact Statements, and other notices. The EQB Monitor is posted on the EQB home page at <http://www.eqb.state.mn.us/>

Table 12.2-1. Agencies that Attended Agency Scoping Meeting

Agency
Central Corridor Project Office
City of Eden Prairie
City of Minneapolis
Environmental Protection Agency
Minnesota Environmental Quality Board
Metro Transit
Metropolitan Council

The purpose of the meeting was to establish early coordination and provide an opportunity for agency input into the planning process. The representatives were given an overview of the scoping activities to date, and more specific details pertaining to the alternatives were briefly presented. Agency representatives were then invited to comment on issues of special concern within the corridor. Agency comments, along with other transportation and environmental data and analysis, were used to assist in the analysis for the Draft EIS and ultimately with the decision-making process.

On July 16, 2009, the U.S. Army Corps of Engineers (USACE) issued a preliminary **jurisdictional determination** (JD) for waters and wetlands within the Southwest Transitway study area. The preliminary JD indicates that there may be waters and/or wetlands subject to USACE jurisdiction and provides the approximate location of those waters and wetlands. The complete JD can be found in Appendix E.

Table 12.2-2 below presents a preliminary list of the permits that will be required for the applicants to construct the project.

A "jurisdictional determination (JD)" is the process of identifying and locating jurisdictional Waters of the United States (including wetlands) regulated by the U.S. Army Corps of Engineers (USACE) under Section 404 of the Clean Water Act.

Table 12.2-2. Preliminary List of Required Permits

Permit/Decision	Jurisdiction
Federal Approvals	
Environmental Impact Statement Record of Decision	Federal Transit Administration
Environmental Impact Statement Adequacy Recommendation	Environmental Protection Agency
Section 4(f) Determination	Federal Transit Authority
Section 106 Consultation/ Agreement	Federal Transit Authority Advisory Council on Historic Preservation US Army Corps of Engineers
Section 404 Wetland Permit	US Army Corps of Engineers
Section 10 of the Rivers and Harbors Act - Permit	US Army Corps of Engineers
Section 9 of the Rivers and Harbors Act - Permit	US Coast Guard
Permit to Cross Federal Aid Highway	Federal Highway Administration
Jurisdictional Determination	Federal Railroad Administration
Minnesota State Approvals	
Section 106 of the National Historic Preservation Act – Memorandum of Agreement	State Historic Preservation Office
Right-of-way Permit	Department of Transportation
National Pollutant Discharge Elimination System Permit	Pollution Control Agency
Section 401 Water Quality Certification	Pollution Control Agency
Public Waters Wetland Permit	Department of Natural Resources
Water Appropriation Permit	Department of Natural Resources
Hazardous Materials Management Plan	Pollution Control Agency
Noxious Weed Management Plan	Department of Agriculture
Local Approvals	
Road Crossing/Right-of-Way Permits	Hennepin County City of Eden Prairie, City of Minnetonka, City of Hopkins, City of Edina, City of St. Louis Park City of Minneapolis
Utility Permits	City of Eden Prairie, City of Minnetonka, City of Hopkins, City of Edina, City of St. Louis Park

Permit/Decision	Jurisdiction
	City of Minneapolis
Building Permits	City of Eden Prairie, City of Minnetonka, City of Hopkins, City of Edina, City of St. Louis Park City of Minneapolis
Municipal Consent	City of Eden Prairie, City of Minnetonka, City of Hopkins, City of Edina, City of St. Louis Park City of Minneapolis
Driveway Access Permits	City of Eden Prairie, City of Minnetonka, City of Hopkins, City of Edina, City of St. Louis Park City of Minneapolis
Sediment and Erosion Control Permits	City of Eden Prairie, City of Minnetonka, City of Hopkins, City of Edina, City of St. Louis Park City of Minneapolis Minnehaha Creek Watershed District
Wetland Conservation Act Permit	City of Eden Prairie, City of Minnetonka, City of Hopkins, City of Edina, City of St. Louis Park City of Minneapolis Minnehaha Creek Watershed District

12.2.2 Section 106 Coordination

The Section 106 process consists of:

- Steps for identifying and evaluating historic properties
- Assessing the effects of a proposed project on historic properties
- Consultation for methods to avoid, minimize, or mitigate adverse effects

The goal of the Section 106 process is to avoid adverse effects to historic properties. Where avoidance cannot be accomplished, measures to mitigate adverse effects are undertaken. Adverse effects occur when the project results in changes to the

property, its setting, or its use that affect the National Register of Historic Places (NRHP) characteristics of the property in a manner that diminishes the integrity of its location, design, setting, materials, workmanship, feeling, or association.

Methods for avoidance, minimization, or mitigation of impacts to historic property (any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in the NRHP) will be developed with the three coordinating agencies under the Section 106 consultation process.

The three coordinating agencies are FTA, MnDOT Cultural Resources Unit (MnDOT-CRU), and the Minnesota State Historic Preservation Officer (SHPO). MnDOT-CRU is the FTA designee for the Section 106 process. The Section 106 process tasks conducted thus far have focused on identifying buildings, structures, and known archaeological sites within the project's area of potential effect (APE) that merit consideration as historic property, and identifying locations where the proposed project would have an adverse effect on historic property. If unavoidable adverse effects to an historic property are identified during the planning process, they would be addressed through the development of a **Section 106 Agreement** among the FTA, the Advisory Council on Historic Preservation (ACHP), Minnesota's State Historic Preservation Office (SHPO), HCRRA, and Metropolitan Council, and other interested parties during the development of the Final EIS.

A "Section 106 of Agreement" means the document that records the terms and conditions agreed upon to resolve the adverse effects of an undertaking upon historic properties.

12.2.3 Tribal Coordination

FTA sent coordination letters to Native American tribes that may have an interest in the Southwest Transitway project. The letters requested that tribes identify any concerns regarding the potential impacts of the project. Letters were sent to the following tribes:

- Prairie Island Indian Community
- Lower Sioux Indian Community Council
- Shakopee Mdewakanton Sioux Community
- Fort Peck Tribes
- Santee Sioux Nation
- Sisseton-Wahpeton Oyate (Tribal Historic Preservation Office)
- Upper Sioux Indian Community

A copy of each of these letters can be found in Appendix E.

The FTA provided the opportunity for a meeting with tribal representatives to discuss the Southwest Transitway project in April 2010; none of the tribes expressed an interest in attending a meeting at that time. The FTA will continue to explore additional coordination opportunities with tribal representatives as the project development process continues.

12.3 NEPA/MEPA Draft EIS

As part of the NEPA process, the Draft EIS will be circulated for the required 45-day review and comment period. The Draft EIS was developed to comply with

applicable state and federal regulations and acts as a public disclosure document by presenting the anticipated environmental consequences of each alternative with possible reasonable and feasible mitigation measures. During the 45-day period, the document will be made available to interested and concerned parties including residents, property owners, community groups, the business community, elected officials, and public agencies. During this comment period, a formal public hearing will be held. The purpose of the public hearing is to provide interested parties an opportunity to formally submit comments on the project and the analysis contained in the Draft EIS.

12.3.1 Public Comment Database

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 commenters. The database captures comments from:

- Comment cards from Scoping Meetings, public meetings, and workshops
- E-mails to HCRRA staff or board members
- Letters
- Petitions
- Online comment forms
- The Southwest Transitway website

The comments received fall into one or more of the following general categories:

- Support for or opposition to a Southwest Transitway LRT route alternative
- Relocation of freight trains
- Impacts on trails
- Individual property impacts
- Station area planning
- Requests for more information
- Public involvement and outreach

These comments were used to develop project goals, objectives, and evaluation criteria.

12.3.2 Continuing Public Outreach Efforts

FTA and the Metropolitan Council will continue to meet with interested parties and stakeholders throughout the NEPA process. All the public outreach methods used during the preparation of the Draft EIS will provide a solid foundation for outreach efforts in moving forward with the NEPA process. Additional communication and public outreach technique will be assessed on a continual basis for their effectiveness and ability to meet stated goals. The Metropolitan Council and project partners will engage members of the public, including residents, businesses, travelers, and agencies in the project planning process and address their needs and concerns.

The Metropolitan Council has developed a draft Communications and Public Involvement Plan (CPIP) which recognizes the need to communicate with multiple

audiences within the corridor and the region as a whole. The CPIP is not a static document; but one that will be modified to embrace new techniques and methods in reaching the public, interested parties and project stakeholders. The CPIP may be modified based on feedback from the public and the changing needs of the project. The Metropolitan Council and project partners must develop broad public understanding and support of the project as a necessary investment to improve access and mobility to employment, educational and economic opportunities within the corridor and beyond.

The goals of the Communications and Public Involvement Plan (January 2012 draft) are to:

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, user-friendly, 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.

Outreach and public information techniques outlined in the CPIP will engage business and community groups including new immigrant communities, communities of color, low income communities and the disability community within the corridor. In addition, outreach techniques will be developed to ensure the greatest participation possible by underserved/underrepresented populations, environmental justice communities and limited English populations include but are not limited to the following:

- Provide ample opportunity for community members to comment and raise concerns.
- Provide translators at public meetings and materials written in native languages.
- Hold meetings when convenient to targeted audience in locations that are accessible by transit and meet or exceed ADA.
- Develop strong community connections via one-on-one meetings, small group community meetings/gatherings and community/neighborhood sponsored events.
- Design presentation materials with a greater emphasis on presenting concepts and relationships rather than technical jargon.
- Stronger emphasis on the use of visuals such as pictures to communicate project details.

In addition, the Metropolitan Council will document the racial, ethnic, language, transit dependence and economic demographics for the corridor to assist in measuring public outreach effectiveness and be monitored on a regular basis through stakeholder feedback and surveys.

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