

**T** Transportation Committee  
Meeting date: August 24, 2009

Metropolitan Council Meeting: August 26, 2009

**ADVISORY INFORMATION**

**Date:** August 24, 2009  
**Subject:** Central Corridor Light Rail Transit Final Environmental Impact Statement (FEIS) Adequacy Determination  
**District(s), Member(s):** All  
**Policy/Legal Reference:** Minnesota Statutes 116D and Minnesota Rules Chapter 4410  
**Staff Prepared/Presented:** Brian Lamb, General Manager, 612-349-7510  
Mark W. Fuhrmann, Deputy General Manager, 651-602-1942  
Rich Rovang, AGM – Transit Systems Development, 651-602-1941  
Kathryn O'Brien, Principal Contract Administrator, 651-602-1927  
**Division/Department:** Metro Transit / Central Corridor Project Office

**Proposed Action**

That the Metropolitan Council approve the adequacy of the environmental process completed as part of development of the Central Corridor LRT project, and that the Regional Administrator be authorized to sign the Final Environmental Impact Statement Adequacy Determination.

**Background**

Under environmental review laws and rules found in Minnesota Statutes 116D and Minnesota Rules Chapter 4410, the Metropolitan Council of the Twin Cities is the Responsible Governmental Unit (RGU) for the Central Corridor Light Rail Transit project in Hennepin and Ramsey Counties, Minnesota. Acting as the RGU, the Metropolitan Council is charged with making an Adequacy Determination regarding the Final Environmental Impact Statement (FEIS) for the Central Corridor project. This Determination must be made in conformance with Minnesota Rule 4410.2800, which stipulates the following:

- Subp. 4. Conditions. The Final EIS shall be determined adequate if it:
- A. Addresses the potentially significant issues and alternatives raised in scoping so that all significant issues for which information can be reasonably obtained have been analyzed in conformance with part 4410.2300, items G and H;
  - B. Provides responses to the substantive comments received during the Draft EIS review concerning issues raised in scoping; and
  - C. Was prepared in compliance with the procedures of the act and part 4410.0200 to 4410.6500.

Under the National Environmental Policy Act (NEPA), the Federal Transit Administration (FTA) is the federal lead agency for the Central Corridor project. In this role, their final environmental determination in the environmental impact statement process is the issuance of a Record of Decision. The Record of Decision has been signed by the FTA on

August 18, 2009, and outlines the project – Project Background, Purpose and Need, Alternatives Considered, Basis for Decision, Public Outreach/Coordination, Mitigation Measures, and Determinations and Findings.

### **Rationale**

The FEIS (published in June 2009) and the FTA's Record of Decision (ROD) serve as the basis for the Metropolitan Council's Adequacy Determination. The signed ROD will be attached to the Adequacy Determination and serve as supporting documentation for the determination.

### **Funding**

Project funding in the amount of \$101.2 million is currently authorized in the Council's adopted Capital Budget.

### **Known Support / Opposition**

The National Environmental Policy Act (NEPA) provides for a 180 day period after issuance of the ROD for a legal complaint to be filed. The corresponding state MEPA process provides for a 30 day period for a legal complaint filing after the Council's Adequacy Determination.