

T Transportation Committee
Metropolitan Council meeting: August 26, 2009

Date August 25, 2009
Prepared:
Subject: Central Corridor Light Rail Transit Final Environmental Impact Statement (FEIS) Adequacy Determination

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.

Summary of Committee Discussion / Questions:

Item was presented by Mark Fuhrmann.

Councilmember Beach made the motion to forward all six Central Corridor items to the Met Council without action, stating that she didn't think that the committee had enough information to vote and cited the action taken on a previous contract amendment; the motion was not seconded. Committee members felt that they had sufficient information and that this action was very different than the previous contract amendment.

Councilmember Bowles asked how the Council can both draft and approve the FEIS and Adequacy Determination. Mark Fuhrmann stated that we work closely with the FTA and their procedures and this approval is also a requirement of the State Statutes. Councilmember Leppik stated that there are no budget implications on this item. Motion was made by Councilmember Aguilar, seconded by Councilmember Peterson, and passed unanimously.

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.