

12.0 RESPONSE TO COMMENTS ON THE DEIS

INTRODUCTION

In April 1992, the Draft Environmental Impact Statement (DEIS) for the I-494 reconstruction Project was distributed to agencies and organizations on the official distribution list as well as additional agencies/organizations that had either requested a copy of the document, and/or that could be affected by the proposed project. Written comments received from these agencies and organizations along with responses are referenced in Section 12.1, and included at the end of this chapter.

A public hearing to receive comments on the DEIS was held as follows:

June 10, 1992
Edina Community Center
5701 Normandale Road
Edina, Minnesota

At the public hearing, a brief presentation describing the proposed project, and a summary of the key issues and impacts was made. Attendees at the hearing were invited to provide comments on the proposed project through one of the three forms: oral testimony at the hearing; private oral statements to a court reporter during the open house held prior to the hearing; and written statements. Responses to comments received as part of the hearing are summarized in Section 12.2.

The comment period for agencies and organizations that received copies of the DEIS as well as individuals and parties responding as part of the public hearing process officially closed on June 26, 1992.

12.1 RESPONSES TO COMMENTS FROM RECIPIENTS ON THE I-494 DEIS DISTRIBUTION LIST

The methodology for responding to comments received on the DEIS is based upon the general guidelines developed as part of the National Environmental Policy Act (NEPA).

Written responses have been provided for comments pertaining to analysis conducted for and documented in the DEIS. **Specifically, responses have been prepared for statements noting: incorrect or unclear information; permit requirements; or content requirements. Comments agreeing with DEIS information or statements, general opinions, statements of fact, or statements of preference were not formally responded to, but are included in this section.**

Comments focusing on design issues were not responded to at this stage, however, design concerns will be addressed in coordination with agencies and cities during final design. Responses were not drafted for statements of preference, however, they were considered in the selection of the Preferred Alternative.

The following list provides a reference from which to locate individual comment letters:

<u>Agency/Governmental Unit</u>	<u>Page Number</u>
U.S. Department of Transportation	1
Federal Aviation Administration	2
U.S. Coast Guard	3
United States Department of Commerce	4
United States Department of Interior	5
Department of Health and Human Services	8
United States Environmental Protection Agency	9
Minnesota Department of Natural Resources	12
Minnesota Pollution Control Agency	13
Regional Transit Board	18
Metropolitan Council	19
Hennepin County Regional Railroad Authority	24
Minnehaha Creek Watershed District	25
City of Bloomington	26
City of Richfield	28
City of Edina	30
City of Eden Prairie	32
Eden Prairie Chamber of Commerce	33
City of Minnetonka	35

12.2 RESPONSE TO COMMENTS FROM THE I-494 DEIS PUBLIC HEARING

As noted previously, the Public Hearing for the I-494 DEIS was held on June 10, 1992. Comments were received in three forms at the hearing:

- **Oral Testimony:** This testimony was documented by a court reporter during the Public Hearing and is included in the official I-494 Public Hearing Record which is on file at the Minnesota Department of Transportation (Mn/DOT) Metropolitan Division office.
- **Oral Statements:** Statements were recorded by a court reporter prior to and immediately following the public hearing during the open house. These statements are documented in the Statements Record which is on file at Mn/DOT.
- **Written Statements:** Interested individuals and parties were invited to submit written testimony on cards provided at the public open house or in letter form. These statements needed to be received at Mn/DOT by the end of the public review period on June 26, 1992.

A total of 20 private citizens, business representatives, associations, and governmental units submitted oral testimony and statements at the Public Hearing and Open House on June 26. An additional 71 citizens, associations, and representatives submitted written statements prior to the end of the public review period.

Some of the respondents presented more than one issue or concern. As a result, more than 100 comments are included below:

- **Noise (47 Comments):** Many of the respondents stated the need for additional noise walls beyond what was presented in the DEIS. Several noted that noise problems are increasing along the highway and expansion of I-494 will further increase the problem. Some respondents indicated a concern over declining property values because of noise conditions.

Response: Noise impact and mitigation analysis has been prepared for the Preferred Alternative conditions and has been included in Sections 6.2.4 and 6.2.5 of the FEIS. The currently proposed abatement locations identified in Section 6.2.4 were based on assessments using MPCA-approved methodologies consistent with Minnesota Noise Policy for assessing the cost effectiveness of the implementation of noise walls. Noise mitigation design and locations will be determined during final design with review and approval by Mn/DOT, the MPCA and the relevant local agency. If, following identification of all feasible and cost-effective mitigation locations, there are still areas along the corridor that would exceed state noise standards, a "Noise Reasonableness and Exemption Request" will be prepared and would be reviewed and subject to final approval by the commissioners of Mn/DOT and MPCA.

- **Interchanges (24 Comments):** Many of the responses indicated a need for providing access at East Bush Lake Road to and from the west on I-494. Other comments on interchanges included: provide access to and from the north between Highwood Drive and

TH 169 (formerly CSAH 18); do not provide access between Highwood Drive and TH 169 (formerly CSAH 18); and provide high occupancy vehicle (HOV) bypass ramps at the I-494/I-35W interchange.

Response: As illustrated in Section 3.4 of the FEIS, the Preferred Alternative design at East Bush Lake Road provides full access to I-494. The East Bush Lake Road design is different from recommendations of some respondents who preferred the single-point design presented in the DEIS. As noted in the FEIS, the railroad crossing of I-494 immediately west of East Bush Lake Road will be maintained, and since a single-point interchange is not compatible with the railroad, this design approach is no longer under consideration. Since Mn/DOT recently reconstructed the TH 169 interchange, no additional revisions are proposed at this interchange and, therefore, the Highwood intersection with TH 169 will remain at-grade. Because of high anticipated traffic volumes, ramp meters and associated HOV bypass lanes are not included at ramps for the I-494/I-35W interchange.

- **Maintain Ramps and Frontage Roads (19 Comments):** These comments focused on the importance of maintaining access to businesses during and after construction. Several business owners indicated concerns about reduced access between I-494 and their properties as a result of the reconstruction project.

Response: All properties will have access during construction. The Minnesota Department of Transportation will work with businesses and communities to coordinate construction access plans. Details of the access plans will be determined during final design.

- **Right-of-Way Acquisition (12 Comments):** Comments regarding property acquisition included residential property owners requesting to be acquired in advance of the project, property owners supporting acquisition, and a request to acquire additional right-of-way for future transit loading facilities.

Response: The Minnesota Department of Transportation will begin acquiring properties for the first phase of construction (TH 5 [Eden Prairie] to TH 100) as soon as a Record of Decision (ROD) is issued by FHWA and an Adequacy Determination is made by Mn/DOT. Right-of-way for transit facilities, including park-and-ride lots, is not included in the proposed project because consultation with regional transit agencies determined there was an adequate supply of existing and planned facilities in the corridor area. It should be noted that 8.0 meters (26 feet) of space in the median is reserved for future transportation needs between TH 169 and 24th Avenue.

- **Design (4 Comments):** These comments included concerns about excessive costs and new crossing needs. Respondents stated the 1,500-foot bridge across Nine Mile Creek proposed in the DEIS is cost excessive in comparison to its benefits. A request to include the Nord Avenue bridge was also submitted.

Response: An I-494 bridge over Nine Mile Creek is not included in the Preferred Alternative. The Minnesota Department of Transportation will work with the appropriate regulatory agencies to limit impacts to Nine Mile Creek to the degree feasible in this area. A bridge at Nord Avenue is not included in the Preferred Alternative. The design of I-494 will not preclude construction of a bridge over the freeway at Nord Avenue in the future by others. The Minnesota Department of Transportation will work with the City of Bloomington to accommodate construction of the bridge if the City moves forward with their plan for this bridge.

- **Accommodate Pedestrians and Bicyclists (4 Comments):** These comments focused on improving existing crossings and adding new crossings to facilitate pedestrian and bicyclist movement in the corridor.

Response: All crossings of the I-494 mainline will be replaced at or near existing locations. All bridges replaced by Mn/DOT as part of the I-494 Reconstruction Project will meet current Mn/DOT standards for pedestrian/bicycle provisions. All improvements will also be in compliance with the Americans with Disabilities Act. Mn/DOT will work with communities and agencies in the corridor to coordinate the implementation of committed local and regional pedestrian/bicyclist trails with I-494 improvements.

- **Inaccurate Assumptions (4 Comments):** Two respondents indicated the need to extend the project's planning horizon from 20 years to 50 and 100 years. The longer planning horizon might justify alternative measures such as rapid transit. The accuracy of economic development forecasts presented in the DEIS was also brought into question. Based on commercial development trends, the respondent indicated the forecasts in the DEIS overstate future development in the corridor.

Response: The project is based on a traditional 20-year planning horizon because of limitations in the accuracy of population projections and travel forecasting beyond a 20-year time frame. This is a key issue because travel forecasting provides a basis for much of the technical analysis conducted in the DEIS (and FEIS). The development forecasts presented in the DEIS (and FEIS) are based on population and employment projections completed by the Metropolitan Council and the corridor cities.

- **Alternatives to Expansion (3 Comments):** These comments noted the need to implement alternatives to accommodating single-occupant vehicles and to consider alternative vehicle technologies.

Response: Light rail transit (LRT) was considered as an alternative transportation technology for the I-494 corridor. However, estimated high capital costs and low ridership projections resulted in a determination by Mn/DOT and the Metropolitan Council that LRT would not be feasible along I-494. Also, as discussed in Section 3.4 of the FEIS, the reconstructed I-494 corridor will include "managed corridor" features that can promote transit and/or HOV use (i.e. HOV bypass ramps where feasible) and bus use of shoulders during peak travel periods.

- **Wildlife Impacts (2 Comments):** Two individuals indicated that expansion of the freeway will substantially impact wildlife in the corridor.

Response: The DEIS considered impacts to area wildlife and concluded that any impacts would be minor because the freeway corridor currently exists and construction beyond the existing right-of-way is relatively limited. Potential impacts of vegetation and wildlife are addressed in Section 6.9 of the FEIS.

- **Aesthetic Impacts (1 Comment):** This response stated the need to consider the adverse visual impacts of constructing noise walls along both I-494 and 77th Street in Richfield.

Response: This issue is addressed in Section 5.7 of the FEIS. There were relatively few areas along I-494 that were found to be cost-effective for noise wall construction. In areas where walls were cost-effective, Mn/DOT plans to coordinate with City staff and local residents regarding visual impacts and other considerations prior to installing any noise walls in the given areas. Improvements to 77th Street in Richfield are not part of the proposed I-494 reconstruction Preferred Alternative. Noise wall/visual issues for 77th Street would be addressed in environmental documentation for that project (City of Richfield).