

Before commenting on the two options presented in the video, I would like to state that my first preference for the corridor is the Linear Park as recommended by the City's Ayd Mill Road Task Force; decommission the road and turn it over to recreational and non-motorized transportation uses. Because there is no development in the valley, and there never will be, the road is a drain on the City's road maintenance budget without enhancing its tax base, and the volume of suburban cut-through traffic that it attracts diminishes our quality of life. The threats posed by climate change also demand that we reduce fossil fuel consumption, and eliminating discretionary roadways is a good place to start.

Of the two options presented, my first preference is for the 2-Lane Concept (the \$9.8 million option) because it complies with the City Council Resolutions of 2000 and 2009 (Council Files 00-347 and 09-878). It would also provide a safer and more enjoyable experience for walkers and bikers.

I also support the 3-Lane concept even though it does not meet the aforementioned Council Resolutions' demands for reduction to two lanes of through traffic. I do so because, with its price tag of \$7.5 million, it may be the only option the City can afford at this juncture. The important thing to accomplish at this point is bicycle and pedestrian access to the corridor, something that all EIS-considered alternatives provided for.

My greatest disappointment with the presentation, and with the City's approach to the road more generally, is captured in the non-commitment to a lower speed limit for the road. Even if the City were not considering lifting the ban on pedestrians and bicycles, it would be wise to lower the speed limit. A lower speed limit would increase travel time through the corridor making it a less attractive cut-through route, thereby easing congestion at the north end, where we have seen an emphasis on transit oriented development. Nick Peterson also notes in the presentation that the safety of maintenance crews is a challenge due to heavy traffic and high speeds. Why not fix that problem now, concurrent with the lowering of speed limits across the City?

Speaking to the current city-wide speed limit reductions and the decision to evaluate the 45MPH speed limit on Ayd Mill Road at a later date, Paul Kurtz said in the video, "we recognize that Ayd Mill Road is a little bit different roadway in Saint Paul" and that "it feels like an extension of I-35E". This is precisely the problem, and it will become more so with the introduction of bikes and pedestrians.

To rectify the problem, to make it feel less like a freeway, the speed limit should be lowered to 25MPH now. I agree with former Public Works Director Kathy Lantry who characterized convenience for motor vehicles as a low priority for the transportation network in her presentation on February 19, 2020. City Council Resolution 09-878 also sought "to ensure that Ayd Mill Road remain a city street (rather than a highway or freeway) in perpetuity". With low speed limits, city streets function perfectly well without the "vehicular separation" between opposing lanes of traffic that Mr. Peterson said was a problem for the 2-Lane Concept.

Finally, I wish to comment on the inaccurate portrayal of the Ayd Mill Road EIS in the video presentation. The EIS was not undertaken in 1999 as claimed. It was first recommended in 1988 by the Short Line Road Task Force in its Phase I Report. In 1989 the City Council concurred that an EIS was warranted, and it formally got underway when funding became available in 1993. Between 1993 and 1995, during the scoping Phase of the EIS, the Ayd Mill Road Task Force identified the alternatives to be studied. Between 1996 and 1998, during the Draft Phase, the Task Force winnowed the alternatives. In 1999, the Task Force selected its preferred alternative (the Linear Park) and voted to release the Draft EIS for public comment.

I am also surprised to see that Public Works continues to lend credibility to the Four-Lane Record of Decision found in the Final EIS.

The Draft EIS recognized the Saint Paul City Council as the final authority in determining the Preferred Alternative. The Council made its decision on April 12, 2000. Its selection of the Two-Lane Extended to St. Anthony, memorialized in Council Resolution 00-349, was signed by Susan Kimberly on behalf of then-Mayor Norm Coleman, making it the unified position of the City of Saint Paul.

The next step in the process should have been to 'document and evaluate' the Two-Lane Alternative in the Final EIS. Instead, former Mayor Randy Kelly hijacked the process. He abandoned the legitimately selected alternative, and substituted his personal choice for study in the Final EIS. He conducted his study unilaterally, without reconvening the Ayd Mill Road Task Force as was promised in the Draft EIS, and over the objection of the City Council.

Regarding his rogue action, Council President Kathy Lantry wrote to the Lexington-Hamline Community Council on March 25, 2005:

"Unfortunately, Mayor Kelly has chosen to ignore this resolution [Council File 00-347] and study a vastly different configuration for the road. The Council has no legal authority to prevent him from this course of action. However, the Council is under no obligation to proceed forward with the results of this study."

Mayor Kelly's successor, Chris Coleman wrote during the 2005 mayoral campaign:

"As you know, my position on Ayd Mill Road is clear. I support the compromise two-lane parkway plan (Council File #00-349) passed by the City Council on April 12, 2000... Just to be clear, I do not support a four-lane highway or Mayor Kelly's proposed \$45 million connection on the north end of Ayd Mill Road."

Or as the City Council put it in 2007 (Council File #07-1011) while supporting the conduct of a Supplemental EIS:

"WHEREAS, the Final EIS, conducted unilaterally by Mayor Randy Kelly, in breach of the 13 year official community process that concluded with the selection of the preferred alternative, did not study the preferred alternative as required under law, but instead focused on the 'Four-lane Extended to St. Anthony' alternative;"

The video also mentions that the road was opened to I-35E in 2002 as at test, and has remained that way since. This is true if one believes that former Mayor Kelly actually intended the opening as a "test", rather than a fait accompli. In either case, it lacks critical context.

The Kelly administration declared the connection permanent in December of 2004 following an 18 month extension of the original "test" which began in June 2002. There was no data collected during the 18 month extension, further eroding claims of it being a "test". Most importantly, the declaration was made seven months before the EIS was determined to be adequate. This was a black-and-white violation of MN Statute 116D.04 Subd. 2b. which prohibits final governmental decisions to "grant a permit, approve a project, or begin a project" prior to completion of the EIS. It also violated Environmental Quality Board Rule 4410.3100, which prohibits any action by the Responsible Government Unit that will prejudice the outcome of the project prior to completion of the EIS.

The Kelly administration justified the permanent opening at the time by claiming that the "test" results validated the computer traffic modeling contained in the EIS. The fullness of time has proven this claim to be false as well. The EIS projected that the Four-Lane Extended Alternative would carry 20,000 vehicles per day in the year 2020. We are now living in the year 2020 and according to the video, Ayd Mill Road south of Grand Avenue is carrying 27,500 vehicles per day without a north extension to I-94 having yet been built. The north extension would certainly take that figure significantly higher.

On July 11, 2005, just prior to deadline, a challenge to the adequacy of the Final EIS was filed regarding these violations. The response from the Kelly administration was not substantive, it merely asserted that the "voluntary Environmental Impact Statement (EIS) was prepared in complete compliance with the procedures of Minnesota Statutes 116D and Minnesota rules, Chapter 4410 and complies with Federal laws and regulations."

I also take issue with the claim made in the video that the indirect connection to I-94 that was part of the 2005 preferred alternative (the Four-Lane Extended to St. Anthony) did not move forward because "it

really boiled down to not having the required funding". There was a more fundamental reason why it didn't move forward; the City Council, the Chris Coleman administration, and a large segment of the public opposed the Four-Lane and did not recognize its legitimacy as the preferred alternative. Public Works did attempt to secure funding for land acquisition in 2007 by submitting a Capital Improvement Budget proposal titled "Ayd Mill Road R/W and Hamline Bridge over Ayd Mill Design". However, it was withdrawn under public pressure that resulted in the adoption of City Council Resolution 07-1011 which resolved that, with the exception of necessary repairs and maintenance, "no additional funds shall be appropriated for, or construction done , on Ayd Mill Road until the EIS is complete.

I greatly appreciate Mayor Carter's initiative to finally open the Ayd Mill Corridor to bikes and pedestrians. I also appreciate the presentation of the two options put forward by acting Director Kurtz and Mr. Peterson. If my critique of the background presented seems harsh, I can only say that there is a lot of misinformation out there regarding the history of this project, and I take every opportunity to set the record straight.

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