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LAWSUIT CHALLENGES DELASALLE STADIUM PLAN

Minneapolis, Minn., Oct. 25, 2006 —Friends of the Riverfront filed an action today in Hennepin County District Court asserting that the proposed DeLaSalle High School stadium on Nicollet Island destroys a historic place in violation of the Minnesota Environmental Rights Act (MERA). The suit, filed on behalf of the State of Minnesota, asks the court to prohibit construction of the stadium as proposed and require the City of Minneapolis and DeLaSalle to comply with state law mandating full exploration of all alternatives.

“The community deserves a fair, public process that considers alternatives that do not destroy historic areas of the city,” said Judith Martin, former City Planning Commission president and vice president of Friends of the Riverfront.

As proposed, the development would destroy a portion of historic Grove Street so the private, religious school could build a stadium — with lights, loudspeakers and a surface parking lot — on nearly three acres of public land in a national historic district. Before any development that destroys historic resources may proceed, MERA requires the developer to show that no “feasible and prudent” alternative exists, and the courts have strictly interpreted this requirement. Alternatives to the current plan that would avoid destruction of historic resources remain unexplored.

“Historic areas that the community values, like Nicollet Island, are protected by MERA, the state law requiring alternatives to be examined,” said Bonnie McDonald, executive director of the Preservation Alliance of Minnesota. Nicollet Island — a tranquil spot near downtown Minneapolis where visitors stroll brick streets to view the Mississippi River and a neighborhood including Grove Street that dates from the 1860s — is part of the nationally-designated St. Anthony Falls Historic District.

The Minneapolis Heritage Preservation Commission rejected the assertion that no reasonable alternative exists and unanimously opposed DeLaSalle’s stadium plan. But the Minneapolis City Council — led by Council President Barbara Johnson, who is also on DeLaSalle’s Board of Trustees — granted DeLaSalle’s appeal without a full review of alternatives. That left litigation as the only recourse to compel the City of Minneapolis and DeLaSalle to comply with MERA’s requirement to explore options.

Explorations of alternatives can result in win-win solutions. In the 1990s, after the Minnesota Supreme Court found there were alternatives to destroying the historic Minneapolis Armory, Hennepin County constructed its new jail on another site nearby. With its legal action, Friends of the Riverfront — a citizens group that works to conserve, protect and enhance the resources of the Central Mississippi Riverfront Regional Park — seeks a similar outcome for DeLaSalle and Nicollet Island.