

ACTION TRANSMITTAL
No. 2012-37

DATE: November 20, 2012
TO: Transportation Advisory Board
FROM: Technical Advisory Committee
PREPARED BY: Jon Solberg, MnDOT Metro Program Management (651-234-7792)
BY: Heidi Schallberg, Met council (651-602-1721)
REQUESTED BY: James Grube, Hennepin County (612-596-0305)
SUBJECT: Re-programming federal earmarked funds from the 35W & Lake Street Access Project.
MOTION: Recommend that the TAB adopts an amendment to either the 2012-2015 or the 2013-2016 Transportation Improvement Program to include SP# 027-030-028, \$6,941,500 for the Transportation Interchange facility in Minneapolis.

BACKGROUND AND PURPOSE OF ACTION: In 2003, the I-35W & Lake Street Access Project in Minneapolis received an \$8,941,500 federal appropriation. To date none of the funds have been obligated.

On August 17, 2012 the Federal Government announced that unspent appropriations from 2003-2006 have been rescinded; however, the funds are still available to the states to obligate before December 31, 2012. The appropriation recipient, Hennepin County, has worked with the Minnesota Department of Transportation to develop a means by which the appropriation may be obligated by December 31, 2012. The federal funds from the Lake Street appropriation will be re-programmed on two projects to ensure the federal funds are obligated prior to the deadline of December 31, 2012. A portion of the funds for the I-35W Lake Street Access Project, in the amount of \$6,941,500 will be re-programmed through this amendment for the Interchange site clearing, construct foundations and building structure.

Because the 2013-2016 TIP has been approved by the Minnesota Department of Transportation and is awaiting federal approval, the motion is to amend either the 2012-2015 or the 2013-2016 TIP based on which one is in effect at the time this amendment proceeds.

RELATIONSHIP TO REGIONAL POLICY: Federal law requires that all transportation projects that will be partially funded with federal funds must be in an approved Transportation Improvement Program and meet the following four tests: fiscal constraint; consistency with the

adopted regional transportation plan; air quality conformity and opportunity for public input. It is the TAB's responsibility to adopt and amend the TIP according to these four requirements.

ROUTING

TO	ACTION REQUESTED	DATE COMPLETED
TAC Funding & Programming Committee	Review & Recommend	October 18, 2012
Technical Advisory Committee	Review & Recommend	November 7, 2012
Transportation Advisory Board	Review & Adopt	
Metropolitan Council	Concurrence	



Hennepin County Transportation Department

Richard P. Johnson, County Administrator
A2303 Government Center
300 South Sixth Street
Minneapolis, Minnesota 55487-0233

612-348-7574
FAX: 612-348-8228
TDD: 612-348-7367
www.hennepin.us

October 18, 2012

Karl Keel, Chair
TAC Funding and Programming Committee
Metropolitan Council
390 N. Robert St.
St. Paul, Minnesota 55101

RE: Amendment to the Minnesota 2012-2015 Transportation Improvement Program (TIP)
State Project Number: 027-030-028
Federal Project Number:

Dear Mr. Keel:

Please amend the Minnesota 2013-2016 Transportation Improvement Program (TIP) to include the above referenced project in SFY 2013 of the TIP. The project is being submitted with the following information:

PROJECT IDENTIFICATION:

SEQ #	STATE FISCAL YEAR	A T P	D I S T	ROUTE SYSTEM	PROJECT NUMBER (S.P. #) (Fed # if available)	AGENCY	DESCRIPTION include location, description of all work, & city (if applicable)	MILES
	2013	M	M	BB	027-030-028	Hennepin County	The Transportation Interchange facility in Minneapolis-site preparation, construct foundations and building structure	0

PROG	TYPE OF WORK	PROP FUNDS	TOTAL \$	FHWA \$	AC \$	FTA \$	TH \$	OTHER \$
TR	Grade & Construct	HPP	\$6,941,500	\$6,941,500	0	0	0	0

PROJECT BACKGROUND:

1. Briefly describe why amendment is needed (e.g. project in previous TIP but not completed; illustrative project and funds now available; discretionary funds received; inadvertently not included in TIP).

In 2003 the I-35W Lake Street Access Project in Minneapolis received an \$8,941,500 federal earmark. These earmark funds were programmed on two projects in the draft 2013-2016 STIP. Project 027-603-049 (Sequence # 1746) is currently in SFY 2014 of the draft 2013-2016 STIP with \$4,000,000 and Project 027-603-049C (Sequence #1859) is currently in SFY 2015 of the draft 2013-2016 STIP with \$4,941,500. To date none of the federal earmark funds from this appropriation have been obligated.

On August 17, 2012 the Federal Government announced the immediate release of earmark funds from federal fiscal year 2003-2006 appropriations acts. This release authorized the states, subject to FHWA review to reallocate unobligated earmark funding from these federal fiscal years. These funds are available to be reprogrammed on other Title 23 and Title 49 eligible projects. If these released funds are not obligated before December 31, 2012 the remaining federal funds will be redistributed to states that met the December 31, 2012 deadline.

The \$8,941,500 in federal earmark funds from the Lake Street Access project programmed in SFY 2014 and SFY 2015 will be reprogrammed on two projects in SFY 2013. The Transportation Interchange Project in downtown Minneapolis will use \$6,941,500 and The I-35W Lake Street Access Project will use the remaining \$2,000,000 and to ensure the federal funds are obligated prior to the deadline of December 31, 2012.

As adopted in the Metropolitan Council 2030 Transportation Policy Plan in 2010, The Minneapolis Transportation Interchange will serve as an intermodal hub. Opening in 2014, the Interchange is a project of Hennepin County, the Hennepin County Regional Railroad Authority, and the Hennepin County Housing and Redevelopment Authority.

The Interchange will easily connect communities throughout the region through the Hiawatha LRT (the METRO Blue Line), Northstar Commuter Rail, and the Central Corridor LRT (the METRO Green Line), currently being constructed. The proposed Southwest and Bottineau Transitways will also stop at the Interchange destination. Near the Interchange, visitors will access daily bus operations that connect the Twin Cities Metropolitan area.

The Interchange project will appropriate these funds for the following construction activities: Site preparation, building foundations and building structure.

2. How is Fiscal Constraint Maintained as required by 23 CFR 450.216 (check all that apply)?

- New Money – _____
 (Discretionary, Special Allocations or Other New Funding Sources)
- Anticipated Advance Construction _____
- ATP or MPO or Mn/DOT Adjustment _____
 of other projects
- Earmark or HPP federal funds outside ATP _____
 target
- Other X*

* These federal funds are newly released earmark funds from federal fiscal year 2003-2006 earmark appropriations. The \$8,941,500 in newly released earmark funds from the Lake Street Access Project, # 027-603-049 (Sequence 1746) and 027-603-049C (Sequence 1859) are available to be obligated on Title 23 & Title 49 eligible projects. This \$8,941,500 is 100% federal funds that are in addition to regular federal formula funds that are distributed to the District. This project will use \$6,941,500 of the \$8,941,500 in federal earmark funds available, the remaining \$2,000,000 in federal earmark funds will be available for reprogramming on the Lake Street Access Project. The \$6,941,500 in federal earmark funds on this project are sufficient to fully fund this project, therefore fiscal constraint is maintained.

CONSISTENCY WITH MPO LONG RANGE PLAN:

This amendment is consistent with the Metropolitan Council Transportation Policy Plan, adopted on January 14, 2009, with FHWA/FTA conformity determination established on September 16, 2009. The amendment is also consistent with the 2030 Policy Plan update adopted by the Metropolitan Council on November 10, 2010 with FHWA/FTA conformity determination established on February 23, 2011.

AIR QUALITY CONFORMITY:

- Subject to conformity determination....._____
- Exempt from regional level analysis*.....YES*
- Exempt from project level analysis*.....YES*
- Exempt by virtue of interagency consultation*....._____
- N/A (not in a nonattainment or maintenance area)_____

*Exempt Project Category #E-6 Bus terminals and transfer points Per Section 93.126 of the Conformity Rules

Karl Keel
October 18, 2012
Page 4

We are requesting approval of this TIP amendment at this time. If you have any questions, please contact me at 612-596-0305.

Sincerely,



James N. Grube, P.E.
Director, Transportation Department and Hennepin County Engineer

cc: Kevin Roggenbuck, Metropolitan Council
Mary Gustafson, Metropolitan Council
Jon P. Solberg, MnDOT Metro Program Management
Cindy Krumsieg, MnDOT Metro Program Management
Phil Eckhert, Hennepin County
Debra Brisk, Hennepin County
Kim Zlimen, Hennepin County