

ACTION TRANSMITTAL No. 2013-18

DATE: March 28, 2013

TO: Technical Advisory Committee

FROM: TAC Funding and Programming Committee

PREPARED BY: Heidi Schallberg, Senior Planner (651-602-1721)
Ted Schoenecker, MnDOT Metro District (651-234-7761)

SUBJECT: 2013-2016 TIP Amendment for 2013 Local Federal Program

REQUESTED ACTION: Metropolitan Council requests a TIP amendment to add seven placeholder projects in 2013 using \$17,568,279 of federal Surface Transportation Program (STP) funding.

RECOMMENDED MOTION: Recommend that the Transportation Advisory Board adopt an amendment to the 2013-2016 Transportation Improvement Program (TIP) to add seven placeholder projects, one for each county, using a total of \$17,568,279 in federal Surface Transportation Program (STP) funding in 2013 with the provision that project details would be submitted by sponsors to enable the air quality conformity exemption or analysis to be determined by the Minnesota Interagency Air Quality and Transportation Planning Committee.

BACKGROUND AND PURPOSE OF ACTION: The annual local program review to determine the status of project delivery in the region resulted in the identification of \$34,356,208 of federal funding programmed in 2013 that would not be delivered in that year either due to a project being withdrawn or moving to a later year because of a sunset date or schedule extension. The federal funding total for withdrawn projects in 2013 is \$7,692,636, and the federal funding total for projects moving out of 2013 is \$26,663,572. A portion of the 2013 funds will be allocated to existing projects through a TIP modification. A TIP amendment is needed to enable other projects to use the remaining \$17,568,279 of funding in the state fiscal year 2013. The list of seven placeholder projects is attached.

COMMITTEE COMMENTS AND ACTION: A discussion at the March 20, 2013, meeting of the Transportation Advisory Board recommended a process to use these federal funds in the current fiscal year. First, MnDOT Metro District State Aid staff would work with project sponsors to identify existing projects that could advance to 2013 from later years. The federal funding total from projects moving into 2013 from later years is \$6,775,987, leaving \$27,580,221 unprogrammed for 2013.

Next, MnDOT Metro District State Aid staff identified projects that have not yet been authorized and could have additional federal funding added to them for 2013 that could increase the percentage of federal funds used. These projects will be capped at a

maximum federal funding level of 75% or \$2.5 million of additional federal funds, whichever is lower, to distribute the funds to more projects. This distribution also will aid in managing risk so that a large amount of federal funding is not on one project. It was determined that \$10,011,942 of federal funding could be added to existing projects. For the Congestion Mitigation Air Quality (CMAQ) and Transportation Enhancements (TE) programs, all available funding was used by existing projects. For STP, existing projects could use \$9,079,529 of the available funding, leaving \$17,568,279 of Surface Transportation Program (STP) funding still unused for 2013. Additional information about changes to existing projects will be available from MnDOT at the April TAC meeting.

The remaining \$17,568,279 balance of federal STP funds in 2013 would be distributed to the seven counties within the region based on the state aid allocation formula. Any new county projects had to be able to move through the federal process quickly to use the 2013 funding; recommended project types include pavement preservation, ADA improvements, or safety enhancements. FHWA has also stated they can process a small number of existing federalized projects that could accommodate additional federal funds. Because of the short timeline for using these federal funds, counties are still identifying project specifics, so placeholders will be added to the TIP and modified as needed through the administrative modification process.

At its March 21, 2013, meeting, the TAC Funding and Programming Committee unanimously approved a recommendation that the TAB adopt this amendment with the provision that project details would be submitted by sponsors to enable the air quality conformity exemption or analysis to be determined by the Minnesota Interagency Air Quality and Transportation Planning Committee.

RELATIONSHIP TO REGIONAL POLICY: Federal law requires that all transportation projects that will be partially funded with federal funds must be in an approved TIP 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.

STAFF ANALYSIS: The TIP amendment meets fiscal constraint because the federal and local funds are sufficient to fully fund these projects. The amendment is consistent with the Transportation Policy Plan, adopted by the Metropolitan Council on November 10, 2010, with FHWA/FTA conformity determination established on February 23, 2011. Due to the timeline of project identification, conformity exemption has not yet been confirmed. Due to the nature of project types under consideration for this amendment, projects should be exempt from air quality conformity analysis. After project specifics have been identified by each county, the project details will be forwarded to the Minnesota Interagency Air Quality and Transportation Planning Committee for confirmation. Public input opportunities for this amendment are provided through the TAB's and Council's regular meetings.

ROUTING

TO	ACTION REQUESTED	DATE COMPLETED
TAC Funding & Programming Committee	Review & Recommend	March 21, 2013
Technical Advisory Committee	Review & Recommend	
Transportation Advisory Board	Review & Adopt	
Metropolitan Council Transportation Committee	Concurrence	
Metropolitan Council	Concurrence	

March 21, 2013

Karl Keel, Chair
TAC Funding and Programming Committee
Metropolitan Council
390 Robert Street No.
St. Paul, Minnesota 55101

Re: Amendment to the 2013-2016 Transportation Improvement Program (TIP) for the Twin Cities Metropolitan Area

Dear Mr. Keel:

Please amend the 2013 – 2016 Transportation Improvement Program (TIP) to add seven projects consisting of one placeholder for each of the seven counties to account for federal funds in the local program that remain available due to other project delays or withdrawals in fiscal year 2013.

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 STIP).

This amendment is needed to add seven projects as placeholders that will account for the federal funds that will be distributed to the seven metro counties for projects that will be delivered in 2013. The county projects will consist of preservation, safety, or ADA improvement projects, or adding these funds to existing federalized projects. The list of funding levels for each county is attached.

The annual local program review to determine the status of project delivery in the region resulted in the identification of \$34,356,208 of federal funding programmed in 2013 that would not be delivered in that year either due to a project being withdrawn or moving to a later year because of a sunset date or schedule extension. The federal funding total for withdrawn projects in 2013 is \$7,692,636, and the federal funding total for projects moving out of 2013 is \$26,663,572.

To address the funding gap in 2013, MnDOT Metro District State Aid staff worked with project sponsors to identify projects that could advance to 2013 from later years. The federal funding total from projects moving into 2013 from later years is \$6,775,987, leaving \$27,580,221 unprogrammed for 2013.

MnDOT Metro District State Aid staff identified projects that have not yet been authorized or could have additional federal funding added to them for 2013 that could increase the percentage of federal funds used. It was determined that \$10,011,942 of federal funding could be added to existing projects, leaving \$17,568,279 still unused for 2013.

A discussion at the March 20, 2013, meeting of the Transportation Advisory Board recommended distributing the remaining \$17,568,279 balance of federal funds in 2013 to the seven counties within the region. The funding would be distributed to the seven counties based on the state aid allocation formula. Any new county projects had to be able to move through the federal process quickly to use the 2013 funding; project types considered include

3/28/2013

pavement preservation, ADA improvements, or safety enhancements, or existing federalized projects that could add additional federal funds.

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

- New Money *(indicate type here) _____
- Anticipated Advance Construction _____
- ATP or MPO or Mn/DOT Adjustment of other projects X
- Earmark or HPP federal funds outside the ATP target _____
- Other (indicate source here) _____

* Defined as additional funds not previously programmed in the TIP.

The TIP amendment meets fiscal constraint because the federal and local funds described above are sufficient to fully fund these projects. The local share of each project will be paid with county funds.

CONSISTENCY WITH MPO LONG-RANGE PLAN:

This amendment is consistent with the Metropolitan Council's Transportation Policy Plan, 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*_____
- Exempt from project level analysis*_____
- Exempt by virtue of interagency consultation*_____
- N/A (not in a nonattainment or maintenance area)....._____

*Exempt Project Category # _____ *TBD* ___
Per Section 93.126 of the Conformity Rules

Due to the timeline of project identification, conformity exemption has not yet been confirmed. Due to the nature of project types under consideration for this amendment, projects should be exempt from air quality conformity analysis. After project specifics have been identified by each county, the project details will be forwarded to the Minnesota Interagency Air Quality and Transportation Planning Committee for confirmation.

We are requesting approval of this TIP amendment at this time. If you have any questions, please contact me at 651-602-1728.

Sincerely,

Kevin Roggenbuck
Transportation Coordinator

cc: Brian Isaacson, MnDOT Metro Program Management
Cindy Krumsieg, MnDOT Metro Program Management
Heidi Schallberg, Metropolitan Council

2013-2016 TIP Amendment Request: 2013 STP Funding

TIP Amendment Action	Year	PRT	Route	Project #	Prog	Funding	Agency	Project Description	Project Total \$	FHWA \$	Demo \$	AC \$	State \$	Other \$	Air Quality Code
Add project	2013		LOCAL	TBD		STP	Anoka County	Placeholder for STP pavement/ADA/safety project using FY 2013 funding	TBD	\$2,686,680	\$0	\$0	\$0	TBD	TBD
Add project	2013		LOCAL	TBD		STP	Carver County	Placeholder for STP pavement/ADA/safety project using FY 2013 funding	TBD	\$966,036	\$0	\$0	\$0	TBD	TBD
Add project	2013		LOCAL	TBD		STP	Dakota County	Placeholder for STP pavement/ADA/safety project using FY 2013 funding	TBD	\$2,352,082	\$0	\$0	\$0	TBD	TBD
Add project	2013		LOCAL	TBD		STP	Hennepin County	Placeholder for STP pavement/ADA/safety project and various elements for the Interchange project using FY 2013 funding	TBD	\$5,965,070	\$0	\$0	\$0	TBD	TBD
Add project	2013		LOCAL	TBD		STP	Ramsey County	Placeholder for STP pavement/ADA/safety project using FY 2013 funding	TBD	\$2,678,502	\$0	\$0	\$0	TBD	TBD
Add project	2013		LOCAL	TBD		STP	Scott County	Placeholder for STP pavement/ADA/safety project using FY 2013 funding	TBD	\$1,369,426	\$0	\$0	\$0	TBD	TBD
Add project	2013		LOCAL	TBD		STP	Washington County	Placeholder for STP pavement/ADA/safety project using FY 2013 funding	TBD	\$1,550,484	\$0	\$0	\$0	TBD	TBD