

**ACTION TRANSMITTAL No. 2021-40**

**DATE:** October 6, 2021  
**TO:** Transportation Advisory Board  
**FROM:** Technical Advisory Committee  
**PREPARED BY:** Joe Barbeau, Senior Planner ([joseph.barbeau@metc.state.mn.us](mailto:joseph.barbeau@metc.state.mn.us))  
**SUBJECT:** Streamlined 2022-2025 TIP Amendment Request: Addition of Two Projects  
**REQUESTED ACTION:** MnDOT requests an amendment to the 2022-2025 TIP to add two projects: Orange Line Small Starts Grant Agreement (SSGA) apportionment (TRF-TCMT-22B) and a retaining wall on MN 156 (6219-09).  
**RECOMMENDED MOTION:** That the Transportation Advisory Board recommend adoption of an amendment to the 2022-2025 TIP to add two projects (SP# TRF-TCMT-22B and 6219-09).

**BACKGROUND AND PURPOSE OF ACTION:** MnDOT requests the addition of two new projects to the 2022-2025 TIP. These are:

1. A new project for the apportionment of the Orange Line Small Starts Grant Agreement (SSGA) (SP # TRF-TCMT-22B). This is an FTA-funded project and there is no Regional Solicitation funding involved. This project has been authorized in past TIPs and therefore did not appear to be needed for inclusion in the TIP. However, because Metro Transit received federal American Rescue Plan Act (ARPA) funds, the change needs to be reflected in the TIP. This change would reflect \$11,362,644 in additional federal funding, with the same reduction in local funds.
2. A new project funding a retaining wall near Page Street in St. Paul (SP# 6219-09). This proposed project would be funded through the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA).

**RELATIONSHIP TO REGIONAL POLICY:** Federal law requires that all TIP amendments 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 per these four requirements.

The streamlined TIP amendment process allows projects that meet certain conditions to be forgo the TAC Funding & Programming Committee review, resulting in saving a month of process time.

**STAFF ANALYSIS:** The TIP amendment meets fiscal constraint because the federal and local funds are sufficient to fully fund the projects. This amendment is consistent with the Metropolitan Council Transportation Policy Plan, adopted by the Metropolitan Council on November 18, 2020, with FHWA/FTA conformity determination established on December 4, 2020. Public input opportunity for this amendment is provided through the TAB's and the Council's regular meetings. The Minnesota Interagency Air Quality

and Transportation Planning Committee determined that the projects are exempt from air quality conformity analysis.

**COMMITTEE COMMENTS AND ACTION:** At its October 6, 2021, meeting, the Technical Advisory Committee recommended adoption of an amendment the 2022-2025 TIP to add two projects (Orange Line Small Start Grants Agreement (SSGA) apportionment and a retaining wall on MN 156).

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**ROUTING**

<b>TO</b>	<b>ACTION REQUESTED</b>	<b>DATE SCHEDULED / COMPLETED</b>
Technical Advisory Committee	Review & Recommend	10/6/2021
Transportation Advisory Board	Review & Recommend	10/20/2021
Metropolitan Council Transportation Committee	Review & Recommend	Undecided*
Metropolitan Council	Review & Adopt	Undecided*

\*Following the Transportation Advisory Board, the amendment to the 2020-2025 TIP will not be forwarded to the Transportation Committee until the 2022-2025 State Transportation Improvement Program (STIP) is approved by the USDOT.

Please amend the 2022-2025 Transportation Improvement Program (TIP) to include this project in program year 2022. This project is being submitted with the following information:

**PROJECT IDENTIFICATION:**

State Fiscal Year	ATP/Dist	Route System	Project Number (S.P. #)	Agency	Description	Miles
2022	M	BB	TRF-TCMT-22B	Met Council- MT	SECT 5309 ARPA: Twin Cities Met Council MT-Orange Line-Small Start SSGA Appropriation	17.0

Prog	Type of Work	Prop Funds	Total \$	Federal \$	TH \$	Other
TR	Transit	FTA	69,090,909	49,362,644	NA	19,728,265

**PROJECT BACKGROUND:**

- 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).

This amendment is needed to add a new federally funded project into state fiscal year 2022 of the 22-25 TIP/STIP.

- How is Fiscal Constraint Maintained as required by 23 CFR 450.216 (check all that apply)?
  - New Money
  - Anticipated Advance Construction
  - ATP or MPO or MnDOT Adjustment by deferral of other projects
  - Earmark or HPP not affecting fiscal constraint
  - Other X

These funds were awarded in FTA Grant MN-2021-047. The source of these funds is FFY 2021 Section 5309 American Rescue Plan Act (ARPA) Capital Investment Grant (CIG) funds. Section 5309 CIG funds for the Orange Line Project were originally presented in the 2019-2022 STIP. These ARPA CIG funds will be used to replace local share for this project. There are no adjustments to the total project overall cost or scope. These funds are being moved into SFY 2022 (beginning 7/1/2021) which coincides with FFY 2021 (ending 9/30/2021), therefore fiscal constraint is maintained.

**CONSISTENCY WITH MPO LONG RANGE PLAN:**

This amendment is consistent with the Metropolitan Council Transportation Policy Plan, adopted by the Metropolitan Council on November 18, 2020 with FHWA/FTA conformity determination established on December 4, 2020.

**AIR QUALITY CONFORMITY:**

- Subject to conformity determination
- Exempt from regional level analysis\*
- N/A (not in a nonattainment or maintenance area)

\*Exempt because the project has been in previous TIPs.

Please amend the 2022-2025 Transportation Improvement Program (TIP) to include this project in program year 2022. This project is being submitted with the following information:

**PROJECT IDENTIFICATION:**

State Fiscal Year	ATP/ Dist	Route System	Project Number (S.P. #)	Agency	Description	Miles
2022	M	MN156	6219-09	MnDOT	MN 156 from 950' south of Page St to Page St in St Paul - Retaining wall	.18

Prog	Type of Work	Prop Funds	Total \$	Federal \$	TH \$	Other
EN	Retaining wall	CRRSAA	630,000	630,000	N/A	N/A

**PROJECT BACKGROUND:**

- 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).

This amendment is needed to new federally funded project into state fiscal year 2022 of the 2022-2025 TIP/STIP

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

- New Money
- Anticipated Advance Construction
- ATP or MPO or MnDOT Adjustment by deferral of other projects
- Earmark or HPP not affecting fiscal constraint
- Other

X

CRRSAA funds are above and beyond MnDOT's regular target formula funds, therefore, fiscal constraint is maintained."

**CONSISTENCY WITH MPO LONG RANGE PLAN:**

This amendment is consistent with the Metropolitan Council Transportation Policy Plan, adopted by the Metropolitan Council on November 18, 2020 with FHWA/FTA conformity determination established on December 4, 2020.

**AIR QUALITY CONFORMITY:**

- Subject to conformity determination
- Exempt from regional level analysis
- N/A (not in a nonattainment or maintenance area)

\*Exempt Project Category NC. Non-Classifiable per Section 93.126 of the Conformity Rules.