

# Action Transmittal

Transportation Advisory Board



**Meeting Date:** November 16, 2022

**Date:** November 7, 2022

## Action Transmittal: 2022-44

Program Year Extension Request: Maple Grove Rush Creek Boulevard/I-94/TH 610 Interchange

**To:** Transportation Advisory Board  
**From:** Technical Advisory Committee  
**Prepared By:** Joe Barbeau, Senior Planner (651-602-1705)

### Requested Action

Maple Grove requests a program year extension for its Rush Creek Boulevard/I-94/TH 610 Interchange Construction and MN 610 Extension (SP# 189-143-001) from fiscal year 2023 to fiscal year 2024.

### Recommended Motion

That the Transportation Advisory Board approve Maple Grove's Rush Creek Boulevard/I-94/TH 610 Interchange Construction and MN 610 Extension (SP# 189-143-001) be extended from fiscal year 2023 to fiscal year 2024.

### Summary

Maple Grove was awarded \$7M in the 2018 Regional Solicitation to construct a four-lane divided A-minor arterial expander between CSAH 30 and the I-94 and MN 610 interchange. Maple Grove requests that the project be extended from 2023 to 2024 after federal authorization has been delayed.

### Background and Purpose

In the 2018 Regional Solicitation, the City of Maple Grove was awarded \$7M to construct a four-lane divided highway (an extension of MN 610) and expand the MN 610 interchange at I-94. The project was, and remains, programmed for fiscal year 2023. Maple Grove is requesting that the project be extended to fiscal year 2024 due to federal authorization taking longer than expected. This is due primarily to the project's inclusion of partial interchange construction.

### Relationship to Regional Policy

The Transportation Advisory Board (TAB) adopted the Program Year Policy in April 2013 (updated in August 2014) to assist with management and timely delivery of transportation projects awarded federal funding through the TAB's Regional Solicitation. The policy includes a procedure to request a one-year extension based on extenuating circumstances within certain guidelines.

### Staff Analysis

Per the Program Year Policy's progress assessment (attached) a minimum score of 7 is needed to be eligible for an extension. This process helps assess whether the project is in position to be able

to be obligated with the one-year extension. The request obtained a score of 8. Therefore, staff recommends approval of the request.

An extension of the program year does not guarantee federal funding will be available in that year. The project sponsor is responsible for completing the project in the new program year and covering the federal share of the project until federal funding becomes available. While funding reimbursement is not guaranteed for 2024, the project will receive reimbursement at the earliest time available.

### Committee Comments and Action

At its October 20, 2022, meeting, the TAC Funding & Programming Committee unanimously recommended approval of Maple Grove's Rush Creek Boulevard/I-94/TH 610 Interchange Construction and MN 610 Extension be extended from fiscal year 2023 to fiscal year 2024.

At its November 2, 2022, meeting, the Technical Advisory Committee unanimously recommended approval of Maple Grove's Rush Creek Boulevard/I-94/TH 610 Interchange Construction and MN 610 Extension be extended from fiscal year 2023 to fiscal year 2024.

### Routing

To	Action Requested	Date Scheduled / Completed
TAC Funding & Programming Committee	Review & Recommend	October 20, 2022
Technical Advisory Committee	Review & Recommend	November 2, 2022
Transportation Advisory Board	Review & Adopt	November 16, 2022





October 6, 2022

Mr. Michael Thompson  
Chair, TAC Funding and Programming Committee  
Metropolitan Council  
390 Robert Street North  
St. Paul, MN 55101

**Subject: Program Year Extension Request for SP 189-143-001  
Rush Creek Boulevard (MSAS 143)/I-94/TH 610 Interchange**

Dear Mr. Thompson:

In 2019, the City of Maple Grove was awarded federal funding as part of the Metropolitan Council Regional Solicitation to construct a new four-lane divided A-Minor Arterial Expander roadway (Rush Creek Boulevard – MSAS 143) between Hennepin County CSAH 30 and the I-94/TH 610 interchange. As proposed, the project will also a new bridge over I-94 and add missing roadway movements to the I-94/TH 610 interchange, including a westbound I-94 loop off-ramp to westbound MSAS 143 and a westbound I-94 on-ramp from westbound TH 610 and eastbound MSAS 143. The current program year is 2023.

Over the past few years, city staff has worked with their agency partners at MnDOT and Hennepin County to advance the project with the intent of obtaining federal authorization by the required deadline. However, since the project involves a partial interchange with I-94, federal review of the Interstate Access Modification Report (IAMR) and the environmental document has taken longer than expected.

We therefore, kindly request the TAC Funding and Programming Committee consider a program year extension to 2024, which will account for any additional delays in the project that may delay federal authorization to 2024.

Sincerely,

John Hagen, P.E., PTOE  
Transportation Operations Engineer

cc: Joe Barbeau, Metropolitan Council  
Colleen Brown, MnDOT

Elaine Koutsoukos, Metropolitan Council  
Ken Ashfeld, City of Maple Grove



12800 Arbor Lakes Parkway  
Maple Grove, MN 55369-7064

763-494-6000  
[maplegrovern.gov](http://maplegrovern.gov)

## **REQUEST FOR PROGRAM YEAR EXTENSION**

SP 189-143-001

Rush Creek Boulevard (MSAS 143)/I-94/TH 610 Interchange



## 1. Project Progress

### a) Progress Schedule

See Attachment 1

### b) Right of Way

All the necessary permanent roadway right of way needed for the project elements located to the east of I-94 have already been acquired as part of the most recent TH 610 project that was completed in 2017. Additional permanent roadway right of way, permanent easements, and temporary construction easements are necessary for this project on the west side of I-94.

Please see Attachment 2 for the locations and the types of easements being acquired. Acquisitions will be complete by April 1, 2023.

### c) Plans

- Layout – Approved [https://www.610extensionproject.com/wp-content/uploads/2022/07/220418\\_12510\\_loa1\\_SIGNED.pdf](https://www.610extensionproject.com/wp-content/uploads/2022/07/220418_12510_loa1_SIGNED.pdf)
- 60% Plans have been submitted and plan comments received.
- 90% - Plans Scheduled for submittal Nov 30, 2022
- 95% - Final Road and Bridge Plans for approval Feb 28 – March 30, 2023

### d) Permits

#### PERMITS AND APPROVALS

Permit of Approval	Agency	Action Required (Status)
<b>Federal</b>		
Categorical Exclusion Determination	FHWA	Approval (pending)
Interstate Access Request (IAR)	FHWA	Approval (pending)
Section 106 (Historic / Archaeological)	MnDOT CRU (on behalf of FHWA)	Determination of Effect (Complete)
Section 4(f)	MnDOT/FHWA	Section 4(f) De Minimis review and concurrence (Complete)

Permit of Approval	Agency	Action Required (Status)
Section 404 Permit, Clean Water Act	USACE	Submitted, Public Notice Published, Pending Approval
Federal Threatened and Endangered Species Review	MnDOT OES and USFWS	Determination of Effect (Complete)
<b>State</b>		
Categorical Exclusion Determination	MnDOT	Approval (pending)
Wetland Conservation Act (WCA)	MnDOT	Submitted, pending approval
Public Water Work Permit	DNR	To Be Acquired
State Endangered Species Review	DNR	Review (Complete)
NPDES / SDS Construction Site Permit (Phase II)	MPCA	To Be Acquired
Section 401 Water Quality Certification	MPCA	Submitted, pending approval.
<b>Local</b>		
Controlled Access Approval	Metropolitan Council	To Be Acquired
WCA (for work outside of MnDOT right of way)	City of Maple Grove	To Be Acquired
Stormwater Management Permit	Elm Creek Watershed Management Commission	To Be Acquired
Erosion and Sediment Control Permit	Elm Creek Watershed Management Commission	To Be Acquired

#### e) Approvals

- Environmental Doc (CAT EX) – Required Approvals/ Status – Full approval needed prior to IAMR approval.
  - MnDOT – Needed at Completion of Document
  - FHWA – Needed after MnDOT Approval

- Construction Plans – Required Approvals / Status (All agencies have seen 60% submittals)
  - City of Maple Grove – Needed at Final Plan Submittal
  - Hennepin County – Needed at Final Plan Submittal
  - MnDOT State Aid – Needed at Final Plan Submittal
  - MnDOT Office of Land Management – Needed at Final Plan Submittal
  - MnDOT – Needed at Final Plan Submittal

**f) Funding / Expenditures to Date**

The City of Maple Grove has expended staff time in planning, scoping, project development, preliminary environmental review, and project management. We have also engaged consultant services and have spent approximately \$2,250,000 to date on preliminary engineering, environmental documentation, traffic forecasting/modeling, and final design for this project. Remaining final design and project procurement, to be completed by the consultant, are anticipated to cost an additional \$930,000.

## 2. Justification for Extension Request

**a) What is unique about this project that requires an extension of the program year?**

Major elements of the project development (right-of-way acquisition, plans, permits, and funding) are on schedule to obtain approvals in advance of the necessary deadlines for program year 2023. However, since the project involves a partial interchange at I-94/TH 610, the higher level of analysis and scrutiny as part of the federal review is resulting in delays in the approvals of the IAMR and environment document.

A program year extension of one year is being requested to account for any additional potential delays in the federal approvals that may delay federal authorizations to 2024.



**b) What are the financial impacts if this project does not meet its current program year?**

If additional delays in the federal review results in the project not being able to obtain federal authorization by the necessary deadline for program year 2023, \$7,000,000 in federal funds would be forfeited. As a result, additional local funds would be required within the City of Maple Grove's five-year Capital Improvement Program (CIP) contingent on City Council approval.

**c) What are the implications if the project does not obtain the requested extension?**

The target date for letting of this project is in 2023. However, if the letting date is delayed due to federal review, the letting date may shift to early 2024. Without the requested, a project delay would result in the loss of federal funding and the aforementioned City CIP impacts.

**d) What actions will the agency take to resolve the problems facing the project in the next three to six months?**

The City of Maple Grove will continue to aggressively pursue the completion of this project by the Spring of 2023. We have monthly Project Management Team meetings with our agency partners (FHWA, MnDOT, and Hennepin County) to stay on schedule and deliver the project, preferably in 2023 or, if needed, 2024.





## **ATTACHMENT 1**

PROGRESS SCHEDULE FOR PROGRAM YEAR EXTENSION

## Regional Program Year Policy

TAB Adopted: April 17, 2013  
Administrative Modifications: August 20, 2014

### Attachment 1: PROGRESS SCHEDULE FOR PROGRAM YEAR EXTENSION

Enter request date: October 7, 2022

#### INSTRUCTIONS:

1. Check status of project under each major heading.
2. Enter dates as requested for each major heading.
3. Enter points as suggested by each applicable response.
4. Total points received in the TOTAL POINTS line on the last page. **The minimum score to be eligible to request an extension is seven points.**

#### ENVIRONMENTAL DOCUMENTATION

##### PROJECT MEMORANDUM (CAT EX)

\_\_\_\_\_ Reviewed by State Aid If checked enter 4. \_\_\_\_\_  
Date of approval \_\_\_\_\_

\_\_\_\_\_ Completed/Approved If checked enter 5. \_\_\_\_\_  
Date of approval \_\_\_\_\_

\_\_\_\_\_ EA  
\_\_\_\_\_ Completed/Approved If checked enter 2. \_\_\_\_\_  
Date of approval \_\_\_\_\_

##### EITHER

CAT EX Not Complete  
Anticipated Date of Completion Jan 31, 2023  
If prior to January 31 of the program year, enter 1. 1

#### OPPORTUNITY FOR PUBLIC HEARING (not necessary for project memorandum)

\_\_\_\_\_ Completed  
Date of Hearing \_\_\_\_\_ If checked enter 2. \_\_\_\_\_

Not Complete  
Anticipated Date of Completion Jan 15, 2023  
If prior to February 28 of the program year, enter 1. 1

#### FINAL ENVIRONMENTAL ASSESSMENT (not required for project memorandum)

\_\_\_\_\_ Completed/FONSI Approved If checked enter 2. \_\_\_\_\_  
Date of approval \_\_\_\_\_

\_\_\_\_\_ Not Complete  
Anticipated Date of Completion \_\_\_\_\_  
If prior to March 31 of the program year, enter 1. \_\_\_\_\_

#### STUDY REPORT (required for Environmental Assessment Only)

Complete/Approved TH Design Memo If checked enter 1. 1  
Date of Approval \_\_\_\_\_

Not Complete State Aid Report  
Anticipated Date of Completion Dec 31, 2022

## Regional Program Year Policy

TAB Adopted: April 17, 2013

Administrative Modifications: August 20, 2014

### CONSTRUCTION PLANS

\_\_\_\_\_ Completed (includes signature of District State Aid Engineer)  
Date \_\_\_\_\_ If checked enter 3. \_\_\_\_\_  
 Completed (60% approved by District State Aid as to SA Standards but not signed)  
Date Sept 2022 If checked enter 2. 2  
\_\_\_\_\_ Not Complete  
Anticipated Date of Completion \_\_\_\_\_  
If prior to June 30 of the program year, enter 1. \_\_\_\_\_

### RIGHT OF WAY ACQUISITION

\_\_\_\_\_ Completed (includes approval of R/W Cert. #1 or #1A) If checked enter 2. \_\_\_\_\_  
Date \_\_\_\_\_  
 Not Complete  
Anticipated Date of Completion March 2023  
If prior to December 31 of the year following the original program year, enter 1. 1

### ENGINEERS ESTIMATE OF COSTS

Completed If checked enter 2. 2  
Date \_\_\_\_\_  
\_\_\_\_\_ Not Complete  
Anticipated Date of Completion \_\_\_\_\_  
If prior to December 31 of the year following the original program year, enter 1. \_\_\_\_\_

### AUTHORIZED

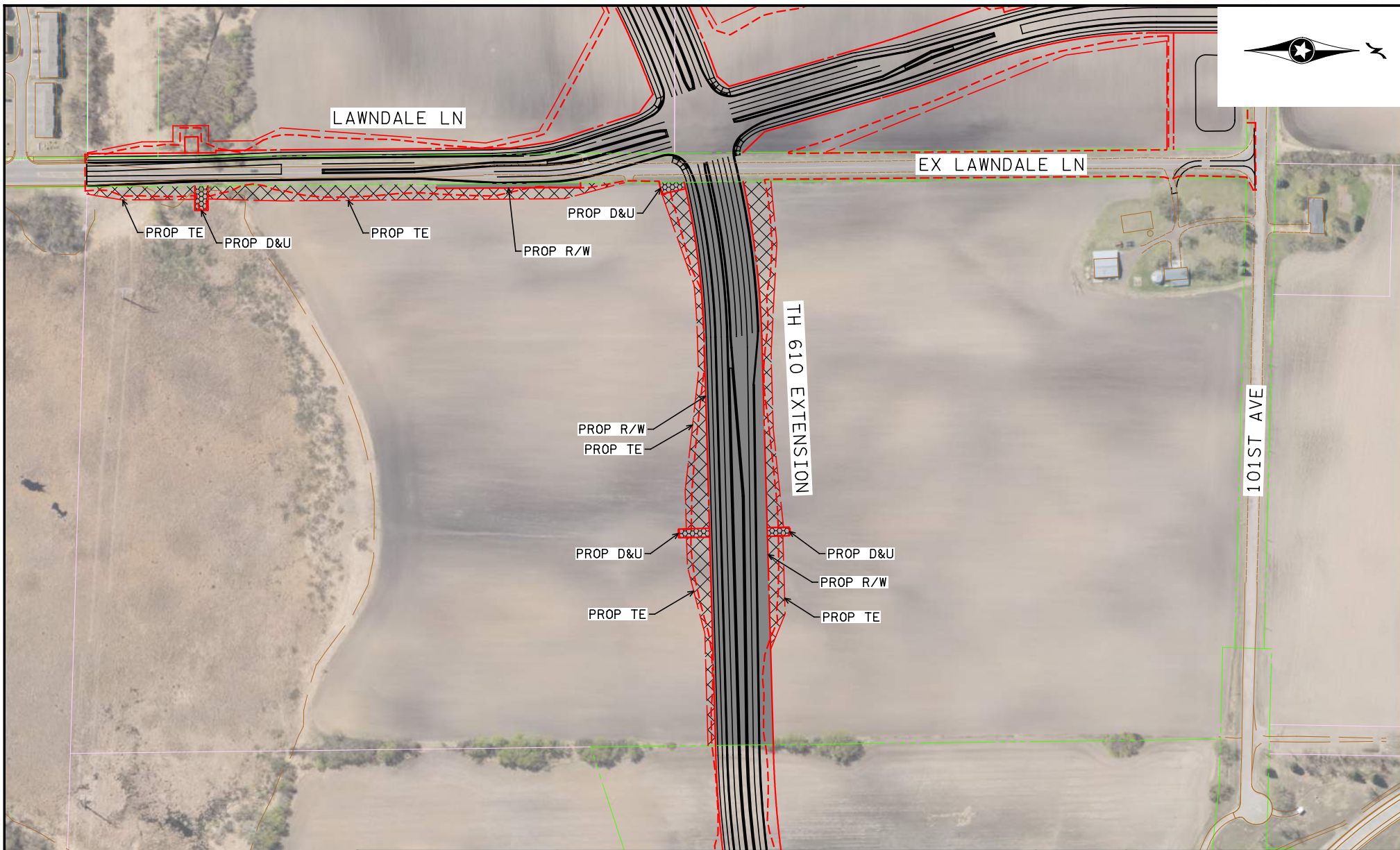
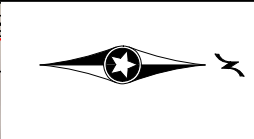
Anticipated Letting Date July / Aug 2023.  
Anticipated letting date must be prior to June 30  
in the year following the original program year,  
so that authorization can be completed prior to  
June 30 of the extended program year.

TOTAL POINTS 8



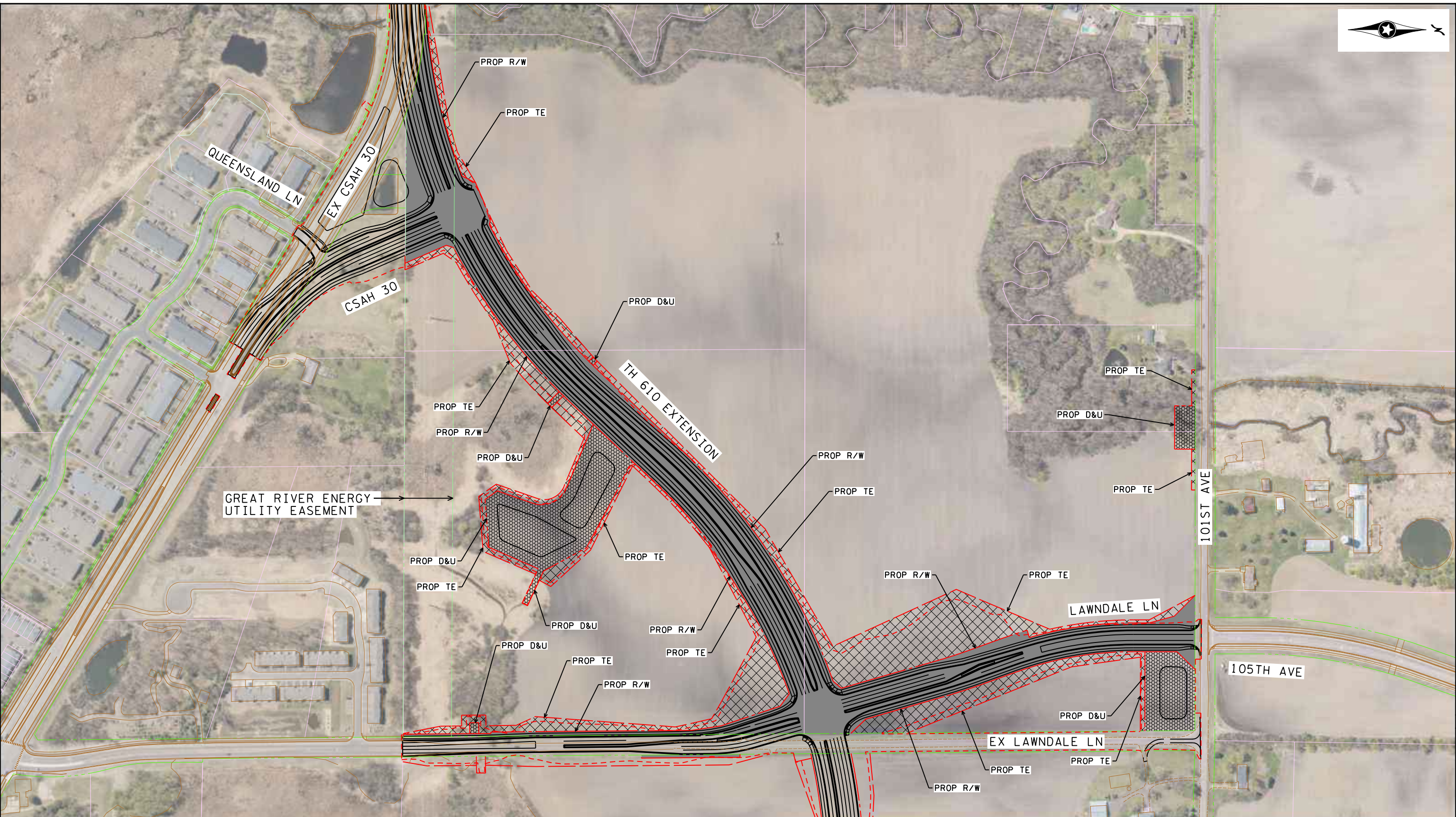
## **ATTACHMENT 2**

RIGHT OF WAY PARCEL EXHIBITS



PID		ADDRESS				PARCEL LINE _____ EXISTING R/W _____ EXISTING PE _____ PROPOSED R/W _____ TEMP EASE _____ PROPOSED D&U _____ PROPOSED PE _____ CONST LIMITS _____	
0811922220001		17425 101ST AVE N					
 SCALE IN FEET	EXISTING PARCEL AREA	PE	D&U	TE	R/W (FEE)		
	76.08 AC		5214 SF	103917 SF	168629 SF		
TH 610 EXTENSION PROJECT MAPLE GROVE, MN						DATE	PARCEL
CITY OF MAPLE GROVE			CLIENT NUMBER			3/24/2022	1





GREAT RIVER ENERGY  
UTILITY EASEMENT

PROP R/W

PROP TE

EX CSAH 30

QUEENSLAND LN

CSAH 30

PROP D&U

TH 610 EXTENSION

PROP TE

PROP R/W

PROP D&U

PROP R/W

PROP TE

PROP TE

PROP D&U

PROP TE

101ST AVE

PROP D&U

PROP TE

PROP TE

PROP R/W

PROP TE

LAWNDALE LN

PROP D&U

PROP R/W

PROP TE

PROP TE

PROP R/W

PROP D&U

EX LAWNDALE LN

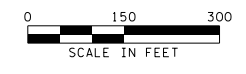
PROP TE

PROP TE

PROP R/W

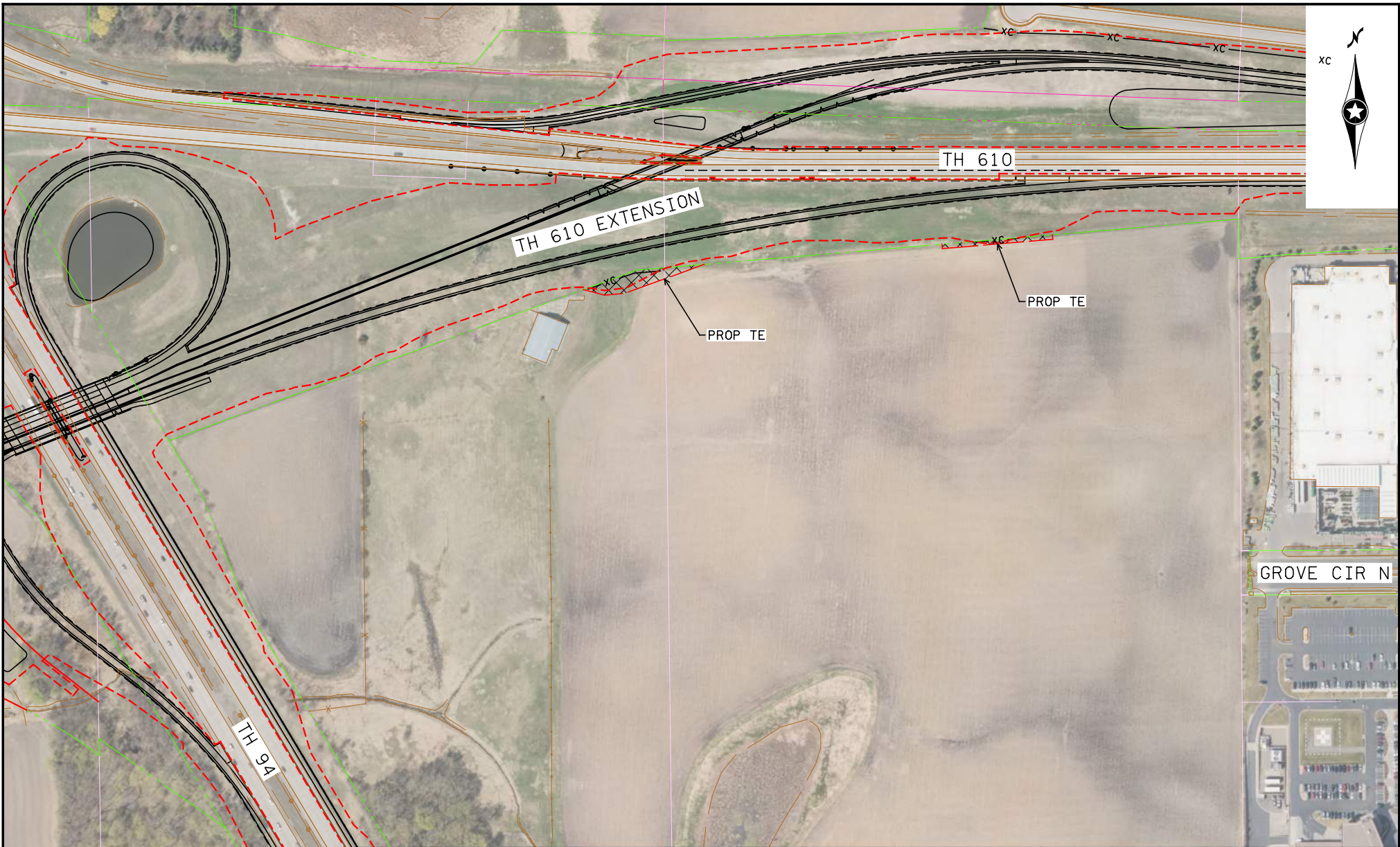
105TH AVE

PID		ADDRESS				PARCEL LINE	
		EXISTING PARCEL AREA	PE	D&U	TE	R/W (FEE)	EXISTING R/W
		121.68 AC		151190	342928	569316	EXISTING PE
		TH 610 EXTENSION PROJECT MAPLE GROVE, MN				PROPOSED R/W	
		CITY OF MAPLE GROVE				PROPOSED PE	
		CLIENT NUMBER				PROPOSED D&U	
		SRF				PROPOSED TE	
		DATE				CONST LIMITS	
		3/24/2022				2	



10:46:28 PM  
 3/24/2022  
 H:\Projects\12000\12510\Design\Graphics\Right of Way\12510\_gr02B.dgn





PID		ADDRESS				PARCEL LINE EXISTING R/W EXISTING PE PROPOSED R/W TEMP EASE PROPOSED D&U PROPOSED PE CONST LIMITS	
0811922120002		N/A					
 SCALE IN FEET	EXISTING PARCEL AREA	PE	D&U	TE	R/W (FEE)		
	65.7 AC				9257 SF		
TH 610 EXTENSION PROJECT MAPLE GROVE, MN						DATE	PARCEL
CITY OF MAPLE GROVE			CLIENT NUMBER			3/24/2022	6