

ACTION TRANSMITTAL

No. 2012-36

DATE: November 1, 2012
TO: Technical Advisory Committee
FROM: TAC Funding and Programming Committee
SUBJECT: Re-programming federal earmarked funds from the 35W & Lake Street Access Project.
MOTION: Recommend that the TAB adopts an amendment to the 2012-2015 or the 2013-2016 Transportation Improvement Program to include SP# 027-603-049, \$2.0 million for MN061 – Lake Street Access to I-35W, Minneapolis, Preliminary Engineering.

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 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 original 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 reprogrammed on two projects to ensure the federal funds are obligated prior to the deadline of December 31, 2012. A portion of the funds, in the amount of \$2,000,000, will be re-programmed through this amendment.

The original 35W and Lake Street Access project description in the TIP and STIP identified right-of-way acquisition and design-build construction as the project scope. This amendment will reduce the amount of federal funding on this project to \$2,000,000 and change the project scope to preliminary engineering.

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 (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.

ROUTING

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