

ACTION TRANSMITTAL No. 2017-06

DATE: January 20, 2017
TO: Technical Advisory Committee
FROM: TAC Funding & Programming Committee
PREPARED BY: Joe Barbeau, Senior Planner (651-602-1705)
SUBJECT: Program Year Extension Request: Harriet Island to South St. Paul Regional Trail
REQUESTED ACTION: The St. Paul Parks and Recreation Department requests a program year extension for its Harriet Island to South St. Paul Regional Trail project (SP# 164-090-014) to 2018.
RECOMMENDED MOTION: That the TAC Funding & Programming Committee recommend to TAC approval of the program year extension request to move the Harriet Island to South St. Paul Regional Trail project (SP# 164-090-014) to 2018.

BACKGROUND AND PURPOSE OF ACTION: The St. Paul Parks and Recreation Department received \$5,495,200 (\$6,154,624, adjusted for inflation) of federal Surface Transportation Program (STP) funding for the program year 2017 in the 2011 Regional Solicitation. The District is still in negotiations with key property owners, which include Union Pacific Railroad, the Port Authority of St. Paul, and the Pool and Yacht Club. Agreements before the June 2017 authorization deadline may not be feasible.

RELATIONSHIP TO REGIONAL POLICY: The Transportation Advisory Board (TAB) adopted the Program Year Policy in April, 2013 and updated it 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: MnDOT State Aid staff has indicated their support for the project sponsor's request. Based on the District's work on the project and the nature of the delay, staff recommends approval of the program year extension to 2018. It is important to note that 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. At this time the project would be in line for 2022 reimbursement of federal funds, though an earlier reimbursement may occur if funding becomes available. In that case the TAB Federal Funds Management Process would be followed.

The program year change would be administered in the annual Transportation Improvement Program (TIP) update and does not require a separate TIP amendment.

COMMITTEE COMMENTS AND ACTION: At its January 19, 2017, meeting, the Funding & Programming Committee unanimously recommended approval of this program year extension request.

ROUTING

TO	ACTION REQUESTED	DATE COMPLETED
TAC Funding & Programming Committee	Review & Recommend	1-20-2017
Technical Advisory Committee	Review & Recommend	
Transportation Advisory Board	Review & Approve	



CITY OF SAINT PAUL

Mayor Christopher B. Coleman



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Saint Paul, Minnesota 55102
www.stpaul.gov/parks

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December 15, 2016

Mr. Tim Mayasich
Chair, TAC Funding and Programming Committee
Metropolitan Council
390 Robert Street North
St. Paul, MN 55101-1805

Re: PROGRAM YEAR EXTENSION REQUEST
SP 164-090-014
Harriet Island to South St. Paul Regional Trail
3.7 miles of multi-use, off-road trail; Bridge Number R0733, R0738, and R0739; lighting, traffic signals, and ADA improvements

Dear Mr. Mayasich,

The City of Saint Paul and Dakota County respectfully requests that the Funding and Programming Committee consider a program year extension for the above referenced project. The current program year of the project is 2017 and includes the construction of 3.7 miles of the Harriet Island to South Saint Paul Regional Trail from Harriet Island Regional Park to Mississippi River Trail in the cities of Saint Paul, South Saint Paul, and from Big Rivers Regional Trail to Lilydale Regional Park in Lilydale.

Collaboration between the City of Saint Paul and Dakota County has led to a vision, adoption of a master plan, and funding for a trail corridor of national, state, regional, and local significance. The Harriet Island to South St. Paul Regional Trail will fill major identified gaps in the regional multi-modal transportation system with a safe, efficient, and accessible regional trail. The project will serve as an integral part of an intra-city trail system that provides both transportation and recreational trail connections between residential areas, employment centers, and the regional park system. Refer to that attached layout figures for the context of the project.

The proposed Harriet Island to South St. Paul Trail project fills gaps in the lower Mississippi River basin by connecting Harriet Island Regional Park, Lilydale Regional Park, and Cherokee Regional Trail to the Mississippi River Regional Trail (MRRT), the Dakota County Big Rivers Regional Trail (BRRT), and River to River (RTR) Regional Trail systems.

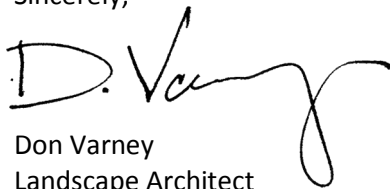
In 2011, the City of Saint Paul, in partnership with Dakota County, received \$6,154,624 in Federal Surface Transportation Program enhancement dollars to construct a regional trail connection between Harriet Island Regional Park and Kaposia Landing in South St. Paul in program year 2017. In 2012, the City of Saint Paul, in coordination with the City of South St. Paul and Dakota County, finalized a master plan for the regional trail from Harriet Island Regional Park in Saint Paul to the MRRT at Kaposia Landing Park in South St. Paul. The proposed project builds on the 2012 Master Plan completing five connecting segments.

The City of Saint Paul and Dakota County has worked diligently on the design of the trail connections and coordination with the stakeholders. The proposed project area is located within areas of difficult terrain; wetlands; and commercial, light industrial, airport, and Union Pacific Railroad (UP) property, thus constraining potential alignments.

The project could potentially meet the deadline for authorization within its 2017 program year, but a program year extension will likely be necessary. The requested one-year time extension is needed to continue negotiations with key property owners (UP, the Port Authority of Saint Paul, and the Pool and Yacht Club) to develop acceptable trail connections, and work through UP's review at six crossing points and approval process. Based on the City of Saint Paul and Dakota County experience working with UP, an executed agreement by the June 2017 authorization may not be feasible. A one-year time extension would align more closely with UP's review and approval schedule and allow for more detailed alternative review.

We therefore request the Funding and Programming Committee's support for extending Dakota County's project program year to 2018. If additional information is needed, please contact me at (651) 266-6427 or don.varney@ci.stpaul.mn.us, or John Sass at (952) 891-7130 or John.Sass@co.dakota.mn.us

Sincerely,

A handwritten signature in black ink, appearing to read "D. Varney". The signature is fluid and cursive, with a large loop at the end.

Don Varney
Landscape Architect
City of Saint Paul Parks and Recreation Department

Enclosure

Cc: Colleen Brown, MnDOT State Aid
Joe Barbeau, Metropolitan Council

**REQUEST FOR PROGRAM YEAR EXTENSION
For
SP 164-090-014
3.7 MILES OF MULTI-USE TRAIL IN
THE CITIES OF SAINT PAUL, LILYDALE, AND SOUTH ST. PAUL**

REQUESTED BY:



The Most Livable
City in America

**Don Varney
Landscape Architect
Parks and Recreation Design
500 City Hall Annex; Saint Paul, MN 55102
P: 651 266-6427
don.varney@ci.stpaul.mn.us**

1. PROJECT BACKGROUND

a. Project Name:

Harriet Island to South Saint Paul Regional Trail

b. Location Map:

The proposed off-road, multi-use trail contains five segments. The project location and segment depictions are attached. The City and County are planning to let the multi-use, off-road trail segments in Fall/Early Winter 2017 for construction in 2018.

c. Sponsoring Agency:

Saint Paul, with Dakota County

d. Other Participating Agencies:

Cities of South Saint Paul and Lilydale, Ramsey County, MnDOT, and FHWA

e. Project Description:

The first trail segment begins in Lilydale at the Big Rivers Regional Trail trailhead, which is located approximately 500-ft. north of where Lilydale Road crosses beneath Sibley Memorial Highway (TH 13). The trail crosses Lilydale Road (County Road 45) and then follows along the east side of Lilydale Road. After passing beneath the Union Pacific railroad bridge, the trail curves to the east and follows along the south and east side of the Pool and Yacht Club within the wetland/grassland to the entrance of Lilydale Regional Park. Street work associated with the project includes constructing a center refuge median at the Lilydale Road crossing, which also requires installing curb and gutter and milling and overlaying the bituminous pavement just south of the crossing to the railroad bridge.

The trail then follows the existing trail in Lilydale Regional Park to the second trail segment, which begins at the entrance of Harriet Island Regional Park in Saint Paul, and proceeds south to the intersection of Water Street and Plato Boulevard. Between Water Street and Wabasha Street, the north travel lane of westbound Plato Boulevard will be removed and the center median narrowed to accommodate the trail. Continuing east, the trail is located on the north side of Plato Boulevard until it reaches the east frontage road of Lafayette Road (TH 52). Beneath the Lafayette Road overpass, a short retaining wall will be constructed to elevate the trail to allow for a standard width trail.

After crossing Plato Boulevard, the trail proceeds south following the east side of the east frontage road of Lafayette Road (TH 52) from Plato Boulevard to Eaton Street.

Portions of the easterly lane of the frontage road will be narrowed to accommodate the trail.

The trail crosses Eaton Street and continues east and south along the south side of Eaton Street. The trail then departs Eaton Street at the south end of the Saint Paul Downtown Airport and passes through the Airport Marsh wetland and upland forest; continues south parallel to the east side of the Union Pacific Railroad corridor, crossing the Ramsey-Dakota county line, until reaching Kaposia Landing Park in South Saint Paul. A portion of the local trail near the ball fields will be slightly realigned to accommodate the regional trail. Two boardwalk structures, Bridges R0738 and R0739 will be constructed in the wetland and Bridge R0733 will be constructed over the Union Pacific tracks adjacent to Kaposia Landing Park.

f. Funding Category:

The project is funded with \$6,154,624 in Federal Surface Transportation Program enhancement dollars and \$2,400,000 local match.

g. Federal Funds Allocated:

Federal funds in the amount of \$6,154,624 have been secured for Fiscal Year 2017.

2. PROJECT PROGRESS

a. Project Schedule:

The schedule below outlines the progress of the project to date as well as the schedule moving forward without the program year extension. See the table below for the proposed project schedule with and without the program year extension.

Activity / Milestone	Without Extension	With Extension
City and County hired TKDA for Final Design	November 2015	November 2015
Layout Refinement	January - July 2016	January - July 2016
Submit 10% Bridge Plan (UP)	March 2016	March 2016
10% Bridge Approval (UP)	July 2016	July 2016
Determine Right Of Way Limits	July 2016	July 2016
Draft Project Memorandum	August 2016	August 2016
Submit 30% Bridge Review (UP)	September 2016	September 2016
30% Bridge Approval (UP)	October 2016	October 2016
30% Bridge Approval (MnDOT)	November 2016	November 2016
Easement Acquisition Negotiation	Nov. 2016 - March 2017	Nov. 2016 – Sept. 2017
60% Trail Plans	February 2017	April 2017
Project Memorandum	January-March 2017	March-May 2017
95% Bridge Plan Submittal	February 2017	February 2017

95% Bridge Plan Approval (UP, MnDOT)	March 2017	April 2017
95% Trail Plans	April 2017	June 2017
100% Bridge Plan Submittal (UP, MnDOT)	April 2017	May 2017
100% Bridge Plan Approval (UP, MnDOT)	May 2017	June 2017
Construction Plans Approved	June 2017	August 2017
UP Railroad Executed Agreement	June 2017	August 2017
Project Authorization	June 2017	September 2017
MnDOT Cooperative Agreement	July - August 2017	September - November 2017
Project Letting	November 2017	December 2017
Project Award	December 2017	January 2017
Construction	Jan. 2018 - 2019	February 2018 - 2019

b. Right of Way Acquisition:

Preliminary permanent and temporary easement needs have been identified for the following parcels:

Parcel No.	Owner	Address	Temp. Easement [SF]	Perm. Easement [SF]	Drainage Easement [SF]
1	528 Limited Partnership	0 Plato Blvd. E	1,585	7,494	
2	528 Limited Partnership	345 Plato Blvd. E.	1,775	3,312	
3	US Bank NA Trustee	246 LaFayette Frontage Rd.	950	9,300	
4	Lifetract Resources Inc.	341 Chester St.	3,430	5,180	
5	US Bank NA Trustee	380 Chester St.	6,554	14,778	
6	St. Paul Flood Control	0 Filmore Ave. E.	2,353	962	
7	Eaton St. LLC	0 Chester St.	425	1,844	
8	Eaton St. LLC	0 Lafayette Rd. E.	831	3,103	
9	John Nasseff	41 Plato Blvd. E.		500	

Saint Paul and Dakota County began negotiating the purchase of the easements in November 2016. If granted the extension, first offers on acquisition and initiating “quick take” condemnation would occur in August 2017.

c. Plans:

The preliminary layout has been developed and the plan preparation is estimated at 60 percent complete.

Permits:

Table 2 – Permits Required

Permits Required			
Agency	REQ'D	Status / Date Received	Attached
USACE Section 404	N	Not applicable (N/A) (no wetlands within the project area)	N
Coast Guard	N	N/A	N
DNR--Water	Y	N/A	N
DNR--Public Waters	Y	N/A (no DNR public waters within the project area)	N
MPCA--NPDES	Y	Permit will be obtained prior to construction	N
MPCA--Section 401	Y	N/A	N
Watershed District	N	N/A	N
Wetland Conservation Act / BWSR	Y	Wetlands within the project area	N
Railroad	Y	Union Pacific has approved the preliminary plan for Bridge R0733, Overpass Agreement	N
City of Lilydale	Y	Floodplain variance	N
South St. Paul	Y	Joint Powers Agreement Section 4F de minimis	N Y
MAC	Y	Notification to the Federal Aviation Administration, RPZ Alternatives Analysis, airport compliance documentation, Form 7460-1	N
Other	N	N/A	N

d. Approvals:

The following is a list of agencies with approval authority and the status of each approval:

Agency	Approval Required	Status
Federal Highway Administration	Project Memorandum and Section 4(f)	Draft Completed with Final March 2017
	Final Plan Approval	Not yet submitted, June 2017
MnDOT	Project Memorandum and Section 4(f) Evaluation	Draft Completed with Final March 2017
	Final Plan Approval	Not yet submitted, June 2017
City of Saint Paul	Preliminary Layout	Completed
	Final Plan Approval	Not yet submitted, Mar. 2017
Dakota County	Preliminary Layout	Completed
	Final Plan Approval	Not yet submitted, June 2017
Ramsey County	Preliminary Layout	Completed
	Final Plan Approval	Not yet submitted, June 2017

e. Identified Funds Spent to Date on Project:

To date, the City and County have spent approximately \$450,000 on master plan, preliminary design, final design, right of way services, preparation of the project memorandum and Section 4(f) document and design coordination.

3. JUSTIFICATION FOR EXTENSION

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

The proposed project includes a segment of trail that utilizes four at-grade and two grade separated Union Pacific Railroad (UP) crossings. The at-grade railroad crossings occur at the following locations:

- Plato Boulevard approximately 500-ft. east of Wabasha Street
- Eaton Street near Airport Road
- Barge Channel Road
- Potential future storage track approximately 250-ft. south of the Ramsey-Dakota county line.

A crossing diagnostic meeting with Federal Railroad Administration, MnDOT, and UP was held on May 24, 2016 to discuss the at-grade crossings. Discussions with these stakeholders and adjacent property owners have continued since that time.

The crossing at Barge Channel Road has proven to be particularly challenging. During early project planning efforts, the City of Saint Paul secured a permanent trail easement with the Port Authority of Saint Paul parallel to the UP right of way north and south of Barge Channel Road. As the design stage commenced, a Port Authority tenant expanded their facility, which created an encroachment that rendered the easement unusable. In addition, there has been a significant increase of truck traffic into the facility, increasing the difficulty in implementing a safe trail crossing.

The City is in continued negotiations with UP and the Port Authority for an acceptable alternative solution. Potential alternatives include formal abandonment of the unused rail line north of Barge Channel Road and implementing a new at-grade crossing north of Barge Channel Road, and constructing a grade separation at Barge Channel Road. Alternative locations for the trail are not feasible due to the rail corridor, industry, and topographical constraints of the Mississippi River and its bluffs.

Multiple meetings with UP and the Port Authority to discuss this crossing and alternatives has created an unexpected lag in the schedule. To date, the UP has resisted the new at-grade crossing concept. Implementing a grade separation at Barge Channel Road would significantly increase the project cost.

The proposed project also includes two grade-separated crossings of UP's tracks. One grade-separated crossing under UP track in Lilydale is to be constructed by UP in 2018 and one bridge over UP tracks in South St. Paul.

UP's approval process for overpasses consists of four reviews (concept layout, 30% plans, 95% plans and 100% plans). To date, UP has approved the 30% plan. Each review typically includes one month of review time for UP, but reviews have taken longer and each UP requested plan change potentially takes an additional month to review before approval.

Finally, Dakota County experienced resistance from the Pool and Yacht Club (PYC) at the Lilydale Road segment. The County proposed constructing an off-road trail segment on the east side of Lilydale Road, of which the right of way bisects the PYC property. The PYC expressed concerns of the safety of the trail crossing at their facility due to poor sight distances that is present due to the pool facility that sits immediately inside the curve.

Due to the safety concerns, Dakota County has focused on a trail alignment that is parallel to the UP right of way. There is not enough space between the right of way and the pool facility to fit a trail wide enough for regional trail purposes and moving the south side of the pool facility north to accommodate the trail is not feasible. The County is considering the option of reconstructing the pool facility at the east end of their parking lot allow the trail along north side of the Union Pacific railroad right of way. A 16 foot wide easement would lay relative to the pool area. The PYC has been receptive to this concept and the County continues to negotiate an acceptable solution.

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

If federal funds are surrendered, the trail construction will likely be postponed until an alternate source of funding can be secured. The City and County have spent funds in excess of \$450,000 on the design of the project. Currently the City and County is funding 40% of the estimated total project costs of \$10,250,000. The City and County feels strongly that this is a high priority segment since it completes a regional connection to the state's Mississippi River Trail corridor from South St. Paul to Saint Paul.

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

Delivery of the project would be dependent on negotiations with UP, Port Authority of Saint Paul, and the Pool and Yacht Club. If the project is delivered within its current project year, it could be let in September 2017, with the majority of the trail construction occurring during the 2018 construction season.

The financial impacts of delivering the project within its current year include increased the potential for the City and County to release the federal funding due to property issues with Union Pacific Railroad, Port Authority of Saint Paul, and the Pool and Yacht Club. The extension would provide an opportunity to continue negotiating with the entities and maintain the federal funding.

d. What actions will the agency take to resolve the problem facing the project in the next three to six months?

The City and County will continue to work closely with the Union Pacific Railroad, Port Authority of Saint Paul, and Pool and Yacht Club on acceptable trail alternatives and agreement provisions. Negotiations with individual property owners will continue to advance with the expectation that they can be secured in mid-2017.

PROJECT CONTEXT





REGIONAL TRAIL

- **SEGMENT 1 - TRAIL A ALTERNATE 1**
- **SEGMENT 1 - TRAIL A ALTERNATE 2 (PREFERRED)**
- **SEGMENT 1 - TRAIL A ALTERNATE 3**

① Union Pacific Railroad bridge to be reconstructed by others.

**EXHIBIT 1A
PROJECT LAYOUT**

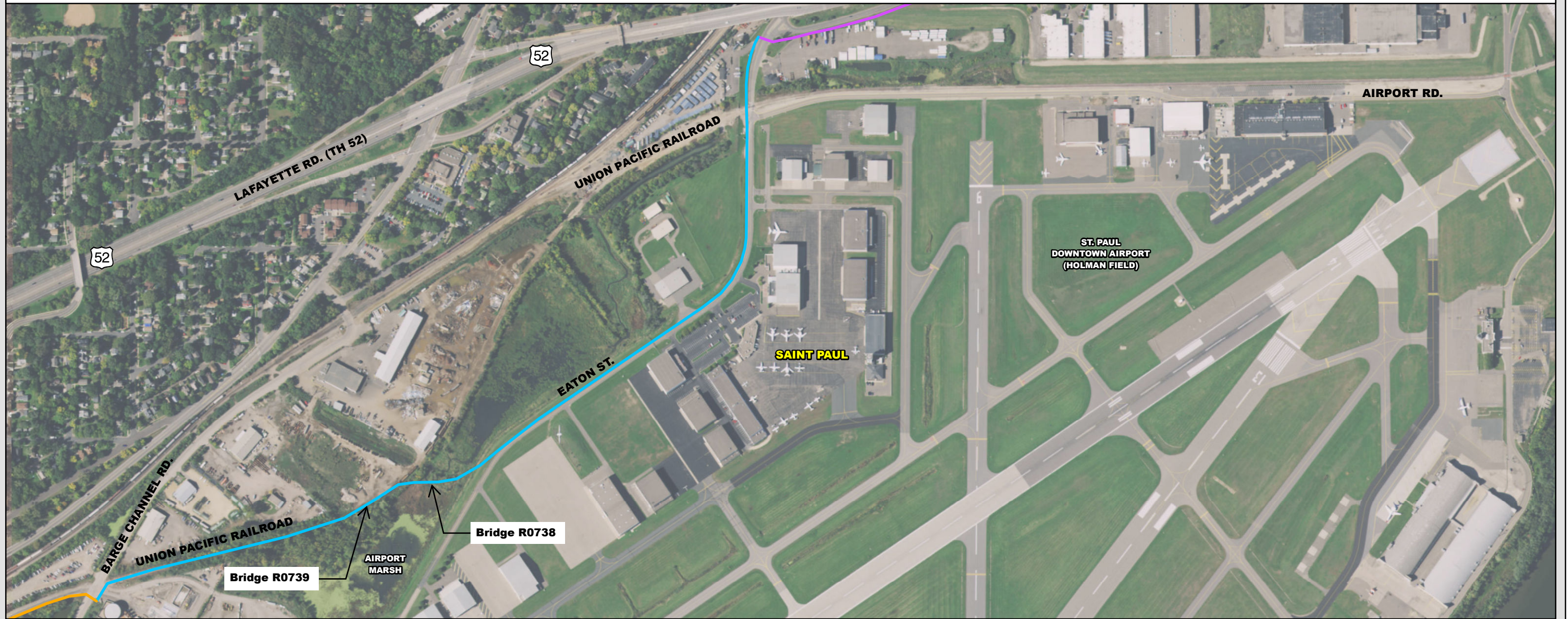


REGIONAL TRAIL




- SEGMENT 2 - TRAIL B**
- SEGMENT 3 - TRAIL C**

**EXHIBIT 1B
PROJECT LOCATION**



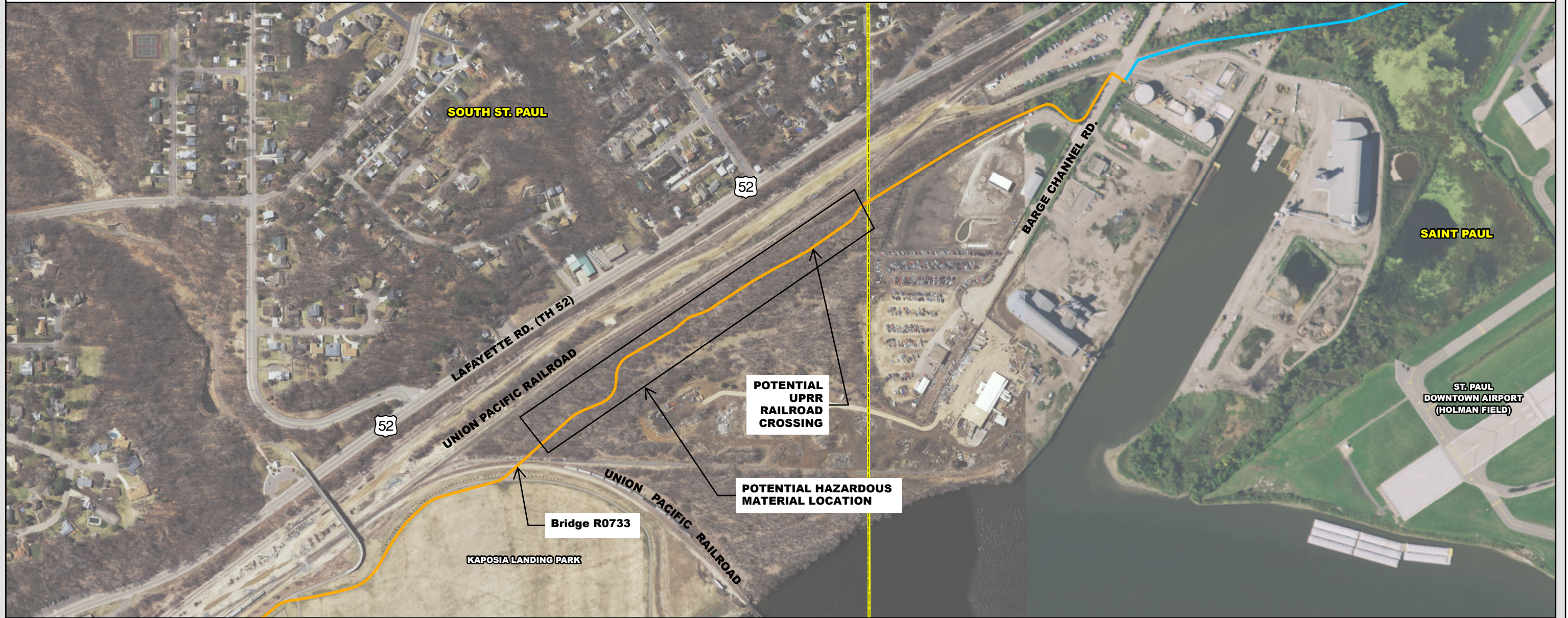


REGIONAL TRAIL

-  **SEGMENT 3 - TRAIL C**
-  **SEGMENT 4 - TRAIL D**
-  **SEGMENT 5 - TRAIL E**

**EXHIBIT 1C
PROJECT LAYOUT**





REGIONAL TRAIL

- SEGMENT 4 - TRAIL D
- SEGMENT 5 - TRAIL E

**EXHIBIT 1D
PROJECT LAYOUT**



STUDY REPORT (required for Environmental Assessment Only)

Complete/Approved If checked enter 1. _____
Date of Approval _____
 Not Complete
Anticipated Date of Completion _____

CONSTRUCTION PLANS

Completed (includes signature of District State Aid Engineer)
Date _____ If checked enter 3. _____
 Completed (approved by District State Aid as to SA Standards but not signed)
Date _____ If checked enter 2. _____
 Not Complete
Anticipated Date of Completion **June 2017**
If prior to June 30 of the program year, enter 1. **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 **September 2017**
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. _____
Date _____
 Not Complete
Anticipated Date of Completion **June 2017**
If prior to December 31 of the year following the original program year, enter 1. **1**

AUTHORIZED

Anticipated Letting Date **November 2017**.
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 **7**