

**Congress of the United States**  
**Washington, DC 20515**

March 24, 2009

The Honorable Ray LaHood  
Secretary  
U.S. Department of Transportation  
1200 New Jersey Avenue Southeast  
Washington, D.C. 20590-0001

Dear Mr. Secretary:

We are asking for your assistance in resolving a conflict between the Minnesota Department of Transportation (MnDOT), local governments, and the Federal Highway Administration (FHWA) in regard to the I-494/TH 169 Interchange project.

The American Recovery and Reinvestment Act (ARRA) created an opportunity to fund an important transportation project that provides jobs and satisfies key transportation initiatives in the Second and Third Congressional Districts of Minnesota. The I-494/TH 169 Interchange has been a priority for MnDOT, the local Metro, and Southwest Minnesota Regions; it is currently under consideration by the Region to be included in the Metro District Stimulus plan.

MnDOT has identified elements of the project that can be deferred to a future date with limited adverse effect on the traveling public and without compromising safety. Knowing this, MnDOT officials propose that the project be separated into two phases. While the local FHWA is amenable to proceed with the phased approach, they are also demanding a commitment to have it funded within the next Statewide Transportation Improvement Program (STIP) and built by 2016. Essentially, this would create continuous construction in this area from 2009 to 2016, generating significant inconvenience for the commuting public. Of additional concern, this proposal would fund unnecessary movements as a result of pre-existing redundancy in the system, design of the interchange, design of local elements, and forecasted traffic levels within this interchange. MnDOT suggests using performance measures to dictate when the second phase would be constructed its long term plan.

We, along with MnDOT, believe the phased approach will provide the maximum amount of improvement to traffic flows and travel times for both TH 169 and I-494. In MnDOT's phased plan, the first phase would occur as a part of the Metro District program associated with ARRA between 2009 and 2012. Phase two of the I-494/TH 169 Interchange project will include the system moves from EB I-494 to NB TH 169 and SB TH 169 to WB I-494. Phase two will also be included in the Metro District long range plan. The MnDOT risk assessment shows the reduced scope, or phased project, has approximately 50 percent less residual risk compared to a

full build option. By using innovative construction and risk management techniques, we, along with MnDOT, believe risks can be minimized while reaping the maximum yield of ARRA funding.

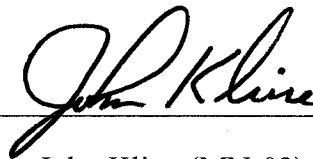
We respectfully request your assistance in working with the local FHWA office, which prefers instead to have a 100 percent completed project, regardless of need. We believe the largest risk in moving forward with the full build alternative is that it maintains a costly precedent that requires other projects to be a "full-build" project with an expensive cost rather than a practical design. We also anticipate funding challenges with a "full-build." The "full-build" requires up-front payment of the balance of MnDOT Metro ARRA funds, as well as a large share of regional ARRA funds, and additional bonding. An estimated \$40 million of Transportation Advisory Board (TAB) ARRA funding may need to be repaid in full. For these reasons, we believe this project should move forward in two separate phases. Unfortunately, we believe that if the local and Washington, D.C. FHWA views prevail, the project will not qualify, and it will not be able to move forward.

Thank you for your thorough consideration of this matter. We look forward to working with you on this and other critical transportation issues.

Sincerely,



Rep. Erik Paulsen (MN-03)



Rep. John Kline (MN-02)

cc: Mr. Tim Arnade, Associate Administrator for Policy and Congressional Affairs, Federal Highway Administration, U.S. Department of Transportation  
Governor Tim Pawlenty  
The Honorable Tom Sorel, Commissioner, Minnesota Department of Transportation  
Peter Bell, Chairman, Metropolitan Council  
Dakota, Hennepin, and Scott County officials