

Action Transmittal

Transportation Advisory Board



Committee meeting date: October 7, 2026

Date: September 30, 2026

Action Transmittal: 2026-41

Program Year Extension Request: Dakota County State Aid Highway (CSAH) 42 Trail Gap Active Transportation Pilot Project

To: TAB Technical Advisory Committee
From: TAC Funding & Programming
Prepared by: Joe Widing, Planning Analyst, 651-602-1822

Requested action

The Dakota County State Aid Highway 42 Trail Gap project, a 2024 Active Transportation pilot project, requests a program year extension from 2026 to 2027.

Recommended motion

Recommend that the Technical Advisory Committee recommend approval of the program year extension request to shift the program year from 2026 to 2027 for the Dakota County State Aid Highway (CSAH) 42 Trail Gap.

Background and purpose

In 2024, the Transportation Advisory Board (TAB) awarded \$19 million in regional sales tax funds for 17 pilot projects in the 2024 Regional Solicitation. As part of the pilot round, the TAB requested communities accelerate their project delivery timelines to bid projects by the end of 2026.

Applicants who indicated that was possible were selected for the pilot round. The TAB also approved policy-level grant requirements ([AT 2024-42](#)) for the pilot projects, which included a modified program year policy for the projects. This modified policy required project sponsors to release projects for bid by the end of 2026. Nine projects began the construction process before the accelerated program year deadline. However, the policy indicated that if projects were not able to meet the accelerated timeline, project start dates may be extended an additional year beyond 2026 with TAB approval. This request must be approved by the end of 2026.

The Dakota County CSAH 42 Trail Gap project proposes to construct 1.2 miles of new multiuse trail along CSAH 42 in Burnsville. However, the project sponsor requests additional time due to condemnation proceedings for multiple commercial properties and coordination and permitting with Centerpoint Energy and MnDOT for encroachment agreements. The project sponsor anticipates this work to be complete in December 2026 and bid the project in January 2027.

Relationship to regional policy

The TAB adopted the Program Year Policy in April 2013 (last updated in February 2025) to assist with management and timely delivery of transportation projects awarded federal funding through the Regional Solicitation. The 2024 active transportation pilot projects had a different program year requirement established due to the unique nature of the projects. With the accelerated timeline to begin by the end of 2026, projects were granted a provision to request a one-time,

one-year extension to develop the projects. The project sponsors are requesting this one-year extension to finalize project development and begin construction of the awarded projects in 2027. All projects will still be completed earlier than initially applied for in the 2024 Regional Solicitation, which had program years of 2028 and 2029.

Staff analysis

This project is one of the first program year extension requests for the active transportation pilot projects. As part of the pilot approval process, all selected projects were required to begin project bidding by the end of 2026. As all these projects initially applied for federal funding with program years beyond 2026, it was anticipated that some projects may not be able to meet the shorter project delivery timeline. Of the 17 selected projects, 6 have requested extensions into 2027 to begin bidding for construction of their projects. This request is due to longer than anticipated coordination needs on multiple parts of the project, including condemnation proceedings for right-of-way needed for the proposed facilities and encroachment agreements with Centerpoint Energy and MnDOT. This work is anticipated to be complete by the end of 2026, but timing will mean that the project is not bid until January 2027, necessitating this program year extension request.

Typically, program year requests are required to include information on negative impacts from the requested delay or interim steps to mitigate issues from delaying a project. However, the active transportation pilot projects were selected for an accelerated timeline and even with the program extension will still be under construction earlier than the earliest program year for 2024 projects (2028).

Additionally, as the program year for active transportation projects follows the calendar year and not federal fiscal years, as is the case for typical Regional Solicitation projects, projects that are released for bid in the fall of 2026 or the winter of 2027 are to be under construction at the beginning of the 2027 construction season and so the impact of a program year extension would be minimal from an implementation perspective. Dakota County State Aid Highway 42 Trail Gap project is anticipated to be on schedule for construction.

Finally, the program year policy was developed for federally funded projects to ensure that selected projects maintained programmed schedules to limit complications or funding shortfalls for future federal funding. With the active transportation funded projects, this risk is not present. Funding for the pilot projects has already been collected and allocated to the specific projects. Program year extensions will not impact future project selection or implementation.

Given these considerations and the accelerated nature of the pilot projects, staff recommends approval of Dakota County's program year extension from 2026 to 2027.

Committee comments and action

At its September 24, 2026, meeting, the TAC Funding & Programming Committee recommended approval of the program year extension request to shift the program year from 2026 to 2027 for the Dakota County State Aid Highway (CSAH) 42 Trail Gap. The motion was approved by a vote of 20 to 0.

Routing

To	Action Requested	Date Completed (Scheduled)
TAC Funding & Programming Committee	Review and recommend	September 24, 2026
Technical Advisory Committee	Review and recommend	October 7, 2026
Transportation Advisory Board	Review and adopt	October 21, 2026





Date: August 19, 2026

To: TAC Funding and Programming Committee

From: Dakota County Transportation Division

Program Year Extension Request: CSAH 42 Trail Gap Project (SG 25M AT 04)

TAC Funding and Programming Committee,

Dakota County respectfully requests a Program Year Extension into 2027 for the CSAH 42 Trail Gap Project (SG 25M AT 04), funded under the Regional Sales & Use Tax Active Transportation Program.

Project Background

Dakota County was awarded **\$1,444,000 in Regional Sales & Use Tax Active Transportation Program funds** for construction of the **CSAH 42 Trail Gap Project**, with a required match of **\$361,000**, for a total project cost of **\$1,805,000**. The project is currently programmed for **2026**.

The project will close a critical multimodal gap along the north side of CSAH 42 between CSAH 5 and Nicollet Avenue. The project replaces 1.2 miles of sidewalk with an ADA-compliant multiuse trail, upgrading 12 crossings, improving pedestrian signal infrastructure, resolving geometric deficiencies, and establishing nearly five continuous miles of regional trail connection across Burnsville, with links to Savage and Apple Valley.

Project Progress & Anticipated Schedule

Dakota County has made significant progress consistent with the Regional Program Year Policy requirements for extension eligibility.

Anticipated Schedule

- **First ROW Offers:** May 2026; negotiations ongoing
- **Condemnation Petition:** Filed July 21, 2026
- **100% Plan Completion:** September 11, 2026
- **ROW Public Hearing:** September 14, 2026
- **ROW Title and Possession:** November 19, 2026
- **ROW Certificate:** December 1, 2026
- **Construction Advertisement:** December 2026
- **Bid Opening:** January 2027
- **Construction Start:** Spring 2027
- **Construction Substantially Complete:** November 30, 2027

These dates demonstrate that the project will fully meet program-year criteria within the requested extension period, consistent with how progress is documented in other approved PYE submittals.

Justification for Extension Request

Circumstances Leading to the Extension

The delay is a direct result of unavoidable right-of-way and permitting processes outside the County's control, including:

- **Condemnation proceedings** across multiple commercial parcels, resulting in extended processing timelines.
- **Coordination with CenterPoint Energy** for a deep pipeline encroachment agreement—review periods of 1–2 months are typical.
- **MnDOT Limited Use Permit** required for trail segments within I 35W right-of-way, involving additional review and approval steps that often result in schedule impacts.

Unique Project Conditions

- Significantly constrained corridor with extensive utilities, hydrants, cabinets, and aging signal systems, confirmed through final design documentation and field reviews.
- Multiple commercial parcels requiring condemnation, creating unpredictable but unavoidable timeline extensions.

Financial Impacts if the Extension Is Not Granted

- Loss of Active Transportation program funding would significantly delay construction; no additional CIP funds are programmed.
- Dakota County and the City have already invested substantial funds in preliminary engineering, final design, and ongoing ROW acquisition.
- Attempting a rushed bid advertisement could result in incomplete ROW clearance or unresolved utility conflicts, which may create legal noncompliance or increased construction costs.

Implications if the Extension Is Not Granted

- A regional trail gap would remain unresolved, prolonging accessibility deficiencies and unsafe multimodal conditions for an extended period.

Steps the County Will Take Over the Next 3–6 Months

- Continue ROW acquisition and condemnation actions.
- Finalize 100% plans and cost estimates.
- Complete MnDOT LUP review and utility encroachment agreements.
- Maintain biweekly coordination with design consultants and utility partners.

Conclusion

Dakota County has demonstrated significant project progress and continues to advance the CSAH 42 Trail Gap Project toward construction readiness. Based on unavoidable ROW acquisition timelines and required utility and MnDOT coordination, Dakota County respectfully requests approval of a **Program Year Extension from 2026 to 2027**, allowing bid opening in January 2027.

This request is fully consistent with the Regional Program Year Policy and is supported by precedents documented in recent TAC Funding & Programming actions.

Thank you for your consideration.

Dakota County Transportation Division