

2013 HOUSE TRANSPORTATION

HCR 3024

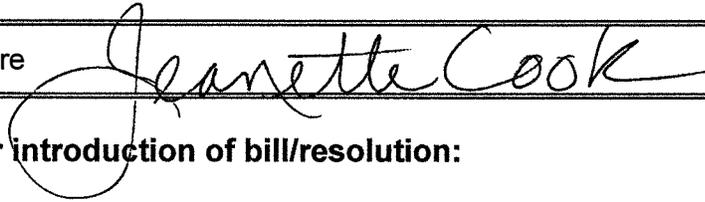
2013 HOUSE STANDING COMMITTEE MINUTES

House Transportation Committee Fort Totten Room, State Capitol

HCR 3024
02-07-13
Job # 18499

Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

A concurrent resolution directing the Legislative Management to study

Minutes:

Attachment #1.

Chairman Ruby opened the hearing on HCR 3024.

Representative Kempenich, District 39, introduced the resolution. He explained that the Long X Bridgem south of Watford City on Highway 85 is a bottleneck on this highway and needs to be closely looked at. There is a lot of traffic on this road and is a problem. One of the reasons that it hasn't gotten anywhere is because of Theodore Roosevelt National Park. This bridge is called functionally obsolete.

Representative Delmore: Can you tell me how much this might cost?

Representative Kempenich: I would guess it would probably be somewhere close to \$50 million.

Representative Delmore: Will that all be federal funds?

Representative Kempenich: I'm sure that it will be matching funds.

Chairman Ruby: You told us about its proximity to Theodore Roosevelt National Park, and its uses, and that it is long and narrow. Is it in poor condition?

Representative Kempenich: It is obsolete. It is a covered bridge, it has beams across it. The Department of Transportation has probably stuck over \$5 to \$6 million in it in the last couple of years, to refurbish it. The road bed has been replaced. Twenty or thirty years ago the bridge would have been fine, but with today's traffic it is not.

Representative Vigasaa: Would you see this as being a part of the project to four-lane 85 or ahead of that project?

Representative Kempenich: It is a debate. If a new bridge was put in today, and the highway was made four lanes in the future, another bridge could always be put in beside it.

Representative Weisz: Is this the bridge that keeps getting hit?

Representative Kempenich: Yes, it is.

Chairman Ruby: How long is the bridge?

Representative Kempenich: It is fairly long. I don't know for sure.

Cal Klewin, Executive Director of the Theodore Roosevelt Expressway (Highway 85 going through North Dakota), spoke to support HCR 3024. I am a little more optimistic than Representative Kempenich. Our goal is to have Highway 85 four-laned through North Dakota. It is a major artery leading to the oil and gas industry. We have long had a concern about how the bridge bottlenecks. Currently, on both sides of the Long X Bridge there are passing lanes. In 2011 they did do some work where Highway 85 was sliding into the park on the west side. It is now three lanes there. When load limits go on in the spring and some wide loads can't use the bridge, sometimes it is a 300 mile detour to get to Williston. I is the bridge that gets hit. It was repaired in 2011, and got hit was down for ten days two different times. It is something with our freight and the movement of commerce in that region there is a concern about the bridge. We have asked to have it replaced a couple of different times. The last time I heard the numbers, it was \$1.97 million dollars. Anything you can do to support the improvements along Highway 85, I would appreciate it.

Representative Drovdal: I am a co-sponsor of this resolution, but will save my comments for committee discussion.

There was no further testimony to support HCR 3024.

Robert Fode, P.E., Director of Project Development, North Dakota Department of Transportation, spoke to oppose HCR 3024. He provided written testimony. See attachment # 1.

Representative Delmore: In some ways would this be helpful for the Department of Transportation to put some pressure on the federal government to be getting that money to you?

Robert Fode: Yes, in the department we do have people that work with our congressional delegation and do talk to them and tell them what kind of predicament that we have with the federal funds.

Representative Delmore: You don't see this resolution as being helpful in doing that, by trying to tell them that there is a need for that particular project?

Bob Fode: I would say that it is really not toward our vision and goals because we try to look statewide not a project specific.

Representative Sukut: You told us that you are already looking at action for this bridge. How does this resolution make it more detrimental for that effort? This would just be in support of what you are already doing.

Robert Fode: In some respects I agree, and in other respects the department disagrees because this looks at project specific information going over to the congressional delegation. It really doesn't support the overall goals of the Department of Transportation. Representative Delmore asked if we could use federal funds on this project. We cannot because this structure has a sufficiency rating of 80. That means that if we are going to use federal funds to replace it, the sufficiency rating has to be less than 50. We won't get there until a long time down the road.

Representative Vigesaa: What is the time period that the STIP (Statewide Transportation Improvement Program) cover?

Bob Fode: It covers a four year period. It is a published document. We as a department are working further than that into the future, up to five and six years.

Representative Vigesaa: How often is it reviewed to see if there should be any changes in priority?

Bob Fode: We review it annually.

Representative Vigesaa: Is there ever a point when one project might leapfrog another project if it is deemed that it takes a higher priority?

Bob Fode: Yes, depending on public input and other factors projects do tend to move. Looking at the STIP the first year projects are set, and the next three years are all grouped. That means that we can move any of those projects ahead, depending on the project development process.

Representative Vigesaa: So, conceivably this project could move up the priority chain in a more rapid fashion if it was deemed that it needed some help?

Bob Fode: Yes, that is why we are in the process of studying the project currently.

Representative Fransvog: In the second to last paragraph of your testimony you talked about a briefing later this spring to talk about alternatives. Would you identify all the alternatives that you will talked about, and what direction you are heading?

Bob Fode: One alternative would be replacing the existing with a two lane structure. One could be trying to rehab the existing structure and putting in a new structure. There may be an option to four lane with two different structures or one structure.

Representative Fransvog: At this briefing will you identify what your intentions will be going forward on this project?

Bob Fode: That is correct. We will identify the alternatives going forward, and based on those alternatives that will tell us what kind of environmental document we will do.

Representative Oversen: Do you believe that the resolution will be detrimental to your process, or is it simply unnecessary?

Bob Fode: I would say that it is unnecessary.

Representative Oversen: Is the department currently looking at the four laning of Highway 85? Is it in your list of projects?

Bob Fode: Yes and no, yes, we are working on projects do develop four laning on 85. Currently that four laning goes from Watford City north up to US 2, just south of Williston. The traffic volumes south of that have not pushed us into a path yet of actually taking a look at four laning south on 85. It is a vision for the future, but when we will get there, I don't know.

There was no further opposition to HCR 3024.
The hearing was closed on HCR 3024.

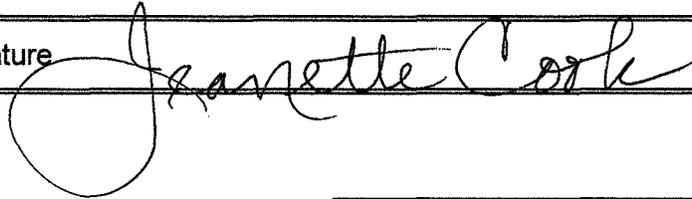
2013 HOUSE STANDING COMMITTEE MINUTES

House Transportation Committee
Fort Totten Room, State Capitol

HCR 3024
02-08-13
Job # 18620

Conference Committee

Committee Clerk Signature



Minutes:

Chairman Ruby brought the resolution back before the committee. He reviewed the issue of building a new bridge to replace the Long X Bridge south of Watford City on Highway 85. The Department of Transportation stated that they are already working on proposals. Department of Transportation was opposed to this resolution. It is not a study; copies would be sent to state Department of Transportation, Federal Secretary of the Department of Transportation, and each member of the congressional delegation.

Representative Becker: Facts about the bridge taken from "Bridge Hunter. Com" and "Ugly Bridges.com": the condition of the deck, substructure, and superstructure in 2010 was fair, fair, and poor; after the changes it was bumped up to satisfactory; the length is 969.2 feet, the width is 29.9 feet; the vertical clearance is 16.1 feet.

Representative Weisz: I will not support the resolution because it is on the STIP, and the resolution says, "There will be a NEW bridge." Part of the plan may not be replacing the bridge, but just modifying it. We don't know what the final plan will be.

Representative Weisz moved a DO NOT PASS on HCR 3024.
Representative Vigesaa seconded the motion.

Representative Drovdal: We have one major highway (85) in western North Dakota to handle the oil field. Highway 22 is not a stable highway and is closed more than it is open. Local authorities have worked with the Department of Transportation for a number of years to get the bridge changed because it isn't adequate for today's traffic. They have had no success. It does not tell them to build a bridge; it urges them to build a new bridge. The Department of Transportation opposed this bill; their testimony should have been neutral. They have public hearings to get input, but they don't want input from the legislature? We represent the people. Why can't we have input as a group? This is a very serious problem. We have put \$400-500 million into a major highway, and it still isn't adequate. We have to tear it up again.

Representative Sukut: When the Department of Transportation guy (Bob Fode) testified yesterday, he said that we are going to four lane from Watford to Minot. When he talked about going (four laning) south of Watford City where this bridge is, he said we will see

what the traffic dictates. My experience with the Department of Transportation has been spending 35 years getting Highway 2 four laned. The only way that we got it done was doing things like this resolution. We kept putting the pressure on and chipping away at it. They think that if they deter you long enough, you will go away. You can't go away. The bridge definitely needs to be replaced; there is no repairing it to make it work for today's world. This resolution urges that they build a new bridge. We are just trying to keep the pressure on. I will not support the DO NOT PASS.

Representative Kreun: The HCR 3020 would include this type of question. We want to study exactly what you are saying: Why aren't these things being taken into account?

**A voice vote was taken on HCR 3024. Aye 8 Nay 5 Absent 1
The motion carried.
Representative Kreun will carry HCR 3024.**

Date: 2-8-13
 Roll Call Vote #: 1

**2013 HOUSE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. 3024**

House Transportation Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken: Do Pass Do Not Pass Amended Adopt
 Amendment

Rerefer to Appropriations Reconsider

Motion Made By Weisz Seconded By Vigesaa

Representatives	Yes	No	Representatives	Yes	No
Chairman Dan Ruby	✓		Rep. Lois Delmore		✓
Vice Chairman Mark Owens	✓		Rep. Edmund Gruchalla	✓	
Rep. Rick Becker	✓		Rep. Kylie Oversen		✓
Rep. David Drovdal		✓			
Rep. Robert Frantsvog	✓				
Rep. Brenda Heller		✓			
Rep. Curtiss Kreun	✓				
Rep. Mike Schatz	A				
Rep. Gary Sukut		✓			
Rep. Don Vigesaa	✓				
Rep. Robin Weisz	✓				

Total (Yes) 8 No 5

Absent 1

Floor Assignment Kreun

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

HCR 3024: Transportation Committee (Rep. Ruby, Chairman) recommends DO NOT PASS (8 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). HCR 3024 was placed on the Eleventh order on the calendar.

2013 TESTIMONY

HCR 3024

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HOUSE TRANSPORTATION COMMITTEE

February 07, 2013

11:00 a.m. – Fort Totten Room

**North Dakota Department of Transportation
Robert A. Fode, P.E., Director of Project Development**

HB 3024

Mr. Chairman and members of the committee, I'm Bob Fode, Office of Project Development, Director for the North Dakota Department of Transportation (NDDOT). I am here to oppose House Concurrent Resolution 3024.

The NDDOT is responsible for the construction, reconstruction, rehabilitation, preservation, and maintenance of the state highway system. A combination of factors is used in selecting projects including; system condition, maintenance costs, roadway capacity, preservation needs, safety, and public input. The final selection of projects makes up the Statewide Transportation Improvement Program (STIP). These tools have worked well in managing the state highway network.

Through this process NDDOT is already working on the Long X Bridge project. NDDOT has setup an interdisciplinary team; consisting of Environmental and Transportation Services Division, Design Division, Bridge Division, and Materials and Research Division, to conduct a crossing of the Little Missouri River near the current Long X Bridge.

Presently the interdisciplinary team is reviewing a number of alternatives for the Long X bridge which include; modification of the existing bridge on existing alignment, replace with a two-lane crossing near the existing location, new bridge or bridges that would provide a four lane crossing, or a combination of these options. The interdisciplinary team will also make a recommendation on the type of environmental document (Environmental Impact Statement, Environmental Assessment, or a Categorical Exclusion) required to move the project forward.

The interdisciplinary team will be conducting an executive management briefing later this spring. This briefing will provide the interdisciplinary team guidance on the alternatives moving forward and the type of environmental document to be completed.

I recommend a do not pass on house Concurrent Resolution 3024. Thank you and I will take any questions you may have.