

2013 HOUSE TRANSPORTATION

HB 1344

2013 HOUSE STANDING COMMITTEE MINUTES

House Transportation Committee Fort Totten Room, State Capitol

HB 1344
02-07-13
Job # 18495

☐ Conference Committee

Committee Clerk Signature

Jeannette Cook

Explanation or reason for introduction of bill/resolution:

A bill relating to Highway 28.

Minutes:

Attachments 1-4

Representative Glen Froseth, District 4, introduced HB 1344. He passed around a map to show the committee the highways being discussed. This bill puts these highways on the long range planning map for the Department of Transportation, so it gets primary consideration.

Chairman Ruby: I don't see a fiscal note with this bill. Is there a cost related to the bill?

Representative Froseth: I haven't seen a fiscal note either. I don't know if the Department of Transportation has a fiscal note with them or not. This bill will put the road on the long range planning schedule, so that when the funds are there and the work gets done, it will hopefully be taken over as a state highway.

Representative Vigesaa: What is the shape of those roads now?

Representative Froseth: Mr. Knutsvig has a map showing which are gravel and which are paved.

Mark Knutsvig, District 4, Berthhold, spoke to support HB 1344 and provided a map for reference. See attachment # 1. He stated many reasons to pass the bill. He also brought letters from Jack Nybakken, Ward County Commission Chairman, and Penni K. Miller, Auditor, Berthhold City Council, supporting the bill. See attachments # 2 and #3.

Mark Knutsvig: I have lived on this road for eight years and have seen how the traffic has changed. It has significantly increased in the last few years to the point where there are a lot of concerns about the road. Berthhold is becoming a main location for a lot of oil related activities. There are two large frack sand corporations there in addition to other big businesses. It seems like with everything that is built there are large gravel trucks that go along with it. There will also be a future oil refinery built in SW Ward County, and a development going in with potentially up to 2,200 homes. It all adds to the deterioration of

the road. The amount of dust has increased significantly over the past years. The main reason that we need this road is for increased safety. This highway proposal is in the Lewis and Clark School District. It would help both school bus safety and public safety by turning this road into a highway. If the state could do this right now it would alleviate some of the monetary pressure on the county. Highway 28 seems to be paused; it was built to Berthhold and not continued, maybe because of lack of traffic. Now it seems to warrant it. It would be a natural link to hook up the highway. Please take these things into consideration as you vote to pass HB 1344.

Representative Drovdal: It seems that there is already a road (County Road 9) that is able to be used, instead of what you are proposing. It will cost over a million dollars a mile to build the road you propose. Wouldn't we be better off just designating County Road 9 as Highway 28?

Mark Knutsvig: I don't know if County Road 9 is built to state specification. It doesn't seem like County Road 9 has relieved a lot of traffic on 9A or down through 11.

Representative Drovdal: Do we have a count of traffic flow on this road that you want to make into Highway 28?

Mark Knutsvig: I don't have one.

Chairman Ruby: I think the cost per mile is getting closer to two million dollars.

There was no further support for HB 1344.

Steve Salwei, Transportation Programs Director, North Dakota Department of Transportation, spoke in opposition to HB 1344. He provided written testimony and a map. (16:50) See attachment # 4.

Vice Chairman Owens: Do we do traffic counts on gravel roads?

Steve Salwei: The state does not count all the county gravel roads.

Representative Gruchella: Do you use the words "primary consideration" as terminology on your list of projects? Where would the words "primary consideration" put this on your priority list?

Steve Salwei: "Primary consideration" if coming through legislative action would mean that we would have to move this up on the priority list. We do have a system in place that has the roadways classified; we would have to see how this roadway would fit into that system. It is based on the traffic volumes out there. How it falls into this system, would depend on how it would rank on our priority list to spend these kind of resources on it.

Chairman Ruby: State Highway 28 comes into Berthhold and restarts again as County Road 23 just north of Ryder. Has the state ever considered finding a way to connect that highway, or is it common that a state highway would just end for a while and then restart?

Steve Salwei: It is common that we do have roadways that utilize other state roadways to connect up instead of always having a direct link between the two.

Chairman Ruby: So, which one connects these two?

Steve Salwei: Highway 8 or Highway 83 could be used. The counts on County Road 9 are not that great.

Chairman Ruby: So, there has been no consideration of putting County Road 9 into the state system?

Steve Salwei: No.

Representative Drovdal: Were there no state funds used when County Road 9 was updated a few years ago?

Steve Salwei: There is a possibility that federal funds were used.

There was no additional testimony on HB 1344.
The hearing was closed.

2013 HOUSE STANDING COMMITTEE MINUTES

House Transportation Committee
Fort Totten Room, State Capitol

HB 1344
02-08-13
Job # 18617

☐ Conference Committee

Committee Clerk Signature

Jeanette Cook

Minutes:

Chairman Ruby brought HB 1344 back before the committee.

Representative Drovdal moved a DO NOT PASS on HB 1344.

Representative Vigesaa seconded the motion.

A roll call vote was taken. Aye 13 Nay 0 Absent 1

The motion passed.

Representative Fransvog will carry HB 1344.

Date: 7-8-13
Roll Call Vote #: 1

2013 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1344

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 Drovdal 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) 13 No 0

Absent 1

Floor Assignment Frantsvog

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

REPORT OF STANDING COMMITTEE

HB 1344: Transportation Committee (Rep. Ruby, Chairman) recommends **DO NOT PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1344 was placed on the Eleventh order on the calendar.

2013 TESTIMONY

HB 1344



This section
is currently Ward 9A
is currently gravel
County rd 282nd St

Approx 9.5 miles
currently gravel

← Hwy 28

New Ward Cty 14
on 54th Ave B3W
Approx 4.0 miles
currently paved
C

New Ward County
Road 11
approx 6 miles
currently gravel

← Hwy 28

A

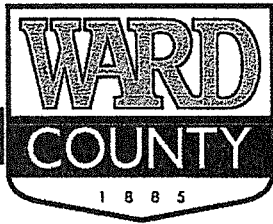
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#2



Auditor / Treasurer's Office

Devra Smestad
Auditor/Treasurer

Collette Scharpe
Deputy

February 5, 2013

Mr. Chairman and members of the House Transportation Committee:

At the regular February 5, 2012 Ward County Commission meeting, The Commission unanimously adopted a resolution in support of HB 1344 and the concept of completing North Dakota State Highway 28 from Berthold south to State Highway 23.

Due to the current increased transportation activity, and future increased traffic from and to an approved refinery in southern Ward County near State Highway 23 and the already expanding Enbridge project for oil loading along with oil related traffic at Berthold we believe it is warranted for the State of North Dakota to adopt and create a route for this traffic to better serve and facilitate this corridor for the public's safety as well as accommodating the increased heavy traffic load.

Considering the fact that the only north/ south North Dakota State highways in this part of the region are State Highway 8 at Stanley and US highway 83 at Minot spanning 60 plus miles distance. We believe it also justifies the need for this plan to be adopted.

We encourage a DO PASS on HB 1344.

Jack Nybakken
Ward County Commission Chair

City of Berthold
223 Main St
PO Box 126
Berthold, ND 58718
cityofberthold@srt.com

February 5th, 2013

To Whom It May Concern:

The City Council of Berthold, ND passed a resolution to show their support of HB 1344, which would authorize paving straight south on road 9A to County Rd 14; then east and start again on County Rd 11 to St. Hwy 23.

Motion was made by Councilman Steven Ibach; Second by Councilman Chris Burnside at the regular Berthold City Council meeting held on Monday, February 4th. All board members were in favor so the Motion was carried.

Penni K. Miller- Auditor
Berthold City Council
pm

#4

HOUSE TRANSPORTATION COMMITTEE

February 7, 2013 – 9:00 a.m. – Fort Totten Room

**North Dakota Department of Transportation
Steve Salwei, Transportation Programs Director**

HB 1344

Mr. Chairman and members of the committee, I'm Steve Salwei and I serve as the Transportation Programs Director for the North Dakota Department of Transportation (DOT). I'm here today to oppose HB 1344.

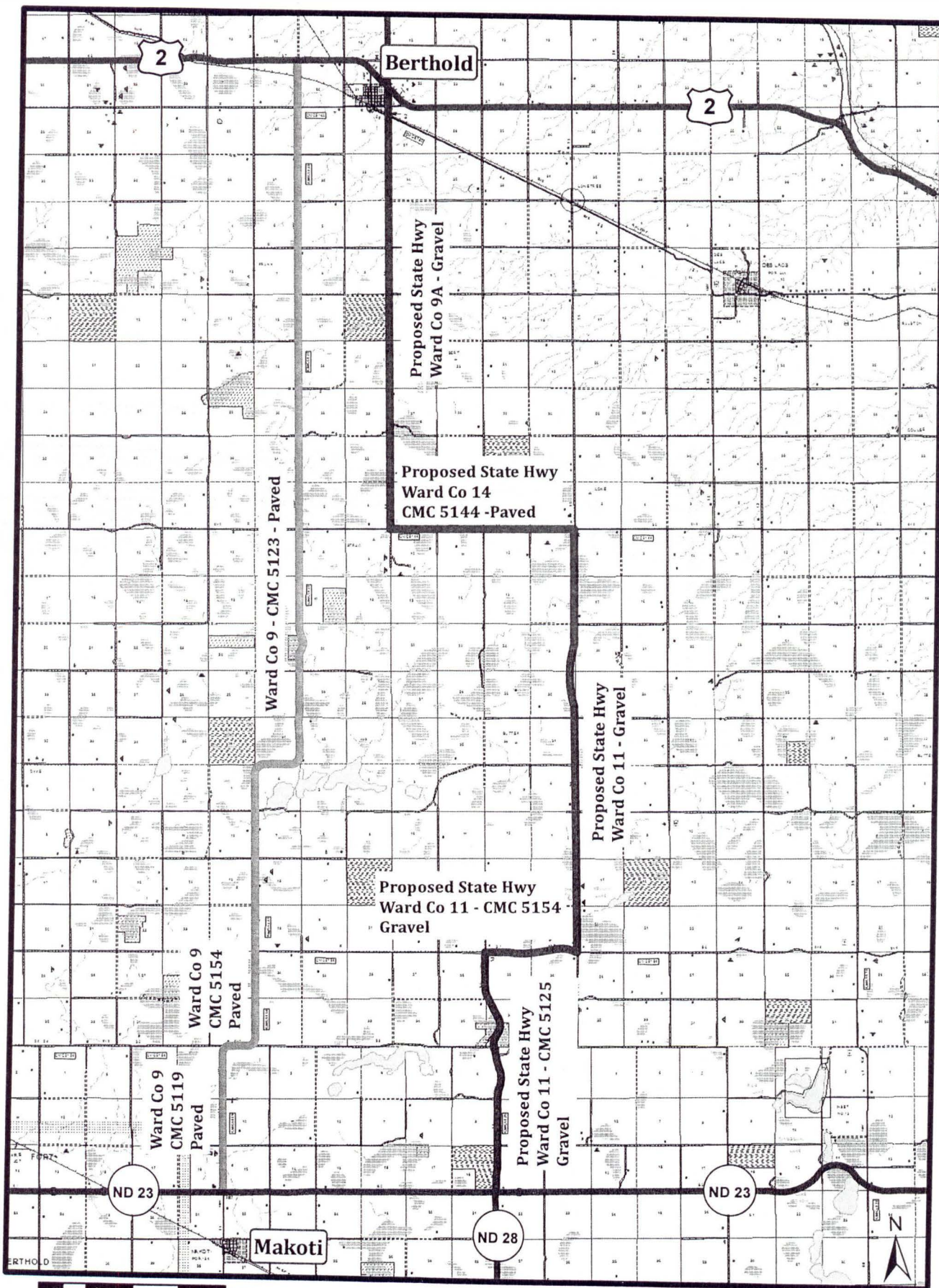
The DOT is responsible to maintain a State Highway System that moves traffic across the state with minimal delays and which benefits the general public. The roadways that are proposed to be added to the State Highway System under HB 1344 we don't believe are a wise expenditure of state resources.

If you look at page 2 of your handout, you will see a map highlighting the proposed route (shown in Red). As you can see this route would go north of ND 23 five miles, then go east two miles, then go north nine miles, then go back west four miles, and then go north nine miles into Berthold. Typically state routes don't have this much indirection, we try to keep them as straight as possible. Also, there is a paved roadway which is just two miles to the west of Berthold (shown in Green) which parallels the roadways proposed being added to the state system. The 2012 traffic count taken on that roadway (shown in green) showed 325 vehicles were using that roadway per day.

The proposed route is predominately a gravel roadway of which 18 miles currently are not part of the County Major Collector (CMC) System. What this means is that these are relatively low volume roadways which were built to a lesser standard. If we were to add these roadways onto the State system, we estimate it would cost in the neighborhood of around \$75 million to reconstruct this roadway to meet State Highway Standards. Because there is a paved roadway just two miles west of the proposed roadway and the cost to the tax payers is so great, we recommend a do not pass on this bill.

Mr. Chairman, I would be happy to answer any questions at this time. Thank You

#4A



0 0.5 1 2 3 4 Miles