

**Statement of Francis Ziegler  
Director, North Dakota Department of Transportation  
before the  
Committee on the Budget, United States Senate  
on  
Infrastructure Investments:  
Promoting Growth and Improving Safety Along ND Highway 23  
New Town, North Dakota, July 8, 2010**

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Mr. Chairman:

Good morning. I am Francis Ziegler, Director of the North Dakota Department of Transportation (NDDOT). Thanks for the opportunity to appear before the Committee today and thanks for your interest in improving transportation in North Dakota.

Today, I'd like to address several broad transportation issues, North Dakota Highway 23 and other roads in the immediate area.

**North Dakota is Working Hard to Improve Transportation**

Transportation infrastructure investment results in many benefits. It creates jobs and strengthens the economy. It improves safety. It improves mobility for our citizens and businesses. With these and other benefits in view, NDDOT is working hard to improve transportation in the state.

This year, the Department has the largest construction season in its history underway, with approximately \$450 million in projects on more than 2,000 miles of roadway statewide. The work includes projects under the regular federal program, ARRA, emergency relief and state funding.

**Transportation System important in western North Dakota**

The NDDOT has recognized the importance of the transportation system in western North Dakota. From 1999 to 2009 approximately \$886 million has been invested in preserving and improving the corridors in this area. Some of the projects include:

- Highways
  - 2; 22; 23; 40; 50; 85; and 1804

The DOT has been aggressive in the Energy Area of the western part of the state, with recent pavement preservation projects and many transportation investments planned to be completed from 2010-2014 as shown on the attached map (Attachment 1), including projects on ND 23 and other highways on the local system in the New Town area. Construction projects include the following highways:

- **US Highway 85**
  - Senator you have had several hearings on this corridor, reviewing transportation needs.
  - In 2010 and 2011, the DOT will put more than \$70 million worth of improvements into Highway 85, working toward the Super 2 highway concept which include:
    - Adding a three-lane section which includes intermittent left and right turning lanes from Highway 2 to the Missouri River.
    - Adding several turning lanes at numerous intersections between Highway 200, East of Highway 85, and the Missouri River.
    - Re-grading and adding a climbing lane south of the Long X Bridge.
    - Adding multiple passing lanes between Watford City and Williston.
  
- **ND Highway 23 and other highways**
  - In the New Town area, Highways 23, 22 and 8 are in one of the fastest traffic growth areas in the western part of the state. Construction projects in this area include:
    - **ND Highway 23**
      - Improvements involve adding turn lanes at 6 intersections.
      - NDDOT staff is now scoping (reviewing needs for future improvements) ND 23 to see what we should do in this area to meet the growing traffic needs.
      - Also scoping ND 8 from ND 23 north to US 2.
  
    - **ND Highway 8**
      - Widening and regrading north of Stanley. (\$10.6 M)

**Safety is a priority**

We are always concerned about the safety of the traveling public. We are continuously monitoring crash and fatality rates in the area and evaluating the data to implement safety projects.

**Recent Safety Projects include:**

- Lowered speed limits on Highway 8, Highway 23 and on a four mile section of Highway 22 north of Dickinson.
- Installation of centerline and edgeline rumble stripes in the Williston District in 2010 and on all highways across the state as funding becomes available. Research has found edgeline and centerline rumble stripes to be effective in reducing head-on crashes, opposite direction sideswipe crashes, and rollovers.
- The NDDOT is also working in partnership with the Petroleum Council to create educational programs to promote safety on roadways.

## **Oil Impacts on Transportation System – Highway 23 and Other Energy Area Projects**

The recent oil boom in western North Dakota is an economic benefit for the state, but it also creates challenges for the DOT and local entities.

- We are planning for transportation needs. We are working with Upper Great Plains Transportation Institute (UGPTI), which is studying local needs in oil producing counties, and the DOT is developing what we need to do in the future as part of our normal budget process.
- Recognizing the transportation challenges the DOT has several projects planned over the next four years (2010-2014), in western North Dakota. Approximately \$468 million will be invested in road projects throughout the 17 oil producing counties (\$400 million on state roads, \$68 million on local roads.)
- Moving forward with these projects depends on federal and state funding at or above current funding levels.

The tables below illustrate portions of the road network that have seen an increase in traffic and truck loads, according to our most recent traffic counts.

**TABLE 1 – Annual Average Daily Traffic (AADT) count for all types of vehicles**

Highway	Location	Year	Average AADT	High AADT	Low AADT	% Growth 2006-2009
ND 8	Richardton N to Lake Sakakawea	2009	329	1565	120	15%
ND 8	ND 23 N to Stanley	2009	2454	4430	1675	301%
ND 22	Dickinson N to ND 23	2009	1869	3685	1040	73%
ND 23	Watford City to ND 1804	2009	2304	6460	1270	70%
ND 23	ND 1804 to US Hwy 83	2009	2095	7300	1268	31%
ND 37	ND 23 N of Parshall E to US 83	2009	832	2325	300	7%
ND 73	ND 23 to ND 22	2009	650	690	610	209%
ND 1804	ND 37 W & N to Montana Line	2009	889	4720	120	21%
US 85	Williston to SD line	2009	1810	4335	1110	15%

**TABLE 2 – Truck Annual Average Daily Traffic (TAADT) count**

Highway	Location	Year	Average TAADT	High TAADT	Low TAADT	% Growth 2006-2009
ND 8	Richardton N to Lake Sakakawea	2009	95	170	20	120%
ND 8	ND 23 N to Stanley	2009	744	905	685	629%
ND 22	Dickinson N to ND 23	2009	398	585	278	268%
ND 23	Watford City to ND 1804	2009	625	880	70	274%
ND 23	ND 1804 to US Hwy 83	2009	369	920	218	167%
ND 37	ND 23 N of Parshall E to US 83	2009	113	455	30	28%
ND 73	ND 23 to ND 22	2009	138	140	135	318%
ND 1804	ND 37 W & N to Montana Line	2009	188	705	30	31%
US 85	Williston to SD line	2009	437	990	223	34%

- While we have made significant transportation improvements in the New Town area, including Four Bears Bridge, we recognize that there has been an increase in traffic. I have asked staff to immediately start scoping ND 23 and ND 8 corridors to address this traffic growth.
- The State of North Dakota and the NDDOT are doing more than ever in this area, however, federal and state funding for transportation projects is essential for the growing needs of the energy industry in the western part of the state. Federal dollars are important for state residents who are working hard to serve the energy needs of our nation today and in the future.

**Public Input illustrates transportation needs**

NDDOT and the Upper Great Plains Transportation Institute (UGPTI) recently held public input meetings across the state to discuss transportation. During the sessions, UGPTI presented results of a study on highway service levels and investments in North Dakota and gathered input about prioritizing transportation funds and levels of service.

Preliminary input indicates that:

- Residents want more transportation infrastructure across the state.
- Residents are concerned about traffic increases, especially in western North Dakota due to the energy industry.
- Public expectations are growing – for load carrying capacity and wider roads.

Recognizing the benefits of transportation, the State of North Dakota increased its financial commitment to transportation infrastructure by enacting a \$1.35 billion transportation funding bill. This comprehensive transportation package for North Dakota funds maintenance and enhancement of the state's transportation system. It includes an unprecedented sum in non-matching State General Fund dollars. It also includes almost \$600 million more to rebuild our roads and help cities, counties and townships recover from statewide flooding.

Federal investment in transportation is critically important. Federal aid accounts for 52% of our State's current biennial transportation budget (excluding ARRA). So, federal dollars are important to our efforts to preserve and improve North Dakota highways, including highway 23. It is, therefore, critically important that legislation reauthorizing the federal highway program serve the needs of rural states like North Dakota.

Even though our state's large road network has few people to support it – North Dakotans pay more than the national average to support Federal surface transportation programs. The per capita contribution to the Highway Account of the Highway Trust Fund attributed to North Dakota is \$161 compared to a national average of roughly \$109 per person. This is a per capita contribution 48 percent above the national average.

So, while North Dakota is investing in transportation, federal investment in surface transportation in our state is critically important.

Let me turn now to a discussion of why a strong Federal investment in surface transportation in North Dakota is not just in North Dakota's interest, but also very much in the national interest.

### **Benefits from Transportation Infrastructure Investment**

There are many benefits from transportation infrastructure investments. Job creation is one. Jobs are created on the site of projects. Jobs are created in supplier and support industries. There is also a boost to the general economy from the onsite and supplier jobs.

Safety is another benefit. Preserving and improving roads in pursuit of smooth surfaces, appropriate roadway width, guardrails, signage and pavement marking is essential to our mission of providing a safe transportation system. Better highways and the availability of public transit help us in our daily lives, ensuring good access to school, medical facilities, work, and other important destinations.

These investments are also important to the economic competitiveness of North Dakota and the nation. Businesses reviewing whether to stay or locate in North Dakota want to be sure that goods arriving at or leaving their facilities move safely and efficiently.

### **Federal Surface Transportation Issues**

Clearly, our ability to continue to invest in surface transportation infrastructure in North Dakota will depend in part on Federal surface transportation funding levels. The needs are there to

justify increased investment. Various commissions and reports have called for increased surface transportation infrastructure investment. For example, the American Association of State Highway and Transportation Officials (AASHTO) has recommended, for the six-year period 2010-2015, proportional increases in the highway and transit programs over the prior six years -- to \$375 billion and \$93 billion, respectively -- plus funding for other programs.

Another factor relevant to funding levels is inflation. The highway industry has been hit hard by inflation during the past decade. From 2001 through April of 2010, North Dakota's overall construction cost index increased by 87 percent. The purchasing power of highway dollars has been reduced significantly and program funding has not kept pace with these rising costs (Attachment 2). A transportation bill without significant growth for North Dakota will severely hurt our ability to invest in transportation infrastructure throughout the state.

Beyond the overall funding level, however, to achieve continued progress in North Dakota it is essential that rural states like North Dakota participate at least proportionately in any growth of the Federal highway and transportation program, both as to formula and other funds.

In the authorizing committee in the House of Representatives a proposal has been outlined and partial legislation reported from a subcommittee to the full committee. This proposal apparently calls for increases in federal highway program authorizations of about \$110 billion over the next 6 years compared to the last 6 years (\$337 billion compared to \$227 billion).

We are concerned about a number of aspects of this proposal. It would: create a large new program funding only metro areas with a population of 500,000 or more; and provide funds for large nationally significant projects, a high speed rail program and infrastructure banks, all of which seem geared to assist urban areas of the country. We recognize that there are major needs in urban areas; however, rural needs are essential too. It does not appear that rural states like North Dakota would be able to utilize the funds in these new programs -- even though these new programs seem to represent most of the proposed increase in the federal highway program.

In that regard, we were very pleased that bipartisan rural mobility legislation, S. 3485, was recently introduced in the United States Senate by Senator Barrasso, you, Mr. Chairman, and 11 other Senators. That legislation basically takes the position that, if new legislation is to dedicate significant funds to discretionary highway programs only for large metropolitan areas, the legislation must also include a significant counterpart program of funding for rural states. We are hopeful that efforts like this will ensure that final legislation will not ignore the national interest need to continue to invest significant Federal transportation funds in rural states as well as urban ones.

In addition, we do not support funding new large discretionary programs, particularly programs that are not accessible to North Dakota. We would prefer that increased funding be provided to highway formula programs, enabling all states to participate in program growth.

The House proposal also would increase the share of overall transportation investment dedicated to transit. North Dakota joins AASHTO in supporting, instead, proportional growth in the highway and transit programs.

In short, even though all details of this proposal are not set, we are very concerned that the House legislation could provide North Dakota with a considerably reduced share of transportation program dollars compared to current law. We will appreciate your efforts, Mr. Chairman, to avoid any such adverse result in the final legislation.

### **The Nation Benefits from Federal Transportation Investment In and Across Rural States**

Let me turn now to reasons why authorization legislation should provide rural states like ours at least their current share of the Federal highway and surface transportation programs.

Federal-aid highways in our state, not just those on the National Highway System --

- serve as a bridge for truck and personal traffic between other states, advancing interstate commerce and mobility;
- enable agricultural exports and serve the nation's ethanol production and energy extraction industries, which are located largely in rural areas;
- are a lifeline for remotely located and economically challenged citizens;
- enable people and business to traverse the vast tracts of sparsely populated land that are a major characteristic of the western United States; and
- provide access to scenic wonders and facilitate tourism.

In addition, the scope of the Federal-aid system, extending beyond the NHS, enables enhanced investment to address safety needs on rural routes.

Further, Federal investment in rural transit helps ensure personal mobility, especially for senior citizens and people with disabilities, connecting them to necessary services. Federal public transportation programs must continue to include funding for rural states and not focus entirely on large metropolitan areas.

### **Bridge States Serve a National Connectivity Interest for People and Business**

Let me amplify a few of these points. Highway transportation between major metropolitan areas is simply not possible without excellent roads that bridge those vast distances. This connectivity benefits the citizens of our nation's large metro areas because air or rail frequently will not be the best option for moving people or goods across the country. The many commercial trucks on our rural interstate highways demonstrate every day that people and businesses in major metropolitan areas benefit from the nation's investment in highways in rural states.

The most recent FHWA data on tonnage origins and destinations shows that just over 59 percent of the truck traffic using North Dakota's highways does not either originate or terminate within the State. This is well above the national average of about 45 percent, underscoring that North Dakota's highways help connect the nation in a way that benefits other states.

## **Essential Service to Agriculture, Natural Resources, Energy**

A significant portion of the economy in our State is based on agriculture, energy production, and natural resource extraction. Governor Hoeven's economic strategic plan has identified agriculture, energy, advanced manufacturing, technology-based businesses, and tourism as growth industries because North Dakota holds a competitive advantage in those areas. These have been the focus of much of North Dakota's investments in economic development.

Agriculture is one sector of the economy where the United States has consistently run an international trade surplus, not a deficit. Over the last two decades roughly 30 percent of all U.S. agricultural crops were exported.

Apart from its value to the state, there is a strong national interest in ensuring that agricultural products and natural resources have the road network that is needed to deliver product to markets, particularly export markets. In 2009, North Dakota led the nation in the production of barley, durum wheat, spring wheat, navy beans, pinto beans, canola, flaxseed, honey, lentils, dry peas, sunflowers, and dry edible beans. Last year North Dakota was the fastest growing export state in the nation. A key part of the road network supporting the movement of agricultural products is roads below the National Highway System, where crops begin their journey from point of production to destination.

North Dakota is a major contributor of energy production in the nation. Our state is currently fourth in the nation in oil production and contains large coal reserves. Good roads throughout the State are important to our nation becoming energy independent and providing agricultural products to feed a hungry world.

Over the last three decades, tens of thousands of rural rail branch lines have been abandoned nationwide. In North Dakota since 1980, over 1,500 miles of railroad branch lines have been abandoned. The reduced reach of the rail network means that many areas, particularly rural areas, must rely more heavily on trucks to move goods. This was noted by USDA in its April 2010 "Study of Rural Transportation Issues."

With increased truck traffic in North Dakota and much of the upper Midwest, it is a challenge for us to continue to move these products. That challenge is compounded by the necessity of imposing spring load restrictions. The underlying reason for imposing spring load restrictions is inadequate roadway thickness. During the spring thaw, the ground is waterlogged and can't support a fully loaded 18-wheeler on a highway of standard thickness. Many states, especially those in the north, have little choice given their current funding, but to limit the amount of weight on highways in the spring. Like congestion, load restrictions slow down commerce and add greatly to the cost of doing business.

## **Tourism Access**

Without a strong road network in rural states, access to many scenic destinations would be limited. Tourism is vital to the economy of North Dakota.



## **Funding and Financing Considerations**

Rural states like North Dakota face a number of serious obstacles in preserving and improving the Federal-aid highway system within their borders. We:

- are very rural,
- are geographically large,
- have low population densities, and
- have extensive highway networks.

These factors make it very challenging for rural states to provide, maintain, and preserve a modern transportation system that connects to the rest of the nation. Our low population and traffic densities also mean that tolls are not an answer to funding transportation needs in rural areas. Our budget to maintain (plow snow, apply pavement marking, patch roads, seal cracks, repair signs and guardrails) the state transportation system is approximately \$9,200 per mile each year. It takes approximately 2,700 vehicles per mile per day, using today's Corporate Average Fuel Economy (CAFÉ) standards, to generate this amount of revenue from state motor fuel taxes. Very few state highways average 2,700 vehicles per mile per day in North Dakota.

## **Avoid Program Complications or Increases in Regulatory Requirements**

The next authorization bill should not make federal highway program delivery more complicated. The current highway and transportation program is complex. We would like to see processes streamlined so we can deliver projects more efficiently. We see proposals for additional requirements as counterproductive. It takes three to four years in North Dakota to complete a project that requires full environmental process clearance. We support the Federal Highway Administration's "every day counts" initiative to streamline the project development process. However, any new statutory provisions that add requirements and regulations will add time to program and project delivery and increase project costs.

One area where new regulation is being actively discussed concerns performance standards and targets. Performance measures are important, and we in North Dakota use them in our state. We believe, however, that national performance standards should be general in nature and that each state should be allowed to establish its own specific targets.

Areas being discussed that may involve some program changes and may involve new regulation concern "livability" and transportation planning to address climate change. These are often discussed in terms of providing options for transit, biking, and walking. From the perspective of this state, that raises concern. For many Americans, particularly in rural areas, those options will not serve their transportation needs. Good highways will also be essential to livability in rural and many other areas. If livability is to be part of the next highway and transit legislation, it must be framed in a flexible way that allows rural states and communities to pursue solutions that are practical for them.

We are strong supporters of the approach to program delivery in current law – that most funds are apportioned to the states. We, like other states, conduct public outreach and then prioritize project selection. We are concerned that various proposals would give more emphasis to distribution of funds to projects based on decisions at USDOT, not in the states. Disproportionate growth in Federal

discretionary dollars inevitably would reduce the portion of the program distributed to states. While we do not expect a Federal program without some discretionary funding decisions made by USDOT, we think rapid growth in discretionary Federal programs should be avoided.

Before closing, let me also note that while we want a surface transportation reauthorization law that is good for North Dakota enacted as soon as possible, without a reauthorization law, states and business are faced with operating under program extensions. While we are currently operating under an extension through the end of 2010, we suspect that some will say that any next extension should be short. Short extensions make program delivery less effective and discourage investment by the private sector. So, if there are to be extensions, they should be of practical length, perhaps a year.

### **Transportation is a Good Investment**

Much of today's surface transportation infrastructure was built by our forefathers as an investment in our country. Today that investment is taken for granted as everyone automatically expects a strong transportation network. Many people have invested in new forms of communication in their home, spending more than ever before on items such as cell phones and Internet. Today it is not unusual for an individual consumer to spend \$500 a year on a cell phone bill, compared to the national per capita average contribution of \$109 a year into the Highway Account of the Highway Trust Fund. We think this illustrates that transportation is a good buy.

While we recognize that we do have challenges on our system, we do have many hundreds of miles that are in good to excellent condition. Continued investment is necessary to ensure our roadways stay in good condition and that we can improve those that are not.

### **Conclusion**

In conclusion, it is essential that the Congress, through the reauthorization process, recognize that increased federal investment in highways and surface transportation in rural states is, and will remain, important to the national interest. The citizens and businesses of our nation's more populated areas, not only residents of rural America, benefit from a good transportation network in and across rural states like North Dakota. With such legislation, we will be better equipped to address transportation issues in the ND 23 corridor as well as elsewhere in North Dakota.

That concludes my statement. I'll be happy to respond to any questions you may have.

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# Attachment 1

## 2010-14 STIP Construction Program

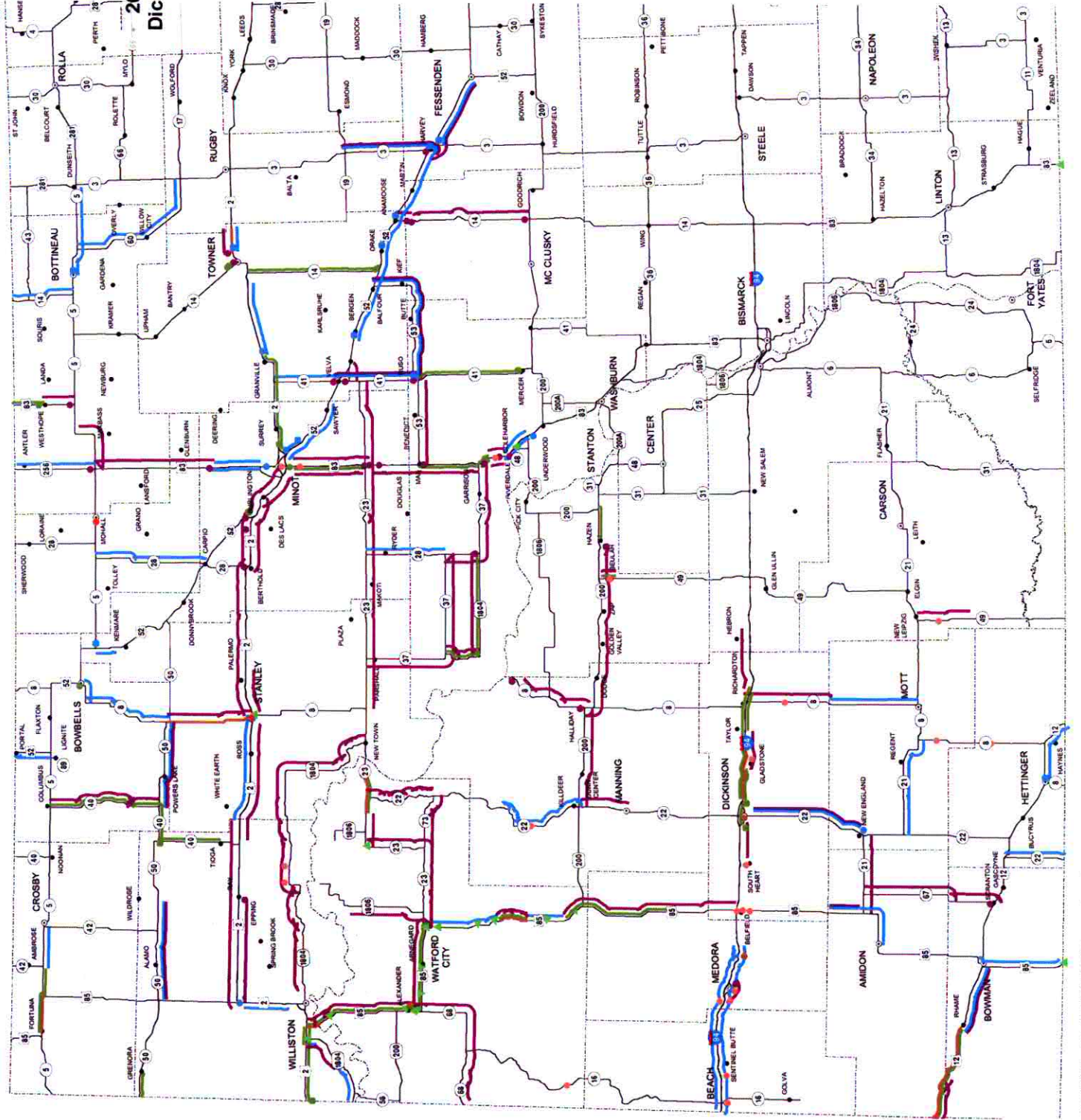
### Dickinson, Minot and Williston Districts

(Pending Federal Funds)

- Major Rehab
- Minor Rehab
- Thin Lift Overlay/Preventive Maintenance
- Seal Coat
- Structure
- Municipal



STATE OF  
**NORTH DAKOTA**  
provided by the  
 NORTH DAKOTA DEPARTMENT OF TRANSPORTATION  
 PLANNING & PROGRAMMING DIVISION  
in cooperation with the  
 U.S. DEPARTMENT OF TRANSPORTATION  
 FEDERAL HIGHWAY ADMINISTRATION  
 2010



### North Dakota's Overall Construction Cost Index

