

State of Misconsin 2015 - 2016 LEGISLATURE

LRB-0593/2 EVM:jld&ahe

2015 ASSEMBLY BILL 826

January 29, 2016 – Introduced by Representative KRUG. Referred to Committee on Transportation.

1 AN ACT *to create* 84.013 (3m) (j) of the statutes; **relating to:** the preparation of 2 an environmental impact statement for a certain major highway project in 3 Wood County.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Transportation (DOT) administers a major highway projects program. With limited exceptions, a major highway project is either 1) a project having a total cost of more than \$30,000,000 and involving a) construction of a new highway 2.5 miles or more in length; b) reconstruction or reconditioning of an existing highway that relocates at least 2.5 miles of the highway or adds one or more lanes five miles or more in length to the highway; or c) improvement of an existing multilane, divided highway to freeway standards or 2) a project having a total cost of at least \$75,000,000. For both categories of major highway projects, DOT annually adjusts the total cost threshold based on an inflation index.

For major highway projects of the first type, the project must generally receive the approval of the Transportation Projects Commission (TPC) and the legislature (generally referred to as "enumeration") before the project may be constructed. In general, DOT must receive authorization from TPC to prepare an environmental impact statement (EIS) or environmental assessment (EA). Once the EIS or EA is completed, TPC may recommend approval of the project. After TPC has recommended a project, the legislature may enumerate the project and construction of the project may commence.

ASSEMBLY BILL 826

For major highway projects of the second type, DOT may prepare an EIS or EA for the project without TPC approval but, prior to construction of the project, must submit a report to TPC and request TPC approval to proceed with the project under a passive review process. Once approved by TPC, the project is considered enumerated as a major highway project under the statutes.

This bill involves a project of the first type. The bill requires DOT to study the amount of vehicle traffic on a portion of STH 13 and, if the study indicates that the traffic count on any portion of the study area averages 28,000 vehicles per day, to commence the preparation of an EIS for a project involving the construction of a proposed east arterial highway that begins at the intersection of STH 54 and STH 73 in the village of Port Edwards and extends to the intersection of STH 54 and CTH "W" in the city of Wisconsin Rapids and that includes a new crossing of the Wisconsin River. The EIS, under this bill, may be prepared without regard to whether TPC has approved the preparation of the EIS.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 84.013 (3m) (j) of the statutes is created to read:

2 84.013 (3m) (j) The department shall, in the 2015–17 fiscal biennium, study 3 the amount of vehicle traffic on STH 13 from the intersection with STH 54 to the intersection with CTH "Z." Notwithstanding s. 13.489 (1m) (e), if the traffic count 4 $\mathbf{5}$ on any portion of the study area averages 28,000 vehicles per day over the full term of the study, the department shall, in the 2015-17 fiscal biennium, commence the 6 7 preparation of an environmental impact statement, as defined in s. 13.489 (1c) (b), 8 for a major highway project involving a proposed east arterial highway that begins 9 at the intersection of STH 54 and STH 73 in the village of Port Edwards and extends 10 to the intersection of STH 54 and CTH "W" in the city of Wisconsin Rapids and that 11 includes a new crossing of the Wisconsin River.

12

(END)