

2009 DRAFTING REQUEST

Bill

Received: **07/02/2009**

Received By: **agary**

Wanted: **As time permits**

Identical to LRB:

For: **Marlin Schneider (608) 266-0215**

By/Representing: **self**

This file may be shown to any legislator: **NO**

Drafter: **agary**

May Contact:

Addl. Drafters:

Subject: **Transportation - highways**

Extra Copies: **EVM**

Submit via email: **YES**

Requester's email: **Rep.Schneider@legis.wisconsin.gov**

Carbon copy (CC:) to: **aaron.gary@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Major highway project in Wisconsin Rapids

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?				_____			S&L
/P1	agary 08/13/2009	bkraft 08/18/2009	rschluet 08/18/2009	_____	sbasford 08/18/2009		S&L
/1	agary 08/24/2009	bkraft 08/24/2009	rschluet 08/24/2009	_____	lparisi 08/24/2009	lparisi 08/25/2009	

FE Sent For: **"1" @ intro. 9/10/09**

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/P1	agary 08/13/2009	bkraft 08/18/2009	rschluet 08/18/2009		sbasford 08/18/2009		

FE Sent For:

1 bjk 8/24


<END>

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/?	agary	/Pl bjk 8/18		_____	_____	_____	S&L

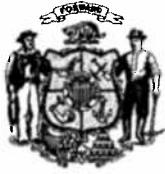
FE Sent For:

<END>

7/1

Ken Martin Schneider - TPC

- governor veto -
- Fred Ammerman - knows about it
- project on WI rapids & Ft. Edwards -
vetoed project
 - bridge across WI river
 - expansion of highway 54
 - bill to allow project to proceed -
enumerate project
 - private or local funds
- 6-0215
- talk to Fred - 67871



State of Wisconsin
2009 - 2010 LEGISLATURE

LRBb0589/P1
ARG:jld:ph

LFB:.....Dyck – Wood County bridge (motion 615, item 18.)

**FOR 2009-11 BUDGET – NOT READY FOR INTRODUCTION
ASSEMBLY AMENDMENT ,
TO 2009 ASSEMBLY BILL 75**

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 1078, line 16: after that line insert:

3 **"SECTION 1918j.** 84.013 (3m) (h) of the statutes is created to read:

4 84.013 **(3m)** (h) The department shall prepare an environmental assessment,
5 as defined in s. 13.489 (1c) (a), or an environmental impact statement, as defined in
6 s. 13.489 (1c) (b), whichever is appropriate, for a highway project involving the
7 construction of a new bridge across the Wisconsin River, connecting CTH "Z" south
8 of the city of Wisconsin Rapids in Wood County to STH 54/73 in the village of Port
9 Edwards in Wood County. This environmental assessment or environmental impact
10 statement shall be funded from the appropriations under s. 20.395 (3) (cq), (cv), or
11 (cx).".

12

(END)

Gary, Aaron

From: Gary, Aaron
Sent: Friday, July 03, 2009 4:10 PM
To: Ammerman, Fred
Subject: Bill draft request for Rep. Schneider
Attachments: 09b0589/P1

Fred,

As I stated in my voice mail, Rep. Schneider asked me to call you to discuss the bill draft he wants. Rep. Schneider indicated that you could describe for me what he wants. I have attached the budget draft that I assume is related - and that the governor vetoed in Act 28. Does Rep. Schneider just want this provision redrafted as a bill? If not, can you give me a call to discuss what he does want.

Thanks. Aaron

Aaron R. Gary
 Attorney, Legislative Reference Bureau
 608.261.6926 (voice)
 608.264.6948 (fax)
 aaron.gary@legis.state.wi.us

file w/ Fred 7/8/09

- basic idea → if locals could get enough \$ together from non state sources, DOT has to do the project; Jon is trying to get more info. on this - not sure if it is a major or not → Jon will get back to me

He for Jan 6-9919

7/28

- probably would be a major project
- just over 2 1/2 mi. of new road,

WI River Drive & Letendre Ave

- Western terminus →
crosses river

to eastern terminus

E. Riverview Expressway / ST#54
(intersects)
(interchange)

- new right of way,
following county road 2
- but a lot of new roadway

- if local govt can put together a
financing package, DOT would
participate in the construction

- DOT assistance

Gary, Aaron

From: Dumas, Aaron
Sent: Thursday, August 06, 2009 12:21 PM
To: Gary, Aaron
Subject: RE: Bill draft

Hey Aaron,

We do indeed want the project to be constructed by the DOT as part of the state trunk highway system. The project advocates said that, while the DOT has more recently suggested to them that it be done otherwise, the only reason for this was their lack of funding. I'll check into that, although I'd guess it may not matter much (other than for political reasons) to the construction of the bill draft. I'll look forward to hearing what LFB says. Let me know when and if you need anything else!

Cheers,

Aaron

From: Gary, Aaron
Sent: Tuesday, July 28, 2009 10:36 AM
To: Dumas, Aaron
Subject: RE: Bill draft

Aaron,

I spoke with Fiscal Bureau this morning to get more details about the project. There are still a lot of unanswered questions. I can make assumptions and get you a draft to start with, but it would be helpful to have more details now.

The fundamental question is: 1) who will construct this project (DOT or the local highway authority), and 2) when it's done, will it be a local road (and bridge) or will it be part of the state trunk highway system?

At this point, I am assuming that you want DOT to manage the construction and you want it to be part of the state trunk highway system. If not, and only local and federal funds are being used, I'll need you to explain why you need legislation to pursue the project (i.e. what exactly you need from DOT for the project to go forward).

Thanks. Aaron

Aaron R. Gary
Attorney, Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

From: Dumas, Aaron
Sent: Thursday, July 23, 2009 3:53 PM
To: Gary, Aaron
Subject: RE: Bill draft

That would be great, Aaron. Thanks!

Aaron

From: Gary, Aaron
Sent: Thursday, July 23, 2009 10:33 AM
To: Dumas, Aaron
Subject: RE: Bill draft

Aaron,

I had talked to Rep. Schneider earlier in the month about this draft, and entered the request at that time

(LRB-3071). Rep. Schneider asked me to obtain the needed drafting information from Fiscal Bureau. When I talked to Fiscal Bureau, I discovered that they needed to get further project information from DOT. So the ball is rolling, but I still don't have all the information I need to complete the draft. I do believe this collaborative effort is the best way to approach it, though.

I'm trying to find out when I might have the needed information to complete the draft. I'll let you know when I have that information. Do you want me to provide Fiscal Bureau with a copy of the draft when it is finished?

Thanks. Aaron

Aaron R. Gary
Attorney, Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

From: Dumas, Aaron
Sent: Thursday, July 23, 2009 9:48 AM
To: Gary, Aaron; Mueller, Eric
Subject: Bill draft

Hello Transportation guys,

Rep. Schneider would like to draft a bill that would allow a project that was vetoed by the Governor in the budget to be added to the state project list once again. This was the portion of the veto message on it:

"Section 1918j requires the Department of Transportation to prepare an environmental assessment or, if necessary, an environmental impact statement, construction of a new bridge across the Wisconsin River, connecting Wood County Trunk Highway Z south of the city of Wisconsin Rapids to STG 54/73 in the village of Port Edwards. Funding would come from the state highway rehabilitation program. I am vetoing this section because it is unnecessary and inconsistent with established highway planning processes."

Theoretically, this project should be able to be funded by a combination of private and federal funds. However, in our very limited understanding, we seem to think that it must still be added to a "state project list" before moving forward. Is that correct? We also got the following from the Village of Port Edwards administrator, who is heading up the project from a local standpoint:

"I don't think we absolutely need a state budget provision for the EIS. The EIS could be done as part of the TIGER grant. I believe that ultimately we do need state recognition for the TIGER grant. I speculate someone at the Federal level will verify the feasibility study and want to discuss the project with a State or DOT representative and without formal support, I think the grant application will not be nearly as compelling.

Certainly, the State contributing funds towards this project helps identify it as a project. This has been done to some extent by the State participation in the Feasibility study."

So ultimately my question for you is "how do we construct such a bill to best enable this thing?" Is that something you guys could figure out. Let me know if you have any further questions. Thanks!

Aaron Dumas

Office of Representative Marlin Schneider
72nd Assembly District
Aaron.Dumas@legis.wisconsin.gov
(608) 266-0215 Toll Free 1-888-529-0072
Capitol 204 North
P.O. Box 8953 Madison, WI 53708

Gary, Aaron

From: Klein, Rose - DOT [Rose.Klein@dot.wi.gov]
Sent: Thursday, August 06, 2009 4:07 PM
To: Dumas, Aaron
Cc: Gary, Aaron
Subject: RE: Hwy 54 project

Have you spoken with Dan Grasser or Kristen McHugh in the North Central region on this matter?

-----Original Message-----

From: Dumas, Aaron [mailto:Aaron.Dumas@legis.wisconsin.gov]
Sent: Thursday, August 06, 2009 12:54 PM
To: Klein, Rose - DOT
Cc: Gary, Aaron - LEGIS
Subject: Hwy 54 project

Hi Rose,

There was a provision (Section 1918j) in the biennial budget, vetoed by the Governor, that would have ordered an environmental assessment for a bridge construction connecting STH 54 and Wood County Road Z, part of a larger project that also would have included realigning part of STH 54. This project has been discussed for some time now, and a feasibility study has already been completed. Currently, project advocates are seeking federal and private funding sources and we working on a legislative way around the veto. We have a question, though, that arises from an email we got from one of the project advocates:

At the onset of the transportation study in 1999 and until the DOT restructured a few years ago, our meetings with the DOT led all of us to believe when the feasibility was complete and when the project is constructed it would be a DOT project. We even had some specific discussions about how the highway system would be labeled. After the DOT restructuring and with different DOT staff, the DOT has been suggesting it be built as a local high cost bridge and arterial that would utilize the Urban Aid system for financing. It has been my impression this suggestion was specifically and only because the DOT had no other means of financing the project, but should be clarified to be sure.

So, we're just wondering: aside from the funding and the legislative go-ahead, is there any other reason that the DOT would now be opposed to the project being managed by the DOT and integrated with the state trunk highway system?

Thanks much,

Aaron Dumas

Office of Representative Marlin Schneider
72nd Assembly District

Aaron.Dumas@legis.wisconsin.gov <<mailto:Aaron.Dumas@legis.wisconsin.gov>>

(608) 266-0215 Toll Free 1-888-529-0072

Capitol 204 North

P.O. Box 8953 Madison, WI 53708

Gary, Aaron

From: Dumas, Aaron
Sent: Wednesday, August 12, 2009 11:14 AM
To: Gary, Aaron
Subject: FW: Bridge/arterial project

Hey Aaron,

So this is what we got from the DOT on the project. They seem very much at odds with what the project advocates want (as you will see from the other email I am about to forward you). Assuming that we still do want the project to go forward with DOT management/oversight and to be incorporated into the state trunk highway system, then, in spite of DOT's disinclination to want to do this on their own, what are we looking at for a bill? Do we have enough to go on, or are there other factors still at play?

Thanks!

Aaron

From: Grasser, Daniel - DOT [<mailto:Daniel.Grasser@dot.wi.gov>]
Sent: Tuesday, August 11, 2009 4:55 PM
To: Dumas, Aaron
Cc: McHugh, Kristin - DOT; Burkel, Rebecca - DOT
Subject: RE: Bridge/arterial project

Aaron,

If the communities were successful in obtaining funding, the region would prioritize and allocate resources to manage the development of the project according to the rules that may apply to the funding being used. To clarify, if the local governments were proposing to utilize some form of federal funding that was channeled through the department, we would manage the work similar to other federally funded projects. If the locals choose to fund the project solely with local funds it is unlikely that the department would be involved in oversight.

The department is not currently looking for ways to expand our state highway system by adding additional miles of roadway unless the addition strongly enhances our existing system. The department does not foresee a need to upgrade or change the alignment of WIS 54 for the next 15 to 20 years.

I hope this helps answers your questions.

Thank you,

Dan G.

From: Dumas, Aaron [<mailto:Aaron.Dumas@legis.wisconsin.gov>]
Sent: Friday, August 07, 2009 5:07 PM
To: Grasser, Daniel - DOT
Cc: McHugh, Kristin - DOT
Subject: Bridge/arterial project

Hey Dan,

Thanks so much for calling earlier. I definitely think I understand where you're coming from, and it's understood that, as there are already 4 bridges that cross the river near the proposed new bridge site and that there are no current or

foreseeable safety, condition or congestion problems with STH 54, the DOT doesn't see this arterial as a necessary project--and especially not one they're going to advocate for. It is seen as a local project. That definitely answers one of my major questions.

The other one, which I'd just like a clarification on, is this. Hypothetically, if--in spite of the lack of necessity--this were to be fully funded from outside of state funds, would the DOT have a problem with

- A. managing it, and/or
- B. ultimately incorporating the finished product into the state trunk highway system/STH 54?

Thanks again for all your help!

Aaron Dumas

Office of Representative Marlin Schneider
72nd Assembly District

Aaron.Dumas@legis.wisconsin.gov

(608) 266-0215 Toll Free 1-888-529-0072

Capitol 204 North

P.O. Box 8953 Madison, WI 53708

Gary, Aaron

From: Dumas, Aaron
Sent: Wednesday, August 12, 2009 11:14 AM
To: Gary, Aaron
Subject: FW: HWY 54 South Wood County TIGER Grant
Importance: High

From: Roland Hawk [mailto:roland.hawk@jewellassoc.com]
Sent: Monday, August 10, 2009 8:05 PM
To: Dumas, Aaron
Cc: 'Joseph M. Terry'; mcarson@wirapids.org; dlaspa@wirapids.org; 'Doug Passineau'
Subject: HWY 54 South Wood County TIGER Grant
Importance: High

Aaron,

I am the Project Manager for Jewell Associates Engineers, Inc hired by the communities of South Wood County to draft the TIGER Grant for the HWY 54 Arterial Project. This project will have a significant impact to the communities relying on HWY 54.

Joe Terry, from Port Edwards asked that I forward to you my thoughts regarding the Wisconsin Department of Transportation's involvement with the project. I worked for WIDOT for over 15 years with my last 8 years in the Wisconsin Rapids office. My responsibilities included oversight of in-house and consultant staffed design and construction projects. I was also heavily involved in planning studies throughout central Wisconsin.

There is a benefit to have the HWY 54 East Arterial constructed as a State Highway for the reasons Joe mentioned in his email, to improve the continuity of the State Highway system and eliminate the converging and diverging systems. Furthermore, there is a need to address the State Highway 54 through traffic for commercial and industrial uses and increase the safety for all of the traveling public.

As the WIDOT Feasibility Study indicates, commercial and industrial traffic is going to increase between the Port Edwards, Nekoosa industrial areas and the Wisconsin Rapids East side business and industrial parks and beyond. Without the HWY 54 Arterial there will be more trucks hauling industrial products through residential areas. Mixing passenger cars with short commutes to shopping centers, local retail centers and schools with the large trucks that have longer hauling destinations will increase the number of serious crashes, and completely erode the travel mobility.

With the reduction of WIDOT employees, and expected furloughs, it is not feasible to expect the WIDOT will have the ability to complete a project of this size in the short time allowed with out a significant increase in staffing and funds. Therefore it will be very important to establish a plan that includes WIDOT Administration/Oversight with a team of consulting engineers to perform design and construction engineering services.

I have been advised the WIDOT is not to promote one TIGER Grant project over another which can greatly influence the success of a project. However, the inclusion of the extension of HWY 54 from Letendre Avenue in Port Edwards across the Wisconsin River along County Highway Z in the 1970's federal-aid plan is evidence that state and local officials understood the importance of the East Arterial not only to the local street network, but also to other state and federal roads. Therefore, to say the WIDOT does not support this project, says they do not support their own long range highway improvement plan.

If you have any questions or would like to discuss the project in more detail, please contact me.

08/12/2009

Roland Hawk, P.E.
Senior Vice President
JEWELL Associates Engineers Inc.
310 East Jackson Street
Wisconsin Rapids, WI 54494
Office 715-424-2424
Fax 715-424-2421
Cell 715-572-4140

roland.hawk@jewellassoc.com



5000

in 8/13

Ljk

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

D-Note

SA
X-ref

1 **AN ACT** ^{gen.}...; **relating to:** requiring the Department of Transportation to construct,
 2 and enumerating, a certain major highway project in Wood County if certain
 3 conditions are satisfied.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Transportation (DOT) administers a major highway projects program. With limited exceptions, including an exception for southeast Wisconsin freeway rehabilitation projects, a major highway project is a project having a total cost of more than \$5,000,000 and involving construction of a new highway 2.5 miles or more in length; 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 improvement of an existing multilane, divided highway to freeway standards. Any major highway project, unlike other highway construction projects undertaken by DOT, 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. The TPC may not recommend approval of any major highway project prior to the completion by DOT, and review by the TPC, of a final environmental impact statement (EIS) or environmental assessment (EA) approved by the Federal Highway Administration (FHWA). The legislature may not enumerate any major highway project unless the TPC has recommended approval of the project.

This bill requires DOT to commence, in the 2009-11 fiscal biennium, the preparation of an EIS or EA, as applicable, for a project involving the construction of a new bridge across the Wisconsin River and associated highway connecting CTH

(2)

(3)

:AA 1)

“Z” to STH 54/73 in Wood County. DOT must construct this project if: 1) DOT’s final EIS or EA for the project is approved by the FHWA by a certain date; and 2) there are sufficient funds available in DOT’s federal funds and local funds appropriations for major highway projects to fully fund construction of the project. Upon construction, the bridge and highway that are the subject of the project become part of the state trunk highway system.

For further information see the *state and local* 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:

1 **SECTION 1.** 84.013 (3) (e) of the statutes is created to read:

2 84.013 (3) (e) The project described in sub. (3m) (g) 2. This project is
3 enumerated under this subsection notwithstanding s. 13.489 (4) (c).

4 **SECTION 2.** 84.013 (3m) (g) of the statutes is created to read:

5 84.013 (3m) (g) 1. In this paragraph:

6 a. “Environmental assessment” has the meaning given in s. 13.489 (1c) (a).

7 b. “Environmental impact statement” has the meaning given in s. 13.489 (1c)

8 (b).

9 2. Notwithstanding s. 13.489 (1m) (e), the department shall commence, in the
10 2009–11 fiscal biennium, the preparation of an environmental impact statement or
11 environmental assessment, as applicable, for a project involving the construction of
12 a new bridge across the Wisconsin River and associated highway connecting CTH “Z”
13 from Wisconsin River Drive and Letendre Avenue south of the city of Wisconsin
14 Rapids in Wood County to STH 54/73 in the village of Port Edwards in Wood County.
15 This environmental assessment or environmental impact statement shall be funded
16 from the appropriation accounts under s. 20.395 (3) (bq), (bv), or (bx).

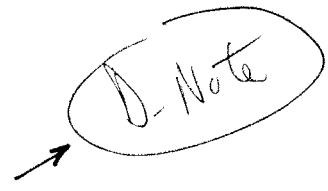
17 3. The department shall commence construction of the project specified in subd.
18 2., not later than December 31, 2015, if all of the following apply:

1 a. The department has been notified, by December 31, 2014, that a final
2 environmental impact statement or environmental assessment for the project has
3 been approved by the federal highway administration.

4 b. There are sufficient funds available to the department in the appropriation
5 accounts under s. 20.395 (3) (bv) and (bx) to fully fund construction of the project.

6 4. Upon construction, the bridge and highway described in subd. 2. shall be part
7 of the state trunk highway system under s. 84.02.

8 (END)



D. Note

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-3071/P1dn

ARG:.....

Lbjk

Date

ATTN: Aaron Dumas

Please review the attached draft carefully to ensure that it is consistent with your intent. Please pay particular attention to the project boundary description, as I am not familiar with the area. Also, I do not know whether the deadlines established in this bill are realistic; if not, they may need to be changed. I understand that DOT is opposed in concept to this bill. However, it may still be worthwhile to have DOT review the draft for technical concerns, such as the timeframe for the project assuming the bill is enacted.

Please let me know if you would like any changes made to the attached draft or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an introducible "/1" draft.

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.state.wi.us

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-3071/P1dn
ARG:bjk:rs

August 18, 2009

ATTN: Aaron Dumas

Please review the attached draft carefully to ensure that it is consistent with your intent. Please pay particular attention to the project boundary description, as I am not familiar with the area. Also, I do not know whether the deadlines established in this bill are realistic; if not, they may need to be changed. I understand that DOT is opposed in concept to this bill. However, it may still be worthwhile to have DOT review the draft for technical concerns, such as the timeframe for the project assuming the bill is enacted.

Please let me know if you would like any changes made to the attached draft or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an introducible "/1" draft.

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.state.wi.us

2,671

Gary, Aaron

From: Dumas, Aaron
Sent: Saturday, August 22, 2009 12:25 PM
To: Gary, Aaron
Subject: RE:

Thanks, Aaron.

I did correct myself in conversation with Chris. As to your points:

1. That is OK. Are there any problematic consequences, though, of the fact Chris mentions that they have no state funding for EIS until 2016? Obviously, we're hoping not to have to rely on those funds anyway. If there is any way we can still proceed with this, then that's what we want.

2. Understood.

3 and 4. We don't want this to be conditional, so it's fine as is in that if the TIGER doesn't come through, we'd want it out of other federal dollars.

If that gives you enough to go on, then we're ready for the real draft! Also, I'm going to be away starting tomorrow until September 20th, so please also include Cynthia Kieper from our office on any other correspondence related to this.

Thanks!

Aaron

From: Gary, Aaron
Sent: Friday, August 21, 2009 10:44 AM
To: Dumas, Aaron
Subject: RE:

Aaron,

A few issues I should mention.

1. Under the draft, the EIS could in fact be funded by state funds. The project construction itself could not. So state money could be used to get the ball rolling but no state funds would be used for construction. (So the dialogue below isn't quite accurate.) If this is not what you wanted, let me know and I'll change it (the approach in the draft was consistent with what was in the budget amendment).

2. To my knowledge, this would be a major highway project - I don't think we can just take it out of the majors program.

3. We could add a condition in the bill that any federal moneys can only come from a federal grant designated for this specific project. I think Chris's concern is that the federal money comes in for major highway projects in general, and then each project competes against the others for those federal highway dollars. So there might be federal money available, but that federal money would not necessarily come from project-specific grants and DOT might have to divert it from other projects that DOT considers to be higher priority. As far as I know, this is what you want - if you definitely want the project to be built and no state \$ to be used for the construction. However, if you want the project to be built only if there is a federal grant earmarking funds for the project, then the bill should include a provision establishing this "grant condition".

4. If you want to include the "grant condition" described under 3., then we have to again discuss the time line. We don't know when that grant might be received. If you want DOT to get started on the EIS this fiscal biennium, the money to do that would have to come from something other than grant funds.

08/24/2009

Aaron

Aaron R. Gary
Attorney, Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

From: Dumas, Aaron
Sent: Friday, August 21, 2009 10:11 AM
To: Gary, Aaron
Subject: FW:

Hi Aaron,

I've had a little back-and-forth with the DOT here, and I'm not really sure how to answer this question. Any thoughts?

Thanks!

Aaron

From: Klein, Christopher - DOT [mailto:Christopher.Klein@dot.wi.gov]
Sent: Friday, August 21, 2009 10:06 AM
To: Dumas, Aaron
Subject: RE:

I dont see how this bill gets you there. You say if there is funding in (bx) and that is where the federal funds are for all Major projects. Why don't you not reference anything with Majors and say if a federal grant is received.

-----Original Message-----

From: Dumas, Aaron [mailto:Aaron.Dumas@legis.wisconsin.gov]
Sent: Friday, August 21, 2009 9:49 AM
To: Klein, Christopher - DOT
Subject: RE:

Correct, that is the route that we're preparing to go down.

From: Klein, Christopher - DOT [mailto:Christopher.Klein@dot.wi.gov]
Sent: Friday, August 21, 2009 9:41 AM
To: Dumas, Aaron
Subject: RE:

Meaning the EIS money and design money and construction money is all provided locally or through TIGER? No state \$ at all.

-----Original Message-----

From: Dumas, Aaron [mailto:Aaron.Dumas@legis.wisconsin.gov]
Sent: Friday, August 21, 2009 9:35 AM

08/24/2009

To: Klein, Christopher - DOT

Subject: RE:

Thanks, Chris. We were already aware, though, that DOT would oppose it--and I'm sorry for the awkwardness there. We just were looking for your view on the feasibility of this assuming it was enacted. The goal, in spite of DOT's opposition, is not to foist an impossibly difficult project on DOT. And I would note that the idea is not to force the state to spend its own money; the EIS (and other necessary funding) would be provided through a federal TIGER grant or locally (hence the s. 20.395 (3) (bv) and (bx) language). Does that help clarify my question?

Thanks,

Aaron

From: Klein, Christopher - DOT [mailto:Christopher.Klein@dot.wi.gov]

Sent: Friday, August 21, 2009 9:22 AM

To: Dumas, Aaron

Cc: Woltmann, Mark - DOT; Nilsen, Paul - DOT; Bush, Scott - DOT

Subject:

Aaron, we would oppose this bill. This bill would skip the TPC process of enumerating projects and that we would not support. When projects get added to the Majors program via the TPC, they need to be first recommended by the Department and this project would not be our recommendation. There are several other projects in the queue that would be our next recommendations. Even spending the money to complete an EIS wouldn't be possible since we don't have any money available in the Major's program until 2016.

Chris

From: Dumas, Aaron [mailto:Aaron.Dumas@legis.wisconsin.gov]

Sent: Thursday, August 20, 2009 7:12 PM

To: Woltmann, Mark - DOT

Subject: Highway project bill question

Hi Mark,

I heard that you are the legislative liaison for highways. Could you take a look at the draft of this bill and make sure that we're not getting anything technically wrong, especially things like realism of the timeframe assuming the bill is enacted?

Thanks much!

Aaron Dumas

Office of Representative Marlin Schneider

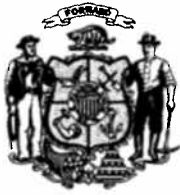
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Capitol 204 North

P.O. Box 8953 Madison, WI 53708



State of Wisconsin
2009 - 2010 LEGISLATURE

Seen

LRB-3071/2
ARG:bjk:rs

m 8/24

LMN

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

No changes

SA-

- regen.

1 **AN ACT to create** 84.013 (3) (e) and 84.013 (3m) (g) of the statutes; **relating to:**
 2 requiring the Department of Transportation to construct, and enumerating, a
 3 certain major highway project in Wood County if certain conditions are
 4 satisfied.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Transportation (DOT) administers a major highway projects program. With limited exceptions, including an exception for southeast Wisconsin freeway rehabilitation projects, a major highway project is a project having a total cost of more than \$5,000,000 and involving: 1) construction of a new highway 2.5 miles or more in length; 2) 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 3) improvement of an existing multilane, divided highway to freeway standards. Any major highway project, unlike other highway construction projects undertaken by DOT, 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. The TPC may not recommend approval of any major highway project prior to the completion by DOT, and review by the TPC, of a final environmental impact statement (EIS) or environmental assessment (EA) approved by the Federal Highway Administration (FHWA). The legislature may not enumerate any major highway project unless the TPC has recommended approval of the project.

This bill requires DOT to commence, in the 2009-11 fiscal biennium, the preparation of an EIS or EA, as applicable, for a project involving the construction

of a new bridge across the Wisconsin River and associated highway connecting CTH "Z" to STH 54/73 in Wood County. DOT must construct this project if: 1) DOT's final EIS or EA for the project is approved by the FHWA by a certain date; and 2) there are sufficient funds available in DOT's federal funds and local funds appropriations for major highway projects to fully fund construction of the project. Upon construction, the bridge and highway that are the subject of the project become part of the state trunk highway system.

For further information see the *state and local* 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:

1 **SECTION 1.** 84.013 (3) (e) of the statutes is created to read:

2 84.013 (3) (e) The project described in sub. (3m) (g) 2. This project is
3 enumerated under this subsection notwithstanding s. 13.489 (4) (c).

4 **SECTION 2.** 84.013 (3m) (g) of the statutes is created to read:

5 84.013 (3m) (g) 1. In this paragraph:

6 a. "Environmental assessment" has the meaning given in s. 13.489 (1c) (a).

7 b. "Environmental impact statement" has the meaning given in s. 13.489 (1c)
8 (b).

9 2. Notwithstanding s. 13.489 (1m) (e), the department shall commence, in the
10 2009-11 fiscal biennium, the preparation of an environmental impact statement or
11 environmental assessment, as applicable, for a project involving the construction of
12 a new bridge across the Wisconsin River and associated highway connecting CTH "Z"
13 from Wisconsin River Drive and Letendre Avenue south of the city of Wisconsin
14 Rapids in Wood County to STH 54/73 in the village of Port Edwards in Wood County.
15 This environmental assessment or environmental impact statement shall be funded
16 from the appropriation accounts under s. 20.395 (3) (bq), (bv), or (bx).

1 3. The department shall commence construction of the project specified in subd.
2 2., not later than December 31, 2015, if all of the following apply:

3 a. The department has been notified, by December 31, 2014, that a final
4 environmental impact statement or environmental assessment for the project has
5 been approved by the federal highway administration.

6 b. There are sufficient funds available to the department in the appropriation
7 accounts under s. 20.395 (3) (bv) and (bx) to fully fund construction of the project.

8 4. Upon construction, the bridge and highway described in subd. 2. shall be part
9 of the state trunk highway system under s. 84.02.

10

(END)

Parisi, Lori

From: Schneider, Marlin
Sent: Monday, August 24, 2009 2:30 PM
To: LRB.Legal
Subject: Draft Review: LRB 09-3071/1 Topic: Major highway project in Wisconsin Rapids

Please Jacket LRB 09-3071/1 for the ASSEMBLY.