

**TESTIMONY
OF
CONGRESSWOMAN MICHELE BACHMANN
BEFORE THE
SUBCOMMITTEE ON NATIONAL PARKS, FORESTS AND PUBLIC LANDS
HOUSE COMMITTEE ON NATURAL RESOURCES**

**HEARING: H.R. 850 – “A BILL TO FACILITATE A PROPOSED PROJECT IN THE
LOWER ST. CROIX WILD AND SCENIC RIVER, AND FOR OTHER PURPOSES”**

May 4, 2011

Chairman Bishop, Ranking Member Grijalva, and Members of the Committee, thank you for your consideration of H.R. 850, a bill that I am proud to sponsor, facilitating the construction of a four-lane highway bridge over the Lower St. Croix River at Oak Park Heights, Minnesota and St. Joseph, Wisconsin.

Today’s hearing on the St. Croix River Crossing Project is a much-needed step to preserve human safety, interstate economy, and the beauty of the river crossing at Stillwater. I commend the House Committee on Natural Resources for the expedient manner in which they have addressed this long-overdue project.

Since the early 1970’s a broad coalition of interested parties has discussed the construction of a new bridge that would replace the current lift-bridge built in 1931. The bridge is listed as structurally deficient, and has a sufficient rating of 32.8, as inspected on July 16, 2009. To put this in perspective, the bridge that collapsed in Minneapolis in 2007, that led to the deaths of 13 people, had a sufficient rating of 50. While construction on a new bridge has been stalled by outrageous lawsuits and bureaucracy, the current lift-bridge continues to rust, twist, and sluff-off concrete into the river. The bridge simply cannot sustain the 16,000 to 18,000 daily drivers, which are estimated to increase to 48,000 by 2030, on a structure designed for far less. The four lanes of Highway 36 converge at this two-lane bridge with commuters and commercial drivers in gridlock during peak times or backed up through residential areas that house children. Emission pollution from idling vehicles hangs over the city, and current crash rates are 50 to 90 percent higher than the state average. The pending proposal would provide a safe, reliable, and efficient transportation corridor by reducing congestion, improving roadway safety, and providing an adequate level of service for forecasted 2030 traffic volumes. (According to MnDOT, 2030 traffic volumes are estimated to increase by over 30 percent on Stillwater Boulevard, 70 percent on Osgood Avenue, over 100 percent on I-94, and over 50 percent on USH 8).

Early on, funding was an issue, but in the 1980’s MnDOT, WisDOT, and the Federal Highway Administration began working with the communities of Stillwater and Oak Park Heights in Minnesota, and St. Joseph Township in Wisconsin to identify possible solutions for a replacement crossing. By 1992,

Wisconsin and Minnesota officials had announced a decision to build a four-lane bridge over the St. Croix River near Stillwater.

Following a multi-year Environmental Impact Study, a proposal to build a bridge was presented to the National Park Service for permitting. The project continued to move forward until the Sierra Club sued the National Park Service for failing to issue a Section 7(a) evaluation, prompting the National Park Service to issue the evaluation stating, “the bridge would have a direct and adverse effect on the scenic values that could not be mitigated.” MnDOT intervened and filed a cross-claim against the National Park Service stating the bridge was not a “water resources project” under Section 7 of the Wild and Scenic Rivers Act. The court ruled in favor of the National Park Service.

In 2001, the US Institute of Environmental Conflict Resolution was created through the Federal Highway Administration to resolve environmental conflicts by gathering key interests, establishing a process for negotiations among the parties, providing recommendations, and setting an expected date of resolution. This institute helped facilitate the consensus to move forward with construction. Today, that consensus is stronger than ever with an even more diverse sector of members.

However, even after a Section 7(a) mitigation package was approved by the National Park Service in 2005, the bridge is still not built. Every time a proposal started moving forward, the process was interrupted by a lawsuit brought by the Sierra Club. The recommendations of a multi-member advisory group that included representatives from federal and state regulatory agencies, local and regional units of government, environmental groups, historic preservation groups, and chambers of commerce, were trumped by the “visual pollution” cries of this organization.

The “visual pollution” argument is quite disingenuous in its claim that a beautiful landscape would be marred by an environmentally-designed new bridge, when the existing bridge is a short distance away from a sewage treatment plant and a power plant with a giant smoke stack, as seen in the dual-image poster. The single-image poster shows the artist’s rendition of the new bridge in its proposed location. Unfortunately, the project is currently at an impasse due to the March 2010 ruling from the US District Court vacating the National Park Service Section 7(a) permit of 2005.

Nothing in that March 2010 ruling allows for any bridge to be in compliance with the Wild and Scenic Rivers Act of 1968 because nothing in the Act allows the National Park Service to approve a bridge project unless the impact to the river values (wild, scenic, recreational) are eliminated. This is impossible. Therefore, no bridge, not even the existing bridge, is compliant with the Wild and Scenic Rivers Act values.

It is impossible to measure the crippling economic impact that the St. Croix River Crossing Project delay has cost our two states from a commerce and jobs standpoint. However, according to MnDOT, an estimated 2,970 jobs will be created per year, and at peak construction, 6,237 full-time workers will be required. Over a twenty-year period, the travel time savings and reduction of crash costs will significantly improve mobility and economic output to the tune of over \$883 million.

Meanwhile, the environmental mitigation package, agreed upon by the interested parties and approved by the National Park Service in 2005, will maintain the existing crossing as part of a unique

bicycle/pedestrian tourist attraction, with the lift-bridge as its centerpiece. Immediate emission rates with the new bridge are projected to be 45 to 56 percent lower than year 2000 emission rates.

The St. Croix River Crossing Project was one of only seven, nationwide, addressed in a 2002 Presidential Executive Order (13274) to enhance environmental stewardship. The bridge is a cutting-edge design streamlined by federal environmental reviews and it demonstrates an extraordinary partnership between multiple interests to develop a sensitive solution. Each month that this project is delayed, the cost escalates by approximately \$3.17 million. What started at \$80 million dollars in 1992 now has a cost of almost \$700 million. The states of Wisconsin and Minnesota are working together to fund the project, with a large portion of the bonding authority already set aside. I am pleased that my underlying bill does not appropriate a dime.

Therefore, Chairman Bishop, Ranking Member Grijalva, and Members of the Committee, I respectfully ask the Committee to take the necessary action to move this vital project forward. The St. Croix River Crossing Project is no longer a matter of "if" it is necessary. That has been determined. This is an issue of how much we will pay in dollars, and possibly lives, before we act. This bill simply authorizes something that should have been done decades ago.