

July 16, 2024

Mr. Randy Christmann, Chair
Public Service Commission
600 East Boulevard Ave
Bismarck, ND 58505-0480

Dear Mr. Christmann:

CONCERNS ON CERILON GTL ND PROJECT - ND HIGHWAY 1804 IN WILLIAMS COUNTY

Thank you for the opportunity to provide input on the June 25 letter concerning the Cerilon GTL ND Project along ND Highway 1804 near Trenton.

As part of the GTL ND Project, Cerilon completed a Traffic Impact Study (TIS) and provided the NDDOT and Williams County the opportunity to review and provide comments on the TIS as it was being developed. The Final Study recommendations included the construction of three driveways (one along 147th Avenue NW and two along 42nd Street NW) to the Cerilon facility. It also states traffic generated by the Cerilon site will be required to use 42nd Street NW via Connector Street. For reference, 42nd Street NW via Connector Street connects to ND 1804 just south of a railroad crossing known as Marley Crossing and currently has existing turn lanes. The TIS notes that no improvements are recommended at this intersection due to acceptable levels of service, that the existing left turn lane provides enough storage to accommodate any additional queueing that may be because of the Cerilon development, and that the queuing is not expected to back onto the railroad crossing.

Although many at-grade railroad crossings exist across the state of North Dakota, we recognize the impact of the at-grade railroad crossing at Marley Crossing and the significance of supporting development in this area. In each of the past three years (2022, 2023, 2024), the NDDOT has applied for federal RAISE (Rebuilding American Infrastructure with Sustainability and Equity) grant funding for planning and preliminary design for a Marley Crossing Grade Separation. Unfortunately, we have not been awarded a grant at this time. To expand our odds of being awarded a grant needed to start the efforts at this crossing, the NDDOT has partnered with BNSF for grant writing efforts and will continue to look for funding opportunities for this location.

For the intersection of ND Highway 1804 and 147th Avenue NW, the TIS stated "while daily operations traffic should not impact this movement, a southbound left-turn lane along ND 1804 could help prevent rear-end collisions." The request for this turn lane also came up during a Williams County Commission meeting. In response, the NDDOT has begun the project development for a turn lane at this intersection. Plans are expected to be ready for 2025 construction, pending the outcome of an identified need in the report from the Road Safety Review (RSR) that was held by the NDDOT.

A RSR of the Trenton/Marley Crossing/ND Highway 1804 area came up during the Williams County Commission meeting on April 2, 2024. A RSR is a site visit of a roadway or intersection by a multi-disciplinary team to identify changes that may improve safety. The NDDOT conducted the on-site RSR meeting on May 29, 2024. The goal of the RSR is to answer questions about what elements of the road may present a safety concern: to what extent, to which road users, and under what circumstances; and to brainstorm opportunities to eliminate or mitigate identified safety concerns. This RSR included stakeholders from NDDOT, ND Highway Patrol, Williams County Highway

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Department, Williams County Sheriff's Department, Williams County Planning & Zoning Development Services, Williams County Community Engagement Coordinator, Williams County Administration, Williams County Emergency Services, Trenton Township, Hardscrabble Township, Williston Ambulance, Williston Fire Department, and Williams County Commission. The NDDOT is working on a study of the topics discussed by the group and a report will be completed by the end of August 2024. The topics being studied include additional turn lanes (including the locations referenced in your letter), a revised speed zone through Trenton, roadway lighting, and enhanced roadway signing. The report recommendations will then be used to begin project development as appropriate.

The RSR also included discussion of a "bypass" around Trenton. Recognizing there are constraints in the immediate area around Trenton, the idea of re-routing traffic onto County Road 5 to the west of Trenton was brought up by the stakeholders as a potential long-term solution. County Road 5 has an existing grade separation over the railroad tracks. NDDOT will collect traffic for County Road 5 to better understand the existing conditions on that county route.

When it comes to the blocked railroad crossings mentioned in the letter, that is beyond the authority of the NDDOT as it comes to enforcement with the railroads. Below is some information on both the federal and state levels.

- Federal Railroad Administration (FRA) Reporter
Link: <https://www.fra.dot.gov/blockedcrossings/>

There are no federal laws or regulations pertaining to blocked crossings. Therefore, the information gathered from the reports is only being used to track the location and impacts of blocked crossings.

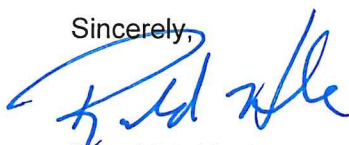
- NDCC 49-11-19. Blocking or obstructing crossing with train - Penalty.

The ND PSC is the only State agency, of which we're aware, with (non-environmental) regulatory authority over railroad operations.

In addition, the NDDOT will continue to coordinate with Williams County and the surrounding local governments to assist with any future traffic operations or safety concerns that may result from the Cerilon Development. NDDOT is committed to supporting this critical project as it will have a significant economic impact on the region and the state.

If you have questions, please feel free to give me a call at 701-328-4445.

Sincerely,



Ronald J. Henke, PE
Director

01/cmo

c: Office of the Governor
North Dakota Department of Commerce
Joel Wilt, NDDOT Williston District Engineer
Chad M. Orn, NDDOT Deputy Director for Planning
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