

RECORD OF PUBLIC COMMENTS

**PLANNING CERTIFICATION REVIEW OF THE
SOUTHEASTERN WISCONSIN REGIONAL
PLANNING COMMISSION: 2016**

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INTRODUCTION

This document presents the public comment received by the U.S. Department of Transportation Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) regarding the transportation system planning and programming being conducted by the Southeastern Wisconsin Regional Planning Commission during a formal public comment period of July 27, 2016, through October 3, 2016, and made at a public meeting held on August 3, 2016. The public meeting and comment period were conducted as part of a Federally required quadrennial certification review conducted by FHWA and FTA of the metropolitan planning and programming process carried out by the Commission. The document presents in the following exhibits:

- The transcripts of oral comments given at a public meeting held August 3, 2016 (Exhibit A).
- Written comments received from July 27, 2016, through October 3, 2016 (Exhibit B).

Exhibit A

**TRANSCRIPT OF PUBLIC MEETING
HELD AUGUST 3, 2016, AT THE O'DONNELL PARK PAVILION
IN MILWAUKEE, WISCONSIN**

PUBLIC COMMENTS IN RE:

SOUTHEASTERN WISCONSIN
REGIONAL PLANNING COMMISSION
OPEN HOUSE PUBLIC MEETING ON
METROPOLITAN TRANSPORTATION
PLANNING PROCESS

PUBLIC COMMENTS, taken before ALI KORNBERGER, a
Notary Public in and for the State of Wisconsin, at
O'Donnell Park Pavilion, 910 East Michigan Street,
Milwaukee, Wisconsin, on August 3, 2016, commencing at
5:50 p.m. and concluding at 6:56 p.m.

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TRANSCRIPT OF PROCEEDINGS

MS. JEANNE HEWITT: Good evening. I'm
Dr. Jeanne Hewitt. I'm a faculty member at the
college of nursing at University
Wisconsin-Milwaukee, and I also have funded with
colleagues for a center that deals with children's
environmental health, and in that context I would
like to make these brief remarks.

All policies including transportation
policies is a health policy. Active transportation
including public transit promotes the public's
health. In their own final recommendation plans
SEWRPC reprimands, and I quote, "A reduction in
transit service in the Region (other than committed
projects) rather than the significant improvement
and expansion recommended under VISION 2050," end
quote. In a separate report entitled Milwaukee
Metropolitan Area compared to its peers, SEWRPC
shows that the Milwaukee metropolitan area is
overall significantly worse off than peer
metropolitan areas in the Midwest and throughout
the nation. Note that the comparison reports
significantly dilute the disparity faced by the
city of Milwaukee minority population by inputting
Ozaukee, Washington, and Waukesha communities that

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-- given that Milwaukee is tied with Detroit as the
most segregated city in the nation. The process
used by SEWRPC to engage minority community members
in VISION 2050 was pathetically ineffective, and,
in fact, on your own website you have a picture
displayed on the website of one of the community
meetings, and as you look at it it is
overwhelmingly white, very white, and that is
representative of what I participated in as well.
Half the minority community in Milwaukee have been
effectively engaged by SEWRPC. The results would
have been even more dramatically in favor of
expanding and improving public transit.

In their final report, SEWRPC focused on
being fiscally constrained regarding public
transit. Despite knowing that public transit is the
best transportation option for all but the only
option for many: Most minorities based on race,
ethnicity, and poverty status, those with certain
disabilities, and an increasingly aging population.
I have been disheartened by the process that seems
racist. In SEWRPC's final report that perpetrated
environmental injustices and health disparity, the
following should be mandatory for all regional
planning: First, use valid community engaging

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processes; second, adhere to principles of environmental justice, both of which have been spearheaded at the federal level by the National Institute of Environmental Health Sciences to which I referred to before that I belonged to a center; and thirdly, be responsive to the will of the whole community with particular sensitivity to those who experience environmental injustices. Thank you.

MS. KARYN ROTKER: Good evening. My name is Karyn Rotker. I am a senior staff attorney. I work on racial injustice issues for the ACLU of Wisconsin. This is my fourth certification review. I have been to every one since 2004. I am going to comment about the process and then briefly about the substance.

This is by far this worst turnout I have seen at a certification review, and it is in no small part I assume because of the really much more deficient notice process that happened this time, whatever the legal requirements may have been, in terms of meaningful effort to engage communities, to engage people like me who have been to three in the past, much less communities of color or people that have children and childcare needs or work needs. It was terrible. I did not find out about

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this until Monday, two days ago. There was an email sent by SEWRPC. The headline was something like VISION 2050 Approved, which I just didn't even open because that was not something I was looking at right now, and only if you opened it and only 'cause somebody else opened it and looked down in the bottom of the email was there a notice that was sent by email about the certification review. I want to contrast that to the notice I gave which was sent in 2012 not only to the Environmental Justice Passports by SEWRPC's but to anyone who was on the environmental justice passport list, which includes a lot of people who were involved in this issue and SEWRPC knows they are involved in this issue. It was sent on June 7 for a June 26 meeting, so there were close to three weeks' notice, which gave people the opportunity to prepare. Again, whether or not there was a notice put in the Community Journal, there are methods that SEWRPC uses in other instances to notify people of events and meetings, and they didn't do it this time. It may have notified the EJTF members itself, but it didn't send it to all the other people on the list, and it did not send it despite having presumably a large vision list with

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a clear headline about what was going on weeks ago when they learned about it. So I think that the lack of attendance at this, which is really much lower than we have seen in the past, is a reflection of that. And it's a real concern about form over substance, again, whether or not this is technically legal, the nature of the actual commitment to engaging the community.

On that note, as compared to 2012 when on June 7 we were notified of July 26, that was also six weeks' notice. We are now being told that comments are due on August 26, which is just over three weeks during the summer when a lot of people are on vacation. So many people are gone. The City of Milwaukee doesn't even hold committee meetings. I am specifically requesting that this body grant a 30-day comment extension to allow people to meaningful participate in making comments through September 26th instead of August 26th, because that's not reasonable. And that's not a way to obtain serious public involvement.

In terms of the substance, I will say there are some things that I am glad SEWRPC has been involved in, most notably the bus transit project. Involvement was great on moving it forward, but

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there are a lot of other things that they still have a long way to achieve equity. You talked about prioritizing. That prioritization in this most racially segregated metropolitan region in the United States for African Americans has to include a Title VI civil rights environmental justice, not just an analysis and public involvement, and when you involve people in division 2050 and when you hear over and over again that the biggest issues or one of the things that people are most concerned about is increasing transit. Increasing transit. When you do an equity analysis that says these increased transit plans we want are going to give increased equity to communities of color. I mean, Secretary Foxx knows this. He has spoken about this, and then at the very last minute, and again, I went to all the VISION 2050, not every session and every location, but all the sessions when at the end you say, oh, by the way, we got this fiscally constrained, so even though you want all this and even though this would achieve equity, we were not. In fact the fiscally constrained plan is going to get rid most of the public transit that you want because we have no choice, even though we don't have money for roads either, but those are in

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the plans, and without even an acknowledgement. That is going to increase environmental injustice. That is going to increase the racial disparities and access to transit system, investments between African Americans and Latinos and the white community without looking at the way it affects people with disabilities. That's a very serious problem.

Again, I will try to submit written comments, but I urge you to extend the timeframe because I do not think this was a reasonable timeframe. Thank you.

MR. GLEN SNYDER: I'm Glen Snyder. I suggest portraying between the Chicago, Milwaukee, Minneapolis, St. Paul, Superior. Two, I suggest I extending the train between Chicago and Milwaukee to Madison by Watertown, Sun Prairie community (inaudible) Milwaukee -- between Madison, Milwaukee and Chicago. I suggest an Amtrak station for Kenosha and Highway 58 and Milwaukee CP tracks. Three, I suggest setting up the metro community system from Chicago to Kenosha up to Racine from Milwaukee, Cudahy, and Green Bay by way of Sheboygan, Manitowoc on the lakeshore line and by way of Fond Du Lac, Oshkosh, Appleton, De Pere with

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the western CP lines. These extensions will connect Chicago, Milwaukee with the northern parts of Wisconsin and this is -- this will be a service between Milwaukee and Chicago of the North Western by way of Racine, Kenosha even Great Lakes down to Chicago and a two-hour service up to Green Bay on either Sheboygan line and the Oshkosh line.

Number four, I suggest upgrading a proposed downtown streetcar into rapid transit system to connect the rest of Milwaukee and the suburbs. I suggest using this is to connect the inner cores of Milwaukee with the outer cores of suburbs, for example. I will skip number five. Number six, I'm against the Amtrak schedule. I still want hard copies against this high-tech usage. I want hard copies of Amtrak schedules. Why make things more complicated? I won't stand for it no more. Number seven, I suggest from extending Chicago to and then to Milwaukee to Brookfield to Milwaukee by SEWRPC. The suburbs of between Chicago and Milwaukee Burlington, Milwaukee, Waukesha runs by the Milwaukee electric railroad connecting services. There needs to be better connection between the Amtrak trains and the various bus lines. The big bus agents aren't very helpful -- other bus lines.

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The bus line is confusing to the average passenger who wants to go from point A or point B. The Amtrak is a good idea for the service between the bus lines. There is a need for better coordination. I have a map. I have a map. I have a map from Chicago to Milwaukee up to Chicago that line up to Madison here and up to the rest. Let's say it should be this -- should explain everything more -- up Metra lines has. I think I have routes here and there. I suggest tying together between the large cities. This is what I suggest. Thank you.

MR. DENNIS GRZEZINSKI: I'm Dennis Grzezinski. Like Karyn Rotker, who spoke earlier, I have closely monitored and participated in SEWRPC planning efforts for many years. I have attended each of the VISION 2050 planning efforts in Milwaukee County, and along with Karyn have attended more than half of the Environmental Justice Task Force meetings that have been held in the last couple of years.

First thing I want to say is that SEWRPC's VISION 2050 planning process both in terms of their involvement and in terms of the substance of their end product represents a greater improvement over

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their earlier planning efforts. Lots of people have given them lots of advice lots and lots of times over a number of years, and they put some of that in place. The substance of their work has been improving, and I have told them a number of times after these meetings that one draft or another was making me happier and happier. They were more thorough. They addressed some of the important issues better than they had earlier, and I'm pleased that I can say those things.

There has been a number of ways in which this planning effort has fallen short. One of them indicates a modest thing, but if this recertification effort and process is at all important, and it's a major failing, people have to be able to learn about this readily more than a few days before. Again, if some reasonable information had been submitted to the community I'm sure I would have learned of it more than two days ago. It's a short time period, and for that reason I also would request that the time for written comments be extended.

Bigger problems, there are a couple of them, but the biggest problem that I see is that in the 2050 VISION process, the public input process, a

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1 very open, a very inviting, a very useful process,
 2 there was no discussion, no warning that after
 3 coming together and describing a regional
 4 transportation plan that would solve the regions'
 5 needs and it would meet the input of the public, it
 6 was going to be recommended. It was not that plan,
 7 but a fiscally constrained plan that essentially
 8 left transit on the table, and they said we're just
 9 going to spend billions and billions of dollars as
 10 we have been doing on highway rebuilding and
 11 expansion and transit. Who cares? I know SEWRPC
 12 cares; I know they do. They care as much as the
 13 rest of us, but you wouldn't know it from the
 14 switch that happened. I understand one of their
 15 required work products is a fiscally constrained
 16 plan and they have to do that, but if
 17 prioritization is indeed, as the slide on the scene
 18 earlier said, is an important consideration for the
 19 federal agencies, that ain't happening. The
 20 priority is more lanes for more cars. Even though
 21 if you dig into the technical dependencies, if you
 22 bear reading thousands of pages instead of the 800
 23 pages of each of the environmental impact
 24 statements, you would learn that these highway
 25 expansion projects are not going to achieve their

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1 congestion-mitigating goals unless massive
 2 improvements and expansions of transit occur.
 3 There it is in the environmental impact statement,
 4 for I94 east/west, three and a half miles, the
 5 state wants to spend 850 to a billion dollars in
 6 three and a half miles, significant chunk of that
 7 to add some lanes. Consultants say they are not
 8 going to achieve the congestion-mitigation goals
 9 unless transit in the quarter triples. Under the
 10 fiscally constrained plan, transit is just going to
 11 continue to decline. Maybe we will get a 30
 12 percent increase with the BRT. SEWRPC's job is
 13 going to have to be not just to prepare the right
 14 plan -- I think the plan they prepared was great --
 15 and then say, "Here is what the state is going to
 16 let us spend." Their job is going to advocate,
 17 firmly, loudly, successfully, for the transit
 18 improvements that they recognize we need to have
 19 happen for all the reasons that everyone has and
 20 will say, racial justice, environmental justice,
 21 economic growth. I would have a lot more to say,
 22 but there's no more time. I will submit them in
 23 writing.
 24 MR. JEFF STUBLER: Hello, my name is Jeff
 25 Stubler. This is my first time participating in a

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1 process of helping the regional claim. I started
 2 the middle with workshop three. I am first upset
 3 at the lack of commentary at the end of the VISION
 4 2050 process. At the final meeting, which was a
 5 Thursday, I was not able to make a comment due to
 6 time and hoped to on the next weekend but found
 7 that the comment period had already closed by then.
 8 No notice that this period was ending so quickly
 9 was ever given to me, and there were also only two
 10 nights' notice given for this one. I also had it
 11 come to my attention the transportation plan that
 12 is actually being considered now is a much more
 13 reduced version of what I was under the impression
 14 was being created. I believe this plan was a
 15 recommendation on what the region actually needed
 16 and would help influence further considerations
 17 later on in terms of money, but only in the past
 18 few days I have learned of the fiscally constrained
 19 transportation plan that essentially follows the
 20 trend. It appears that the final fiscal plan
 21 follows the trend and recommends following the
 22 trend because that is what the current trend is. A
 23 completely circular logic that makes me feel much
 24 of my time participating in this process was a
 25 complete waste. I feel that could have been

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1 explained at prior meetings and that maybe there
 2 could have been some influence on the constrained
 3 plan. And I also object to the fact that transit
 4 alone was sidelined in the fiscally constrained
 5 transit plan and highway expansion such as I43. If
 6 engineering said they would be needed, they could
 7 have lane expansions despite the fact that there is
 8 nearly a one billion dollar transportation
 9 shortfall in Wisconsin for funding for highway
 10 expansion too. Transit can be cut if there is no
 11 budget, but if there is no budget for highway
 12 expansion that is perfectly fine to keep in the
 13 plan.
 14 I essentially feel as a non-car owner, I
 15 participate in a process to influence my community
 16 to go away from this trend, but since it's a
 17 current trend and that's where we are already
 18 putting our money, we can only plan to keep doing
 19 it this way rather than putting in place changes
 20 that I feel many people in the process were
 21 expecting we will achieve through this process.
 22 Thank you.
 23 MS. DOLORES GREEN: Good evening. My name
 24 is Dolores Green. I am the executive director of
 25 Renewed Environmental Public Health Advocates, and

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I would like to make a few comments about the process. I had the opportunity to participate in one of the VISION planning sessions, and my concern with the process is that all of this wonderful urban planning is going on and these plans for land use and water use and transportation for the future are being put in place, and I know that SEWRPC gives a community outreach to invite people to participate, but the reason that I'm here today is that I am very concerned, very pissed about the number of people that these plans, and it is the implementation of these plans the number of people that will be impacted/affected by these plans who have no idea about them, know nothing of SEWRPC. We're never invited. Don't have a clue. I'm talking the majority of the black community, Hispanic community and poor white community. I think it's awful that all of this work is being done that will impact so many people, and they don't have a clue.

My other issue is: I have followed some of the reports that SEWRPC has produced. They are wonderful reports, but when I read through some of those reports, one question comes to my mind is: Who are these reports produced for? We have in our

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city thousands of people who are not college educated, who do not understand technical writing. And these reports are written to be put on paper, to record what has been done, what the plans are, and they are written in such a level it is so much information that the average person cannot read it and understand it. I am really suggesting that you will take into consideration the population of this city, and that when you are producing these reports and all of this information, think about producing some reports that the average person can read and understand.

My other concern or complaint tonight is: This is an awesome facility. It is absolutely gorgeous, but look at who's here tonight, and the question is: Why? Why is it that many people in this city that this plan will impact are not here? It is because they did not know about it, and why not? You all choose to hold this meeting on the beautiful lakefront facility. You could have just as easily held this meeting in the inner city, in Washington Park Library, and inform people that you were coming and what this was about and give them an opportunity to participate and ask questions in response. All I'm asking is that I have said that

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I believe the work that has been done by SEWRPC is awesome. From one perspective I am absolutely delighted that this work is being done, but I'm absolutely bothered that the communities that these plans will impact are not informed and not engaged. Thank you.

MR: BILL SELL: I'm Bill Sell. Thank you for coming to meet with us citizens of Milwaukee. I would like to reiterate the comments of Karyn Rotker about notice. I experienced the same thing except that I learned about this yesterday through an email that Karyn had passed off to her colleagues. So my comments tonight are not as well written as I would like them to be, but they are my sincere comments and observations.

I would like this session to be extended for comments for 30 days as she suggested. I would also like to support the comments of Mr. Stubler who spoke so eloquently. I have a disconnect when I read SEWRPC's information and when I read the Wisconsin Department of Transportation information. I worked with a group of colleagues on the expansion of I94, and we were fairly critical of it. I read the environmental impact statement and made a comment that I didn't

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see -- I'm sorry. I read the drafted environmental impact statement. It made a comment that I didn't see in the environmental impact statement. It is that when I look at the SEWRPC material and I look at the WisDOT material, and they are different. The way they are different is that WisDOT seems to have had sort of the prearranged plan of what it is going to do because whenever it referenced SEWRPC it quoted SEWRPC when it was about highways and made my inference in a footnote maybe somewhere of reference of something that might have been transit. Specifically, SEWRPC has on its map a rapid transit system from Milwaukee to Delafield, which is about 30, 40 miles west of Milwaukee. That was incorporated into the WisDOT by inference. They wouldn't even put the map into the environmental impact statement. So my grief is not to burden you with WisDOT, but I want to see some way in which the federal government can take the information you are giving and apply it, send it over to other federal departments that have control over the money I believe that they pay, and tell them hold off until we get this kind of compliance with SEWRPC that WisDOT needs to do. We can't just send money out ignoring the fact that people in the

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city are explaining what we need in terms of transportation. Again, I want to thank you for coming by. I hope you can take the comments and work with them.

MR. GLEN SNYDER: I am very frustrated. I suggest we put our money (inaudible) other Wisconsin Amtrak and bus. I start why not go north one block to Mill Street and use the old Wells Street street (inaudible) and revitalize that as a downtown streetcar system extended from the lake shore or Northwest Mutual Insurance Company all the way up to Wells Street, all the way out to Wauwatosa toward the hospitals, the Froedtert Hospital and the Children's Hospital, out that way, for example. That would work better. I suggest that extending that four-street line of the Amtrak station and straight north to the arena (inaudible). For example, on this street (inaudible) and down over to the -- and have it run all the way up toward and north towards the Milwaukee conjunction at Granville and towards places like Cedarburg, Port Washington, for example, and north towards the south, the northshore route along 6th street through the airport. That will do it. And toward the west.

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You use air line that is turn reuse all the way out toward, let's say, Brookfield and Waukesha the State Fair Park and the VA Center. Thank you. That should wrap it up for the Milwaukee Transit System.

MR. BRIAN PETERS: I am Brian Peters, and I am a community policy advocate at Independence First. We are an organization that serves people with disabilities in the four-county area of Milwaukee. There -- Another agency is called Society's Assets. They are an independent living center as well, and they serve the seven-county area here in Southeastern Wisconsin under SEWRPC's district. Both organizations, Independence living centers, represent people with disabilities in this area, and we have a partnership with SEWRPC VISION 2050 workshops. SEWRPC has been an excellent partner. They have worked extraordinarily well with us, and we applaud them for that.

We also would like to say that there has been a tremendous improvement in the amount of outreach to the community of people with disabilities. There are still improvements that need to be made. One of the speakers, in fact, mentioned that there are not enough faces here, but that is evident in

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the lack of notification. And the language in the materials is also an area that can be improved. That was also stated by somebody. So that's another thing that can be worked on as a more audience friendly material.

I have been observing the comments. I used to be on the Environmental Justice Task Force committee. So I have been a part of this process in the past and for quite a long time -- housing policy person as well as Independence First. The plan that was passed a few years ago, the partnership with the state, actually there hasn't been a great partnership that way. We wanted to set up a partnership with the regional transit authority, and that was mixed, and there has been ongoing funding issues with roads and highways and transit in general, and there was even an attempt to remove mass transit from the transportation part of the budget. That happened two years ago actually. Well, it didn't happen, but the attempt was made two years ago. So I feel like the state is not doing their part at all in working on improving transportation in the region. The decision process here seems to be an extraordinarily topped-out approach. And we have

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heard that the process with the VISION 2050 and the public meetings and workshops were such that there was community involvement that would give people the opportunity to learn, to feed back, have options and opinions. So we have gone through all that, through all of this, and seeing all of the highway language it's quite frustrating to people in the community who have participated and expressed their concerns. So with that, I thank you.

MS. JENNIFER ROTHSTEIN: Good evening. My name is Jennifer Rothstein. I am one of the newest commissioners on SEWRPC. I am from Ozaukee County, and I am on the Ozaukee County Board of Supervisors. I can tell you my experience working with SEWRPC has primarily been in more of the environmental areas where we deal directly with recognizing primary environmental corridors, natural areas, things of that nature, and I do know the work of the commission is excellent. I have just been nothing but impressed for a decade now.

I came to this meeting tonight to listen, and what I am hearing are people of goodwill that come here, and I think that they represent a much larger constituency of individuals that were not

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able to make this meeting, and so my question for -- and I asked in the back of the room one of the SEWRPC people, who can make the decision to allow public comment to be extended? My understanding is that those people that can make that decision might be sitting in front of the room. So my question to you is -- I don't know if this is the right format or not, so forgive me: Is it possible to make that decision first of all tonight before the meeting is over, and if not tonight, very shortly. I do believe, and I have been involved in the SEWRPC process, we are truly looking for opinions. These are public hearings, and we want as much of the public to participate as possible, and so by extending this public comment time -- I think the comment was well taken. This is August. This is the month of vacation. It's the hottest month of the year typically in this part of Wisconsin. If we could allow this to continue for a few more weeks you might have a much better idea and a much greater ability to really understand some people that weren't allowed to be here but would like to have an input on this process. I think that would be a blessing for everyone.

So my question is: Can the decision be made

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before this meeting is over? And No. 2, if not, how soon will that be made? And how will you get that out to people? At least to the people that are in this room that obviously have connections with other people that would like to be heard. Thank you very much.

MR. DENNIS GRZEZINSKI: I'm Dennis still. As I said, SEWRPC prepared a really great VISION 2050 chapter one of volume three, and I think that's what they recommend that the region needs. I would be very happy if they worked from now until the end of time to get it implemented. They don't need my advice on how to sell this, but I'm going to give it, a little bit of it anyway, and they can do with it as they will.

There are still some things missing from your visuals about the benefits of your plan. I mean, you should have a billboard the size of a building that says if you want a healthier population and you want to save -- you fill in the numbers -- it's either hundreds of millions or billions of dollars by reducing healthcare costs 3 percent, 5 percent -- do a little research and see what's a fair number. Those health savings alone are more than enough to justify the extra public expenses of the

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transit expansion items that are being left on the table to die under the fiscally restraint plan. That's one of your tales that needs to be told as to why we need to go down this road to this better future that you have laid out, and it is a better future.

Another -- I understand why you have been so reluctant to address it, you know, in the details of your documents you acknowledge in some ways the segregated nature of the community, but the only way we as a community are going to work our way out of the consequences of decades of discrimination and unequal services, unequal facilities, unequal access to everything, and while we have made progress we got a legacy of the past. The only way we are going to make progress includes implementing your vision for transportation. People need access to jobs. The jobs have moved out to Waukesha and Mequon and the couple of bus routes that the lawsuit that Karyn and I worked on for some very righteous and important organizations funding those bus routes for four years, is like a few drops in a bucket that is needed. Your vision needs to be implemented, and you need to I think sell it, you know, as difficult as it is, in a large part of the

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region. As part of the only way of solving some of the overlying problems of unemployment, poverty, bad health, of segregation, benefits to the elderly and disabled could be a huge poster board. We all hope to get old, and we all sort of want to get to that point where we are living beyond the point where we can drive, and your vision includes ways for folks who are lucky enough to get old or who are unlucky enough to be disabled before they get old, they can get around. Everybody knows somebody who is disabled. I think everybody knows somebody who is old and can't drive. And take the fact that billions of dollars are going to be spent on highway expansions projects that admittedly are going to fail. WisDOT rarely admits these kinds of things but sometimes they do, and those billions of dollars are going to be wasted unless transit is dramatically expanded. I think you're telling folks to spend some money to save lots of other money to avoid wasting billions of dollars. And I really hate being the only person who says that point publicly because it's true, there ought to be a legion of people saying it loudly, but the road building money is wasted. And cars are going to be jammed on those highways pretty much the way they

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are now unless transit triples in that corridor and simply in others.

Finally, until I got here and saw the slides I had no idea you were interested in people's thoughts of WisDOT. I'm not going to give you my thoughts because one, it wouldn't be polite; and two, there isn't enough time. I just suggest you read the series of judicial decisions from federal courts and several cases that I have had to sue WisDOT because their decision making makes no sense, and if I were losing those cases I wouldn't be telling you to look at them. Case after case what they do just doesn't make any sense, and even after a judge tells them I don't understand it, explain it, they take several months. And they provide a heaping, stinking mess of something instead of rational, understandable explanations.

A reason that our transportation budget is so out of whack is because all they do is build more roads whether they are needed or not. And pay a heck of a lot more per lay mile than any other state. I suggest people look at that. Thank you very much for your patience and attention.

MS. DOLORES GREEN: I am Dolores Green, again. I actually want to kind of expound on some

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of the comments that this gentleman made. What I heard him talk about was the lack of transportation throughout the state which prevents mobility and growth for thousands of people. When I heard him say and suggest that we should create access to different counties and look at the railways and the bus systems, what I heard was that these systems prevent mobility and absolutely contribute to the perpetuation of the racism and segregation.

In the year of 2016 it is no mistake that we do not have the people in Milwaukee, in Racine, and Waukesha, poor people, people of color, it is no mistake that we do not have easy access to our state capital. That's no mistake. Governor Walker rejecting the 800 million dollar railway is no mistake. When you look at segregation of this city and you look at the lack of transportation, whether it's by automobile or train or bus, if you look at the lack of access across this state, it is intentionally designed to keep people where they want them to be. Not where the people want to be, but where the powers that be want them to be. So this gentleman when he was speaking, that's what I was hearing him say, that we need to address this system which contributes to the perpetuation of the

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segregation. Thank you.

MR. RODNEY IVY: I'm Rodney Ivy, and I (inaudible) Racine, Wisconsin Urban League, and we have the pleasure of partnering with and actually having SEWRPC work with us to do a couple presentations which actually was a very good thing, and (inaudible) as well as other members too, you know, the VISION plan, and it really opened that door of communication for minorities and underserved there. I just want to say it was an enlightening experience and we look forward to moving forward the job situation in Racine really close to Illinois and the whole Illinois/Racine jobs and the people who have access to transportation, the train system, and just new developments in terms of neighborhoods and things are being planned. And we do look forward to continuing this dialogue and working with SEWRPC. I just want to highlight that. Thank you.

MR. JEFF STUBLER: Hello, my name is Jeff, and since we are discussing Wisconsin Department of Transportation too, I would like to point out in terms of not having expansion, I work right by Highway 100, and traffic has been recently expanded to a four-lane-each-way road. Traffic I do not

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remember it ever being like it is now. Sometimes the day is just packed completely with cars for blocks; other times of the day it is completely empty. I have used a stopwatch -- I almost forgot. For about a year and a half there was a painted crosswalk but there was no walk signals to use that crosswalk. They finally put in cross signals there, and it takes approximately two minutes until it switches, which means if I want to go from work to get food at a nearby restaurant, 20 percent of my entire trip is waiting for that road to clear. That road in terms of condition is very nice. Now, somebody else suggested converting the Hank Aaron Trail for trains. I would be much more supportive of that if our roads were not so horrible. When I bike on our streets, just pothole after pothole that I never see in other cities such as Chicago when I go biking down there. The roads are so much better. Thank you.

MS. KAYRN ROTKER: I'm Kayrn. Because of what Dennis said prompted me to come back up again. I want to say again from someone who is deeply involved in this for 12 years, I never heard before today you were at all interested in hearing about WisDOT either. So let me add something to what

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1 Dennis said which is a profound concern about
 2 WisDOT building walls up and closing its eye to
 3 Title VI and civil rights implications of its
 4 planning. And again, we are not just talking about
 5 public involvement, we are talking about outcomes.
 6 Let me give you a specific example: In 2011 we
 7 filed a complaint -- actually, we just sent a
 8 letter to FHWA expressing concerns that WisDOT
 9 didn't appear to have a Title VI plan as required
 10 by federal law. They got investigated. They were
 11 found to be deficient status (inaudible) the
 12 deficiency. They wrote a plan, and the plan was
 13 all form and no content. We will ensure Title VI,
 14 and in fact the example of how bad it is is at one
 15 point it said these are methods that we will use to
 16 enforce Title VI and there was a blank, and then it
 17 went on to the next item. It didn't fill it in,
 18 WisDOT didn't catch it, no one from FHWA or FTA
 19 caught it or stopped or made them actually provide
 20 content. And I think that is a symbol both in
 21 WisDOT, civil rights and unfortunately SEWRPC. We
 22 need -- if we are looking at civil rights to look
 23 at outcome, it is great and necessary to involve
 24 communities, communities of color, people with
 25 disabilities in the process, but it is equally

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1 necessary to prioritize and have outcomes that
 2 those communities seek and what benefits those
 3 communities, and when you throw out as an outcome
 4 they blank, that says a lot about how seriously you
 5 are or are not taking it. I hope that is something
 6 you will look at as well.

7 Then as the last thing I want to say, I want
 8 to express an appreciation to Commissioner
 9 Rothstein for mentioning the extension of the
 10 public comments, and I would hope that before we
 11 leave you would give us a response on her
 12 questions. Thank you.

13 MS. DIANE DAYELN: I am Diane. I am the
 14 conservation chair for the Great Waters of the
 15 Sierra Club. As far as the process is concerned
 16 one concern is that there wasn't much notice to
 17 this meeting tonight. I received an email two days
 18 ago on Monday, late Monday, and I know for all the
 19 other meetings I attended, at least four, maybe
 20 five of the VISION meetings, there was plenty of
 21 notice, a lot of reminders, that kind of thing. So
 22 I'm surprised there were only two days' notice for
 23 this meeting. Also, I have not read the entire
 24 report so I can't comment specifically on it except
 25 to say that my understanding is that it does not

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1 incorporate a lot of the concerns that we are
 2 expressing in the 2050 VISION meetings. Which
 3 surprised me because I know at the meetings a great
 4 care was taken to give people's input, at different
 5 tables, rank different things, what kind of
 6 transportation did you want for your community.
 7 Did you want more expressway? Did you want more
 8 transit, bicycle paths? People would give that
 9 information, and it was wonderful technology that
 10 they used. On two different screens they projected
 11 what percentage each of the different groups of
 12 transportation were. It was very impressive. So
 13 it seemed a lot of different preparation went into
 14 the meetings. They were taking everything
 15 seriously, everything was collected.

16 We had a number of different meetings, but
 17 then in the final report my understanding is that
 18 there is not a whole lot for transit. There is
 19 more for just the same highway expansion. So that
 20 is discouraging to me. I was very excited about
 21 the process and then very unhappy to hear that not
 22 much that was requested was incorporated into the
 23 report, and I understand that the answers are
 24 tight. There is not a lot of money, but I still
 25 think that statements should be made in the reports

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1 and here's what the people really wanted. If we
 2 had the money this is what we should be
 3 (inaudible). Thank you for this opportunity to
 4 speak.

5 MR. BILL SELL: My name is Bill Sell, and
 6 I'm back. Diane's comments reminded of an
 7 expression I heard not too long ago. It's call the
 8 fiscally responsible plan for 2050. When I learned
 9 about that I was kind of startled because I thought
 10 that everything that was on the table was fiscally
 11 within reach, but apparently the definition of
 12 fiscally responsible is filtered by current day
 13 politics. This government in Madison will not be
 14 in Madison hopefully in 2050, and yet we are
 15 planning for 2050 according to what they say the
 16 transportation budget is. I think we need a
 17 revision of what SEWRPC is supposed to be doing,
 18 and it needs to address the possibilities. It
 19 needs to put the price tag on them so we know what
 20 that is, and we will do the politics, but we need
 21 information and we need support.

22 MS. JEANNE HEWITT: I'm Jeanne Hewitt, and
 23 I would like to speak to the idea of the return on
 24 investment. That we want to be fiscally
 25 responsible. One of the difficult things for --

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said transportation is a public health policy.

It's a health policy. It really does affect the health of the nation as far -- and I have worked on this area for quite some time, and I have yet to see dollars and cents allocated to transportation when you have the public transit being really good, what benefit -- actually to the community and to the whole population, but I did read this months American Journal of Public Health. In the state of California they looked at 40 of their counties health departments and for every dollar spent the return on investment was, if I recall correctly, between \$67 and \$88 for each dollar spent. So I think that's where we should be thinking about good public transportation that is balanced. Obviously, we're going to have some roads here and there, but we certainly have given short trip to public transportation, which is really the health benefit for all of us. So I hope that we take that into account and push the health economists to look at that as a really important contribution in terms of the decision making. Thank you.

(Proceedings concluded at 6:56 p.m.)

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STATE OF WISCONSIN)
COUNTY OF MILWAUKEE) SS:

I, ALI KORNBERGER, a Notary Public in and for the State of Wisconsin, do hereby certify that the above statements on the record were recorded by me on August 3, 2016, and reduced to writing under my personal direction.

I further certify that I am not a relative or employee or attorney or counsel of any of the parties, or a relative or employee of such attorney or counsel, or financially interested directly or indirectly in this action.

In witness whereof I have hereunder set my hand and affixed my seal of office at Milwaukee, Wisconsin, this 16th day of August, 2016.

Notary Public
In and for the State of Wisconsin

My Commission Expires: February 22, 2020

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PUBLIC COMMENTS IN RE:

SOUTHEASTERN WISCONSIN REGIONAL
PLANNING COMMISSION
OPEN HOUSE PUBLIC MEETING
ON SEWPRC METROPOLITAN TRANSPORTATION PLANNING PROCESS

PUBLIC COMMENTS, taken before

ALICE M. BARBELN, a Notary Public in and for the State of
Wisconsin, at O'Donnell Park Pavillion, 910 East Michigan
Street, Milwaukee, Wisconsin, on August 3, 2016,
commencing at 5:00 p.m. and concluding at 5:27 p.m.

735 North Water Street, Suite M185
Milwaukee, WI 53202
(414) 224-9533
(800) 456-9531

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I N D E X

Examination: Page
Mr. Glen Snyder..... 3

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TRANSCRIPT OF PROCEEDINGS

MR. SNYDER: Dear SEWPRC, the Milwaukee

Amtrak concourse train schedule is much better than the old one. It was much better than the 1960s when it was built; however, I thought that the tunnels under the railroad tracks could be improved, widened, and brightened. I suggest better railroad service.

No. 1, I suggest more trains between Chicago, Milwaukee, Minneapolis, St. Paul, Superior, Duluth.

No. 2, I suggest extending the Hiawatha train between Chicago, Milwaukee to Madison by way of Oconomowoc, Watertown, Sun Prairie. Passengers then can commute between Madison, Milwaukee, and Chicago. 2a, I suggest that Amtrak station for Kenosha at Highway 50 and the Milwaukee Road CP tracks.

No. 3, I suggest extending the metro commuter system from Chicago to Kenosha up to Racine, South Milwaukee, Cudahy, Milwaukee, and Green Bay, via Sheboygan, Manitowoc, on the lakeshore line and via Fond du Lac, Oshkosh, Appleton, De Pere on the western line of the CNW UP line. These extensions would connect Chicago,

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Milwaukee, with western and northern parts of Wisconsin.

No. 4, I suggest upgrading the proposed Milwaukee downtown street car system into a rapid transit system to connect the rest of Milwaukee and the suburbs. I suggest using the bike trails of the abandoned railroads.

No. 5, on the national Amtrak system, I suggest two trains from California to New York via Chicago, St. Louis, and New Orleans. They are vast -- several-hours layovers between the western and eastern trains. Passengers are forced to waste several hours in between trains.

No. 6, I'm against discontinuing the paper Amtrak timetables. I still want hard copy schedules. I'm against this new high tech usage. How can the average railroad passenger cope with the new change? I want hard copy Amtrak schedules. Why make things more complicated for the average person? I won't stand for it. And that's several bus lines do this, too, such as the Greyhound line, the Badger line, for example. How are people supposed to figure out these change of schedules and -- they still use the old schedules from several years ago, but the trouble is, how are they

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supposed to make changes, and I wouldn't know about it.

No. 7, I suggest extending the metro line from Chicago to Antioch, Illinois to Milwaukee via Silver Lake, Burlington, Mukwonago, Waukesha, Brookfield to Milwaukee to the roundabout route, but it will connect the suburbs and between Chicago and Milwaukee. The East Troy electric railroad could then run a connecting service.

No. 8, there needs to be better connections between the Amtrak trains and the various bus lines. The Greyhound agents aren't very helpful. There aren't any ticket agents from the other bus lines. The buses aren't announced, and the passengers have to buy their fares from the bus drivers. It's just confusing to the average passenger who wants to go from point A to point B or C for that matter. Consolidating the Amtrak and bus stations is a good idea, but the service between the bus lines is bad. There is a need for better coordination. Happy rails, Glen Snyder.
(Proceedings concluded at 5:27 p.m.)

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STATE OF WISCONSIN)
COUNTY OF MILWAUKEE) SS:

I, ALICE M. BARBELN, a Notary Public in and for the State of Wisconsin, do hereby certify that the above statements on the record were recorded by me on August 3, 2016, and reduced to writing under my personal direction.

I further certify that I am not a relative or employee or attorney or counsel of any of the parties, or a relative or employee of such attorney or counsel, or financially interested directly or indirectly in this action.

In witness whereof I have hereunder set my hand and affixed my seal of office at Milwaukee, Wisconsin, this 9th day of August, 2016.

Notary Public
In and for the State of Wisconsin

My Commission Expires: November 18, 2017

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Exhibit B

**WRITTEN COMMENTS RECEIVED BY THE FEDERAL HIGHWAY
ADMINISTRATION AND THE FEDERAL TRANSIT ADMINISTRATION
FROM JULY, 27, 2016, THROUGH OCTOBER 3, 2016**

Written Comment

PUBLIC COMMENT ON REGIONAL TRANSPORTATION SYSTEM PLANNING IN SOUTHEASTERN WISCONSIN

August 3, 2016
Miller Room
O'Donnell Park Facility
Milwaukee, Wisconsin

Name: Jessica Wetzel

Representing: Urban Economic Development Association of WI

Mailing Address: 1915 N. Dr. Martin Luther King Blvd
Suite 200
Milwaukee WI 53212

E-mail Address: jessica@ueda.wi.org

Comment: As a community partner, UEDA has worked
alongside the commission to implement 5
community input workshops. The planning, guidance
and support provided by the commission on these
events was strong and integral to their success.
We have heard many times from workshop
attendees how pleased they were to be invited
to participate and provide input on such an
important topic. We look forward to a
continued partnership with the commission
and are available to be contacted for
additional comments.

Use the back side or add sheets as needed and leave at the Federal agency table. Additional comments will be accepted through August 26, 2016. Contact:

Planning Certification Review
Federal Highway Administration
525 Junction Rd, Suite 8000
Madison, WI 53717
Fax: 608-662-2121
E-mail: wisconsin@fhwa.dot.gov

Thank you.



Kevin L. Shafer, P.E.
Executive Director

August 3, 2016

Planning Certification Review
Federal Highway Administration
525 Junction Rd., Suite 8000
Madison, WI 53717

Subject: Federal Certification Review of the Regional Transportation Planning Process

To Whom It May Concern:

The Milwaukee Metropolitan Sewerage District (District) has the following comments regarding the regional transportation process in the Region, defined as the urbanized areas in Milwaukee, Racine, Kenosha, and West Bend. District comments are specific to the importance of following local stormwater management requirements.

Roadway projects typically increase impervious surfaces that, in turn, increase the volume of surface runoff (USEPA, 1993). Increased impervious surfaces have a net effect of more runoff volume occurring in less time, increasing peak flow rates and reducing the volume of stormwater that infiltrates. As peak flow rates increase, creeks and streams flow higher and wider, leading to the likelihood of more roadway overtopping, additional flooded lands, increases in erosion and sedimentation, and damages to additional buildings and properties. The runoff volume increases from approximately 10% in undeveloped areas and 20% in areas with minimal impervious surfaces (10-20% imperviousness) to 55% in urbanized areas (70-100% impervious surfaces) (see "Guidance Manual for the Surface and Stormwater Rules of the District," Volumes 1 and 2, found on the District website (<http://www.mmsd.com/rulesandregs/manuals>)).

In an effort to address the impacts of increases in peak runoff in the District's 411-square mile planning area, that includes 28 municipalities in portions of five counties, the District's regional rule and municipal local ordinances were modified in 2002. The regional rule and local ordinances contain requirements for stormwater management to reduce the effects of the increased imperviousness. While it is recognized that the Regional Transportation Planning Process includes urbanized areas outside of the District's planning area that are not required to meet the District's regional rule, the District recommends that roadway projects should be required to adhere to any and all local stormwater requirements. Other urbanized areas likely have local ordinances to address stormwater.

Currently, roadway projects must meet state requirements associated with water quality. In urbanized areas, addressing both the water quality and water quantity associated with the increases in imperviousness is needed to minimize the issues discussed above. Both the federal and state departments of transportation should be a partner to the local municipalities to minimize impacts associated with the regional transportation planning efforts.

Roadway projects may limit runoff release rates; however, controlling the volume released also is important. In addition, controls need to address the complete range of storms. Without controls on both rate and volume for the complete range of storms, roadway projects may decrease streambank stability, increase erosion, exacerbate dangerous conditions, and increase sediment loads. These detrimental effects product a cost for local municipalities.

Milwaukee Metropolitan Sewerage District
260 W. Seaboard Street, Milwaukee, WI 53204-1446
414-272-5100 www.mmsd.com

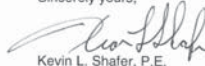


August 3, 2016
Federal Highway Administration
Page Two

Thank you for the opportunity to provide comments. Managing stormwater is a critical federal and state responsibility to ensure that the public's infrastructure and private property are protected.

If you have questions, please contact Debra Jensen of my staff at 414-225-2143 or djensen@mmsd.com. Thank you for considering these comments.

Sincerely yours,


Kevin L. Shafer, P.E.
Executive Director

Cc: Kevin Muhs, SEWRPC

RECEIVED

AUG 15 2016

FHWA
WISCONSIN DIVISION

Sept. 26, 2016

Planning Certification Review
Federal Highway Administration
525 Junction Rd, Suite 8000
Madison, WI 53717

Submitted electronically only: Wisconsin.FHWA@dot.gov

Re: Recertification of Southeastern Wisconsin Regional Planning Commission as a Metropolitan Planning Organization, and Wisconsin Department of Transportation Planning

To Whom It May Concern:

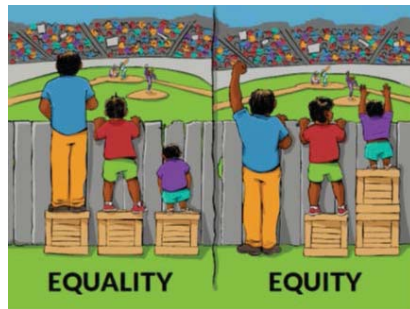
Thank you for the opportunity to comment on the FHWA/FTA joint review of the recertification of the Southeastern Wisconsin Regional Planning Commission (SEWRPC). While there has been some limited progress, such as SEWRPC's involvement with and support for Bus Rapid Transit and somewhat improved public outreach, we are raising many of the same concerns and criticisms that were raised in the past. Most significantly, we are profoundly concerned about the longstanding inability – and refusal – of both SEWRPC and WisDOT to provide equity in *outcomes*. The fact that these deficiencies remain suggests a need for strong and immediate federal intervention.

The core point is that SEWRPC (and WisDOT) have created, and continue to create, plans and projects that disproportionately benefit white non-Hispanic residents, utterly fail to provide an equitable share of the benefits of transportation system investments to communities of color, and routinely impose disproportionate burdens upon communities of color and persons with disabilities.

The failure to ensure equity in *outcomes* is in direct violation of the central goals of Title VI of the Civil Rights Act and Environmental Justice – as FHWA itself has articulated them.

Equity in transportation seeks fairness in mobility and accessibility to meet the needs of all community members. A central goal of transportation equity is to facilitate social and economic opportunities by providing equitable levels of access to affordable and reliable transportation options based on the needs of the populations being served, particularly populations that are traditionally underserved. This population group includes individuals in at least one of the following categories: Low Income, Minority, Elderly, Children, Limited English Proficiency, or Persons with Disabilities. It is important to note that transportation equity does not mean equal. An equitable transportation plan considers the circumstances impacting a community's mobility and connectivity needs and this information is used to determine the measures needed to develop an equitable transportation network.

The graphic in Figure 1 illustrates the differences between equality and equity. To attain an equitable transportation network, all components of Title VI, EJ, and Nondiscrimination [sic] must be considered.



Source: Interaction Institute for Social Change

FHWA, “Environmental Justice, Title VI, Non-Discrimination, and Equity” (viewed 9/16/16 at www.fhwa.dot.gov/environment/environmental_justice/equity/) (emphasis added); see also, FHWA & FTA, “Transportation Planning Process Briefing Book” (2015) (viewed 9/16/16 at www.fhwa.dot.gov/planning/publications/briefing_book/fhwaep15048.pdf) at 22 (“Transportation Equity refers to the way in which the needs of all transportation system users, in particular the needs of those traditionally underserved by existing transportation systems, such as low-income and minority households, older adults, and individuals with disabilities, are reflected in the transportation planning and decision making process and its services and products. Transportation Equity means that transportation decisions deliver equitable benefits to a variety of users and that any associated burdens are avoided, minimized, or mitigated so as not to disproportionately impact disadvantaged populations”) (emphasis added) & 23-24 (state DOTs and MPOs must “Develop[] measures to verify whether the benefits and burdens of transportation services are distributed equitably across the transportation planning area” and ensure that “the specific interests of low-income and minority populations [are] addressed in transportation policies, plans, and projects...”). FHWA, “What is Environmental Justice,” (viewed 9/16/16 at www.fhwa.dot.gov/environment/environmental_justice/) (“Environmental Justice (EJ) at the Federal Highway Administration (FHWA) means identifying and addressing disproportionately high and adverse effects of the agency’s programs, policies, and activities on minority populations and low-income populations to achieve an equitable distribution of benefits and burdens”); FHWA, “Guidance on Environmental Justice and NEPA” (“EJ/NEPA”) (Dec. 16, 2011) (viewed 9/21/16 at https://www.environment.fhwa.dot.gov/projdev/guidance_ej_nepa.asp) (“desired outcome”) is providing “[f]air distribution of the beneficial and adverse effects of the proposed action.”) Also see generally, 49 C.F.R. Ch. 21; 49 C.F.R. § 21.5(b)(2) (recipient of

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federal transportation funds “may not, directly or through contractual or other arrangements, utilize criteria or methods of administration which have the effect of subjecting persons to discrimination because of their race, color, or national origin, or have the effect of defeating or substantially impairing accomplishment of the objectives of the program with respect to individuals of a particular race, color, or national origin.”) (emphasis added).

Moreover,

[t]he major area of impact by plans and programs is through decisions which identify one or more planned improvements over other options. . . . To the extent that plans and programs include proposed improvements with disproportionate beneficial impacts or reflect decision processes that exclude certain groups, the long-term agenda for transportation improvements may be inappropriately biased.¹

FHWA, “Title VI: Non-Discrimination in the Federal-Aid Highway Program,” at 7-1 to 7-2 (Attachment A).² “Project teams sometimes think that because there is no discriminatory intent on the highway agency’s part, impacts of the various alternatives under consideration are not discriminatory or do not fall disproportionately on a particular segment of society. This can be a faulty assumption on some projects - an assumption that can lead to misunderstandings and mistrust.” *Id.* at 7-11.

In order to maintain its MPO status, SEWRPC is required to establish its compliance with federal civil rights and environmental regulations, including, *inter alia*, Title VI of the Civil Rights Act of 1964 and 49 CFR part 21; the Americans with Disabilities Act and Section 504 of the Rehabilitation Act. See 23 C.F.R. § 450.334(a). During the certification review, the FHWA and FTA must review whether SEWRPC is complying with these federal laws and regulations. 23 C.F.R. § 450.334(b). Under 23 CFR §§ 450.334(b)(1), (2), the FHWA and FTA have explicit authority to condition certification on the MPO taking corrective action, to limit certification to specific categories of projects, or to “decertify” the MPO and thereby withhold up to 20% of federal funding for the metropolitan planning area and/or withhold approval of certain categories of projects. The time is long past due for that authority to be exerted. Because SEWRPC is not complying with applicable federal laws and requirements, we urge you to exercise your authority and decertify SEWRPC for the violations described below, or, at a minimum, order specific corrective action on each area under continuing federal supervision. We also urge stringent oversight of WisDOT for similar violations.

I. BACKGROUND

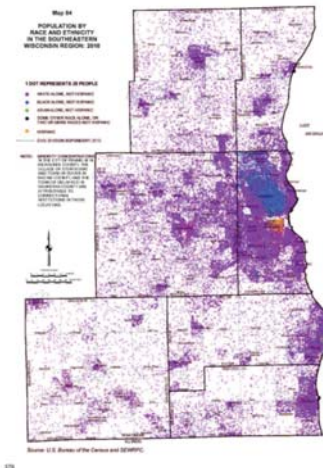
The background for these comments is the significant, disproportionate, transit-dependence and segregation of persons of color and persons with disabilities in this region. Within the seven-county area served by SEWRPC, Milwaukee County has 47% of the region’s

¹ This is true regardless of whether there is public involvement from communities of color. Public involvement without equitable outcomes does not fulfill Title VI or Environmental Justice requirements.

² References that were not located online are attached to these comments.

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total population, 63% of its Latino population, and 86% of its African-American population.³ Three of SEWRPC’s counties – Ozaukee, Washington and Waukesha – are more than 90% white non-Hispanic; four counties – those three and Walworth – are only 1% African-American.⁴ Further, communities of color are concentrated not only in Milwaukee County, but within the city of Milwaukee. These disparities render Milwaukee the most segregated metropolitan area in the United States for African-Americans and in the top third for segregation of Latinos.⁵



³ US Census, Profile of General Population and Housing Characteristics: 2010 (Data set DP1) (calculated based on White non-Hispanic alone, Black non-Hispanic alone, Hispanic/Latino of any race).

⁴ Racine and Kenosha counties are majority white, but more diverse than the other counties. See also, Housing Plan at 369-70.

⁵ See, e.g., U.S. Census Bureau, “Racial and Ethnic Residential Segregation in the United States: 1980-2000,” at Chs. 5, 6 (https://www.census.gov/hhes/www/housing/housing_patterns/pdfloc.html); “Ranking: Milwaukee Still Country’s Most Segregated Metro Area” (WUWM, Nov. 27, 2013) (viewed 9/23/16 at <http://wuw.com/post/ranking-milwaukee-still-countrys-most-segregated-metro-area>)

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SEWRPC, *Regional Housing Plan for Southeastern Wisconsin 2035* (“Housing Plan”), at 378 (<http://www.sewrpc.org/SEWRPCFiles/Publications/pr-pr-054-regional-housing-plan-2035.pdf>)

SEWRPC is well aware that overlaid on this residential segregation is a profound income and poverty gap, which is also concentrated in Milwaukee. Its own Housing Plan showed, for example, that 58% of households in the region with incomes below 80% of the median income – and 64% of those below 30% of the region’s median – live in Milwaukee County.⁶ SEWRPC also knows that the disparities in income and poverty rates have a profound racial component. In every county in the region with enough minority residents to make a comparison, Latino and African-American residents have average incomes far below those of white residents.⁷

At the heart of metropolitan Milwaukee’s hypersegregation is this fact: Milwaukee has the lowest rate of black suburbanization of any large metropolitan area in the country. . . . The Hispanic level of suburbanization in Milwaukee, though much higher than the black rate, still lags significantly behind [even] other highly segregated metropolises. In short, to a greater extent than any large region in the country, Milwaukee’s minorities are concentrated in the urban core, in neighborhoods . . . marked by concentrated poverty, joblessness, and other measures of socioeconomic distress.

Wisconsin and Milwaukee’s black and Hispanic communities manifest deep and enduring socioeconomic effects of historic discrimination across a wide range of areas. Along a daunting array of dimensions . . . the state and its largest metropolitan center display overwhelming patterns of racial inequality, racial disparities, and racially-based socioeconomic distress: most segregated metropolitan area in the nation, widest racial income gap, second highest black poverty rate, among the highest levels of concentrated poverty in neighborhoods and schools, second lowest rate of black male employment, third lowest rate of [black] female [employment], second widest racial gap in school test scores, third lowest rate of minority business ownership, worst racial disparities in incarceration rates. Minority communities in Wisconsin and metro Milwaukee (where 80 percent of the state’s black population lives and 45 percent of the state’s Latino population resides) clearly bear the socioeconomic effects of racial inequities. . . .

Levine, Dr. Marc V., “Racial Disparities, Socioeconomic Status and Racialized Politics in Milwaukee and Wisconsin: An Analysis of Senate Factors Five and Six of the Voting Rights Act” (Oct. 18, 2013) (“Levine report”) at 8-9, 22-23 and generally 5-23 (Attachment B); see also Housing Plan at 451 (“About 31 percent of families with African American householders in the Region are in poverty compared to about 4 percent of families with White/Non Hispanic householders”).

⁶ Housing Plan at 394 (calculated from Table 108).

⁷ Housing Plan at 399 (Table 111 and Fig. 26).

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In addition to residential segregation, SEWRPC is well aware of the profound, racialized, disparities in the mode of transportation, and of the need for transit to ameliorate them.⁸

Only about 75 percent of Milwaukee County Black/African American households indicated they have an automobile available for travel, and only an estimated 60 percent of Black/African American adults have a driver's license. Only about 85 percent of Milwaukee County Hispanic households indicate they have an automobile available for travel, and only an estimated 50 percent of Hispanic adults have a driver's license. In comparison, about 90 percent nonminority households indicate that they have an automobile available for travel, and an estimated 80 percent of nonminority adults have a driver's license.

SEWRPC, 2050 Regional Land Use and Transportation Plan ("Vision 2050"), App. N at N-6;⁹ see also, *Milwaukee County Transit System FAQs* (viewed 9/14/16 at www.ridemcts.com/about-us/faqs) (majority of Milwaukee County Transit System riders are persons of color, and nearly half are African-American); Pawasarat & Quinn "Readiness for Employment: Milwaukee Teens without Driver's Licenses," (UWM-Employment & Training Inst. 2012, viewed 9/14/16 at <http://www4.uwm.edu/eti/2012/TeenLicenses.pdf>) (substantial majority of African-American and Latino 16 and 17 year olds have no licenses, while most white teens have licenses or instruction permits). Moreover, even many residents who have licenses – including 40% of African-American males – cannot legally drive. See, e.g., Pawasarat & Quinn, "Drivers Status Report for Milwaukee County," (UWM-Employment & Training Inst. 2012, viewed 9/14/16 at <http://www4.uwm.edu/eti/2012/DriversStatusReport.pdf>) at 6.¹⁰ As SEWRPC made clear in its last long range plan – which was in effect until at least August 2016 – "[t]o fully implement the regional [transportation system] plan, there will be a need to assure that progress in plan implementation particularly with respect to public transit continues during economic downturns, and is not eroded through service reductions. As minority and low income¹¹ populations disproportionately use and are dependent upon, public transit, these populations are disproportionately impacted by reductions in transit service." SEWRPC, "A Regional Transportation System Plan for Southeastern Wisconsin: 2035" ("2035 Plan") (2006) at 592 (http://www.sewrpc.org/SEWRPCFiles/Publications/pr/pr-049_regional_transportation_system_plan_for_se_wi_2035.pdf).

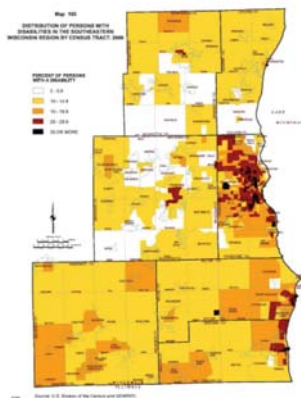
⁸ WisDOT also has known of the relationship between communities of color and transit dependence for more than 15 years. *Infra* Sec. ____.

⁹ SEWRPC has yet to post the final plan. The Vision 2050 references, unless otherwise stated, were obtained from drafts posted at www.sewrpc.org/SEWRPC/VISION_2050/2050RegLandUseTranspPlan.htm

¹⁰ "Drivers with license suspensions remain heavily concentrated in lower income city neighborhoods. . . . Two-thirds of the suspensions/revocations issued to Milwaukee County residents over the past three years were for failure to pay forfeitures (PPF) rather than for unsafe driving. . . ." *Id.* at 2.

¹¹ Many of these low-income persons are persons with disabilities: even those who work average only half the earnings of non-disabled workers. Housing Plan at 530.

Persons with disabilities also disproportionately live in Milwaukee County,¹² and, as in the case of persons of color, are disproportionately concentrated in the city of Milwaukee. See, e.g., Housing Plan at 530:



investments in transit are targeted in areas that would result in the minority, lower income populations, and people with disabilities of the Region benefiting from these improvements...

The Preliminary Plan would increase the existing minority population with access to at least 100,000 jobs by transit by about 14 percent ..., compared to about 8 percent for non-minority and families with income above poverty...

[T]he substantial increases in transit service under the Preliminary Plan would provide access for more people to existing retail centers, major parks, public technical colleges/universities, health care facilities, grocery stores, MRMC, and GMIA... The significant expansion under the Preliminary Plan would greatly improve access to existing minority and lower income populations and people with disabilities to the activity centers analyzed, with the Preliminary Plan generally serving 10 to 30 percent more minority and low-income populations than the Trend...

A comparison of the improvements in accessibility under the transit element of the Preliminary Plan to the highway element of the Preliminary Plan clearly indicates that the transit element would result in substantial increases in transit accessibility to jobs and other activities, and the highway element would result in only modest increases in highway accessibility to jobs and other activities.¹⁹

"Vision 2050 – Preliminary Draft App. H – Complete Results of the Preliminary Recommended Plan Evaluation," Criterion 2.1.1: Level of accessibility to jobs and activity centers for minority and low-income populations by mode (emphasis added) (viewed 9/16/16 at http://vision2050sewis.org/SEWRPCFiles/LUTranSysPlanning/2016-03-30-mtg/VISION2050-AppendixH_draft.PDF)

Moreover, the plan advocated by the community would have vastly improved transit quality, and thus access to jobs, health care, education, and other locations – especially for communities of color and persons with disabilities.

The Preliminary Plan would substantially increase the amount of the existing minority and lower income populations and people with disabilities that would have access to Excellent or Very Good transit service compared to the existing transit service—47 percent compared to 9 percent for minority population, 44 percent compared to 10 percent for families in poverty, 37 percent compared to 8 percent for families with incomes less than twice the poverty level, and 30 percent compared to 7 percent for people with disabilities. With the further decline in transit under the Trend, it is expected that only about 1-2 percent of these existing populations would be served by Excellent or Very Good transit service under the Trend.

¹⁹ And those "modest increases" would only apply to minority and disabled drivers, who, as discussed supra Sec. I, are much less likely than whites and non-disabled persons to have cars and (valid) drivers licenses.

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The Preliminary Plan would improve transit service over existing conditions in particular for existing minority and lower income populations and people with disabilities. . . [I]t would result in approximately an additional 38 percent of the existing minority population with access to Excellent and Very Good transit service, as compared to approximately an additional 12 percent of the non-minority population. Similarly, the Preliminary Plan would result in approximately an additional 34 percent of the existing families in poverty and 29 percent in families with incomes less than twice the poverty level with access to Excellent and Very Good transit service, as compared to approximately an additional 14 to 16 percent of families with higher incomes, respectively. With respect to people with disabilities, the Preliminary Plan would result in approximately an additional 23 percent of people with disabilities receiving Excellent and Very Good transit service, as compared to approximately an additional 19 percent of people without disabilities.

Id., Criterion 2.1.3: Transit service quality for minority and low-income populations (emphasis added). See also, "Vision 2050 Update," (Presentation to Environmental Justice Task Force) at 23 ("Example Findings of Equitable Access Criteria – Transit access to jobs and transit service quality - Significantly better transit connections for environmental justice populations under the Preliminary Plan than the Trend.")

During most of the Vision 2050 process, the emphasis was on what kinds of improvements the community wanted to see. Although there was acknowledgement that these plans might increase costs, there was no focus on any alleged fiscal constraints. Nevertheless, at virtually the end of the process, SEWRPC publicly stated that the transit improvement –and only the transit improvement – portion of the plan was not feasible due to fiscal constraints that apply to the regional transportation plan. Contrast, e.g., "Vision 2050 Detailed Alternatives Summary Handout" (Fall 2015) (no discussion of "fiscal constraint") with "Vision 2050 Draft Plan Summary Booklet" (Spring 2016) at 14 (raising in workshop handout – apparently for the first time at all, and certainly for the first time prominently – that most transit improvements would not be included due to fiscal constraint) (viewed 9/22/16 at <http://vision2050sewis.org/SEWRPCFiles/Vision2050/draftplanbooklet.pdf>). Removing these transit improvements from the final plan absolutely undermines the integrity of the process and the equity of the outcomes.

This is particularly true since even though funding for transit improvement and expansion has at times been difficult to obtain, highway funding has been, and is increasingly, a disputed issue, with inadequate budgets and project delays already occurring.²⁰ Yet in the "Federally

²⁰ See, e.g., Marley, Patrick, "GOP rift emerges on Walker roads plan," *Milwaukee Journal Sentinel* (Sept. 21, 2016) (viewed 9/22/16 at <http://www.jsonline.com/story/news/politics/2016/09/21/walker-argues-gop-come-up-road-plan/90787670/>); WisPolitics Budget Blog, "DOT would delay road projects, cut back on maintenance to meet 5 percent cut" (viewed 9/20/16 at <http://budget.wispolitics.com/2016/09/dot-would-delay-road-projects-cut-back.html>); Marley, Patrick, "Wisconsin faces nearly \$1 billion shortfall on roads," *Milwaukee Journal Sentinel* (July 27, 2016) (viewed 9/16/16 at <http://www.jsonline.com/story/news/politics/2016/07/27/wisconsin-faces-nearly-1-billion-shortfall-on-roads/87650960/>); Edmonson, Catie, "Highway project delays rack up \$700 million cost overruns,"

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Recognized Transportation Plan" (FTRTP) SEWRPC chose to include the entire (and unfunded) highway portions of Vision 2050 as "fiscally constrained," while simultaneously and intentionally refusing to include transit improvement on purported fiscal constraint grounds. Thus, SEWRPC chose to impose disparate, adverse treatment on the primary portion of the Vision 2050 Plan that is necessary and best able to meet the equity outcomes for communities of color and persons with disabilities and only on that portion of the plan.

Consequently, rather than providing the equity its prior plan and most of the recent planning process promised and the community desires, further, catastrophic, transit reductions are predicted. As SEWRPC itself stated, "the transit system included in the Federally Recognized Transportation Plan would decrease how many jobs would be accessible via transit (similar to the Trend discussed below)" – a concession it, shockingly, makes in the paragraph titled "Creating a More Equitable Region." "Vision 2050 Draft Plan Summary Booklet" at 18; see also, SEWRPC, Revised Draft Ch. 2 of Vision 2050 Plan at 107 ("transit service under the [Fiscally Constrained Transportation Plan]²¹ would be expected to decline rather than significantly improve as recommended under VISION 2050.") (viewed 9/23/16 at <http://vision2050sewis.org/SEWRPCFiles/LUTranSysPlanning/pr-055-vol-3-chapter-2-draft-revised.pdf>) SEWRPC appears to have had some recognition that this plan could have adverse effects, *id.* at 130, but adopted the plan anyway. Thus, SEWRPC's response to known discriminatory effects has not been to ensure that persons of color and persons with disabilities receive a fair share of the benefits of transportation system investments.

Moreover, SEWRPC also waters down the language it used in the 2035 plan, which made it clear that transit improvements are as critical as highway expansion, and that transit declines cannot occur without an adverse effect on communities of color, in an apparent effort to try to avoid addressing the nature and extent of the discriminatory effects imposed by the FTRTP it adopted. But there can be no doubt that an absolute and significant reduction in transit service – affecting the quality of that service, as well as access to jobs, education, health care and other destinations – is an adverse effect. And it is clearly and disproportionately persons of color and persons with disabilities who will be subjected to, and even more burdened by, those adverse effects. Excluding the transit improvements those communities need – especially while including highway projects that disproportionately benefit whites, and especially in light of the years-long patterns of planning and project development that have already operated to the disproportionate detriment of communities of color and persons with disabilities in this region – is, at a minimum, a "criter[on] or method[] of administration which ha[s] the effect of subjecting persons to discrimination" "or ha[s] the effect of defeating or substantially impairing

Milwaukee Journal Sentinel (June 12, 2016) (viewed 9/16/16 at <http://www.jsonline.com/story/news/politics/2016/06/13/highway-project-delays-rack-up-700-million-cost-overruns/85857758/>); Sommerhauser, Mark, "Transportation secretary: No major tax, fee hikes planned; project delays coming," *Wisconsin State Journal* (June 2, 2016) (viewed 9/16/16 at http://host.madison.com/wsj/news/local/govt-and-politics/transportation-secretary-no-major-tax-fee-hikes-planned-project-delays/article_99a48b57-c39f-5140-832c-535d540a027c.html); Stein, Jason, "Budget compromise would stall most Wisconsin road projects," *Milwaukee Journal Sentinel* (June 8, 2015) (viewed 9/23/16 at <http://archive.jsonline.com/news/statepolitics/budget-compromise-would-stall-most-wisconsin-road-projects-b99515413z1-306557151.html>).

²¹ Some SEWRPC materials use FTRP, others use FTRTP.

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accomplishment of the objectives of the program" for persons of color or persons with disabilities, in violation of federal regulations. See, e.g., 49 C.F.R. §§21.5(b)(2), 27.7(b)(4).²²

SEWRPC also tries to elide the extent of the discriminatory effect of restricting the transit elements of the plan by focusing on the race of people who *commute to work* and then arguing that most persons of color commute by car. See, e.g., Vision 2050 Equitable Access Analysis at N-1, N-2, N-4, N-5 (repeatedly calling automobile the "dominant" mode of travel for communities of color based on work commuting data) (viewed 9/23/16 at <http://www.sewrpc.org/SEWRPCFiles/LUTranSysPlanning/2016-06-29-mtg/VISION2050-EquitableAccessAnalysisoftheFTRTP.PDF>) But the "work commuter" focus is a red herring: given the significant lack of job access by transit in the region of course most persons with jobs commute by car – because if they do not have cars, they are far less likely to be able to get to work at all. That work commuting is itself a metric that incorporates a discriminatory effect is evidenced by the profound, racially disparate, employment rates in the region. In fact, African-Americans and Latinos are far more likely than whites to be unemployed and thus not commuting at all – in part precisely because of the lack of transit access to jobs. See, e.g., Levine report at 13-18. This "work commuter" focus also obscures SEWRPC's own data discussed above, that show 40% of African-Americans and half of Latinos do not have drivers' licenses, and thus cannot drive to work or anywhere else. Moreover, even if work commuting were an appropriate metric, where, as here, persons of color are more likely than whites to depend on transit and less likely than whites to commute by car, then there is "disproportion."²³ The FTRTP exacerbates rather than mitigates that harm.

The FHWA and FTA cannot continue to allow this disparate treatment to continue. The FHWA and FTA have an obligation to ensure that the region's MPO (and WisDOT) stop doing things the way they have been done in the past and take other, concrete actions to reverse this trend and provide minority communities and persons with disabilities an equitable share of the benefits of transportation system investments.

B. Rather than acknowledge the discrimination and lack of transit equity, SEWRPC fails to set or comply with goals and standards to measure civil rights compliance.

As part of a certification review, evaluation of civil rights compliance is mandatory. Although the MPO normally certifies its own civil rights compliance, MPOs must have a reasonable basis for making this certification. Thus, FTA requires MPOs to "have an analytic

²² Also cf., *Village of Arlington Heights v. Metropolitan Housing Development Corp.*, 429 U.S. 252, 266-8 (1977) (Discriminatory intent can be inferred from a variety of factors, including the "impact of the official action, whether it 'bears more heavily on one race than another.'") . . . [T]he historical background of the decision [.] . . [T]he specific sequence of events leading up to the challenged decision[.] . . [d]epartures from the normal procedural sequence[.] . . [s]ubstantive departures . . . , particularly if the factors usually considered important by the decisionmaker strongly favor a decision contrary to the one reached[.] and [t]he legislative or administrative history"

²³ Cf., e.g., FTA Circular 4702.1B (Oct. 1, 2012) at Ch. I-2 (defining disproportionate burden and disparate impact). Similarly, when persons with disabilities are more likely to commute by transit than persons without disabilities, they "disproportionately" use transit.

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basis in place for certifying their compliance with Title VI.²⁴ This analytic basis must “identify[y] the benefits and burdens of metropolitan transportation system investments for different socioeconomic groups.” Thus, FHWA and FTA must determine whether SEWRPC’s “[c]riteria (to establish self-certification) appears reasonable; ... [d]ocumentation [is] available to support self-certification; ... [and] [p]lanning/transportation agencies have procedures, policies, and/or guidelines that address Title VI, ADA, ... as required by regulation.”²⁵ FHWA and FTA’s review further extends to whether MPO “[s]tandards, measures and benchmarks are reasonable to demonstrate significant disparity of impacts in accessibility to and delivery of transportation facilities/services” and that the “MTP, TIP, and other aspects and products of the planning process are consistent with Title VI and related laws/requirements.”²⁶

There is no question that the Preliminary Recommended Plan Evaluation correctly concluded that transit expansion was necessary to ensure non-discrimination and that underserved communities receive a fair share of the benefits of transportation system investments, and that the projected expansion would accomplish those goals. But rather than adopt this plan and then seek to ensure that these recommendations were implemented, or at least to mitigate the extent of the racial disparity by imposing the same “fiscal constraint” requirements on highway projects that disproportionately benefit white persons, and rather than even acknowledge the discriminatory effect of this disparate treatment, SEWRPC changed the rules of the game by coming up with different measures, such as the number of persons of color who commute to work by car, which both employ circular logic and obscure the profound disparity.

Any effort by SEWRPC, therefore, to self-certify civil rights compliance or claim the L RTP complies with civil rights requirements – even though SEWRPC removed the transit recommendations needed to ensure non-discrimination from the FRTP – must be rejected. Moreover, FHWA and FTA cannot allow SEWRPC to change its goals and measurements and obscure the extent of the discriminatory effect its FRTP will impose, e.g., rather than applying the standards used in the 2035 Plan – that the “public transit recommendations of the regional transportation plan would, in particular, serve minority and low-income populations within Southeastern Wisconsin,” trying to pretend that a *decline* in transit service will somehow benefit communities of color, presumably so as to be able to assert that its L RTP, TIPs and other transportation planning products do not have a discriminatory effect.²⁷

²⁴ FTA Circular 4702.1A at VII-1.

²⁵ Transportation Planning Capacity Building, “Transportation Management Area Planning Certification Review Primer” (viewed 9/19/16 at www.planning.dot.gov/documents/primer/intro_primer.asp#2.11)

²⁶ *Id.* (www.planning.dot.gov/documents/primer/intro_primer.asp#2.12)

²⁷ SEWRPC (and WisDOT) similarly lack meaningful or equitable criteria to evaluate the effect on communities of color of urban sprawl facilitated by highway capacity expansion proposals – including even more growth in suburban communities such as Waukesha County, who remain resistant to SEWRPC’s transit improvement proposals. Attachment C. Moreover, in this racially segregated region, making it easier for suburban commuters to access employment in Milwaukee will almost certainly facilitate and exacerbate segregated sprawl patterns (especially when communities like Ozaukee and Waukesha Counties also refuse to accept many of the regional housing plan recommendations intended to

C. SEWRPC Fails to Accept and Follow Through on Input From Diverse Community Groups.

Under federal regulations:

The participation plan shall be developed by the MPO in consultation with all interested parties and shall, at a minimum, describe explicit procedures, strategies, and desired outcomes for: ...

(vi) Demonstrating explicit consideration and response to public input received during the development of the metropolitan transportation plan and the TIP;

(vii) Seeking out and considering the needs of those traditionally under-served by existing transportation systems, such as low-income and minority households, who may face challenges accessing employment and other services...

23 C.F.R. § 450.316 (a).

Yet SEWRPC still fails to meaningfully incorporate input from underrepresented communities in decision-making – especially regarding outcomes. The Vision 2050 debacle makes this clear. Throughout the process, SEWRPC actually did make efforts to involve the public – including some improved efforts to obtain input from underserved communities and its Environmental Justice Task Force. But throughout the process – although it mentioned the “trend” of decreased transit – SEWRPC simply did not make clear to those who gave their time

ensure affordable housing in the region.) *See, e.g.*, “Chair of Economic Development Committee in Milwaukee County Criticizes Outer Suburbs’ Rejection of the Regional Housing Plan Created by SEWRPC,” *Urban Milwaukee* (Sept. 2, 2014) (viewed 9/22/16 at <http://urbanmilwaukee.com/pressrelease/chair-of-economic-development-committee-in-milwaukee-county-criticizes-outer-suburbs-rejection-of-the-regional-housing-plan-created-by-sewrpc/>) (noting Ozaukee County board rejected Housing Plan and Waukesha County board “amend[ed] the plan to point of gutting it.”); Attachment C.

Although in the past SEWRPC has argued that highway expansion does not promote suburban sprawl, even WisDOT has admitted that it can in fact do so. *See, e.g.*, I-94 East-West Corridor FEIS (Jan. 20, 2016) at 3-181 (10 minutes of travel time savings can “substantially affect” “intraregional land use patterns”); WisDOT FDM at 25-5-5.2.2 (development “could be assisted or discouraged by a proposed transportation project”); *see also, e.g., Milwaukee Inner-city Congregations Allied for Hope & Black Health Coalition of Wisconsin v. Gottlieb*, 944 F. Supp.2d 656, 672 (W.D. Wis. 2013) (“it seems that one effect of implementing SEWRPC’s highway-expansion recommendations across the region would be to facilitate suburban sprawl and its associated environmental effects, such as the destruction of natural areas.”); *Highway J Citizens Group v. USDOT*, 656 F.Supp.2d 868, 888-9 (E.D. Wis. 2009) (“Having assumed that the area will continue to urbanize with or without new roads, the EIS acknowledges that this project and others will continue to harm resources, but it essentially advises that, given the existing trend towards urbanization, the environmental harm will come to pass no matter what decision the agency makes. This discussion does little to assist informed decisionmaking or informed public participation because it does not discuss whether, or the extent to which, the agency’s decision is likely to contribute to the problems associated with urbanization and suburban sprawl.”)

and effort that, whatever improved transit they desired was not feasible (or make clear that it planned to include more highway expansion than transit expansion – even though highway expansion is also not funded, and is less desired than transit expansion).

Instead, at virtually the end of the process SEWRPC then turned around and disregarded the most equitable and widely desired element of the plan: substantially improved and expanded public transportation. Public involvement that rejects the outcomes sought by the public – especially the core outcomes needed to ensure equity for communities of color and persons with disabilities – is not adequate or meaningful. *See, e.g.*, Attachment A at 7-4 (“failing to seriously consider comments by minority groups/persons is discriminatory. ... [M]embers of the public may feel that commenting is futile because the agency position is obvious. ... On the agency side, ... in responding to comments, agencies then tend to focus on explaining why public comments cannot be implemented.”) SEWRPC’s actions in the Vision 2050 process – soliciting input, and then rejecting core elements of the desired plan with little notice, after community members had invested time and effort – made a mockery of the public involvement process.²⁸

D. SEWRPC’s Governance Structure is Discriminatory.

As FHWA and FTA are aware, SEWRPC is made up of 21 members, three each from seven counties in the region. Milwaukee County, with 47% of the region’s population (and the overwhelming majority of the region’s low income and minority populations), gets no greater vote than Ozaukee County, less than one-tenth its size.²⁹

Further, communities of color and low income communities are disproportionately concentrated within the city of Milwaukee. Yet the city of Milwaukee has no representation on SEWRPC – even though the city has more residents of color than in all six of the other counties in the region combined (and, in fact, more residents of color than the *total* populations of five of the six other counties in the region) – so the city’s lack of representation on SEWRPC clearly dilutes the decision-making power of persons of color in the region.

This discriminatory governance structure cannot be divorced from the planning processes. At a minimum, it is incumbent on the FHWA and FTA to evaluate whether, as appears likely, the discriminatory governance structure is leading to discriminatory planning and project outcomes. We urge that the certifying agencies take all steps possible to ensure that a governance change occurs – including the decertification of SEWRPC in its current form and/or conditioning recertification on a redesignation.³⁰

²⁸In addition, as we have raised for at least the prior two recertification cycles, SEWRPC provided little notice about recertification to the public and failed to meaningfully involve its own EJTF in the recertification process or use the EJTF to conduct community outreach. The notable lack of attendance at the recertification review hearing makes this clear. It also continues to operate with an EJTF that lacks several members on the roster, and has had at least two official vacancies for months or years.

²⁹Milwaukee County Total Population: 947,735; Ozaukee: 86,395. U.S. Census, “Profile of General Population and Housing Characteristics: 2010.”

³⁰The city of Milwaukee concurs. *See*, Resolution 080313 (10/29/08), passed unanimously by the Milwaukee Common Council and signed by Milwaukee’s mayor.

E. SEWRPC’s Hiring, Promotion and Contracting Practices Fail to Adequately Include Persons of Color.

SEWRPC’s hiring, promotion and contracting processes also remain a concern, as discussed during the last several recertification cycles.

SEWRPC continues to lack meaningful management diversity, yet it also continues to maintain a policy of promoting from within. SEWRPC still has only one nonwhite staff member in management, but continues to promote from within, while only 5 of 45 professional staff members are people of color. SEWRPC 2016-17 Affirmative Action Plan at 6-7, 25 (viewed 9/22/16 at <http://www.sewrpc.org/SEWRPCFiles/CommissionFiles/GeneralInfo/affirmative-action-plan-2016-2017.pdf>) Moreover, there is still not a single African-American or Latino planner – a core, if not the *core* – function of SEWRPC (as was the case in the last recertification cycle), nor is there a single African-American or Latino engineer. *Id.* at 25.

In addition, as discussed in passed recertification cycles, SEWRPC retains its primary office in Pewaukee, an overwhelmingly white city that is completely inaccessible by transit, and appears to have no full time staff assigned only to the transit-accessible office it has in Milwaukee. *Id.* at 12. While SEWRPC states that it supports transit, its office has been inaccessible for many years, and rather t should instead be moving more staff to a transit-accessible office in a location closer to communities of color. It is also not clear whether SEWRPC continues its history of hiring professional service contractors without any competitive bidding and without even collecting demographic information, much less engaging in affirmative action.

F. WisDOT also fails to ensure equitable outcomes for communities of color and persons with disabilities.

The certification review team also requested comments on WisDOT’s planning process. As numerous comments we have submitted make clear, WisDOT suffers from many of the same deficiencies as SEWRPC: the refusal to ensure equitable *outcomes* for communities of color and persons with disabilities, and inappropriate efforts to obscure the nature and extent of the discrimination its policies and plans impose.

WisDOT has known of the relationship between communities of color and transit dependence for more than 15 years: in 2000, WisDOT settled a race discrimination complaint based on disparate treatment of funding for, and disparate development of, highway and transit projects in the Milwaukee area, by agreeing, *inter alia*, that “[t]he Wisconsin Department of Transportation shall continue to use its best efforts to expand and improve transit service within the Milwaukee Metropolitan Area to enable transit dependent residents of Milwaukee to better access areas of job growth.” *Wallace v. Thompson*, No. 99-020 and *Campaign for a Sustainable Milwaukee et al. v. Thompson*, No. 99-029 (US DOT- OCR, Nov. 17, 2000) (Attachment D). Its most recent Title VI Implementation Plan identifies – as one of only two methods to satisfy Title VI – that it will “[w]ork with Federal, State, local, and transit planning partners to *create and enhance intermodal systems*, and support projects that can improve the natural and human environments for EJ and LEP communities.” WisDOT, “Title VI Nondiscrimination Plan and

Assurances,” (2014) at 26 (viewed 9/21/16 at <http://wisconsindot.gov/Documents/doing-bus/civil-rights/titlevi-ada/2014titleviplanassur.pdf>) See also WisDOT, “Connections 2030:Statewide Long Range Transportation Plan” (“2030 Plan”) (2009) at 15-5 to 15-8 (viewed 9/21/16 at <http://wisconsindot.gov/Documents/projects/multimodal/conn2030/2030-15.pdf>) (state LRTP showing that the greatest number and concentration of African-Americans, Latinos, Asians, persons living in poverty, and zero-vehicle households are all in southeastern Wisconsin).

Yet WisDOT continues to fail and refuse to meaningfully consider transit expansion alternatives in project planning - even though transit expansion is required to ensure equity for communities of color and persons with disabilities. In the absence of transit expansion, these disproportionately minority residents and disproportionate number of persons with disabilities will not benefit from plans and projects that prioritize highway construction and expansion over maintaining and expanding transit. Thus, these communities do not receive a “[f]air distribution of the beneficial . . . effects of the proposed action. . . .” EJ/NEPA. Instead, WisDOT routinely tries to pretend that the racial implications of disparate transit dependence do not exist by, for example, focusing only on work commuters (without acknowledging, for example, the extremely high levels of unemployment in the African American community) in the same way as SEWRPC, *supra* Sec. II.A, or discussing “transit-dependent, low skilled workers,” I-94 FEIS at Sec. 3.29.2.7, without analyzing or addressing the *race* (or disability status) of those persons. This is not a meaningful or serious effort to analyze data fairly, much less achieve anything that resembles equitable outcomes.

WisDOT’s planning materials also make clear its disregard for actual outcomes that ensure equity. The Federal Highway Administration (FHWA) Title VI implementing regulations impose numerous requirements on state highway agencies, including specific actions these agencies must take. 23 C.F.R. § 200.9. For example, state agencies must “collect[] statistical data (race, color, religion, sex, and national origin) of participants in, and beneficiaries of State highway programs, *i.e.*, relocatees, impacted citizens and affected communities.” *Id.* at § 200.9(b)(4). They must “conduct Title VI reviews of program areas,” *id.* at § 200.9(b)(5) and “[e]stablish[] procedures for pregrant and postgrant approval reviews of State programs and applicants for compliance with Title VI requirements; *i.e.*, highway location, design and relocation. . . .” *Id.* at § 200.9(b)(13). They must also “[e]stablish procedures to identify and eliminate discrimination when found to exist.” *Id.* at § 200.9(b)(14).

Among the issues subject to a Title VI analysis is project development. And within project development, a Title VI analysis must be applied to consideration of alternatives, Attachment A at 8-4, as well as to an evaluation of social, economic, indirect, cumulative, and other effects on communities of color. Conducting such an analysis also requires a determination as to whether white non-Hispanic communities will receive a disproportionate share of project benefits. “To the extent that plans and programs include proposed improvements with *disproportionate beneficial impacts* . . . the long-term agenda for transportation improvements may be inappropriately biased.” Attachment A at 7-1 to 7-2 (emphasis added).

WisDOT should be well aware of these requirements. In 2012, the FHWA Office for Civil Rights placed WisDOT in deficiency status due to non-compliance with Title VI.

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Attachment E at 11. Its lengthy report outlined specific deficiencies, including WisDOT’s failure to address Title VI in its “Facilities Development Manual” (FDM), which is used to guide development of projects such as this one, and gave WisDOT specific instructions, including the need to address “[h]ow [T]itle VI/Nondiscrimination impacts [are] identified and analyzed under [the Socio-economic factors chapter].” *Id.* at 18. Yet as of this date, more than four years later, WisDOT still has ignored this requirement and failed to address Title VI issues in this chapter. To the contrary, most of the chapter has not been updated since the 1980s and the rest since the 1990s. See, FDM Ch. 25 (viewed 9/21/16 at <http://wisconsindot.gov/rdwy/fdm/fd-25-00toc.pdf>) There is, therefore, no meaningful way that WisDOT has addressed Title VI requirements in its planning processes and analysis of the socioeconomic impacts of its plans and project – and we are concerned that the federal agencies have, for years, allowed this utter failure to continue.

Conclusion

For the above stated reasons, the undersigned groups urge you to take immediate, concrete action to remedy the deficiencies in SEWRPC’s role as regional MPO for transportation, including by decertifying SEWRPC and requiring that a new MPO, with proportional representation from the city of Milwaukee, be created.

If you decline to decertify SEWRPC, we urge you to condition certification on specific requirements that address the inequities currently perpetuated by SEWRPC and closely monitor implementation of those conditions. These conditions would include, among others, a that SEWRPC fundamentally change the way in which it conducts transportation planning so as to ensure that the *outcomes* of that planning do not have the effect of discriminating against communities of color and persons with disabilities. We also request that you find that WisDOT has remained in Title VI deficiency status – or outright noncompliance - and closely monitor its performance, plans, and project development, to ensure that it, too, conducts its activities in a manner that ensures equitable outcomes.

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To: [McComb, Dwight \(FHWA\)](mailto:McComb_Dwight@FHWA); [Eckman, Mary \(FHWA\)](mailto:Eckman_Mary@FHWA)
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Date: Tuesday, September 27, 2016 6:24:43 AM

Lori A. Platz
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From: Barry Stuart [mailto:bstuartmke@yahoo.com]
Sent: Monday, September 26, 2016 4:46 PM
To: FHWA, Wisconsin (FHWA)
Subject: SEWRPC Certification Review Comments

I'd like to see Oak Leaf Trail connections between the East Side of Milwaukee and Bay View via Greenfield Ave. and Jones Island, also connections to the Franklin-Muskego Trail from the Oak Leaf and along the Lake Michigan shoreline from Grant Park to the We Energies trail and a connection to the MRK Trail in Racine County. Also, I would like to see extensions of MCTS bus service to Hales Corners, Franklin and Oak Creek. There's growth along Drexel from Howell to Loomis. Extending bus service into these areas would bring job-seekers to jobs.

From: [Platz, Lori \(FHWA\)](#) on behalf of [FHWA, Wisconsin \(FHWA\)](#)
To: [McComb, Dwight \(FHWA\)](#); [Eckenza, Mary \(FHWA\)](#)
Subject: FW: SEWRPC Certification Review Comments
Date: Tuesday, September 27, 2016 10:50:17 AM

Lori A. Platz
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From: Krolkowski, Mary [mailto:MKrolkowski@chw.org]
Sent: Tuesday, September 27, 2016 10:14 AM
To: FHWA, Wisconsin (FHWA)
Subject: SEWRPC Certification Review Comments

Dear DOT Representatives,

I have participated in the SEWRPC-organized citizen meetings to provide diverse perspectives on the future of transportation systems in Southeastern Wisconsin. I have found the meetings to be well-organized, understandable, and effective in collecting the input of the participants. I have found their meeting summaries and conclusions to be representative of the issues discussed at the meetings. In short, I was happy to have been part of the process and I feel my voice and the voices of many other citizens were heard.

I continue to have concerns about the roll-out of transportation plans as they go to the legislature. We are still spending an enormous amount of resources on rebuilding a freeway system that has served well in 2 past generations, but is not the desire of the generation going forward. Legislators apparently have not been creatively strategizing to transition from current transportation systems to more diverse systems, including high speed rail where appropriate, increased bicycle traffic, and more public transportation options. I hope your office can instigate legislator's to engage their synapses in planning what people have spoken in favor of at the public meetings.

Thank you
Mary K

*Mary Krolkowski, RN, MSN
Children's Hospital of Wisconsin
Herma Heart Center Research
(414) 266-2093
mkrolkowski@chw.org*

"The earth is too small a star and we too brief visitors upon it
for anything to matter more than the struggle for peace."
Coleman McCarthy

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From: [Platz, Lori \(FHWA\)](#) on behalf of [FHWA, Wisconsin \(FHWA\)](#)
To: [McComb, Dwight \(FHWA\)](#); [Eckenza, Mary \(FHWA\)](#)
Subject: FW: transportation planning process
Date: Wednesday, September 28, 2016 2:30:07 PM

Lori A. Platz
608-829-7525

From: Mark M Giese [mailto:m.mk@att.net]
Sent: Wednesday, September 28, 2016 12:35 PM
To: FHWA, Wisconsin (FHWA)
Subject: transportation planning process

I am hoping alternatives to cars can be promoted: buses, bikes, trains, walking, and so forth.

Thank you.

Sincerely,
Mark M Giese
1520 Bryn Mawr Ave
Racine, WI 53403

From: [Platz, Lori \(FHWA\)](#) on behalf of [FHWA, Wisconsin \(FHWA\)](#)
To: [McComb, Dwight \(FHWA\)](#); [Eckenza, Mary \(FHWA\)](#)
Subject: FW: SEWRPC Certification Review Comments
Date: Wednesday, September 28, 2016 2:30:28 PM

Lori A. Platz
608-829-7525

From: Swan, David [mailto:DSwan@waukeshacounty.gov]
Sent: Wednesday, September 28, 2016 2:26 PM
To: FHWA, Wisconsin (FHWA)
Subject: SEWRPC Certification Review Comments

More emphasis on rail switching in areas requesting highway improvement funds

Ok tolling in Wi.

Ok Swap of federal funds to State.

From: [Platz, Lori \(FHWA\)](#) on behalf of [FHWA, Wisconsin \(FHWA\)](#)
To: [McComb, Denise \(FHWA\)](#); [Farienza, Mary \(FHWA\)](#)
Subject: FW: SEWRPC Certification Review Comments
Date: Thursday, September 29, 2016 2:28:27 PM

Lori A. Platz
608-829-7525

From: Clinkenbeard, Harlan [mailto:Clink@pewaukee.wi.us]
Sent: Thursday, September 29, 2016 1:33 PM
To: FHWA, Wisconsin (FHWA)
Cc: kmuhls sewrpc.org; Klein, Scott
Subject: SEWRPC Certification Review Comments

To whom it may concern –

My name is Harlan E. Clinkenbeard and I am the CDD and City Planner for the City of Pewaukee, Waukesha County, Wisconsin. Thank you for the opportunity to comment on the on-going transportation planning activities of the Southeastern Wisconsin Regional Planning Commission (SEWRPC).

The first regional transportation planning program in southeastern Wisconsin, which was partially funded by the FHA, was undertaken by the, then, newly established SEWRPC 54 years ago and since that time the SEWRPC has been nothing less than a pioneer among regional land use/transportation planning agencies across the nation. That first program, begun in 1962 and completed in 1966, resulted in one of the first, if not the first, regional long-range land use/transportation plans in the country. The concept of tying land use planning to transportation planning brought forth by the SEWRPC staff in the 1960s created a sea change in regional 'transportation' planning in every metropolitan area in the country. The building of the data base on which that first plan was created also made an impact, for the good, on each of the well over 150 local units and agencies of government in the seven county region by enhancing their ability to create community planning programs at the local level that the SEWRPC staff supported.

Through the years since that first regional plan the SEWRPC has continued to raise the bar on not only the quality of their output, but the enhancement of the data base. The fifth in the series of regional land use/transportation planning projects for southeastern Wisconsin has recently concluded and having been involved to some extent in each of those projects I can say that each has been more comprehensive than the last, in terms of both staff effort and the opportunity for citizen and community involvement in the planning process. The formula set in 1962 by the SEWRPC as to how to fund, staff and operate a regional planning agency and the realization that agencies like the SEWRPC can change and do better and still keep their continuity is a testament to the communities and citizens of southeastern Wisconsin, to the federal and state agencies that have the good sense to help to continue the effort and, lastly, to the SEWRPC and its staff. The SEWRPC should be applauded for their efforts on the 2050 plan and should be encouraged in their continuing endeavors to create a better transportation system and a better environment for the users of that system. Whether we acknowledge it or not, we in southeastern Wisconsin are all better off because of those endeavors. HEC

From: [Mook, Sandy \(FHWA\)](#) on behalf of [FHWA, Wisconsin \(FHWA\)](#)
To: [Erdosna, Mary \(FHWA\)](#)
Cc: [WI-DLT-TL \(FHWA\)](#)
Subject: FW: SEWRPC Certification Review Comments
Date: Monday, October 03, 2016 7:55:34 AM

From: Philip Hohlweck [mailto:hohlweck@gmail.com]
Sent: Sunday, October 02, 2016 11:17 AM
To: FHWA, Wisconsin (FHWA)
Subject: SEWRPC Certification Review Comments

Hello,

I believe the Vision 2050 plan does not properly take into account the changing and evolving technology that will occur over the next 30 years. Vision 2050 relies too heavily on mass transit projects that will almost certainly be made obsolete by ride sharing and automated vehicles. The focus should be on roads. Roads help individuals, ride sharers, and tire-based mass transit (while it still exists) and can accommodate the future of automated vehicles. All plans for rail should be abandoned. Any inflexible, fixed-based system such as rail has no place in the future of moving people within SE Wisconsin.

Thank you,
Phil Hohlweck
6642 S. 46th St.
Franklin, WI 53132

From: [Mook, Sandy \(FHWA\)](#) on behalf of [FHWA, Wisconsin \(FHWA\)](#)
To: [Platz, Dave \(FHWA\)](#)
Cc: [WI-DLT-TL \(FHWA\)](#)
Subject: FW: The Interstate work on 94 in Milwaukee and West Allis
Date: Tuesday, October 04, 2016 7:39:18 AM
Importance: High

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

From: Jean Brooks [mailto:jeanbrooks1@mac.com]
Sent: Monday, October 03, 2016 7:06 PM
To: FHWA, Wisconsin (FHWA)
Subject: The Interstate work on 94 in Milwaukee and West Allis

I protest your work on Interstate 94 in Milwaukee and Wisconsin. You are giving tired old answers rather than presenting a vision of what could be. When I drive out of my house to do errands, I look at the ugly roads and the drab shopping malls and wish myself far away. Your plan lacks forward thinking. You don't seem to be giving any consideration to the people who live here.

Jean Brooks
West Allis, WI 53219

From: [Mook, Sandy \(FHWA\)](#) on behalf of [FHWA, Wisconsin \(FHWA\)](#)
To: [Erdosna, Mary \(FHWA\)](#)
Cc: [WI-DLT-TL \(FHWA\)](#)
Subject: FW: Comments to the Certification Review of WisDOT and SEWRPC
Date: Monday, October 03, 2016 4:30:25 PM
Attachments: [Comments to Federal Certification Review in Wisconsin.pdf](#)

From: William Sell [mailto:yes@iTranscribe.net]
Sent: Monday, October 03, 2016 11:03 AM
To: FHWA, Wisconsin (FHWA)
Subject: Comments to the Certification Review of WisDOT and SEWRPC

Dear USDOT and FHWA staff,

I have attached my written comments to this email, supplementing my statement to your panel on August 3, 2016, in Milwaukee.

I would like to keep in touch with your review process. For a start, please share with me a link or other access to all the Comments that the Certification Review panel receives.

Sincerely yours,
Bill Sell

--


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To: Planning Certification Review
Federal Highway Administration
525 Junction Rd, Suite 8000
Madison, WI 53717
Fax: 608-662-2121
E-mail: Wisconsin.fhwa@dot.gov

From: William Sell

September 26, 2016.

Re: 2016 Certification Review of SE Wisconsin MPO

Dear people of the USDOT and FHWA,

Your writer approaches the task of commenting on Certification as one who has founded and managed for four decades a service to editors and authors nationwide. Reporting on correct and incorrect English is the essence of his work. He hears and reads the varieties of nationwide speech. He is a student of both the changing and traditional English - whatever is recorded in commission meetings, academia, high schools, research parks and think-tanks, jail interrogation rooms, media interviews, sports-talking, 911 calls, courtrooms, doctor-patient conversations and public hearings.

His familiarity with spoken and written word comes from listening to and transcribing hundreds of hours of speech every year. Research tools for meaning, usage and spelling are constant companions.

In commenting on the documentation of the Wisconsin Department of Transportation (WDOT) and the Metropolitan Planning Organization (MPO) or the Southeastern Wisconsin Regional Planning Commission-SEWRPC), he understands that fact is essential and that formal documents ought to speak in a formal language that is commonly understood.

It is those two standards by which he examines government reports. As a citizen he advocates without a fee for efforts to reach agreement on the best public policy. He is a former member and chair of the Transit Services Advisory Committee (County), and a member of the Clean Transit Committee of the Sierra Club John Muir Chapter, member Coalition for more Responsible Transportation (CMRT).

The UDOT/FHWA invitation to discuss the relationship between WDOT and SEWRPC is an opportunity many of us had long hoped for, and we are delighted that the invitation, probably novel, was made at your public forum on August 3, 2016.

Using four clarifying examples from the SEWRPC and WDOT texts, this comment highlights facets of the relationship.

Citizens observe that the WDOT and SEWRPC relationship is a marriage - now some decades old - with echoes of a couple abiding each other in the same house.

The rules governing this relationship are from a federal agency. The mandate to WDOT and SEWRPC to coordinate their work is mentioned without reference in a SEWRPC report.¹

¹ <http://www.sewrpc.org/SEWRPCFiles/LUTranSysPlanning/pr-055-vol-3-chapter-2-draft-revised.pdf> p.107

I. The Language

The writer observes the language where WDOT takes SEWRPC to task, and describes their transit advocacy as "stand alone." (Transit Demand Management, below)

The meaning of "stand alone" is not confusing, and is well understood as metaphor.

Your writer observes here that the WDOT author anticipates an advantage over SEWRPC with this phrase. WDOT tiptoes in looking for an edge, a place to stand and frequently disqualify transit from the I-94 East-West Corridor Project in Milwaukee County (Project). This is a tried and true M.O. - scolding an opponent for one's own faults.

WDOT, however, is the "stand alone" in the Project. By excluding all transit from consideration, WDOT is swimming upstream alone in the face of the resistance of two Federal courts, the needs of the community, environmental concerns, services to a large unemployed sector of Milwaukee, and the State budget.

This WDOT foray appears to prevail in the Final EIS² and in the Record of Decision³ for the Project.

I ask the federal agencies: Who is the planner here? Why is the State and federally funded work of SEWRPC trifled?

WDOT is not fooling itself. It smartly continues its attack with the obsequiousness required of an in-fighter. Maintaining appearances, it genuflects to SEWRPC, trotting out the RTP whenever the document supports a piece of the WDOT plan.

From personal observation, the writer adds that SEWRPC is no "transit-or-no-way" advocate. SEWRPC is multimodal and regional to the core.

Truth be told, the world is going regional and multimodal. Regions that do not get this trend will fail its economics, education, and cultural footings - leaving to the market to give the region the spanking of its life.

Ask

I ask the federal agencies. Why are you funding a project that will likely imperil spoken transportation needs of Milwaukee? Is a five-minute faster commute a high federal priority?

As you well know, friends are advised not to take sides with a quarrelsome couple. But having the mediation skills of both USDOT and FHWA at our disposal with the need and the opportunity to speak out, your forward-thinking invitation on August 3 drives us forward.

And the writer now gingerly sets aside awkward feelings, takes a deep breath, and lays out the scene of a decaying process. Examine if you would, please, the wording in the TDM section of the WDOT DEIS for the Project corridor in Milwaukee County.

² <http://wisconsindot.gov/Documents/projects/by-region/se/94ew-study/final-eis.pdf> p.123

³ <http://wisconsindot.gov/Documents/projects/by-region/se/94ew-study/record-of-decision.pdf> p.12

"Analysis by WisDOT further shows that TDM, as a standalone alternative, will not address the project's purpose and need ... Therefore, it was eliminated from consideration by WisDOT and FHWA as a standalone alternative." [bold added]

Transit Demand Management

"[Concerning the] ability of TDM to meet the key project goals includes the following:

"• Maintain a key link in the local, state, and national transportation network. Increased congestion and crashes would decrease I-94's ability to serve as a key transportation route.

"• Address the obsolete design of the I-94 East-West Corridor to improve safety and decrease crashes. TDM as a **stand-alone** alternative would not address the obsolete design of I-94.

"• Replace deteriorating pavement. TDM as a **stand-alone** alternative would not address the deteriorated pavement on I-94.

"• Accommodate existing and future traffic volumes at an acceptable level of service. TDM as a **stand-alone** alternative would not address existing and future congestion. This segment of I-94 would not have an acceptable level of service.

"Therefore, TDM, as a **stand-alone** alternative, will not address the project's purpose and need and has been eliminated from consideration as a **stand-alone** alternative."⁴ [bold added]

Disingenuous. Your writer challenges WDOT to find a single instance where SEWRPC asks for any stand-alone transit solution.

Furthermore, as witness to the public discourse on highway planning, your writer knows citizens up-in-arms asking to devote more (or all) resources to Transportation Demand Management. But no one need worry that WDOT will devote excessive attention to citizen opinion.

WDOT's stand-alone (highway only) response to the officially spoken needs of the City and County of Milwaukee is inadequate. In the Project's Purpose and the Needs, we note how their one-track proposal excised practical hopes - such as rapid transit all the way to Delafield⁵ - for WDOT's single stand-alone solution, that wider, misplaced highway.

II. Purpose and Needs of the Study [WDOT DEIS I-94 corridor]

1.2 Purpose of this Project

The I-94 East-West Corridor project would accomplish the following:

1. Maintain a key link in the local, state, and national transportation network. Sections 1.3.1, Land Use and Transportation Planning, and 1.3.2, System Linkage and Route Importance, describe the project in the context of the regional transportation planning process and the role of I-94 in the local, regional, and national transportation network.
2. Address the obsolete design of I-94 to improve safety and decrease crashes. Section 1.3.3 describes the crash history in the corridor, and Section 1.3.4 describes outdated design aspects in the study corridor.
3. Replace deteriorating pavement. Section 1.3.4.1 describes the poor condition of the pavement on I-94. Most of the original pavement from the 1960s construction is still in place. Although there have been three pavement overlays, each has a shorter life span than the previous overlay. Section 1.3.4.2 describes the condition of the bridges in the study area.

⁴ http://www.sewrpc.org/SEWRPCFiles/Publications/pr-049_regional_transportation_system_plan_for_se_wi_2035.pdf Map92, p.17

⁵ http://www.sewrpc.org/SEWRPCFiles/Publications/pr-049_regional_transportation_system_plan_for_se_wi_2035.pdf Map92, p.17

4. Accommodate existing and future traffic volumes at an acceptable level of service. Section 1.3.5 describes current congestion on I-94 during the morning and afternoon rush hours and how congestion will worsen in the future.

The project would neither require nor preclude other future transportation improvements identified in the regional transportation plan. The project would provide a safer and more efficient transportation system in the I-94 East-West Corridor while minimizing impacts to the natural, cultural, and built environment to the extent feasible and practicable.⁶

About the four points of the "Purpose of the Project":

1. **Regional and national concerns.** SEWRPC has long taken the lead on this issue. Their studies and reports document that highways are the insufficient solution. Going back to 2007, SEWRPC Director Ken Yunker presented to the Milwaukee County Board the case for dedicated funding for transit, he presented that day that Milwaukee was then one of two major city hold-outs in finding a dedicated fund to move people for less cost. The Milwaukee County Board and the City of Milwaukee have been strong supporters of regional transit.
2. **Decrease crashes.** WDOT did not deliver the crash statistics that would support its contention that congestion leads to crashes. The fact is, during periods of congestion with slower speeds crashes are less severe. Late night crashes may have a connection to the overuse of alcohol, but they are not attributable to congestion.
3. **Replace deteriorating pavement.** No one challenges this need. It's the widening, adding a lane, subtracting land from private, taxable use, that will cost upward of an additional billion dollars while leaving other modes of transportation begging for elemental relief for years to come.
4. **Expecting higher traffic volumes.** This expectation has been roundly criticized by others in response to the I-94 DEIS. A five-minute faster commute (the stated goal of WDOT) comes at a huge cost and leaves out the 20% of the population (growing and greying) who do not drive. A robust transit system serving this population could be purchased for a fraction of the project's stated budget. The WDOT dismisses environmental concerns (more concrete means more storm water); it dismisses the young workers who do not wish to own a car and tell us they will move to a city that allows them to build the life they want, a city that provides the opportunities to pay off student debts and have work choices.

This stand-alone transportation project is not suitable for this urban environment; it displaces the transportation needs of many thousands of County citizens; it is unjust to the people who will suffer air pollution increases from a yet faster and more concentrated highway. It continues dependence on fossil fuel. It is well understood that rail moves more people faster and at less cost; but rail is the eponymous third rail of our regional politics. Instead of fanning this blinkered thinking, our transportation agency needs to take a page from SEWRPC and analyze options and their costs.

III. The Recommended Fiscally Constrained Transportation Plan

However much one must admire the scope and skill of our MPO, your writer, takes to task SEWRPC when it re-introduced the RTP after it was properly laundered under a federal mandate. We thought the Visions2050 document was settled report, filled as it was with the diversity of a complex region's opinions. Your writer's personal challenge to SEWRPC staff had been: How will

⁶ http://www.sewrpc.org/SEWRPCFiles/Publications/pr-049_regional_transportation_system_plan_for_se_wi_2035.pdf

you make a regional plan with sub-regions desiring such diverse infrastructure? My guess then was, “Well, Bill, that’s our challenge.” My guess now is that it would have behooved SEWRPC to be frank about the “fiscally constrained” document that was inevitable. We attended several Vision2050 workshops with great hopes. Now what?

Here is how the news was reported.

2.1 THE RECOMMENDED FISCALLY CONSTRAINED TRANSPORTATION PLAN

Federal regulations require the Region’s transportation plan to only include projects that can be funded with existing and reasonably expected revenues, given existing and reasonably expected restrictions on the use of those revenues for specific types of projects or services. Therefore, only the recommended portion of VISION 2050 that can be funded with these revenues is considered the “fiscally constrained” regional transportation plan by the Federal Government and is titled the Recommended Fiscally Constrained Transportation Plan (FCTP) for VISION 2050. This chapter describes the FCTP, which includes all of the transportation elements of VISION 2050 except for the public transit element. As discussed in Chapter 1, the public transit element included in VISION 2050 cannot be implemented within expected funds due to a gap in funding. VISION 2050, Volume III, Chapter 2, P107? [bold added]

There is no source document for this statement. No path for the citizen to find accountability, a simple mysterious force from on high. The reader is left to wander the wide open spaces of federal government - Presidential executive order, Congress, the national budget, USDOT, FHWA, Supreme Court? Who is in charge here?

Why did SEWRPC not tell us about this mandate in documentation and during visioning sessions? To what purpose did the citizens ask for and expect a plan that would include modern public transit, curbs on wasteful widened roads, environmental priorities, walkable and safer neighborhoods, farmland stabilization and cities able to grow through a conservative use of land?

Our many public comments are still available to the Certification process. The writer invites you to review what citizens who pay the bills want to see developed. We were treated well, seated with snacks, paper and pen, a digital vote recorder to watch dozens of slides and select and/or comment on each. These public comments found their way into 100+ pages of four published files.

Handwritten notes of citizens who attended a public presentation of the RTP.⁹

Appendix C⁹

Ibid., Appendix G¹⁰

Ibid., Appendix J¹¹

Is this what planning for the future means? Is the present government in charge for the next 34 years of transportation planning? Was SEWRPC being canny? Or frustrated by WDOT take downs of its best work?

⁷ <http://www.sewrpc.org/SEWRPCFiles/LUTranSysPlanning/pr-055-vol-3-chapter-2-draft-revised.pdf>

⁸ <http://www.sewrpc.org/SEWRPCFiles/LUTranSysPlanning/VISION2050-CommentsReceivedPreliminaryRocPlan00232214.pdf> p.40&ff

⁹ <http://www.sewrpc.org/SEWRPCFiles/LUTranSysPlanning/pr-055-appendix-c-draft.pdf>

¹⁰ Ibid., pr-055-vol-2-appendix-g-draft.pdf

¹¹ Ibid., pr-055-appendix-j-draft-revised.pdf

The budget of 2011-2017 was one of the most damaging to public transit in the history of our state with bonding pushed to fiscal limits - for widened highways - all other transportation services sidelined, crimping our hopes that a fresh set of political players can reconfigure the future.

Are SEWRPC and its federal agencies telling kindergartners today that the Walker transit budget was the best we could do in 2050?

The FCTP cannot assume that funding for the arterial streets and highways element can be flexed to transit projects, as that is not permitted at this time by the State Legislature.¹²

The greying of America and the decline in vehicle miles traveled (VMT) assures planners that roads will be less used by personal transportation. Studies have already shown that the expanded highway is pointless, not a cure of congestion, even with a reduced VMT; but that policy is self-perpetuating as that extra lane attracts more local driving and congestion returns; another generation is left to solve the same problem after capital investment in transit has suffered and the inevitable road deteriorations set in.

No one begrudges that fiscal constraint is prudent and well advised, but lavish spending on roads has been proven to be futile. Your writer submits that SEWRPC withheld honest advice in the Vision2050 workshops which were presented as a breath of fresh air. Where were the federal agencies at this time? Why is the Fiscally Constrained Transportation Plan mandate still not sourced? Was it a silent amendment from Congress? Why did we attend these sessions clueless?

Fiscal requirements are political not technical. This is the space where the citizen must be part of the process, and indulged with honesty and respect.

IV. Miscalculation and the BRT Solution

WDOT challenged transit advocates in the County. We have met that challenge in the BRT plan.

WISDOT: ... If increased transit ridership alone were to avoid the need to add a lane to I-94, transit ridership on eastbound I-94 in the morning rush hour and westbound I-94 in the evening rush hour would need to increase about three-fold, to between 2,000 trips (eastbound) and 2,200 trips (westbound), to avoid the need to add capacity (one freeway lane can carry a maximum of 2,000 to 2,100 vehicles in an hour)¹³

Increase to 2,000? Capacity in the morning is already at 3900 seats; evening, 3280 seats. The BRT’s capacity is expected to be 9,000 riders.

First, the WDOT miscalculation. Online and paper MCTS bus schedules provide a tool to deconstruct this arm-chair bus-planning out of WDOT. Bus schedules show that in January 2015 (when the EIS was open to comments) MCTS had capacity in excess of 3000 riders in the I-94 corridor, and they were delivered as far west as Highway 100 (Lovers Lane Road).

Fourteen bus routes run parallel to and within 3 to 5 miles from the proposed WDOT expansions. Each bus can carry up to 40 (seated) passengers plus 20-30 more standing. In detail:

Reverse commuting to and from downtown on these routes: 51, 53, 54, 56, 23, Blue, Gold (former 10), 31, 33, 44U, 44, 21, 60 have a total of 98 morning runs (between 6 a.m. and 8 a.m.), and a total of 82 evening runs (between 4 p.m. and 6 p.m.)¹⁴ With a seating capacity of 40, the total morning

¹² Ibid., pr-055-vol-3-chapter-2-draft-revised.pdf

¹³ i-94_east-west_corridor_deis_november_2014.pdf, p.2-32

¹⁴ <http://www.ridemcts.com/routes-schedules>, January 2015.

rush hour reverse-commute seating capacity is 3920, the total evening rush hour reverse-commute seating capacity is 3280.

These routes deliver passengers as far south as Oklahoma and National Avenues, and as far north as Mill Road and Good Hope Road. Service, of course, continues with north-south routes that transect the corridor routes.

Passenger capacity to and from downtown on MCTS routes.

Route	TO downtown 6-8 a.m. Runs #	Headway	FROM downtown 4-6 p.m. Runs #	Headway
Route #51	5	24	6	20
Route #53	4	30	4	30
Route #54	4	30	4	30
Route #56	4	30	5	24
Route #23	6	20	6	20
Route #Blue NW	9 to downtown	13	5 from downtown	24
Route #Blue WA	5 to downtown	24	6 from downtown	20
Route #Gold	9	13	7	17
Route #31	6	20	5	24
Route #33	4	30	4	30
Route #44U	7	17	3	40
Route #44	7	17	3	40
Route #21	8	15	8	15
Route #60	6	20	6	20
Total Rush Hr Runs	98		82	
Total Seating Capacity (no one standing)	3920		3280	

WDOT’s target traffic capacity for a “stand-alone” transit solution is already in play. Their challenge?

WISDOT: ... If increased transit ridership alone were to avoid the need to add a lane to I-94, transit ridership on eastbound I-94 in the morning rush hour and westbound I-94 in the evening rush hour would need to increase about three-fold, to between 2,000 trips (eastbound) and 2,200 trips (westbound), to avoid the need to add capacity (one freeway lane can carry a maximum of 2,000 to 2,100 vehicles in an hour)¹⁵ [emphasis added]

The BRT plan submitted to the Federal Transit Administration (FTA) would carry 9,000 passengers to/from the regional medical center.¹⁶ While this project was developed a year later than the DEIS for the corridor, it more than answers WDOT’s challenge of a “three-fold increase.”

¹⁵ i-94_east-west_corridor_deis_november_2014.pdf, p.2-32

¹⁶ <http://www.ridemcts.com/about-us/news/milwaukee-bus-rapid-transit-line-will-attract-thousands-of-new-riders-and-better-serve-low-income-riders>

WDOT asked for three-fold; the BRT is an increase in capacity by a factor of 7+. The BRT answers the WDOT challenge.¹⁷

With the encouragement of USDOT and FHWA, WDOT can now present itself as listening to citizens, and honoring its own research.

Dear people of the UDOT and FHWA,

It is now your role, with the authority we invest in you to spend carefully, to bring this all together – a repaired, safety oriented six lane highway, and the start of a modern transit system that serves everyone. The cost of the BRT appears to be less than 10% the cost of widening I-94.

Filling buses is easier and less costly than moving concrete. We know how. Investment, incentives, and marketing: Find riders lost in the disastrous decade of cuts. Invest in reduced bus headways. Promote the service with fare incentives. Engage popular figures to help; learn from other cities.

Other regions and cities were prepared in 2014 for the growing national transit-riding trend.¹⁸ Why is SE Wisconsin starved? Today, the reports are more robust.

“Record 10.8 Billion Trips Taken On U.S. Public Transportation In 2014; The Highest Transit Ridership in 58 Years”¹⁹

To be clear, the highway must be repaired. But about 20% of Wisconsin citizens do not drive a car. The federal funding of highways alone is racheting up our commitment to the point of a non-functioning transportation and land use policy, an entrenched commitment to repairing roadways for generations to come.

Respectfully submitted,
William Sell
2827 S. Lenox St.
Milwaukee, WI 53207
414-744-3970

Former member and chair of the Transit Services Advisory Committee (Milwaukee County), member Clean Transit Committee of the Sierra Club John Muir Chapter, member Coalition for more Responsible Transportation (CMRT)

¹⁷ i-94_east-west_corridor_deis_november_2014.pdf, p.2-32

¹⁸ http://www.nytimes.com/2014/03/10/us/use-of-public-transit-in-us-reaches-highest-level-since-1956-advocates-report.html?_r=0

¹⁹ “More Americans used buses, trains and subways in 2013 than in any year since 1956 as service improved, local economies grew and travelers increasingly sought alternatives to the automobile for trips within metropolitan areas. ...”

²⁰ http://www.apta.com/mediacenter/pressreleases/2015/pages/150309_ridership.aspx
“Despite the steep decline in gas prices at the end of last year, public transit ridership increased. This shows that once people start riding public transit, they discover that there are additional benefits besides saving money.”

From: [Mook, Sandy \(FHWA\)](#) on behalf of [FHWA, Wisconsin \(FHWA\)](#)
To: [McComb, Doreen \(FHWA\)](#)
Cc: [WI-DLT-TL \(FHWA\)](#)
Subject: FW: SEWRPC/WisDOT recertification comments
Date: Tuesday, October 04, 2016 7:36:54 AM

From: Jeffrey Stubler [mailto:brunsa2@gmail.com]
Sent: Monday, October 03, 2016 5:30 PM
To: FHWA, Wisconsin (FHWA)
Subject: SEWRPC/WisDOT recertification comments

Jeff Stubler
1039 N Cass St Apt 18
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(414) 301 2364
brunsa2@gmail.com

SEWRPC

I would like to thank SEWRPC for improving their level of public involvement in the planning process. While I was not involved with the previous process, others who were have commented that their have been improvements in outreach. However, I do have some concerns regarding the process:

- Public comments seemed limited towards the end of the process. Comments were closed off within a day of the final workshop where the final plan was displayed. I was not able to comment on it, and others were rushed to comment.
- This was my first time involved in the development of a transportation plan, and I do not recall any mention of the Fiscally Constrained Transportation Plan until it was brought to my attention by others after the planning process was complete. There did not seem to be any input into the constrained plan, and it significantly cuts public transportation to levels even below current levels, but the current decline has only been brought about by recent cuts in the past decade. The plan, considering it encompasses over 30 years in the future, really shouldn't plan ahead based on the current political climate considering the detriment that the constrained plan would put on the region. In addition, there is also a funding crisis for highway work in Wisconsin, with over a billion in shortfall and state government trying to plan how to get funding without raising taxes, but yet I43 expansion is still in the Vision 2050 plan—hardly a fiscal constraint. Furthermore, I have even heard reported from others when discussing the constrained plan with Ken Yunker that the plan was described as the "trend"—if in fact the plan was literally to design the trend, no actual planning would be needed and the entire public input process was actually needless since the official plan that funding would be based on was literally the status quo.

I would recommend that SEWRPC be required to provide more time for public comment. For example, after events such as the recertification meeting or the final Vision 2050 workshop, comments should be left open for at least 4 weeks. They should also bring the fiscally constrained plan into public discourse so that there can be input there, especially since the version produced by SERPRC justifies continuing the status quo by nature of it being the

status quo despite public input that there be a new direction in transportation planning than just highway expansion.

WisDOT

The Wisconsin Department of Transportation seems to be increasingly only focused on car transportation and completely ignores public input. There were public comments meetings regarding the I94 expansion project, and, at least for the meeting I was at, the public overwhelming condemned both plans to expand the highway and instead wished it only to be rebuilt within its current footprint. A few months later, the DOT stated that it had listened to public input and decided only to do eliminate the double-decker portion of the project but still expand, an option that they had stated would be unsafe due to narrow lanes. Going with this option, at least to me, concedes any argument that this project has safety as a reason for its completion. Meanwhile, local roads are being built larger, attracting more traffic, and ignore needs of other modes of transportation. For example, STH 100 (Mayfair Road) north of Bluemound Road now is a four lane road in each direction that at some times of the day has traffic held up for blocks, but at other moments might be completely empty. One intersection that I frequently cross as a pedestrian had a painted crosswalk but no walk lights nor a traffic light cycle allowing pedestrians to safely cross the entire road (at the intersection, there is no straight-through option for cars parallel to this particular crosswalk). This four lane road with a high speed limit also seems to attract cars that, especially given the sheer amount of car traffic, do not accept bicycle traffic, especially for those needing to make left turns. Earlier this year, crossing lights were installed, but from the time of pressing the button till when a walk light appears can be up to two and one half minutes. At a location on Bluemound nearby, a former crosswalk where pedestrians had right-of-way was replaced with a beacon that will do nothing for one and one half minutes before event activating a caution light pattern. Everywhere the WisDOT has worked on a project, it seems that anybody not owning a car is neglected.

From: [Mook, Sandy \(FHWA\)](#) on behalf of [FHWA, Wisconsin \(FHWA\)](#)
To: [McComb, Doreen \(FHWA\)](#)
Cc: [WI-DLT-TL \(FHWA\)](#)
Subject: FW: Federal Planning Certification Review - SEWRPC
Date: Tuesday, October 04, 2016 7:40:22 AM
Attachments: [Wiggins SEWRPC comments.doc](#)

From: Bruce Wiggins [mailto:brucewathome@gmail.com]
Sent: Monday, October 03, 2016 9:58 PM
To: FHWA, Wisconsin (FHWA)
Cc: Karyn Rotker; Terry Wiggins; Bruce Wiggins
Subject: Federal Planning Certification Review - SEWRPC

See the attached letter.

"Everybody needs beauty as well as bread, places to play in and places to pray in,
where nature may heal and give strength to body and soul alike." John
Muir

=====

Bruce G. S. Wiggins

Oct. 3, 2016

Planning Certification Review
Federal Highway Administration
525 Junction Rd, Suite 8000
Madison, WI 53717

Submitted electronically only: Wisconsin.FHWA@dot.gov

Re: Recertification of Southeastern Wisconsin Regional Planning Commission
as a Metropolitan Planning Organization

Ladies and Gentlemen:

Thank you for the opportunity to comment on the FHWA/FTA joint review of the recertification of the Southeastern Wisconsin Regional Planning Commission (SEWRPC). I am a professional planner (retired) and have been involved in many community planning efforts in my career at the local, and regional level. Following are my comments:

1. SEWRPC's planning process has been faulty. The citizen involvement process was not taken seriously in the final recommendations. Throughout the citizens meetings, SEWRPC staff solicited desires and opinions from citizens. The final plan disregarded citizens opinions. For example, a more compact development plan and the associated transit options with minimizing highways were frequently voiced. People participating wanted a new direction in the region in terms of development patterns, transit options, and environmental preservation. And the staff seemed to indicate these opinions were valid. Then at the end of the planning process, NOT IN THE PUBLIC MEETINGS, staff said the plan must be "fiscally constrained" and the final plan continues more of what we have now in terms of development patterns and transportation. The final plan could have, at least, said that current funding allows X, Y, and Z while the citizens voiced in the planning process a desire for A, B, and C. This approach would allow a new plan to be implemented if federal and other funding develops. Indeed, it would help push government and funders to make such changes to allow the new direction desired by citizens. This respect for citizens' opinions during a public participation process is proper in planning. The process used by SEWRPC is not a proper planning process. In my opinion, SEWRPC should be decertified for malfeasance. Or at least put on notice that it must do better.
2. The SEWRPC structure is faulty. The board and structure consist only of counties. Municipalities, including the largest in the region (Milwaukee), should have a seat at the table. Other MPOs and RPCs in the U.S. have such a structure. To allow Walworth County, mostly rural, to have the same votes as the Milwaukee County and no vote for the most populous jurisdiction is not fair. It is a travesty. The structure should change.
3. In other matters, I support the detailed comments of Karyn Rotker from the ACLU of Wisconsin. She has been very involved and has many cogent comments.

Thank you for the opportunity to comment.

Bruce G. S. Wiggins
224 E. Lloyd St.
Milwaukee, WI 53212

From: [Mook, Sandy \(FHWA\)](#) on behalf of [FHWA, Wisconsin \(FHWA\)](#)
To: [McComb, Doreen \(FHWA\)](#)
Cc: [WJ-DLT-TL \(FHWA\)](#)
Subject: FW: letter of comment to SEWRPC
Date: Tuesday, October 04, 2016 7:42:11 AM
Attachments: [Ltr of comment re SEWRPC continued funding 10-3-16.docx](#)

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

From: Laurie Longtime [<mailto:longtime@wj-rr.com>]
Sent: Tuesday, October 04, 2016 12:00 AM
To: FHWA, Wisconsin (FHWA)
Subject: letter of comment to SEWRPC

attached.

the very real concerns and needs of the public for things such as environmental protection, public transportation options and affordable housing. It was apparent that the realtors and road builders were pulling the strings in the background and the SEWRPC puppets were dancing to their tune.

SEWRPC is not a planning agency by any stretch of the imagination: it simply projects forward what already is—or more likely what was for decades by adding more of it. It lacks imagination.

It's not that anything new, innovative or futuristic cannot happen—it just can't happen *here*, due to the insular thinking of SEWRPC and its stodgy leadership. It's a terrible shame that our tax dollars are supporting the lavish salaries, job perks, and office space that constitute today's SEWRPC. For all the lack of vision and real planning that SEWRPC does not do, we'd actually be better off without anything.

Laurie Longtime
W271 s3581 Oak Knoll Dr
Waukesha WI 53189

To: Planning Certification Review
Federal Highway Administration
525 Junction Rd, Suite 8000
Madison, WI 53717
Fax: 608-662-2121
E-mail: Wisconsin.fhwa@dot.gov

Re: 2016 Certification Review of SE Wisconsin MPO

To Whom It May Concern:

Once again we are asked to comment into the ether, compiling our thoughts and sending them out for comment, only to be ignored again. Thus is the public's relationship with SEWRPC.

It's very discouraging to spend one's time putting together these letters of comment and giving thought to how this could be better when one knows in advance that nothing will change.

Because of this, I've become convinced that the only way to improve SEWRPC is to cut its funding and start over with all new administration, staff, and directors. Else what is the point of these commenting exercises?

SEWRPC is extremely unresponsive to the public. In its 2050 "Vision" process, SEWRPC was forced by a lawsuit by ACLU Wisconsin to be more inclusive of the general public and so it solicited public input through a series of workshops. All of the truly innovative ideas brought forward by the public were nibbled down to a plan that looks exactly like previous plans and feels like it was what SEWRPC planned to plan all along. People gradually dropped out of the process as they began seeing that they were being used to show that SEWRPC had involved the public. New ideas, rather than being explored, were dismissed as "too expensive", not what would "pass muster" or "realistic". Some of these crazy ideas had even been successfully implemented in other cities around the country and the world.

Task force meetings and subsequent public meetings became little else than dragged-out, pointless events that did nothing to address