

Minutes of the Seventh Meeting of the

ENVIRONMENTAL JUSTICE TASK FORCE

DATE: November 25, 2008
TIME: 4:00 p.m.
PLACE: City of Milwaukee DPW Field Headquarters
3850 North 35th Street
Milwaukee, Wisconsin

Members Present

Adelene Greene..... Director, Division of Workforce Development,
Chair Kenosha County
Joette HeckenbachCope Services, Ozaukee County
Nancy Holmlund..... Racine Interfaith Coalition
Lynnette McNeely Attorney, Law Offices of Thomas J. Awen; NAACP
Brian Peters.....Housing Policy Advocate, Independence First
Jackie Schellinger Indian Community School
Theresa Schuerman..... Walworth County Bilingual Migrant Worker Outreach

Guests and Staff Present

Peter Armstrong..... Center for Economic Development, UWM
Philip C. Evenson..... Executive Director, SEWRPC
Ryan Holifield..... Department of Geography, UWM
Gary K. Korb Regional Planning Educator, UW-Extension/SEWRPC
Catherine D. Madison Center for Economic Development, UWM
Peter McAvoy.....16th Street Community Health Center
Benjamin R. McKaySenior Planner, SEWRPC
Karyn Rotker..... Attorney, ACLU of Wisconsin
Melissa ScanlanMidwest Environmental Advocates
Kori A. Schneider - PeragineProgram Manager, Community and Economic Development,
Metropolitan Milwaukee Fair Housing Council
John StokesCitizen
Kenneth R. Yunker Deputy Director, SEWRPC

WELCOME AND INTRODUCTIONS

Chairperson Greene called the meeting of the Environmental Justice Task Force to order at 4:10 p.m., welcoming those in attendance. She asked the other Task Force members, staff, and guests present to briefly introduce themselves.

APPROVAL OF MINUTES OF THE OCTOBER 14, 2008, MEETING

Ms. Greene noted that not enough Task Force members were present to constitute a quorum. Therefore, the minutes of the October 14, 2008, meeting could not be approved or changed; however, she asked if there were any questions or comments on the October 14, 2008, Task Force meeting minutes. There were none.

PUBLIC COMMENTS

Ms. Greene asked whether those in attendance wished to comment on the agenda or other Task Force business. There were none.

PROPOSED PUBLIC TRANSIT DEDICATED FUNDING AND REGIONAL TRANSIT AUTHORITY

Mr. Yunker directed the Task Force's attention to the PowerPoint handout entitled Public Transit: The Funding Crisis and Need for Action (see Attachment 1) and briefly reviewed:

1. Why Southeastern Wisconsin needs a good public transit system.
2. Existing public transit systems in Southeastern Wisconsin.
3. Public transit improvements needed in Southeastern Wisconsin.
4. Major transit improvements and initiatives.
5. The public transit funding crisis in Southeastern Wisconsin and comparison to transit funding in peer metropolitan areas.
6. The need for dedicated transit funding in Southeastern Wisconsin and critical decision points to achieving dedicated transit funding.

Task Force members raised the following discussion points and comments regarding the presentation:

1. Ms. Heckenbach emphasized the need for public transit to allow people to choose not to drive and to provide transportation for elderly residents without the ability to drive.
2. Ms. Schellinger asked what factors are considered in measuring the efficiency of a public transit system. Mr. Yunker responded that efficiency is measured by a variety of factors, including cost per rider, and cost per mile of bus service.
3. Ms. Schellinger noted that Portland, one of the examples in Mr. Yunker's presentation regarding transit funding in peer metro areas, does not use a sales tax as the source of its dedicated local transit funding. Mr. Yunker stated that a payroll tax is the source of local dedicated funding for transit in the Portland area. Ms. Schellinger noted that a comparison across metropolitan areas of all taxes and tax rates would be helpful.
4. Ms. McNeely asked if dedicated funding or an expanded public transit system came first in the Portland area. Mr. Yunker responded that dedicated funding came first. Ms. McNeely asked if the property tax funding received by the Milwaukee County Transit System is considered dedicated funding. Mr. Yunker explained that it is not, noting that a portion of the County property tax is used for transit funding.
5. Mr. Yunker explained that until the late 1960's to mid 1970's transit service was provided by private operators. As the transit business ceased being profitable, individual local governments in Southeastern Wisconsin, such as Milwaukee County, began to operate transit services. In other

parts of the Country regional transit authorities were typically created, which created a new taxing entity and government structure to fund and operate public transit systems. This occurred because, unlike Southeastern Wisconsin, existing transit service extended across multiple municipalities or counties, and/or existing units of government indicated that they did not have the financial capacity to assume transit service operation. Public transit funding in Southeastern Wisconsin has become heavily dependent on Federal and State funding. This has resulted in increased funding and service increases when the economy and State budget are healthy, such as in the 1990's, and funding that does not keep up with inflation and reduced service levels when economic conditions are not good.

6. Ms. Schellinger asked if there have been any studies undertaken that measure the benefits of transit relative to its costs. Mr. Yunker responded that public transit has many benefits; however, it is difficult to quantify the benefits monetarily. Ms. Schellinger stated that taxpayers typically want accountability for what their taxes are funding. Mr. Yunker stated that the State of Wisconsin has completed a study, entitled *The Socio-Economic Benefits of Transit in Wisconsin*, which attempts to identify and measure the quantitative benefits of transit. The study has been posted on the State DOT website at: <http://on.dot.wi.gov/wisdotresearch/database/reports/03-07transitsector-f.pdf>.
7. Ms. Holmlund stated that there are more benefits to mass transit than increased accessibility to employment, such as environmental benefits. Ms. McNeely stated that it is important to discuss the accessibility transit can provide to retail establishments, services, health care, and education, as well as access to jobs, noting how the rail transit systems in New York City and Washington D.C. are convenient for all purposes of travel.
8. Ms. Holmlund stated that the City of Haverhill in the Boston metropolitan area has experienced growth related to a commuter rail line extended from Boston. She then stated that the proposed KRM commuter rail line could have the same impact on communities in Kenosha, Racine, and southern Milwaukee Counties.
9. Ms. Schellinger noted there would be great cost involved in developing the required infrastructure for a rail public transit system, such as in New York City or Washington D.C. Mr. Yunker responded that such heavy rail systems are probably not feasible in Southeastern Wisconsin; however, a good bus system and commuter rail and light rail systems are achievable. Ms. Heckenbach noted that past public transit services in the area, such as the Interurban, had been very successful and that similar transit options could boost tourism and convention industries. Mr. Evenson reiterated that dedicated funding is essential and the first step towards an improved public transit system. Mr. Yunker then summarized the critical decision points to achieve dedicated transit funding.
10. Mr. Peters asked if the proposed Regional Transit Authority (RTA) would include Ozaukee, Washington, and other counties in the Southeastern Wisconsin Region. Mr. Yunker responded that the proposed RTA currently includes only Kenosha, Milwaukee, and Racine Counties; however, it could expand into other areas of the Southeastern Wisconsin Region in the future.
11. Ms. Schuerman asked what the relationship between the RTA and SEWRPC is. Mr. Yunker responded that SEWRPC provides staff support to the RTA. Mr. Evenson stated that SEWRPC does not and cannot lobby government agencies on behalf of the RTA. Mr. Yunker stated SEWRPC does work with organizations that support dedicated funding for public transit, for

example, the Urban Economic Development Association and the Coalition for Advancing Transit, as well as the RTA.

12. Ms. Schellinger asked if the half-cent sales tax for dedicated transit funding recommended by the RTA would be State-wide or region-wide only. Mr. Yunker responded that it would not be State-wide. Mr. Peters asked what the decision-making process is regarding other counties in the Region joining the RTA. Mr. Yunker stated that a process would need to be identified in State legislation. Ms. McNeely asked if the RTA studied other sources of funding prior to recommending a sales tax. Mr. Yunker responded that it did; however, a sales tax was recommended because it grows with inflation and increases with the growth of its service area.
13. Mr. Yunker concluded his remarks by stating that the Task Force discussion has included many good examples of why a good public transit system is necessary for Southeastern Wisconsin. Ms. Holmlund stated that she could bring information regarding this discussion to Interfaith Coalition groups throughout Southeastern Wisconsin. Mr. Yunker stated that Commission staff is available to give presentations to any interested groups or organizations.
14. Ms. Schellinger asked if the State can compel counties to implement a sales tax. Mr. Yunker stated that is possible. Ms. McNeely asked about the Federal funds for transit expansion allocated to Milwaukee in the 1990's, which have not been used. Mr. Yunker responded that about \$289,000,000 in Federal Interstate Cost Estimate funds were made available in the 1990's. These funds were the result of Federal legislation intended to close out new interstate highway construction. The only remaining interstate highway construction in Wisconsin eligible for such funds was a proposed busway along the IH 94 corridor in Milwaukee and Waukesha Counties. Mr. Yunker noted that the busway was first recommended by the Commission in 1966, and that Milwaukee County completed preliminary engineering for the busway in the early 1970's, but Milwaukee County then determined not to pursue construction of the busway. The State received the Federal funding to construct a busway or another equivalent project. The City of Milwaukee Mayor, Milwaukee County Executive, and Governor would be required to agree on the expenditure of the funds. An agreement was reached in 1999 on the division of the funds between the Park East Freeway removal, 6th Street Bridge construction, Marquette Interchange construction, and a transit project to be agreed upon by the City and County of Milwaukee. The portion of the funds allocated to a public transit project -- \$91.5 million -- remains unspent as the City of Milwaukee and Milwaukee County have not yet reached agreement on a project.
15. Ms. Schellinger asked if there is any opposition from Amtrak regarding the proposed KRM commuter line. Mr. Yunker stated that Amtrak and KRM will serve different markets. Amtrak will provide high-speed rail service between Downtown Milwaukee and Downtown Chicago. KRM will provide multiple stops between Downtown Milwaukee and lakeshore communities in Kenosha, Racine, and southern Milwaukee Counties and the north shore Chicago suburbs.
16. Ms. Heckenbach suggested that Task Force members should watch the tape of the City of Milwaukee Public Works Committee meeting where the future water sale to the City of New Berlin was discussed, and provision of transit was one of the topics covered in the discussion. Ms. Heckenbach requested that the New Berlin water sale be included on the next Task Force agenda and suggested that Alderman Wade give a presentation regarding the Public Works Committee meeting.

17. Ms. McNeely asked if the dedicated funding for public transit recommended by the RTA would fund existing services or new improvements. Mr. Yunker stated that a multi-county RTA would create funding to preserve and expand public transit in Southeastern Wisconsin. Ms. Heckenbach compared the transit funding potential to the five counties paying a portion of their sales tax for Miller Park, which is located in Milwaukee County but benefits the entire Region.

REGIONAL WATER SUPPLY PLAN FINDING RELATIVE TO LAND USE

Mr. Evenson presented a pair of handouts summarizing the impacts of the preliminary recommended regional water supply plan (see Attachment 2) as a lead-in to a discussion regarding how socio-economic impact analyses relate to the SEWRPC planning program. Mr. Evenson stated that the regional land use plan is the basis for all regional plans. Land use considerations relative to the water supply plan include the possible need to alter the regional land use plan if water supply is determined to not be sufficient to support the recommended land use plan. Conclusions were reached in the regional water supply planning on two major issues: 1) nothing points to the regional land use plan not being implementable, whether or not key selected utilities retain groundwater or convert to Lake Michigan water as a public water supply; and 2) the recommended land use plan supports the protection of about 65 percent of areas with high groundwater recharge potential and about 83 percent of areas with very high groundwater recharge potential. Mr. Evenson also stated that a series of public meetings regarding the regional water supply plan would be announced soon, and would likely be held in the month of January.

After the presentation Mr. Evenson discussed socio-economic impact analyses in relation to the regional water supply plan. Mr. Evenson stated that after discussion with the Regional Planning Commission, it was determined these analyses would be most effective if undertaken in conjunction with the regional land use plan and the results applied to infrastructure plans, such as the regional water supply and transportation system plans, because the land use plan provides the framework for all other regional plans.

Task Force members raised the following discussion points and comments regarding the presentation:

1. Ms. Holmlund stated that she agrees socio-economic impact analyses should first be linked to land use. Ms. Holmlund further stated that urban sprawl may be eliminated in the future due to economic conditions and environmental concerns. Mr. Yunker stated that public education regarding the findings of a socio-economic impact analysis on existing and future land use development patterns may influence future development patterns. Ms. Holmlund stated that the current economic situation is already “educating” people now, leading to alternative land use development preferences. Ms. McNeely noted the infrastructure costs attendant to new development and encouraged the Commission study more efficient future development alternatives.
2. Ms. Schellinger directed the Task Force’s attention to the summary of impacts assuming the preliminary recommended regional water supply plan is not implemented and noted that the capital costs would be lower if the selected utilities do not use a Lake Michigan supply. She then asked who would pay for the increased cost if these utilities use a Lake Michigan supply and what the socio-economic impact on residents would be. Mr. Evenson responded that the communities receiving the new Lake Michigan supply would pay all capital and operating costs. Mr. Evenson also noted that the savings in private water treatment (water softening) costs may be expected to offset the increased capital and operating costs to the utilities for using a Lake Michigan water supply.

3. Ms. Schellinger stated that water softening is an option for private households that can afford it, but funding the capital costs associated with using a Lake Michigan water supply would not be optional. She stated that this may unfairly impact low-income households. Ms. Heckenbach stated that the households experiencing the greatest impact from public decisions, such as water supply infrastructure decisions, should be identified. She stated that one of the goals of socio-economic impact analyses is to identify all segments of the population impacted by a study and which segments of the population may experience a disproportionate burden from the recommendations.
4. Ms. McNeely stated that communities should consider the impact of their decisions on the Region, so that their decisions are good for the community and the collective Region. Ms. Schuerman asked that information regarding the record of implementation of the land use and other regional plans be presented at a future Task Force meeting.
5. Mr. Evenson summarized his remarks on this agenda item by stating that land use should be the first focus of socio-economic impact analyses. Ms. Schellinger asked if communities may be threatened by these analyses. Mr. Evenson stated that communities should use the analyses to consider their land use and infrastructure decisions. Ms. Schellinger stated SEWRPC should develop the capability to conduct socio-economic impact analyses in-house because the educational process would necessarily occur over an extended period of time. Ms. Schellinger then stated that she is not aware of representatives from the advocacy community attending and participating in local government meetings, which would be helpful toward achieving diversity objectives.
6. Ms. Heckenbach stated that the motion passed at the last Task Force meeting requiring the conduct of socio-economic impact analyses conducted by a qualified independent consultant for all SEWRPC studies still stands. Ms. Heckenbach then stated that the Task Force needs to evaluate the progress it has made towards its mission. She requested that this item be included on the next meeting agenda. Mr. Yunker stated that the document stating the purpose of the Task Force will be re-distributed via the Task Force list serve. (Attachment 3 to the minutes is the document setting forth the purpose and functions of the Task Force.)

DISCUSSION OF SEWRPC REGIONAL HOUSING STUDY

The following discussion points and comments were made regarding the regional housing study:

1. Mr. Yunker stated that the regional housing plan scope of work should be available for the Task Force to review at their January or March meeting.
2. Mr. Peters asked why more government representatives and fewer advocacy representatives were appointed to the committee than outlined in the general framework agreed to by the Task Force. Mr. Evenson responded that the Advisory Committee needed to accommodate Federal and State government representatives, as well as representatives from each of the seven counties. Mr. Evenson then said the Advisory Committee roster will be re-distributed to Task Force members via the list serve. (Attachment 4 provides the Regional Housing Study Advisory Committee.) Ms. Heckenbach asked who was appointed as the chair of the Advisory Committee. Mr. Evenson responded that SEWRPC Commissioner William Drew has been appointed by the Commission.

3. Ms. Holmlund suggested that Task Force members could be present at Advisory Committee meetings in an advocacy role for residents of the Region. Ms. McNeely referenced a recent visit to Baltimore where an advocate has worked to help promote plan implementation, which possibly could be attempted here.

ANNOUNCEMENTS AND FURTHER PUBLIC COMMENTS

Ms. Greene thanked the Task Force for their active participation, and audience members for their patience. She then asked whether those in attendance wished to comment. The following comments were made:

1. Mr. Armstrong stated that he found the comparison of public transit funding between Milwaukee and Portland interesting. Mr. Armstrong stated that the public transit system in Portland is very expansive and that he thought if Milwaukee had a similar system it would be a great boost for the economy. He stated that the public perception of public transit is different in the Milwaukee area and that will make it more difficult to expand the public transit system.
2. Mr. Stokes stated that he has experience in construction and other industries and believes that subsidized transit by companies may be worth exploring further. He complimented the Commission and its staff for its transit recommendations and stated that residents of the Region should urge their elected officials, including State legislators, to support increased funding for public transit.
3. Ms. Rotker stated that the purpose of the Task Force is to advocate for residents of the Region whose interests are not being considered by their local government. Ms. Rotker also stated that, considering SEWRPC's advisory role, socio-economic impact analyses should include a review of best implementation practices to strengthen SEWRPC plan recommendations.
4. Ms. Schellinger asked if a reference source existed of best environmental justice practices for SEWRPC to use as a reference. Mr. Evenson stated that he was unaware of a reference source for best environmental justice practices. Ms. Schellinger asked if this is a project that the Commission staff and Task Force should pursue. Ms. Holmlund added that examples could be included from around the country.

SCHEDULING OF FUTURE MEETING DATES, TIMES, AND PLACES

There being no further comments, Ms. Greene asked Mr. Evenson if the next meeting of the Task Force had been scheduled. Mr. Evenson stated that the next meeting of the Task Force would be on Tuesday, January 27, 2009, in Racine County, probably at the Urban League of Racine and Kenosha.

ADJOURNMENT

Ms. Greene thanked the Task Force and guests for their time and participation. Ms. Greene noted that this will be Mr. Evenson's last meeting prior to his retirement and thanked him for his work and leadership. With several Task Force members departing, Ms. Greene declared the meeting adjourned at 6:15 p.m.

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Respectfully submitted,

Benjamin R. McKay
Recording Secretary

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