

## **Milwaukee Withdrawal from SEWRPC Hearing (10-27-08) - Key Issues**

Submitted by:

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The city of Milwaukee should request that Milwaukee County withdraw from SEWRPC, and/or that SEWRPC should be dissolved and a new metropolitan planning organization should be redesignated.

The city may also want to ask for a full performance audit of SEWRPC by the legislative audit bureau, to address multiple and widespread concerns over both SEWRPC's internal operation and external structure.

### **MPO Structure**

- SEWRPC is made up of 21 members - 3 each from 7 counties (Milwaukee, Waukesha, Washington, Ozaukee, Racine, Kenosha & Walworth). Milwaukee County has nearly half our area's population (and 3/4 of the region's low income and minority population), but gets no more voice than Ozaukee County, which is 1/10th its size.
- The city of Milwaukee has no representation on SEWRPC - even though the city has more residents than Waukesha, Ozaukee and Washington Counties COMBINED. Yet those three non-diverse suburban counties get nearly half (9 of 21) of the votes on SEWRPC, while the city of Milwaukee gets none.
- The city of Milwaukee has more residents of color than in all six of the other counties in the region combined - so the city's lack of representation on SEWRPC has a discriminatory effect on persons of color.
- The lack of representation of the City of Milwaukee on the 21-member SEWRPC commission has contributed to the disregard of urban needs and City of Milwaukee issues, residents and potential hires.
- Federal law grandfathered in this unfair structure. However, under current federal rules, if a new MPO was designated, it would open up requirements that local elected officials and officials from transit agencies be included on the Commission.

## REASONS THAT SEWRPC HAS FAILED MILWAUKEE:

### Lack of Inclusiveness/Diversity:

- SEWRPC has failed to adequately comply with its federal obligation to diversify its staff. SEWRPC has 49 professional staff, only three of whom are people of color. **Not one** of SEWRPC's executive, "chief," "senior" or "principal" professional staff members is a person of color. Yet SEWRPC insists on promoting from within - which only reinforces the segregated nature of its staff.
- SEWRPC's core managerial staff members do not live in the city of Milwaukee.
- SEWRPC rejected requests of its own Environmental Justice Task Force to conduct a diverse and inclusive search for impending vacancies in the executive and/or assistant director positions.
- SEWRPC has no office in the city of Milwaukee. Having an MPO headquartered in the city would not only facilitate diverse hiring, it would also be an economic benefit.
- Instead, SEWRPC chose to move from downtown Waukesha, which at least was accessible by transit, to a more remote location in a Pewaukee industrial park that is not served by transit, making job access more difficult.

### Lack of Attention to Housing:

- Milwaukee is the most racially segregated region in the country - with the least diverse suburbs - and our region also suffers from a tremendous lack of affordable workforce housing, and accessible housing.
- SEWRPC has not conducted a regional housing study since the 1970s.
- In 2004, SEWRPC's Executive Director stated, in writing, that he expected the housing study to begin in the spring of 2005. Three and one-half years later, that study still has not begun.
- Even though advocates repeatedly suggested that SEWRPC conduct its housing study BEFORE moving forward on local Smart Growth plans (so that the housing study information could be included in those plans), SEWRPC refused to do so. Thus, many (if not most) local and county governments in the region have completed their Smart Growth plans without input from a Housing Study.

- On October 8, SEWRPC said it didn't know when the regional housing study would begin - because it refused to ask local governments to help pay for the study. (In contrast, SEWRPC was willing to seek hundreds of thousands of dollars from local governments to support the water supply study requested by suburban communities.) Only now - as the city is considering this resolution - is SEWRPC creating an advisory committee and proposing a timeline for the study.

### **Problems with Transportation Planning:**

- SEWRPC's transportation planning routinely approves highway improvements that are sought, without consideration as to who bears the benefits and burdens of highway improvements - especially in light of declining transit service.
- SEWRPC knows that transit services is being reduced and that communities of color and low income communities are disproportionately harmed by transit cuts.
- SEWRPC rejected requests to develop its 2035 Regional Transportation Plan with elements to enforce actual implementation of transit recommendations.
- SEWRPC recently approved the fast-tracking of a \$25 million I-94 interchange to serve a western Waukesha shopping mall at Pabst Farms, an area not served by transit. The mall has been delayed, but rather than delay or kill the interchange - which is, like Pabst Farms, on prime agricultural land that SEWRPC itself had recommended for preservation as Primary Environmental Corridor land - SEWRPC approved accelerated construction of it.
- SEWRPC has not taken the same kinds of urgent, affirmative steps to ensure transit expansion, nor has it utilized its authority to seek to require transit improvements to occur concurrently with highway improvement.
- SEWRPC proposed the \$6.5 billion highway reconstruction and widening - - even as it knew that transit recommendations were not being implemented and that transit service was being cut. The plan was opposed by an overwhelming majority of the Milwaukee Common Council. SEWRPC's unrepresentative commission nevertheless recommended it, and its subsequent transportation planning assumes this massive construction and expansion will occur.
- SEWRPC's transportation planning does not meaningfully address other burdens imposed by highway construction, such as health effects of air pollution.
- SEWRPC's highway planning has not considered the financial burden on taxpayers that has occurred, and will likely continue to occur, because of the federal government's paying far less than 80% of highway expansion costs (for example, the federal government paid only 49% of the costs of the Marquette Interchange.)

### **Problems with Water Supply Study:**

- The SEWRPC water supply advisory committee had 32 members, 31 of whom were white non-Hispanic, and none of whom was African-American.
- The advisory committee and SEWRPC staff excluded from the study nearly all factors related to water supply except supply and demand. In particular, the study failed to evaluate any socioeconomic effects of diverting Lake Michigan water to suburban communities, a particular problem given the residential and employment segregation in this region.
- SEWRPC failed to include projected socio economic impacts, such as impacts on the location of job growth, housing and transportation, in the study, yet moving water across the region will have an impact on these and other matters directly affecting low-income communities and people of color, particularly those who live in the city of Milwaukee.
- SEWRPC failed to meaningfully evaluate who would benefit from, and who would be burdened by, a water supply expansion, or whether there would be a disproportionate harm to communities of color and low income communities, or to the city of Milwaukee.
- The water supply plan takes as a given the assumptions of where and to what extent growth will occur as projected in the flawed 2035 Regional Land Use plan. Rather than tie growth to water availability, the study seeks to find as much water as needed to support sprawling suburban growth.
- Despite the fact that two of the alternatives proposed by the study involve Milwaukee's Metro Sewerage District (MMSD) (i.e., sending "return flow" to MMSD or sending it to the Menomonee River, for which MMSD is currently creating a restoration plan), SEWRPC did not request MMSD's input in the creation of the water supply study.
- The water supply plan fails to adequately account for water quality and ecosystem impacts that would occur with discharging large new volumes of wastewater into tributaries of the Lake Michigan basin.

### **Performance Audit Should be Requested:**

To investigate additional concerns about SEWRPC's performance, the city may want to request that the state Legislative Audit Bureau, or a university research entity, conduct a performance audit of SEWRPC. The audit should provide reviews and analyses of:

- The representational structure of the Commission and methods for ensuring fair representation of urban and minority communities. This would include identifying best practices of other MPO structures with proportional representation.
- The budgetary structure and financial issues (including staff salary and benefits, amounts paid to subcontractors and methods by which subcontracts are procured), and best practices used by other MPOs.
- Compliance with civil rights laws and policies (including those affecting hiring, public involvement, diverse advisory group participation, DBE/MBE requirements, etc.).
- Best practices for developing an integrated regional plan (rather than patchwork plans) and laws/methods/best practices to obtain actual implementation of plans.

