



## Legislation Details (With Text)

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<b>File created:</b>	1/19/2021	<b>In control:</b>	JUDICIARY & LEGISLATION COMMITTEE
<b>On agenda:</b>		<b>Final action:</b>	
<b>Effective date:</b>			
<b>Title:</b>	Substitute resolution directing the Department of Administration-Intergovernmental Relations Division to lobby the Federal Highway Administration to deny the Wisconsin Department of Transportation's request for re-issuance of a Record of Decision relating to reconstruction and modernization of Interstate 94 between 16th Street and 70th Street.		
<b>Sponsors:</b>	ALD. BAUMAN, ALD. MURPHY		
<b>Indexes:</b>	EXPRESSWAYS		
<b>Attachments:</b>	1. Letter from Four Labor Unions in Opposition to Resolution, 2. Letter to Governor Evers - National Association of Minority Contractors Wisconsin Chapter (003), 3. Milwaukee Journal sentinel - Scott Walker, 4. Milwaukee Journal Sentinel - Wisconsin Abandoned, 5. Video JL-201313-PW-201224, 6. Milwaukee Area Labor Council Letter, 7. City of Milwaukee Resolution Opposed To Expansion Of I-94, 8. CMRT Better Alternatives Hand-Out 8.2015.pdf, 9. 1 NAACP v. ROSS COMPLAINT filed 2017 03 01.pdf, 10. 2013 05 10 court decision and order on motion for prelim injunction.pdf, 11. CMRT I-94 FEIS Letter to Sec. Foxx FINAL (1).pdf, 12. Coalition Statement -- Transportation Advocates Applaud Gov. Evers Task Force Recommendations, Urge I-94 Expansion Rejection 12.9.20.pdf, 13. Gwen Moore letter to Sec. Foxx I94 East-West 2016 June 16.pdf, 14. MICAH Statement		

Date	Ver.	Action By	Action	Result	Tally
1/19/2021	0	COMMON COUNCIL	ASSIGNED TO		
1/22/2021	1	CITY CLERK	DRAFT SUBMITTED		
2/1/2021	0	JUDICIARY & LEGISLATION COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	5:0
2/9/2021	1	COMMON COUNCIL	REFERRED TO	Pass	15:0

### 201313 SUBSTITUTE 1

#### ALD. BAUMAN AND MURPHY

Substitute resolution directing the Department of Administration-Intergovernmental Relations Division to lobby the Federal Highway Administration to deny the Wisconsin Department of Transportation's request for re-issuance of a Record of Decision relating to reconstruction and modernization of Interstate 94 between 16<sup>th</sup> Street and 70<sup>th</sup> Street.

This resolution directs the Department of Administration-Intergovernmental Relations Division to lobby the Federal Highway Administration to deny the Wisconsin Department of Transportation's request for re-issuance of a Record of Decision relating to reconstruction and modernization of Interstate 94 between 16<sup>th</sup> Street and 70<sup>th</sup> Street.

Whereas, In July, 2020, Governor Tony Evers announced that he would be seeking federal approval of the rebuilding of Interstate 94 between 16<sup>th</sup> and 70<sup>th</sup> Streets in Milwaukee; and

Whereas, On December 9, 2020, the Southeastern Wisconsin Regional Planning Commission approved the 2021-2024 regional Transportation Improvement Program ("TIP"); and

Whereas, Project No. 56 is the TIP is described as:

IMPLEMENTATION OF THE PREFERRED ALTERNATIVE RESULTING FROM THE NEPA PROCESSES' RECORD OF DECISION FOR RECONSTRUCTION & MODERNIZATION OF IH 94 (EAST-WEST FREEWAY) FROM 70<sup>TH</sup> ST TO 16<sup>TH</sup> ST IN THE CITY OF MILWAUKEE (3.5 MI) State ID:1060-27-02

; and

Whereas, As noted in the TIP, the Wisconsin Department of Transportation ("WisDOT") is currently reassessing alternatives developed as part of the National Environmental Policy Act (NEPA) process previously conducted for this project, including alternatives with and without additional travel lanes; and

Whereas, Following completion of this alternatives analysis and selection of a preferred alternative, WisDOT will seek a Record of Decision from the Federal Highway Administration (FHWA); and

Whereas, While the FHWA issued a Record of Decision for the Interstate 94 reconstruction project in September, 2016, the State of Wisconsin was unable to find or agree on the funding needed for its share of project costs, notified the FHWA that funding to advance the project was not included in the 2017-2019 State Budget, and requested that the federal approval be revoked; and

Whereas, In October, 2017, the FHWA rescinded its Record of Decision for the Interstate 94 reconstruction project; and

Whereas, WisDOT is seeking re-issuance of the 2016 Record of Decision without the need to prepare a new environmental impact statement and the attendant public hearings and record of public comment; and

Whereas, The previous Record of Decision and the background traffic and environmental-impact studies that were the basis for that decision are now nearly 5 years old, making them out-of-date and not fully relevant to a current analysis of the project; and

Whereas, Since 2016, travel volumes, commuting patterns, employment levels, economic activity and land uses in the Interstate 94 corridor have all changed significantly; and

Whereas, Even before the COVID-19 pandemic, per capita driving in the United States stagnated below the peak 2004 level, as noted in a December, 2019 *Wall Street Journal* article which attributed the decline in driving to such factors as young adults' preference to live close to their jobs and/or use alternative modes of transportation; more online working, shopping and streaming; and a growing population of retirees who no longer commute to jobs; and

Whereas, According to the U.S. Department of Transportation (USDOT), drivers aged 16 to 19 drove 24% fewer miles in 2017 than did people in the same age cohort in 2001, while those aged 20 to 34 drove 22% less; and

Whereas, The USDOT also found that, in 2017, American households made fewer commuting trips than at any time since 1990; and

Whereas, Since the onset of the COVID-19 pandemic, these trends have only accelerated, as more and more people do their jobs from home and make their purchases of goods and services there as well; and

Whereas, The USDOT reported that in October 2020, travel on all roads and streets was down 8.8% nationally (and 10.4% in the North Central region) from October, 2019; and

Whereas, The consulting firm KPMG forecasts that vehicle miles traveled will settle at about 90% of pre-2020 levels in coming years; and

Whereas, The Interstate 94 reconstruction projects, as described in SEWRPC's TIP and supported by Governor Evers, would cost in excess of \$1 billion; and

Whereas, With Wisconsinites driving less, State transportation revenues have been plummeting, leaving less money available for massive projects of questionable necessity like the Interstate 94 project; and

Whereas, The funds that would be used for the Interstate 94 reconstruction project, as currently proposed, would be better spent on maintaining existing roads and bridges (many of which are in poor condition) and investing in public transportation, walking and biking, in addition to rebuilding the Interstate 94 segment in a configuration that is consistent with current and evolving traffic, commuting and land use patterns; and

Whereas, Any plan for reconstruction of Interstate 94 between 16<sup>th</sup> and 70<sup>th</sup> Streets also needs to include dedicated resources for improvements to public transportation in that corridor; and

Whereas, The expansion of Interstate 94 between 16<sup>th</sup> and 70<sup>th</sup> Streets would promote motor vehicle use and dependence, thereby increasing urban sprawl and air pollution and leaving the economy and residents of Milwaukee region at the mercy of gasoline price fluctuations; and

Whereas, Expansion of this freeway segment could also prove harmful to Milwaukee in that it may reduce the property tax base, displace residents and businesses, and severely damage the community aesthetics, property values and quality of life in city neighborhoods; and

Whereas, On December 17, 2007, the Common Council adopted File Number 071114, a resolution expressing the City of Milwaukee's support for a new strategic approach to transportation investments in Southeastern Wisconsin - one which is multi-modal in nature and focuses on reconstructing freeways using their current lane configurations; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Department of Administration-Intergovernmental Relations Division is directed to lobby the Federal Highway Administration to deny the Wisconsin Department of Transportation's request for re-issuance of a Record of Decision relating to reconstruction and modernization of Interstate 94 between 16<sup>th</sup> Street and 70<sup>th</sup> Street; and, be it

Further Resolved, That the Intergovernmental Relations Division shall lobby the FHWA to require the preparation of a new environmental impact statement for this project, along with the accompanying public hearings and record of public comment; and, be it

Further Resolved; That the City Clerk is directed to send a copy of this resolution to each member of Wisconsin's Congressional delegation.

LRB176528-2  
Jeff Osterman  
01/21/2021