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December 28, 2007

Mr. Robert Gutierrez, Project Manager  
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Subject: I-94 North-South Freeway Reconstruction  
Project I.D. 1030-20-00  
Draft Environmental Impact Statement (DEIS)

Dear Mr. Gutierrez:

As you are aware, the WISDOT is currently evaluating alternatives for reconstruction of I-94 between the Mitchell Interchange in the City of Milwaukee and the Wisconsin-Illinois border. City of Milwaukee Common Council Resolution 071114 (attached) expresses opposition to freeway expansion and, instead advocates for a multimodal approach to providing mobility in the north-south corridor.

In light of the City of Milwaukee Common Council's resolution, the City of Milwaukee Department of Public Works (DPW) has reviewed the Draft Environmental Impact Statement (DEIS) for the I-94 North - South Freeway Reconstruction Project dated October 30, 2007 and offer the following comments:

The DEIS indicates that WISDOT's preferred alternative is the Safety and Design Improvements with Added Capacity. While DPW is supportive of freeway geometric improvements in the north-south corridor to improve safety, it is DPW's position that the DEIS is significantly deficient with respect to alternative analysis as required by the National Environmental Policy Act (NEPA) and does not adequately justify freeway expansion. The Council on Environmental Quality in its regulations for implementing NEPA, requires that all reasonable alternatives be rigorously evaluated at a comparable level of detail as the proposed action so that the public may assess the comparative merits. The Federal Highway Administration (FHWA), in its project development guidance, further clarifies alternative analysis requirements to indicate "...where appropriate, mass transit options should be considered even when they are outside FHWA's funding authority." The DEIS for the I-94 north-south corridor, therefore, would be expected to incorporate an alternative analysis that allows the public to assess the relative merits, costs, and impacts of freeway expansion alternatives, rapid transit alternatives, as well as freeway expansion in combination with rapid transit improvements.

The DEIS as written, however, dismisses rapid transit improvements as an alternative to freeway expansion in accommodated travel demand without analysis of potential rapid transit improvements. Potential rapid transit improvements include the Kenosha-Milwaukee-Racine Commuter Rail service, high speed rail service, and improved Amtrak service. The DEIS simply indicates that rapid transit service was eliminated from consideration as transit improvements alone will not address future traffic demand as determined by previous analysis performed in conjunction with the 2035 Regional Transportation Plan.

Such perfunctory treatment of transit alternatives within the DEIS for major freeway expansion projects is not only contrary to NEPA requirements but also contrary to accepted regional transportation planning principles and the project development process. Accepted regional transportation planning principles call

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for highway facilities and transit facilities to be planned together with the recognition that transit facilities have the potential to affect and reduce future highway traffic and improvement needs. Unfortunately, the DEIS does not provide the necessary analysis to conclusively determine if rapid transit improvements in the north-south corridor could preclude the need for highway expansion but merely references previous analysis performed during development of the 2035 Regional Transportation System Plan.

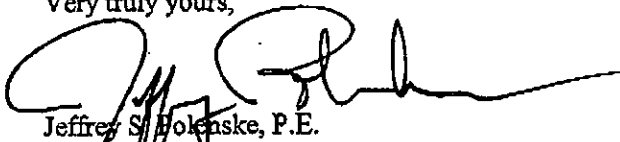
Furthermore, both the regional transportation plan and the Regional Freeway System Reconstruction Plan for Southeastern Wisconsin acknowledge the need to refine travel demand forecasting during subsequent stages of project development to assure that the selected alternative best achieves community goals. In fact, the freeway reconstruction plan indicates, "The recommendations from this report will necessarily require further consideration through preliminary and final engineering, and depending upon the form of freeway reconstruction recommended, the preparation of an environmental assessment or impact statement prior to construction." During the DEIS stage of project development for major infrastructure improvements in specific travel corridors, the expectation would be that the travel demand forecasting model be updated and re-examined in greater detail and that specific mode split factors and assumptions, including fuel prices, be refined and adjusted as necessary. Travel demand forecasting during the DEIS stage may also be expected to include sensitivity analyses on key assumptions to allow decision makers to select an alternative that is effective under a range of future conditions.

As such, DPW is recommending that an independent peer review be performed of the DEIS and, in particular, the alternative analysis component, and that the public comment period be extended until the results can be made available. Depending on the results of the peer review, DPW may recommend that the DEIS be expanded to incorporate sufficient alternative analysis that evaluates both freeway expansion and rapid transit alternatives separately and in combination in accommodating future travel demand as well as achieving other goals. Such an analysis would provide the information necessary for the public to make informed decisions leading to selection of a preferred alternative for infrastructure improvements in the north-south corridor that potentially could reflect a multimodal approach. Given WISDOT's core responsibility for providing intercity transportation facilities, it is anticipated that WISDOT would then advance the preferred alternative into preliminary engineering, secure funding, and implement the alternative in a manner consistent with WISDOT's policy for implementing intercity highway improvements.

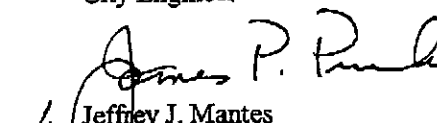
Given the significant and lasting financial, socioeconomic, and environmental ramifications of the selected approach to infrastructure improvements in the north-south corridor, it is essential that all necessary information be made available to allow decision makers to select an alternative that best meets the current and future needs of citizens in the region and the state.

Your consideration in this matter is appreciated.

Very truly yours,



Jeffrey S. Polenske, P.E.  
City Engineer



Jeffrey J. Mantel  
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