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4 **A RESOLUTION**

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6 Calling upon the Wisconsin Department of Transportation (WisDOT) to reconstruct  
7 Interstate 94 (I-94) between 70<sup>th</sup> Street and 16<sup>th</sup> Street within its current footprint with six  
8 lanes, or “Fix at Six,” and opposing the eight-lane alternative  
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10  
11 WHEREAS, the Wisconsin Department of Transportation (WisDOT) has  
12 identified the segment of Interstate 94 between 70<sup>th</sup> Street and 16<sup>th</sup> Street (I-94 East-  
13 West Corridor) in Milwaukee County for reconstruction as that freeway segment was  
14 constructed in 1961 and has exceeded its intended lifespan; and  
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16 WHEREAS, in 2014 WisDOT intended to further widen I-94 to increase road lane  
17 mile capacity for drivers and reconfigure an obsolete design which may pose safety  
18 issues, at an approximate cost of \$850 million (File No. 14-941) and may be at least  
19 \$1.2 billion in 2022, while in 2015 Milwaukee County and the City of Milwaukee  
20 opposed widening, instead favoring in-kind replacement and funding for transit (File No.  
21 15-426), leading to the Wisconsin Governor rescinding the project in 2017; and  
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23 WHEREAS, on July 8, 2020 the Wisconsin Governor revived the I-94 East-West  
24 Corridor project and in his proposed budget for the 2021-2023 Biennium grants WisDOT  
25 a debt authority of \$40 million for the Corridor; and  
26

27 WHEREAS, the County Board of Supervisors adopted the resolution in File No.  
28 21-378 which attempted to reaffirm Milwaukee County’s position against further  
29 expansion of Interstate 94, which was in turn vetoed by the County Executive due to a  
30 “lack of process, public notice and comment, and committee involvement,” but was later  
31 reviewed by the Committee on Transportation, Public Works and Transit where the  
32 public had greater opportunity to opine to their representatives; and  
33

34 WHEREAS, on April 15, 2021, WisDOT announced it would expand review of the  
35 I-94 East-West Project with a supplemental environmental impact statement to update  
36 the information WisDOT uses for the project and allow greater public participation; and  
37 subsequently a majority of the County Board of Supervisors chose to not override the  
38 County Executive’s veto of the resolution in File No. 21-378, where many members of  
39 the County Board expressed a desire to see the result of WisDOT’s supplemental  
40 environmental impact statement; and

41 WHEREAS, WisDOT held public information sessions and “public involvement”  
42 meetings in March and December 2021 which encouraged public comment, but  
43 generally attempted to manufacture consent and persuade public acquiescence rather  
44 than organizing events which have WisDOT officials listen to the concerns of Milwaukee  
45 County residents and the neighbors directly adjacent to the I-94 East-West Project area,  
46 to voice how their tax dollars are spent, discuss how the Project may affect them, and  
47 allow for alternatives and potential redesigns based on public comment; and  
48

49 WHEREAS, as WisDOT reports around 38 to 48 percent of project area users  
50 begin and end their trips within the project area, in File No. 21-460, Milwaukee County  
51 supported WisDOT’s supplemental environmental impact statement (EIS) and  
52 “balanced transportation funding between expressways and public transit which will  
53 benefit all residents of Milwaukee County and opposes disparate impacts on any of its  
54 residents” while also calling upon the State of Wisconsin “to appropriate substantially  
55 more transit operating assistance. . .” and  
56

57 WHEREAS, the Milwaukee County Board of Supervisors has not rescinded the  
58 stated policy preference in File No. 15-426 of Milwaukee County favoring in-kind  
59 replacement of I-94 in the project area and enhanced transit funding; and  
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61 WHEREAS, the 2021-2023 biennial budget included paying for the I-94  
62 expansion but halving transit operating assistance, hastening the fiscal cliff Milwaukee  
63 County faces in its ability to continue connecting workers with jobs in the County (File  
64 No. 21- 515) and making a racial disparate impact inevitable (File Nos. 21-396 & 21-  
65 397); but in August 2021, the Wisconsin Governor allocated \$19.7 million in federal  
66 funds to the Milwaukee County Transit System to partially restore the transit cuts  
67 enacted by the Wisconsin State Legislature; and  
68

69 WHEREAS, in File No. 22-659, Milwaukee County called upon WisDOT to hold  
70 public listening sessions to allow the public to voice their concerns, and WisDOT  
71 subsequently held two “public involvement” meetings in June 2022; and  
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73 WHEREAS, on November 11, 2022, WisDOT announced completion of its  
74 Supplemental EIS and its preferred alternative, as in 2016 and 2021, is to widen I-94 to  
75 eight lanes to ‘improve safety’ and ‘reduce congestion’ at an estimated cost of \$1.2  
76 billion in 2021 dollars, only \$94 million more than its 2016 estimate; and  
77

78 WHEREAS, many are concerned WisDOT, like other state transportation  
79 departments, has an institutional bias dedicated toward highway expansion based on  
80 obsolete thinking from the last century:

- 81 • It was originally founded as the State Highway Commission in 1911
- 82 • WisDOT’s civil engineers justify road and highway expansion with the pseudo-
- 83 scientific analysis of “level of service” (LOS) based on arbitrary standards
- 84 established by the American Association of State Highway and Transportation
- 85 Officials (AASHTO) and American Society of Civil Engineers (ASCE), oriented
- 86 toward road widening for every traffic problem
- 87 • From 2014 to 2016, the same WisDOT officials wanted to construct a double-
- 88 decker highway in the same corridor

89  
90 ; and

91  
92 WHEREAS, construction inflation has exceeded general inflation for several  
93 years, and as the Wisconsin Legislative Fiscal Bureau noted in its 2021 Informational  
94 Paper 37, prior to the high inflation of 2022:

95  
96 “Although the general rate of inflation over the [last five and ten years] has been  
97 low by historical standards [mostly below 2 percent], state highway construction  
98 inflation averaged 3.9% during the most recent 10-year period and 3.2% over the  
99 most recent five-year period. These construction costs, which are a significant  
100 draw on the transportation fund, are increasing more rapidly than the primary tax  
101 and fee structures that support it.”

102  
103 ; and

104  
105 WHEREAS, in 2022, WisDOT estimates the cost in 2021 dollars, despite 2022’s  
106 high inflation, and claims the eight-lane option is only three to six percent more  
107 expensive than the six-lane option, while in 2016 the six-lane option was \$256 million to  
108 \$306 million cheaper; meanwhile, the revised 2022 eight-lane cost estimate is now only  
109 \$94 million more than the 2016 estimate:

- 110
- 111 • 2016 Six Lanes: \$800 to \$850 million
- 112 • 2016 Eight Lanes: \$1.106 billion
- 113 • 2022 Six Lanes: \$1.121 to \$1.7 billion
- 114 • 2022 Eight Lanes: \$1.2 billion

115  
116 ; and

117  
118 WHEREAS, WisDOT claims varying construction alternatives will “increase  
119 safety” through reduced traffic crashes by 18 to 21 percent; however, more lanes will  
120 facilitate higher speeds, resulting in more devastating crashes which does not enhance  
121 safety, suggesting WisDOT is only concerned with moving more cars as fast as possible

122 rather than the social impacts on the surrounding community; and highway designs  
123 cannot fix the choices of drivers who choose to drive recklessly on the interstate,  
124 especially when expansion of the interstate system would harm the community; and  
125

126 WHEREAS, wider highways in urban areas studies have shown do not reduce  
127 congestion in the long-term, they induce more traffic demand as noted in numerous  
128 studies such as “The Fundamental Law of Road Congestion: Evidence from US Cities  
129 (*American Economic Review* (October 2011)), which found, “We conclude that  
130 increased provision of roads. . . is unlikely to relieve congestion.”; and

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132 WHEREAS, aquatic terminology often describes traffic like “flow” and  
133 “congestion,” however, as engineer Charles Marohn, notes in his 2021 *Confessions of a*  
134 *Recovering Engineer*:

135

136 “Even though congestion is the bane of transportation systems, the hierarchical  
137 system of roads and streets deployed in every American city each day  
138 manufactures the maximum amount of congestion possible. As an analogy,  
139 consider a river network. Small ditches and creeks empty into brooks and  
140 streams. In turn, these empty into tributaries, which ultimately converge to form a  
141 large river. This is basic hydrology that every civil engineering student is  
142 assumed to know. . .

143

144 “When it rains through a watershed, stormwater runoff will flow into the river  
145 network. It will run downstream and merge with water flowing in from other parts  
146 of the watershed. . . “If this flow is very intense, or if the rainfall persists for an  
147 extended period, all that water coming together will create a flood. . . [Flooding  
148 mechanics] have been well understood since ancient times. . . When Hydrology  
149 101 ends and. . . Traffic 101 begins. . . the civil engineering student is never  
150 prompted to recall the very simple properties of hierarchical networks” (p. 86).

151

152 ; and locally the Milwaukee Metropolitan Sewerage District is in the process of removing  
153 water concrete “highways” along the Kinnickinnic and Menomonee Rivers, built in the  
154 mid-20<sup>th</sup> Century within its jurisdiction; and

155

156 WHEREAS, eminent scholar and Harvard economist, Edward Glaeser, co-wrote  
157 the July 14, 2021 paper, “Economic Perspectives on Infrastructure Investment,” for the  
158 Aspen Institute Economic Strategy Group which among other things, found:

159

160 • “Even assuming that it was feasible to expand the highway network enough to  
161 sharply lower traffic delays, the underlying goal of traffic-free roads is not the  
162 same as determining the optimal stock of highway capital.”

- 163       • “Engineering estimates of infrastructure need are likely to be overstated because  
164       of the failure to consider more efficient use of existing infrastructure assets. Cost-  
165       benefit analysis should be used to choose among the different approaches to  
166       reducing congestion.”  
167       • “Cost-benefit analyses in the transportation sector have been plagued by  
168       erroneous predictions for decades, with project boosters often overpredicting  
169       future expected demand.”  
170

171 ; and  
172

173           WHEREAS, as noted in the National Academies of Sciences, Engineering and  
174       Medicine Special Report 329, “Renewing the National Commitment to the Interstate  
175       Highway System: A Foundation for the Future (2019)”; the traffic forecasting models  
176       used by WisDOT and other transportation departments are inaccurate because:  
177

178           “[E]xisting. . . models do not offer the. . . regional-level prediction capabilities  
179       needed to assess system-level impacts from Interstate investments. . . [T]hese  
180       models. . . could not. . . account for the redistribution of traffic on the system or  
181       other travel routes and modes. Because there are no existing tools. . . to analyze  
182       these demand responses at the transportation network level. . . , the only  
183       alternative was to consult the recent history of travel behavior as indicated by  
184       past [vehicle-miles travelled (VMT)] growth rates to develop a reasonable range  
185       of future VMT growth rates to apply to the. . . models.”  
186

187 ; and  
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189           WHEREAS, the WisDOT Secretary has posited the Project would primarily  
190       benefit County residents and accommodate future traffic growth, despite U.S. Census  
191       Bureau data showing a declining population in Milwaukee County, and only an  
192       estimated five to six percent traffic increase by 2050; likewise traffic counts since 2000  
193       at WisDOT’s online “Maps and GIS” application, show stagnant traffic counts in the  
194       Corridor with no apparent upward trend (hereto attached to this file); and  
195

196           WHEREAS, policies such as enhanced transit via the County’s East-West Bus  
197       Rapid Transit (BRT), proposed North-South BRT, additional BRT routes, and  
198       congestion tolling are possible alternatives among others for reducing congestion and  
199       having highway users bear the cost of congestion and the infrastructure they use rather  
200       than continuing a tragedy of the commons, displacing communities, and destroying  
201       more County tax base; and

202 WHEREAS, a traffic and emissions-inducing wider highway contradicts  
203 Milwaukee County’s stated objectives to fight climate change via its City-County Joint  
204 Taskforce on Climate and Economic Equity (File Nos. 19-582, 20-496, & 22-64) and  
205 making Milwaukee County the healthiest county in Wisconsin (File No. 19-397); and  
206

207 WHEREAS, according to the Wisconsin Legislative Fiscal Bureau 2021  
208 Informational Report 14, “The state’s levy limit program prohibits any county, city,  
209 village, or town from increasing its ‘base’ levy in any year by more than the percentage  
210 change in the local government’s . . . equalized value due to new construction, less  
211 improvements removed. . .”; which has yielded little revenue growth for communities  
212 whose tax bases are not rising with inflation; and the eight-lane alternative will destroy  
213 42 to 49 acres of taxable land and places of business and residence; and  
214

215 WHEREAS, the State of Wisconsin has imposed a structural deficit on  
216 Wisconsin’s local governments, whereby costs to continue the services citizens expect  
217 rise higher via inflation than do the percentage of State shared revenue increases which  
218 are typically less than one percent per year (File Nos. 18-944, 19-161, & 22-457); and  
219

220 WHEREAS, there are other more cost-effective, economically productive, and  
221 community-building ways to reduce traffic congestion and improve safety on I-94 while  
222 improving regional transportation and the economy overall for everyone, but there is an  
223 obvious need to replace crumbling infrastructure; and  
224

225 WHEREAS, the Committee on Transportation and Transit, at its meeting of  
226 November 29, 2022, recommended adoption of File No. 22-1180 (vote 3-1);  
227 now, therefore,  
228

229 BE IT RESOLVED, Milwaukee County hereby reaffirms the policy established in  
230 File No. 15-426, opposing widening of Interstate 94 (I-94) between 70<sup>th</sup> and 16<sup>th</sup> Streets,  
231 favoring in-kind replacement and funding for transit; and calls upon the Wisconsin  
232 Governor and the Wisconsin Department of Transportation (WisDOT) to fund and  
233 implement the “Fix at Six Plan,” the six-lane reconstruction in the project area, but  
234 welcomes the addition of a diverging diamond at the Stadium Interchange; and  
235

236 BE IT FURTHER RESOLVED, Milwaukee County hereby denounces further  
237 State of Wisconsin destruction of Milwaukee County tax base, the displacement of  
238 businesses and residences, and the expansion of unsightly, noisy, and pollutive  
239 highways that do not pay property taxes and reduce surrounding property values; and  
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241 BE IT FURTHER RESOLVED, the Office of Government Affairs staff is  
242 authorized and requested to communicate the contents of this resolution to the

243 Wisconsin Governor, State policymakers, Congressional policymakers, WisDOT, and  
244 the Federal Highway Administration, and support legislation and policies which achieve  
245 the criteria outlined in this resolution.

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248 11/29/22

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