

Representing Sawyer Co

Good Morning, AFTERNOON,

My name is Gary Gedart and I am the Sawyer County Highway Commissioner. I would like to thank you for coming up to Superior and to also thank you for providing me the opportunity to come before you today to speak at this public hearing.

The reason I am here to speak to this committee is to make a formal request for funds for reconstruction of the busiest county road in Sawyer County: ^{County Road B} I am here to present a joint proposal between Sawyer County and the Lac Courte Oreilles tribe. The highway department is scheduled to reconstruct County Road B in 2003. The project is currently being designed by Cedar Corporation of Menomonie, WI with an estimated cost of 2.5 million dollars. Sawyer County has an adequate allotment to request funding through the Department of Transportation's STP Program. This program, as you may already know, is funded 80% with State Funds and 20% local funds. The highway department has approached the Lac Courte Oreilles Tribal Council in regards to helping out with the 20 percent local funding. The Tribal Council has expressed interest in a joint proposal, whereby the highway department would dedicate their allotment and the LCO tribe would request funds to be earmarked for this project from the Alternative Budget (Native American Gaming Initiative) ^{Funds} of which there is \$3,000,000.00 budgeted for tribal community infrastructure. ^{FY 02 AND FY 03} The amount that they would be requesting would be \$500,000.00 or 20% of the total project costs. The highway department would also utilize LCO labor forces (trucks) while undertaking reconstruction of this project.

The traffic volume of County Road B equals that of most State Trunk Highways within Sawyer County. In fact, the only roadway in Sawyer County with higher traffic volume is State Highway 63. County Road B is an important link to the LCO Casino and LCO Tribal Government, the two largest employers in Sawyer County. The casino also generates increased tourism traffic along County Road B. County Road B also serves as a major collector to other roads that lead to the reservation and LCO facilities (County Road NN, County Road CC, County Road K, and County Road E). ~~LEAVE THIS OUT BECAUSE IT IS THESE~~

~~A STRATEGY OF USING~~

I would ask your consideration in this matter. The relationship between LCO and Sawyer County has been a cooperative one and I ask that you consider allocating some of these Gaming Initiative Funds to continue that cooperation. The increased traffic on County Road B is a direct result of the fore-mentioned casino. Using some of these initiative funds for this project will aid Sawyer County greatly in making the necessary upgrades that will benefit the entire community.

Thank You,

Gary Gedart
Sawyer County Highway Commissioner

Richard J. Stadelman

MEMORANDUM

Executive Director

Route 4, Box 319

Shawano, WI 54166

Phone 715-526-3157

*From**Jessie Burkens**14239 E Burkens Rd**Burlington 54820**Treasurer Town Cloverland**Candidate for School**District of Maple**The Kettle program**Town Cloverland has**already program to help**the neighbor townships for**fire protection. It also help**the DNR. Our Constable**position is also shared**with other townships**What more can the**State ask of us townships**(Over)*

COOPERATIVE ENTERPRISE FOR BETTER LOCAL GOVERNMENT

The Passerware program is somewhat already in our Highway Aide form which we send to you. It shows how the Highway aid money you send goes towards our roads. It costs a lot to keep the roads in Northern Douglas County because we have so much red clay. All the gravel we put on our roads goes into the clay & we have to put more on every few years. The southern part of Douglas County is sand county so they only need to grade their roads - gravel is not needed.

Richard J. Stadelman

MEMORANDUM

Executive Director
Route 4, Box 319
Shawano, WI 54166
Phone 715-526-3157*Jessie Burkens*
14239 E Burkens Rd
*Bruce Wis 54820**Low-Cleveland Treasurer*
Candidate for School Dist
of Maple

The state know pay
^{scarcely}
 $\frac{2}{3}$ of our budget. But
The state mandates over
85% of our budget with
how we teach - what we teach
and on and on and on.

I believe if the state
is going to mandate
something then they should
pay for it full. I believe
the state of Wisconsin is
mandating us into the ground

COOPERATIVE ENTERPRISE FOR BETTER LOCAL GOVERNMENT



Douglas County Highway Department
7417 S. County Road "E"
P.O. Box 174
Hawthorne, WI 54842

March 27, 2001

Joint Finance Committee
Public Hearing
Superior, Wisconsin

Re: Transportation Budget Comments and Requests

Dear Members:

The local road system in Douglas County, as well as other rural counties, is in a cycle of serious deterioration. Overall roadway condition is declining every year, at an ever increasing rate. Funding must be provided for the completion of the Wisconsin Department of Transportation's, Wisconsin Information Systems for Local Roads (WISLR) database and useable software so that the needs of rural Wisconsin can be quantitatively demonstrated. Once shown, the state budget must increase in programs designed to benefit the areas of greatest need – rural counties.

Rural counties depend on primarily three funding programs – General Transportation Aids (GTA), Local Road Improvement Program (LRIP), and Local Bridge and Surface Transportation Facility Improvement assistance (STP – Bridge and Rural). The Governor's budget shows modest (inflationary) increases in all three programs, but the increases are not large enough to keep pace with increasing costs of operating a county highway department. Gasoline and diesel fuel prices have increased dramatically (and all aspects of a county highway department's operation involve some usage of fuel), hot-mix asphalt prices increased 1/3rd from 1999 to 2000, and labor and benefit costs for Douglas County increased roughly 15% from 1999 to 2000. These increases are obviously well above proposed inflationary increases which translates into Douglas County reducing maintenance and improvements to the county highway system. Delay of the necessary activities will cost more in the future because the repairs will be more intensive.

GTA

The Governor's budget proposes a 5.4% increase in FY 2002 and a 0.7% increase in FY 2003 for counties.

Douglas County's request is to amend the Governor's budget to provide a 5% increase in FY 2003.

LRIP

The Governor's budget proposes a 2.7% increase in FY 2002 and a 3% increase in FY 2003 in the County Highway Improvement Program (CHIP). There is no proposed increase to CHIP-D (discretionary) for projects with total costs of at least \$250,000.

Douglas County's request is to amend the Governor's budget to provide a 5% increase in CHIP and CHIP-D in both FY 2002 and FY 2003.

STP

The Governor's budget does not propose any increase for the combined Local Bridge Improvement Program and the Transportation Facility Improvement Assistance Program. It appears that the no increase proposal is a result of the proposal to establish a separate allocation for the Marquette Interchange project.

Douglas County's request is to amend the Governor's budget to provide a 5% increase in the STP Local Bridge Program and the STP-Rural Program in both FY 2002 and FY 2003.

Summary

Consistently, state highway programs have received larger increases than local transportation needs and this trend appears to be continued in the Governor's 2001-2003 budget. The state should provide proportionate increases for local transportation needs to end the ongoing cycle of serious deterioration of the local road system. Douglas County recognizes the needs of southeastern Wisconsin and the considerations related to traffic volume analysis, however, Douglas County also understands that its residents should be treated fairly with regard to state funding. Please consider the requests and recommend the requested amendments so that rural Wisconsin can provide an equivalent level of service to the rural county residents.

Respectfully submitted,

Paul M. Halverson, P.E.
Douglas County Highway Commissioner

Cc: Robert Maass, WCHA President, Oneida County Highway Commissioner
Doug Finn, Douglas County Board Chairman
Craig Malin, Douglas County Administrative Coordinator

City of Spooner



Guy W. Paulson
Mayor

Barbara K. Place, CMC
City Clerk - Treasurer

515 North Summit Street
P.O. Box 548
Spooner, Wis. 54801-0548
(715) 635-8769
FAX (715) 635-9319

Date: March 26, 2001

To: The Honorable Members of The State of Wisconsin Joint Finance Committee.

Re: Budget Hearing, March 27, 2001, Superior, WI
Request for funding for construction of improvements to State Trunk Highway 63 through Spooner.

The City of Spooner is in desperate need for a highway improvement project on State Trunk Highway 63 on the south side of the city. The Department of Transportation shows this area as one of extreme congestion on page 19 of the "Wisconsin State Highway Plan 2020, Summary Report", dated November 17, 1999.

The Department of Transportation 1999 Annual Average Daily Traffic estimate is 19,100 vehicles in this area. The estimate for year 2004 is 20,900 vehicles. The estimate for year 2024 is 25,000 vehicles.

The Department of Transportation had scheduled a project that included widening the area to a 4-lane facility and a traffic signal for the year 2004. The Department of Transportation has determined that the traffic is more than 40 % local traffic and therefore according to their policy requires a 25 % local contribution.

The Department of Transportation proposed two projects to the City of Spooner. The first would extend from STH 253 to the Yellow River Bridge (approximately $\frac{3}{4}$ mile). This Project has an **estimated local share of \$674,000**. The second project would extend from West Beaver Brook Road to the Yellow River Bridge (approximately $\frac{1}{2}$ mile). This Project has an **estimated local share of \$577,000**.

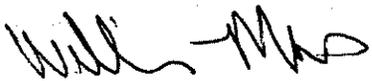
The City of Spooner has met with the Department to discuss the project, which has been now been put on hold. The City of Spooner can simply not afford to pay this amount for a project that is desperately needed to improve the roadway level of service and **safety**. The roadway is used by many people from areas outside the city and outside the state as well.

The 2001 City of Spooner budget is \$1.8 million, with a local levy of \$850,000. A project of the magnitude described above is too large a burden for Spooner to handle on its own; we would have to almost double our local levy if done in one year. According to our research a similar project was done in Siren in 2000, this project did not require a local contribution.

We are requesting that monies be included in a negotiated transportation package for this project.

We thank State Senator Bob Jauch, State Representative Mary Hubler, State Senator Brian Burke, the Governors Office and DOT representatives for their attention to this matter. We thank the Joint Finance Committee for hearing us and for providing a location in northern Wisconsin for us to be heard.

Sincerely,



William T. Marx, PE,RLS
City Engineer

04 APR 2001

TO: JOINT FIANANCE COMMITTEE (REP John^{Cc,}Gard-Chair)
Marshfield, WI

I am speaking in support of the \$30 registration fee for snowmobiles. There are 25,000 plus miles of snowmobile trail in Wisconsin, of which just over 16,000 miles are user funded. "User funded" are miles that are maintained with money provided by the snowmobile registration fee. The 9,000 additional miles are maintained by the individual clubs. They hold many fund raisers to raise money to help off-set the added, non-reimbursable cost, to maintain these additional miles of trail to state standards. I am also in favor raising the non-resident snowmobile trail pass to \$18. This money goes to the grooming supplemental fund to be used when the assigned money allocated for trail maintenance/grooming does not cover the costs incurred by the clubs. This fund usually does not cover 100% of the cost over runs that the clubs claim. This "supplemental" claim by the eligible clubs is usually pro-rated. This year the pro-rate is approx 65%. The pro-rate on the supplemental claims can not be finalized until after the snowmobile season has concluded and all county claims are submitted. I strongly favor the \$300,000 increase in the County law enforcement aids program. Currently there is \$200,000 allocated to the local law enforcement program and with approx 43 counties participating, the claims to the DNR usually exceed the \$200,000, resulting in the claims from the county(s) being pro-rated. In the season of 99-2000, Langlade county submitted claims for \$10,364.87. Payments received from the DNR were \$6,850.41. The county sheriff had to take from his budget \$3,514.46 to meet this funding shortfall. Many counties do not participate because of the funding shortfall. In Langlade County we have a very dedicated and professional county sheriff snowmobile patrol. I do not want to see the snowmobile patrol be cut back because of a funding short fall. I also favor five new DNR wardens to be paid for with non-user money, and I do not favor taking three existing wardens from other user groups and assigning them to the snowmobile program.

Dave Peterson

Langlade County Dir. to the Association of Wisconsin Snowmobile Clubs
620 4th St
Plover, WI 54467

Marshfield Area
Chamber of Commerce & Industry
P.O. Box 868
700 S. Central Avenue
Marshfield, WI 54449



Barbara Fleisner
Executive Director
715/384-3454
FAX 715/387-8925
E-mail: maceci@wetc.net
Web:
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Joint Finance Committee Testimony – April 4, 2001
Barb Fleisner, Executive Director
Marshfield Area Chamber of Commerce & Industry
TDA Board Member
WEDA Board Member
Chair, Highway 10 Coalition

We are very honored to host you in our community and hope you find your brief stay enjoyable. You probably noticed on your drive here that while we have many positive attributes, we are extremely hard to get to. This leads me to the issue of **ensuring our state's transportation system is adequately funded.**

The proposed budget bill does target specific projects such as the start of the Marquette Interchange reconstruction and minor increases for the major highway program. However, the current bill does not address long-term transportation needs. An excellent example is U.S. Highway 10 between I39 and State Highway 13. While this is an enumerated project, it is not targeted for completion until 2015. Marshfield is the largest city in the state of Wisconsin to lack four-lane highway access. The number one traffic generator in all of District IV (including the larger communities of Wausau, Stevens Point, Wisconsin Rapids, and Marshfield) is this medical complex, comprised of the Marshfield Clinic and Saint Joseph's Hospital. I was advised by Jeff Stewart from District IV just yesterday that the very soonest any portion of Highway 10 could be started with added lane capacity between Marshfield and Stevens Point is 2006, and he was recently told that it looks like it will be pushed back to 2008 due to funding constraints. As Chair of the Highway 10 Coalition, I find this extremely disturbing. As a member of the State Highway Advisory Team, I understand all too well that there are many transportation needs all across this state, but new projects (some not even enumerated) will be completed well before projects that have been in queue for 10 years even get close to being started.

Speaking as a member of the Transportation Development Authority (TDA) board, we are concerned that our recently adopted state highway plan conservatively estimates a \$250 million per year shortfall. Current transportation revenues will, in no way, begin to address well-documented needs. Although we have made significant gains in federal funding over the past few years, continued increases of that magnitude simply are not realistic.

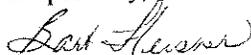
Speaking as a member of the Wisconsin Economic Development Association (WEDA) board, a safe and efficient transportation system is critical to economic development in Wisconsin. To that end WEDA supports phasing in and dedicating a portion of the motor vehicle sales taxes to the transportation fund beginning in FY04 and improving taxpayer accountability by creating separate accounts within the transportation fund with distinct revenue streams to ensure that transportation stakeholders have enhanced assurance of how each revenue stream will be used.

Your continued support for increased transportation funding is greatly appreciated.

In closing, I also ask for your support for the continued funding of the **School-to-Career** consortiums. We stand ready to compete for these grant dollars. Lastly, as a Forward Wisconsin and Department of Commerce volunteer in attracting businesses to Wisconsin, I respectfully request your support of the **Technology Development Zones** in an effort to attract more high-tech, bio-tech companies and workers to our great state.

I realize there are many more worthy requests for funding than funds available, making your job very difficult. I thank you for your kind attention and consideration and for bringing this session to Marshfield.

Respectfully,



Barb Fleisner
Executive Director

40 pages Total
in Package

Exhibit A"
(10 pages)

DATE: April 20, 2001

TO: Wisconsin Legislature's Joint Committee on Finance (Sen. Brian Burke, Sen. Russell Decker, Sen. Gwendolynne Moore, Sen. Kevin Shibilski, Sen. Kimberly Plache, Sen. Robert Wirch, Sen. Alberta Darling, Sen. Robert Welch, Rep. John Gard, Rep. Dean Kaufert, Rep. Sheryl Albers, Rep. Marc Duff, Rep. David Ward, Rep. Michael Huebsch, Rep. Gregory Huber, Rep. Antonio Riley).

FROM: Jeffrey M. Gonyo, 2668 Hwy. 164, Slinger, WI 53086 (Phone: (262)-644-8334 and E-Mail: jmgonyo@execpc.com).

RE: Governor Scott McCallum's proposed budget: Opposition to funding increases for the Wisconsin Department of Transportation (WisDOT). Request for assistance from the Joint Committee on Finance in stopping the WisDOT's Ackerville Bridge Project and proposed four-lane expansion of Highway J/164. Invitation to view affected areas.

On behalf of **S.U.R.E. (Stop Unnecessary Road Expansion)**, a grassroots citizens group with over 1700 members from Washington and Waukesha Counties, I am appearing before the Wisconsin Legislature's Joint Committee on Finance today to strongly object to the funding increases for the Wisconsin Department of Transportation (WisDOT) in Governor Scott McCallum's proposed budget. I am also here to specifically request that your committee **immediately cut off all funding** for the WisDOT's Ackerville Bridge Project and proposed four-lane expansion of Highway J/164 which begins at Interstate 94 in Waukesha County and runs approximately 22-miles northward to State Highway 60 in Washington County.

Governor McCallum recently stated that "the days of big spending in Wisconsin are over" and that "it's important for governments, just like our families, to live within their means." According to Senator (and soon to be Lieutenant Governor) Margaret Farrow, Governor McCallum has proposed that all state agencies cut 5% from their respective budgets, **EXCEPT the Wisconsin Department of Transportation (WisDOT) which is being granted a 3.5% increase in its budget** (see the attached February 21, 2001 news article from **The Daily Reporter**). Why must everyone else be forced to tighten their belts while the WisDOT is continually given "a blank check" to spend on massive road and bridge projects, many of which are neither needed nor wanted by the people of Wisconsin?

An excellent example of what I am talking about is the WisDOT's Ackerville Bridge Project and proposed four-lane expansion of Highway J/164 which I will now provide the details to your committee.

I. The Ugly, Concrete Scar Which Will Divide and Destroy our Neighborhoods.

In 1999, the WisDOT announced that it was planning to convert State Highway 164 (formerly known as County Highway "J") into a four-lane, divided superhighway, beginning at Interstate 94 in Waukesha County and running approximately 22 miles

northward up to State Highway 60 in Washington County. The Ackerville bridge project (scheduled to begin in 2002) is the first phase of the WisDOT's massive expansion plans for Highway 164.

The WisDOT's bridge and road expansion projects will be economically and environmentally devastating to our beautiful, scenic Kettle Moraine area. Other more fiscally-prudent, neighborhood-friendly options are readily available to solve the regions traffic congestion problems, but the WisDOT is ignoring these reasonable alternatives. Therefore, we ***strongly oppose*** these WisDOT projects because they would negatively impact our homes, family farms, churches, schools, historic communities (such as Ackerville and Pleasant Hill), cultural/archaeological sites (such as several Native American burial ground areas), the environment (including precious wetland areas where several endangered species such as the butler garter snake, nocturnal minnow, sandhill crane, blue heron, and blanding turtle now live), the health and safety of our families, and our overall quality of life in Washington and Waukesha Counties.

According to Walter Kulash (a veteran traffic engineer with extensive road building experience in the United States and Canada), roads get less efficient as they get bigger. Kulash emphasizes that two-lane highways with turn lanes at the major intersections have a better capacity to move traffic efficiently than any other road configuration. His studies have shown that:

- 1) The fear of traveling on high-speed, four-lane highways discourages older drivers from using them.
- 2) Four-lane highways cause people to move their homes, businesses and jobs farther into the country where there is less traffic congestion and less delay going to work and shop (i.e. four-lane highways fuel urban sprawl).
- 3) Four-lane highways reduce property values and discourage people from improving their existing homes.

In summary, Kulash maintains that "trying to cure traffic congestion with four-lane highways is like trying to reduce obesity by loosening our belts." It simply does not work!!

Following Kulash's recommendations, the residents who live along Highway 164 strongly believe that our road must remain a two-lane, residential highway with significant improvements to enhance safety and traffic flow. The critical elements of this fiscally-responsible, citizen-backed alternative include:

- 1) Improved road shoulders and pavement.
- 2) A permanent 45 mph maximum speed limit for our entire Highway J/164 roadway.
- 3) Traffic signals at the dangerous intersections.
- 4) Turn lanes at road intersections and subdivision entrances.
- 5) Balancing and dispersing traffic throughout the entire region by maintaining a

series of improved two-lane roads, both to the east and west of the existing Highway J/164 corridor.

If all of the above things are properly done, then we believe that **NO ROAD HAS TO BE FOUR-LANES!!** This innovative type of two-lane road design has been successfully used by well-respected traffic engineers to solve traffic problems nationwide. Much of this information has already been provided to Senator Alberta Darling who is a member of your committee. Please ask Senator Darling to make copies of these very detailed materials for every member of the Joint Committee on Finance.

II. The "Bridge to Nowhere" (i.e. The Ackerville Bridge Project).

The first phase of the WisDOT's proposed expansion of Highway 164 is the Ackerville Bridge Project which is scheduled to be constructed in 2002. This "\$11 million boondoggle" will be three-fourths of a mile long and ultimately four-lanes wide, making it the fifth largest bridge to be constructed in Wisconsin over the next five years (you will need a good strong pair of binoculars to see across the entire bridge span).

At least four homes will be destroyed and 45 additional properties will have to be purchased to accommodate the enormous size of the bridge and new four-lane road width. Upon completion of this massive bridge, there will be no direct access from Highway 164 into the historic community of Ackerville or to the long-established, family-owned, small businesses located therein. That's because this bridge will have no exit ramps!!

Instead of wasting our hard-earned tax dollars to build an enormous \$11 million bridge over an unincorporated, historic community, the current safety and traffic flow problems in this area could be easily corrected by:

- 1) Realigning the Highway 164/175 intersection and installing turn lanes and a traffic light at this location.
- 2) Shaving down and reducing the steep incline of the hills on Highway 175 and Lovers Lane Road going down toward Ackerville.
- 3) Improving the road pavement and shoulders on Lovers Lane Road (including turn-lanes at the two entrances to the Birnamwood Subdivision).
- 4) Erecting a double-set of safety gates at the Highway 164 railroad crossing.

All of these simple safety improvements could be done immediately at a mere fraction of the \$11 million cost that the WisDOT wants to spend to destroy the entire area. Why not do these things when they are: **1)** easy to implement, **2)** highly-effective in saving lives and preventing future injuries, **3)** far less intrusive on the area homeowners, small businesses and communities, and **4)** very cost effective and fiscally-prudent for taxpayers?

III. The Two Toxic Waste Landfills Nearby the Proposed Ackerville Bridge Site.

Immediately next to this proposed bridge site are sensitive wetlands and two abandoned landfills (one owned by Waste Management and the other by the Township of Polk) which are now believed to be leaking trichloroethylene (TCE), benzene, toluene, ethylbenzene, xylene, arsenic, barium, and other dangerous chemicals into the shallow ground water. According to a July 30, 1998 Wisconsin Department of Natural Resources (DNR) report, at least two private wells in the Ackerville/Highway 164 vicinity have already tested positive for dangerous levels of these cancer-causing, chemical pollutants.

This contaminated ground water is also flowing directly towards the Highway 164 roadbed where the WisDOT plans to excavate soil and drive long steel pilings for its massive bridge project. Unless these two nearby landfill sites are completely cleaned up first, this bridge construction project will only exacerbate the drinking water contamination problems in the Ackerville area.

At the February 8, 2000 Washington County Board meeting, Supervisor David Radermacher eloquently referred to these toxic waste landfill sites as **"atomic bombs which have already begun to detonate in our community."** This statement is supported by the statistical data which I received from the Wisconsin Cancer Reporting System (a division of the Wisconsin Department of Health and Family Services).

This statistical data indicates that: **1)** the number of reported cancer cases between 1980 and 1997 is **almost 2.5 times higher** near these toxic waste landfill sites than from other areas farther away (351 cases for the 53086 zip code vs. 147 cases for the 53076 zip code), and **2)** the number of reported cancer deaths between 1989 and 1997 is **almost 4 times higher** near these two landfills than from other areas farther away (81 deaths for the 53086 zip code vs. 21 deaths for the 53076 zip code). To address these serious health concerns, I filed a citizens petition with the EPA to have these two abandoned landfills in Ackerville declared federal Superfund sites.

Dr. Jeanne Hryciuk, M.D., a pathologist with Community Memorial Hospital of Menomonee Falls, carefully analyzed this cancer data and concluded that, to protect the health and safety of the Ackerville area residents, the WisDOT must be required to immediately prepare a comprehensive and thorough Environmental Impact Statement (EIS) for its Ackerville Bridge Project. This EIS must fully assess the chemical pollutants now leaching out of the two nearby landfills and thoroughly consider the health, safety and environmental impacts of all reasonable road and rail reconstruction alternatives in great depth, as required by the National Environmental Policy Act (NEPA) and WisDOT's own Facility Development Manual.¹

¹ Last year, in a jointly-written article published in the **West Bend Daily News**, Washington County Supervisors David Radermacher and Robert Kratz insisted that the WisDOT cease all construction and land acquisition activities in Ackerville until an EIS is prepared.

At an expense of over \$15,000.00, the people also have hired Dr. John Thresher, a state-certified soil and water scientist, to conduct a detailed analysis of the drinking water contamination problems in the Ackerville area. He extensively reviewed the EPA and DNR records on these two nearby landfills, interviewed Ackerville area residents about any perceived problems with their drinking water and health (i.e. occurrences of cancers), and tested water from several private wells.

After completing his investigation and testing, Dr. Thresher prepared two very detailed reports which concluded that the drinking water in the Ackerville area is, in fact, heavily contaminated and unsafe for human consumption. He also learned that many of the residents who live in the contaminated area have stopped drinking the water because of bad taste, odor and color. Finally, he discovered that many of the residents in the "zone of contamination" have one or more family members and/or pets who recently died of cancer or other diseases caused by exposure to landfill chemicals. (For complete copies of these reports, please contact our attorney, **Ed Garvey** at (608)-256-1003.)

Contrary to the WisDOT's claims, the contaminated, shallow groundwater underneath the Highway 164 roadbed will be disturbed when construction begins on the Ackerville Bridge Project. In the March 23, 2000 edition of the **West Bend Daily News**, Ken Wade, a hazardous materials engineer for the WisDOT, stated that construction of this bridge project would entail driving pilings below the groundwater table (which is about 30 feet below the surface). Also, the WisDOT (through its subconsultant, STS Consultants) recently conducted 50-foot deep soil borings where the bridge pilings will be placed along Highway 164 and Lovers Lane Road in Ackerville.

These facts lead us to reasonably conclude that the pilings for the WisDOT's Ackerville Bridge Project will be driven up to 50 feet into the ground which is well below the now contaminated, shallow groundwater. So far, the WisDOT has refused to provide us with specific data on the depth of these bridge pilings. Why is the WisDOT continuing to hide this important information from the people?

Despite these serious concerns, the WisDOT has refused to prepare a federally-mandated, Environmental Impact Statement (EIS) for the Ackerville Bridge Project. As of this date, the WisDOT has only done a very cursory Environmental Assessment (EA) which doesn't even mention these dangerous nearby landfills. Why is the WisDOT so reluctant to do an EIS here? Is the WisDOT afraid of finding some serious environmental problems near Ackerville which will put its \$11 million bridge project in jeopardy?

IV. WisDOT's Response to the Citizen Opposition.

Over the past two years, the WisDOT has used "every dirty trick in the book" to stifle the citizen opposition to its four-lane road expansion proposal. Some of these outrageous WisDOT actions include:

- 1) Stealing dozens of "No Four-Lane" signs right out of our yards and farm fields. Several Highway 164 corridor residents witnessed WisDOT employees

sneaking into their private yards and illegally removing signs. These signs were not in the public right-of-way.

- 2) Purposely diverting thousands of semi-trucks and other vehicles off the freeway and onto our residential road to artificially inflate traffic counts, endanger our children, and destroy our neighborhoods.
- 3) Taking traffic counts on the busiest days of the year such as Tuesday, November 7, 2000 (the date of the presidential election when people were making extra road trips because of voting).
- 4) Routinely ignoring citizen input and suggestions at its farcical "public information" meetings and "Georgia-style" public hearings (which keep individual citizen comments on proposed road and bridge projects "out of earshot" of fellow citizens).²
- 5) Withholding and concealing public documents concerning the proposed structure of the Ackerville Bridge and related soil boring test results in violation of Wisconsin's open records law.
- 6) Misrepresenting to the Ackerville area residents that there are no soil and water contamination problems in the proposed bridge construction area when our legal, scientific and medical experts have discovered massive amounts of highly-credible evidence to the contrary.

V. Conclusion.

As of this date, over 1700 people who live in Pewaukee (both the Village and City), Village of Sussex, Town of Lisbon, Town of Richfield and Town of Polk have signed our petitions to strongly oppose the WisDOT's Ackerville Bridge Project and proposed four-lane expansion of Highway J/164. The Townships of Richfield and Erin have also passed resolutions opposing the WisDOT plan to convert our two-lane residential road into a divided, four-lane superhighway. Other governmental jurisdictions, educational, religious, and conservation organizations are now considering similar resolutions to oppose the WisDOT's four-lane highway plans.

If you allow these unnecessary and expensive WisDOT road and bridge projects to be built, they will negatively impact our property values, the health and safety of our families, the environment and our overall quality of life. Quite simply, this is another

² On March 23, 2000, the WisDOT held such a "Georgia Style" public hearing for its Ackerville Bridge Project. Concerned citizens were each herded into a separate area away from the general public to testify privately to a court reporter. Now the WisDOT wants to conduct the same type of bogus public hearing for its Highway J/164 Draft EIS in June, 2001. For proof of this, please see the WisDOT web site at: www.dot.state.wi.us.

\$130 million (conservatively speaking) of taxpayer money being thrown down a WisDOT rat hole.

Consistent with Governor McCallum's message of fiscal responsibility, it is now time to put the WisDOT on a strict budget diet. Our state's taxpayers can no longer afford to pay for extravagant, environmentally-destructive WisDOT road and bridge projects, especially when there are reasonable and proven alternatives available (such as those discussed above). From this point forward, "we the people" will decide what is needed in our communities and **NOT** the WisDOT or the road and bridge building contractors that this agency regularly caters to.

On behalf of S.U.R.E., I am inviting the entire Wisconsin Legislative Joint Committee on Finance to take a guided tour with us of the entire 22-mile long Highway J/164 corridor from I-94 in Waukesha County northward up to Highway 60 in Washington County so you can all see just how the WisDOT plans to waste over \$130 million of our hard-earned tax money. We want you to pay very special attention to the Ackerville area where many residents are now suffering from the negative health effects of contaminated drinking water, a problem which will only be exacerbated if the WisDOT is allowed to build its enormous \$11 million bridge project.

We are not going to rest until **YOU**, our elected officials, hear our voices and take prompt action to properly address these very important issues. Thank you.

Sincerely,



Jeffrey M. Gonyo,
Town of Polk Central Committee Member
for **S.U.R.E.** (**S**top **U**nnecessary **R**oad
Expansion) – over 1700 members strong!!
2668 Hwy. 164, Slinger, WI 53086
Phone: (262)-644-8334
E-Mail: jmgonyo@execpc.com

Enclosures

THE **S.U.R.E.** PLAN FOR PRESERVING OUR NEIGHBORHOODS

"We the People" are **strongly opposed** to both the Wisconsin Department of Transportation's (WisDOT) **Ackerville Bridge Project** and its **plans to convert Highway J/164 into a divided, four-lane superhighway** (which, if built, would negatively impact our property values, the health and safety of our families, the environment and our overall quality of life). To address the traffic concerns of this area, we will support a fiscally-prudent, neighborhood-friendly, two-lane road with the following important safety features:

1. Improved road shoulders and pavement.
2. A permanent 45 mph maximum speed limit for our entire Highway J/164 roadway.
3. Traffic signals at the dangerous intersections.
4. Turn lanes at road intersections and subdivision entrances.
5. Balancing and dispersing traffic throughout the entire region by maintaining a series of improved two-lane roads, both to the east and west of the existing Highway J/164 corridor.

First, for more information about the legal and political aspects of our grassroots citizen efforts, please contact our attorney, **ED GARVEY**, at **(608)-256-1003** or **GarveyLAW@aol.com**.

Second, for information concerning the Ackerville area drinking water contamination problems, please contact our soil and water specialist, **JOHN THRESHER**, at **(608)-233-0297** or **jtsoils@scamail.com**.

Finally, to learn more about our safer, two-lane road design (described herein), please contact **WALTER KULASH, P.E.** (a highly-respected, traffic engineer with over 30 years of road designing and building experience) at: Glatting, Jackson, Kercher, Anglin, Lopez & Rinehart, 33 East Pine Street, Orlando, FL 32801, Phone: (407)-843-6552, E-Mail: perskine@glatting.com.

S.U.R.E. (Stop Unnecessary Road Expansion)

Raymond Cox, Registered Agent

P.O. Box 152, Hubertus, WI 53033

Phone: (262)-628-0596, E-Mail: mrraycox@juno.com

Central Committee Members from the Affected Communities

1. Jeff Gonyo (Town of Polk), Phone: (262)-644-8334, E-Mail: jmgonyo@execpc.com
2. Bob/Colleen Gindt (Town of Polk), Phone: (262)-644-5773, E-Mail: gindt@nconnect.net
3. Donna Askins (Town of Polk), Phone: (262)-644-0825, E-Mail: druaskin@aol.com
4. Andy/Kristin Cmeyla (Town of Richfield), Phone: (262)-628-7536, E-Mail: andycmeyla@aol.com
5. Brent Olynick (Town of Richfield), Phone: (262)-628-9623, E-Mail: bolynick@yahoo.com
6. Mike Baka (Town of Richfield), Phone: (262)-628-3834, E-Mail: mpbaka@nconnect.net
7. Don Weiland (Town of Richfield), Phone: (262)-628-2392, E-Mail: dweiland@mmccorp.com
8. Dennis Cantrell (Town of Richfield), Phone: (262)-628-3738
9. Don Eilbes (Lisbon/Sussex), Phone: (262)-246-3181
10. Doug Schuh (Village of Pewaukee), Phone: (262)-695-8422, E-Mail: dschuh@milwpc.com
11. Frank Mueller (Village of Pewaukee), Phone: (262)-695-8083
12. Beverly Storm (City of Pewaukee), Phone: (262)-523-3550

THE DAILY REPORTER

CONSTRUCTION NEWS

McCallum loosens budget belt for major highway jobs

By Jeremy Harrell
Daily Reporter Staff

Feb. 21, 2001

Gov. Scott McCallum on Tuesday unveiled the smallest state budget increase in 30 years, but he included several proposals that will benefit the construction industry.

"It's important for governments, just like our families, to live within their means," McCallum said in his budget address to the Legislature. "This is the budget. This is when we need to make sure Wisconsin's financial house is built on a solid foundation."



McCallum called for general spending increases of only 3 percent over the biennium, but he announced a 3.5 percent hike in funding for the state's major highway program. The budget also boosted money for the Local Road Improvement Program by 5.2 percent in 2002 and 9.3 percent in 2003.

Which local road projects receive the money, however, is uncertain because many legislators tend to haggle over projects for their own districts, said Sen. Margaret Farrow, R-Pewaukee, a member of the Committee on Insurance, Tourism and Transportation.

"The local road aids get legislators involved from a parochial perspective and eventually have to be compromised," she said. "It's hard to say on Feb. 21 where the money will be on June 21, when the governor is supposed to sign the budget bill."

The governor also freed more than \$300 million for the three major highway projects that the state's Transportation Projects Commission approved in December. The jobs, which aren't scheduled to begin until 2007, would expand highways in Marathon, Oneida, Rock, Jefferson and Dodge counties.

McCallum answered a question that hovered around the Lambeau Field renovation project by including \$9.1 million for infrastructure improvements associated with the stadium's overhaul. Green Bay Packers officials said the upgrades are necessary if the project is to succeed.

The governor also laid the groundwork for the estimated \$450 million to \$850 million Marquette Interchange replacement project by earmarking more than \$151 million for improvements around the Milwaukee area. He asked the Legislature to set aside \$133 million for preliminary work on the interchange, \$8 million for the demolition of the Park East Freeway and \$10 million to reconstruct and extend Canal Street, which he said would alleviate traffic during the interchange overhaul.

Farrow said the Legislature might end up reducing the state's Park East Freeway allotment since there are still questions as to whether the freeway spur could alleviate traffic during the Marquette Interchange renovation. The city of Milwaukee is putting up most of the cash for the demolition after receiving a stipend from the federal Department of Transportation.

"I have a problem with the Park East Freeway money being spent by the state," Farrow said. "I don't accept it, especially with the need of the Marquette Interchange in the next number of years. My fear is that, like the Hoan Bridge, when we take down the Park East we'll find out how much people relied on it."

As expected, McCallum reserved more than \$43 million to staff and operate the Stanley Prison, a measure the state Assembly approved last week. The Senate, which rejected Stanley Prison bills in the previous session, must still sign on before the state takes over the privately built facility.

AWOL measures

Missing from the governor's budget proposal, however, is a sales tax exemption on supplies contractors buy for nonprofit owners, said Jim Boullion, Associated General Contractors of Wisconsin government affairs director.

"We understand the budget is tight, but we hoped he'd put something in there," he said. "We're disappointed we didn't see it in there."

John Mielke, Associated Builders and Contractors of Wisconsin government affairs director, said his organization, the AGC and other industry groups have lobbied state officials to change tax statutes so contractors could directly purchase construction materials for nonprofit entities without having to pay sales tax.

Boullion said AGC hasn't given up the fight, and the organization plans to urge legislators to add it to the budget bill before it goes back to the governor for his signature.

"We're hoping to do it as a budget amendment with the support of many legislators," he said.

The governor also neglected to include an apprenticeship tax credit in his budget proposal, but Mielke said it's likely the Joint Legislative Council's labor shortage committee would produce a tax credit bill during its ongoing monthly meetings.

"I hope the Legislature takes it up, but we didn't expect to see it in the budget proposal," he said.

Madison writer Jeremy Harrell can be reached at 608-260-8570 or by email.

Mentioned in this Article

Associated Builders and Contractors of Wisconsin

Gov. Scott McCallum

Gov. McCallum's Executive Budget Speech

Green Bay Packers

Sen. Margaret Farrow, R-Pewaukee

Wisconsin Department of Transportation

Wisconsin State Legislature

Contact Resources

E-mail this Article to a Friend

Send an e-mail to the Editor

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Exhibit B
(5 pages)

September 29, 2000

Senator Brian Burke
P.O. Box 7882
Madison, Wisconsin 53707-7882

Dear Brian:

Re: Highway J

As counsel for SURE, I was pleased to receive your letter of the 23rd of September in which you discussed your commitment to smart growth. I have forwarded your letter to our Highway J/164 group SURE, because we need allies to stop this travesty and we are very pleased that you are concerned about sprawl. We invite you to jump into this controversy. As you probably know, the DOT is dead set on building a 4-lane, expandable to 6-lane highway between I-94 and Slinger. It would be a tremendous waste of tax dollars, disrupt and alter forever the culture of the area, and bring another round of uncontrolled sprawl.

I'll be in touch with your office to invite you to a meeting with our group. We need allies and it would be our hope that you could arrange for a Senate hearing on this classic example of the DOT yielding to developers and highway contractors.

We look forward to working with you and your staff.

Best regards,



Ed Garvey

ERG:jf
cc: SURE



Smart Growth law helps in land-use planning

By Brian Burke

GUEST COLUMN

Rapid growth is changing the face of Wisconsin's landscape. While development creates new opportunities, it also can stir up a host of costly problems for communities and taxpayers.

By planning for change, communities can make the most of growth, seizing opportunities while avoiding many of the pitfalls. Fortunately, planning ahead just got easier.

The Legislature has spelled out guidelines and created new incentives for planning. Smart Growth, as it is called, is now state law.

Smart Growth creates state incentives to supplement and leverage existing local governmental authority, not replace it.

Day-to-day decisions on where to build a new road, how big to make a subdivision and whether to give the downtown business district a facelift should be made by local people, while keeping broader community goals in mind.

Smart Growth encourages public participation and defines the essential elements of a comprehensive plan. Details will vary from place to place, but the building blocks remain the same.

Smart Growth makes state funding available to help local governments pay for planning. It enlists technical support from the



Burke

Burke, a Milwaukee Democrat, is state Senate chairman of the Legislature's Joint Finance Committee. He wrote the Smart Growth legislation.

University of Wisconsin Extension. Such support is especially helpful to communities that can't afford a full-time planner.

Beginning in 2005, cities, towns and villages that have comprehensive plans and are making an effort to follow them will be eligible for a Smart Growth dividend payment from the state. This money is another incentive to get the planning effort underway.

By 2010, most land use decisions and actions will have to be based on a local comprehensive plan. No government will be forced to adopt a comprehensive plan, but it will become increasingly difficult to do business after 2010 if a plan is not in place.

Other states are working on land use legislation, and a handful have passed new laws. Smart Growth for Wisconsin is among the most innovative and complete programs in place. It moves our state to the front of the pack.

Wisconsin's efforts united legislators from across the political spectrum, urged on by an unprecedented alliance that included 1000 Friends of Wisconsin and other environmental organizations, the Wisconsin Realtors Association, the Builders Association, the Alliance of Cities, the League of Municipalities, the Towns Association, the state Planners Association and the Counties Association.

It's fair to say that this diverse group has never before worked together to support such an important legislative initiative. Each deserves credit. Smart Growth will work for Wisconsin and help local communities make growth work for them.

For more information about the Smart Growth legislation, contact 1,000 Friends of Wisconsin at 608-259-1000 or the Wisconsin Land Council at 608-267-2707.



STATE SENATOR

BRIAN BURKE

BIOGRAPHICAL INFORMATION

Born in Milwaukee in 1958.

Married to Patricia Coorough of Prairie du Chien. Three daughters (Colleen, Katie & Erin).

J.D. from Georgetown Law School - on Editorial Board of International Law Journal.

B.A. in History & Political Science from Marquette University, magna cum laude.

Graduate of Washington High School in Milwaukee.

Former Milwaukee County Assistant District Attorney.

Has served as State Senator for the 3rd Senate District since November 1988.

Lifelong member of the Democratic Party of Wisconsin.

Member of the State Bar of Wisconsin.

Member of the Bar of the United States Supreme Court.

LEADERSHIP POSITIONS

Senate Chair of the Joint Committee on Finance - a duty first assumed in June 1996.

Co-Chair of the Wisconsin Trust for Historic Preservation Public Policy Committee.

Former Chair of the Senate Committee on Urban Affairs, Environmental Resources & Elections.

Member of the Wisconsin Environmental Education Board of Directors.

Member of the Executive Board of the Wisconsin Public Utility Institute.

Member of the Federated Library System Board of Trustees.

Member of the Wisconsin Humanities Council.

HONORS & AWARDS

Gaylord Nelson Award - 1000 Friends of Wisconsin

Partners for Survival Award from the State Bar and Legal Action of Wisconsin

Voices of Courage in Public Policy Award from the Wisconsin Coalition Against Sexual Assault.

Attorney General's Award for Outstanding Leadership on Law Enforcement Issues.

Commander's Award for Public Service from the Department of the Army.

Graduate of the Federal Bureau of Investigation - Milwaukee Division Citizens' Academy.

Legislator of the Year - Wisconsin Council of the Vietnam Veterans of America.

Legislator of the Year - Wisconsin Urban Transit Association.

Friend of the Wisconsin Jewish Community Award - Wisconsin Jewish Conference

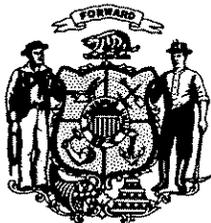
Cesar Chavez Humanitarian Award.

Clean 16 Legislator (five-time winner) - Wisconsin's Environmental Decade.

Bridge Builder Award - The Nature Conservancy.

Top 10 State Legislator - Milwaukee Magazine.

Best State Legislator - Shepherd Express Readers' Poll.



BRIAN BURKE
WISCONSIN STATE SENATOR

September 23, 2000

Ed Garvey
3421 Circle Close
Madison, WI 53705

Dear Ed,

It's a fair question.

As I travel the state talking to groups about Smart Growth, I am always asked: Why does someone from the city care so much about preserving the rural landscape?

I could say I believe that farm families deserve every chance to succeed against the threat of factory farms and unfair federal policies.

I could also say there is a direct link between good land use and clean air and water for those of us downwind and downstream.

You probably agree with me on these answers. But I am writing today because I believe you and I also share a deeper understanding of land use decisions.

When scattered development stretches public resources and increases reliance on the automobile -- it costs us all.

When a new factory obliterates another cornfield, it also fails to awaken a brownfield site and bring jobs to the city.

So we see jobs flowing far away from our urban centers and the people who need them most. We see an ever-widening gap between rich and poor.

The implications go far beyond environmental health; they touch on our core values of fairness, equal opportunity, justice and even public safety.

P.O. BOX 908, MADISON, WISCONSIN 53701-0908

AUTHORIZED AND PAID FOR BY FRIENDS OF BRIAN BURKE, PATRICIA COOROUGH, TREASURER

Recycled Paper



This is why I worked so hard to make Smart Growth for Wisconsin a reality last year. And it's why I am so grateful to organizations ranging from 1,000 Friends of Wisconsin to the Realtors Association.

Without the efforts of a uniquely diverse coalition, this groundbreaking initiative would not be law today.

But much work remains to be done.

I will keep pushing for forward-looking land use policies that protect our environment and expand economic opportunity. I hope you will join me.

Today, with the help of like-minded friends around the state, I'm building a grassroots organization that I hope will make me Wisconsin's next Attorney General.

It is absolutely essential that we keep this office in progressive hands after Jim Doyle moves on.

As a former prosecutor I take a back seat to nobody in pushing for strong law enforcement -- after all, safe streets are fundamental to vibrant cities. But I am also committed to advancing a more constructive approach to crime fighting.

We need to move beyond chest-thumping tough talk and into an era of creating economic hope and opportunity for young people before they get caught up in crime.

And this is why I must ask for your help today.

Your support and your most generous check -- for \$25, \$50, \$250, or whatever you can afford -- are very important to me.

In an era of attack ads and sound-bite solutions, I need your help to raise the level of debate. I hope to hear from you soon. Thank you.

Sincerely,



Brian Burke
State Senator

P.S. We know that healthy communities and strong families are the best answer to crime. Together we can build on Smart Growth to create a stronger, safer, Wisconsin for all. Please join with me today.

Highway 164 residents say 'no'



Chad Hug/Daily News Staff

A sign opposing four lanes is seen by traffic heading southbound on Highway 164 in the town of Polk near Highway E. Many residents in southern Washington County and northern Waukesha County have expressed their opposition to the project proposed by the state.

DOT's 164 plan has many foes

By GAY GRIESBACH
Daily News Staff

There are 161 residences whose driveways spill onto the 22-mile stretch of Highway 164 from Capital Drive in Waukesha County to the Ackerville bridge in Washington County; and as studies and work along the road progress, residents' fears and frustrations about a proposed reconstruction project have mounted.

"They'll be taking out my side

yard to put in a turn lane," said renter Lee Phillip as he pointed out stakes that are within 60 feet of his garage. "You can't stop the DOT from doing what they are going to do."

"It's overkill. I can see if they added turn lanes and safety improvements, but what they are proposing is huge."

— Marilyn Zarwell
Birnamwood Subdivision resident

Phillip's property is at the corner of highways 60 and 164.
Brian Bliesner, project manager

for the Wisconsin Department of Transportation, said the Ackerville bridge project is scheduled to begin in 2002 and will include improvements from the highway intersection south to Ackerville and a two-lane bridge that will span the railroad and Highway 175.

John Neuman took a break from mowing his parents' yard on Highway 164 in the town of Polk to point out trees that will be taken by the highway expansion.

Please see HIGHWAY 164/A6

Highway 164: Residents upset over lack of input

Land use plans have called for the widening of the former Highway J into a four-lane road for the past 20 years, according to information from the DOT, but the DOT did not begin its expansion study until jurisdiction of the road changed from county to state two years ago. Neuman said his father built the home in the 1960s, before any right-of-way was talked about.

"Growing up, we used to see about 10 cars a day that passed here," Neuman said.

"The whole strip is against it," said Ackerville resident Terry Bartz, but some homeowners along the route declined to offer their views.

Marilyn Zarwell is a Birnamwood subdivision resident who will see the expansion of the Ackerville bridge from her window.

"I don't know what chance we have to stop it," said Zarwell.

There is a frontage road that separates Gary and Marilyn Zarwell from the highway, but Marilyn Zarwell said that at DOT meetings she attended, representatives said the project will have four lanes and a 30-foot median, making it wider than Highway 41.

"It's overkill," Zarwell said. "I can see if they added turn lanes and safety improvements, but what they are proposing is huge."

Blesner said the corridor study for the southern portion of the project has no final recommendations completed, and he expects that improvements in Washington County will not take place for quite

some time.

He said spot improvements may be made in the next 10 years that would address safety and intersection concerns.

Zarwell said she and her husband received their first letter from the DOT about an expansion of the road in 2020 or 2025, "but if they put the bridge in now, I suspect the expansion will come sooner."

Blesner said the DOT expects completion and release of the environmental impact statement in early November. A public hearing on the matter could come as early as December and a preferred alternative selected by early 2001.

James Burant, owner of the Pleasant Hill Inn, 2102 Highway 164, does not feel an expanded highway is needed.

"I'm here all different hours of the day and never see any backups or heavy traffic. If they do expand, it will wipe out Pleasant Hill," said Burant.

"If they make the highway four lanes, it would be 12 feet from my front door," said Gib Schmitt, 74, who built his home in 1953.

A resident of the area for the past 60 years, Schmitt is surprised by talk that the DOT project has been common knowledge.

"Everybody says (the highway expansion) was in the making for past 20 years. Maybe developers and realtors knew, but we didn't."

Schmitt said he first heard of the expansion in January when he received a letter from the DOT.

"They let us know our address

was Highway 164, not (Highway) J." He said the most recent letter he received from the DOT asked whether to move the centerline of the highway to the left or right of its present center.

"If it is moved to the east it will take out 14 homes, if they move it to the west, 12 homes will be removed."

Schmitt also echoes the sentiment of many of his neighbors when he adds, "I told them straight out — I want (the highway) to remain as it is."

"If they take our home, where are we supposed to go?" asked Maryann Gehring, who lives on the east side of the highway. "It's heart breaking."

Gehring and her ancestors have lived and farmed alongside the highway in Richfield since 1859 when her great-grandfather, John Thielman was a homesteader.

"If the state has its way, it will take (that land) back," said Gehring.

Gehring said she also recently received a letter from the DOT consultants CM2H Hill asking their preference in expanding the highway to the east or west between Highway 167 and Elmwood Road.

Gehring and her late husband, Gerald, farmed the 90 acres producing beef and grain crops until her daughter and son-in-law, Robert and Denise Kraetsch, took over farming about five years ago.

"They say this is progress, but whose progress is it?" said Gehring.

YOUR VIEWS

Who decides?

I wonder how many times we will have to hear from the DOT's Mike O'Brien that the benevolent DOT has held 30 meetings with citizens to listen to their concerns about the expansion of Highway 164.

The fact is: The DOT has met with us 30 times and has told us 30 times that they are going to cram a road down our throats. (they have used different words). What is good does it do to meet if they are not going to take into consideration anything we say?

Their studies all support the position they started out with (surprise). All we have been continuously told is that:

■ Traffic counts will determine the fate of our communities.

■ The thousands of people whose homes and lives will be ruined by this project are being sacrificed for the good of the thousands who will be coming in the future.

■ The only way to handle high traffic is to put expressways through small communities no matter what the consequences are to the quality of life or character of the community.

My question is this: Who decides what our communities will look like 30 years from now? The DOT and the road builders or the citizens who live here?

Kristin Cmeytig
Hubertus

Garvey: 'Power of people' key to 164 fight

By JILL BADZINSKI
Times Press Staff

TOWN OF RICHFIELD — Organization and persistence will be key ingredients in a local citizens group's effort to curb a Department of Transportation plan to reconstruct Highway 164 over the next two decades, accord-

ing to an attorney hired to represent the group in negotiations and potential legal battles.

"These fights can be won and they are won ... because government ultimately has to respond to a united group of citizens who say we have a better idea," said Madison-based attorney and former gubernatorial candidate Ed

Garvey, who was retained by the Highway J Citizens Group in August to lead its charge against the Department of Transportation's plan to widen Highway 164 (formerly Highway J) from two to four lanes between Highway 60 in Slinger and I-94 in Waukesha County.

Approximately 100 people

attended the group's first official meeting with Garvey Sunday evening at Friess Lake School. Previously Garvey has met with the Highway J Citizens Group's steering committee.

Citizen group members contend Highway 164 would better serve local residents by remain-

Please see **HIGHWAY 164**/Page 23

Highway 164: Opposition 'has just begun'

ing a two-lane road with additional safety improvements such as turn lanes and traffic control signals. However, the DOT counters that traffic counts warrant a wider road.

After a year of informal meetings, the Highway J Citizens Group is stepping up its fight against the project by hiring Garvey and his firm, recruiting area residents to join committees and continuing efforts to bring the issue to statewide prominence, said Jeff Gonyo, group spokesman.

A new initiative will be to bombard state legislators with letters of opposition and requests for action, Gonyo said.

The group named eight state senators and legislators — none

of whom attended Sunday's meeting — as targets for the initial wave of activity. Because legislators ultimately chart the course of DOT actions, it will be important to get at least several of them to sign on in support of the opposition, said group representative Kristin Cmeyla.

The way to do that will be to form a united front, Garvey said. "As a group, we can do a lot, as individuals we can do very little," he said.

Garvey said he is uncertain how the group will fight the DOT's plan, but said he remained "optimistic" that the project can be refocused if area residents get involved in "grassroots democracy."

"We don't have a magic solu-

tion," he said. "The only force that we have is the power of people."

Garvey encouraged other citizen opposition groups throughout the state to join forces on similar fights.

The group will initially concentrate its efforts on getting a moratorium in place to stop construction of a bridge over two train tracks in Ackerville, Garvey said. That project is scheduled to begin in approximately three years.

The group will also continue to challenge all aspects of the larger project, Garvey said, and will become increasingly more vocal.

"You haven't heard anything yet," he said. "This fight has just begun."

By the people, for the people

Citizens try to take back power

By JENNIFER PFAFF
Freeman Staff

There's a line drawn in the sand, and Doug Schuh refuses to be the first one to cross it.

The Pewaukee resident has been waging a tug-of-war with the Wisconsin Department of Transportation for the past year, and is optimistic that with enough hands, the citizens can wrest control of the Highway J-164 corridor from the state.

"It seems to me that the DOT, if we were in grade school, would be the

playground bully," he said. "Are we being heard? More than in the beginning. The more pressure that comes at us, the stronger the group's resolve gets."

Schuh is working with Stop Unnecessary Road Expansion, a citizens group in Waukesha and Washington counties that is fighting the DOT's proposal to widen Highway 164 to four lanes beginning at Capitol Drive and heading north.

The members meet several times a month, preparing strategies for fighting the project, analyzing public

documents, attending public meetings and holding more obvious forms of protest - like picketing in front of DOT officials' homes.

They've retained attorney Ed Garvey to help them prove their commitment to preserving a two-lane road, and studied up on different theories of traffic engineering in order to propose their own alternative for dealing with traffic issues on the road.

Such groups are becoming more and more common in Wisconsin, said Garvey, who is based in Madison. Garvey has helped citizens fight dozens

of issues, including the Crandon Mine and the Highway J-164 proposal.

Getting organized

Political involvement by citizens is growing every day, Garvey said.

"People have pretty much given up on the government for protection," he said. "All too often, government is the object of citizen concern."

Residents often find that the money behind big business can be a

See PEOPLE, Page 8

People

From Page 7

formidable foe, Garvey said. "The (government) agencies have become so used to serving the corporate interests that it is a shock to them when the citizens rise up and say 'No, we don't want this,'" he said. "If you get enough of a movement going, even the politicians listen."

Although the '60s was a decade of protest, most of that protest-centered around war. During the past several years, people have begun to realize the value of organized protest against a whole variety of local and state issues, he said.

Each time a citizen or citizen group is successful fighting a cause, it adds fuel to other fires, Garvey said.

what the people want."

Growing grass roots

Political involvement is usually spurred by the threat of negative consequences to quality of life, Garvey said.

John Hebert said he was "a rookie" when he first organized his neighbors to fight the reactivation of the Johnson Quarry in New Berlin several years ago.

"I was fumbling through things, just handing out literature and putting up signs," he said. "The reaction I got was simply surprise. My neighbors didn't know anything about it."

That effort wasn't successful in stopping the quarry, but his interest in his community was piqued.

Hebert now works with United Citizens of New Berlin, a citizens' group devoted to informing New Berlin

residents about issues facing the government. His involvement has led him into several battles with his local, county and state governments, including a well-publicized fight against a proposed casino in Waukesha County.

Bentley also said his initial government contact - successfully fighting a proposed road expansion in his neighborhood - was a difficult process that involved learning the public hearing process, learning which records he was entitled to and learning the skills of organizing a large group.

Like Hebert, one foray into activism hooked Bentley for life.

"It's fun," he said. "People wouldn't believe what goes on at some of these meetings."

(Jennifer Pfaff can be reached at jpgaff@contkynet.com)



Kevin Harnack/Freeman Staff

A sign warns passersby of a possible dire future for New Berlin and urges people to get involved in city issues. The sign greets people at Racine and National avenues in the city.

Local activists still a minority

Getting involved takes
time, willingness
to learn

By JENNIFER PFAFF
Freeman Staff

Nina Eliasoph has one burning question:

"Here are all these political questions that affect us, so why aren't more people getting involved?"

Eliasoph wrote the book - literally - on what motivates people to accept government actions without question or protest.

An assistant professor of sociology at the University of Wisconsin-Madison, Eliasoph is the author of "Avoiding Politics: How Americans Produce Apathy in Everyday Life."

Her research shows that people who fight city hall (or Washington, for that matter) are in a fairly small minority.

"I studied a community that had these big chemical plants that routinely had spills and fires," she said. "These fires would release toxic soot that stripped the paint off of the cars it landed on, according to the neighbors. When I asked people if they'd consider getting involved with a

group to fight these issues, people would say, 'It's not that close to my home.' It was a mile away."

More often than not, people avoid opposing government or big business because they feel powerless to effect an actual change, she said.

A lack of understanding about the political process is often a factor that strengthens those feelings of powerlessness, said John Hebert, vice president of United Citizens of New Berlin, a citizen group that works to educate the populace about upcoming issues.

Hebert himself admits to fumbling blindly through his first opposition campaign, making up the rules and strategies as he went.

Vern Bentley, a New Berlin resident who became interested in local political issues when the city wanted to reopen a quarry near his home, said his first task in that fight was to learn about the public hearing process and which records he had a right to see.

In addition to perceived powerlessness, many people have a sense of shame associated with political involvement, Eliasoph said.

"A lot of people really want to care about people, but they don't want to

Groups

From Page 7

care about politics," she said. "They don't see that to actually care about people, you have to care about the

community surrounding them."

Doug Schuh, a Pewaukee resident who is fighting a state proposal to expand Highway 164 to four lanes, said he understands why it's difficult for many people to get involved.

"I'm semi-retired, I have more time than most," he said. "There are so many people who are going 100 mph all day

every day, with their work, their family, their house. How can they squeeze in another thing?"

That's why it's easier to get people to sign a petition than to attend a meeting or a protest, he said.

"We think we have freedom of speech in this country, but we close it down ourselves," Eliasoph said. "The way to

deal with powerlessness is to organize and do something about it. The way to learn is to read about it, talk about it and argue about it. In some countries, arguing politics is like talking sports here - people love it. It's entertainment."

(Jennifer Pfaff can be reached at jpfaff@conleynet.com)

See GROUPS, Page 8

LETTERS TO THE EDITOR

Speed limit should stay at 45 mph

Dear Editor:

At a recent meeting of the Washington County Board, the public seating section of the board room was jammed with concerned citizens hoping to get the Board to pass a resolution urging the Wisconsin Department of Transportation to make permanent the temporary 45 mph speed limit that has been in place along part of Highway 164 this summer while repairs were being made to the roadway.

It was explained to us by Board Chairman Ken Mueller that, by rule, the resolution cannot be voted on during the same meeting at which it was introduced. Supervisor David Radermacher then moved to suspend the rules (seconded by Supervisor Kratz) so that the resolution could be voted on this same day.

The maneuver requires approval of 2/3 of the members present (19 votes). It failed by a vote of 17 for and 11 against. Chairman Mueller then sent the matter down to John B. Kohl's Highway Subcommittee for their consideration and recommendation before returning it to the full board for consideration. John Kohl simply held the matter in committee which practically insures that the speed limit will return to 55 mph on Nov. 30, 2000 without any full board action on the resolution.

Please consider the rest of this letter to be a response to John B. Kohl's letter to the editor published in the Nov. 23 Times Press.

John, the highway is still a two-lane road, one lane in each direction, and school buses from five different grade schools and two high schools must stop in traffic to pick-up and release children and the traffic in both directions must stop wherever this happens.

The driveway to Friess Lake School, when approached from the north, cannot be clearly seen and ought to be classified as a hidden driveway. Without additional signs and/or flashing lights, which have been suggested but never received, this will

again put anyone entering or leaving that driveway in increased danger. Slow moving, sometimes extra-wide, farm machinery must travel along this road at times.

There are three churches, a fire house and many, many driveways along this section of roadway. People would be so much safer at 45 mph.

And John, the difference in lapsed time between 55 mph and 45 mph for 7.5 miles is only two minutes.

Some of our friends and neighbors did vent their frustrations by participating in a quiet peaceful demonstration on public property in front of John Kohl's home on Saturday, Nov. 11. The demonstration lasted about one hour and disbursed peacefully after making their point.

John, you referred to this demonstration in your letter and noted that the state regulates speed on state highways and the County Board can do nothing about it. You know full well that we did not ask the County Board to regulate the speed. We asked them to pass a resolution asking the state to consider the safety issues involved before the State increases the speed limit. You did mention that people living along the highway definitely need consideration different from those who used the road to get to and from their respective destinations.

Many citizens who use state Highway 167 through your supervisory district and those who use state Highway 175 from Holy Hill Road past your home and down Meeker Hill and all the way to Highway Q through your supervisory district notice that those state Highways are both two-lane roads and every inch of them are posted at 45 mph. Perhaps you and your study team can show us how state Highways 175 and 167 are different from state Highway 164 and rate a lower speed limit.

Sincerely,

*Ray Cox
Town of Richfield*

The Daily News, Thursday, October 26, 2000

YOUR VIEWS

Keep Highway 164 at 45 mph

The speed limit along much of Highway 164 in Washington County has been reduced to 45 miles per hour for the last several months while the road bed was being repaired. The state Department of Transportation intends to resume the previous 55 mph speed limit along this roadway Nov. 30 when those repairs have been completed. The interim speed limit has made this road noticeably safer for all who travel along it.

Highway 164 in Washington County is still a two lane road, no matter what plans the DOT has for it in the future. I have asked the Washington County Board to consider the consequences of the increased speed limit:

1. The slow moving, sometimes extra wide, farm machinery that must use this road will again be at increased risk.
2. The school buses from several grade schools and two high schools that must stop along the highway will again be at increased risk.
3. The school bus that was involved in an accident on May 25 at the Hubertus Road crossing with 18 children on board (when 55 mph was still in effect) will again be at that increased risk.
4. The asked for, but not received, signs

intended to slow traffic at Friess Lake School's entrance (driveway) will again put school traffic at increased risk.

I have asked the Board of Supervisors to address the issues involved and help keep the speed limit down to 45 mph.

**Raymond M. Cox
Town of Richfield**



Bebe Radermacher holds a tomahawk her grandfather found buried in a tree near the site of an Indian burial ground in Pleasant Hill. Her husband David holds a tomahawk head, also found near the area. Bebe lived at the Ben Aulenbacher farm in 1935 when the bones of 30 Indians were found in a farm field.

Jill Badzinski/Times Press staff

1935 discovery continues to generate interest

Highway 164 expansion plan shines spotlight on Native American burial ground

By JILL BADZINSKI
Times Press Staff

TOWN OF RICHFIELD — Bebe Radermacher recounts the story with ease and detail: A flustered landowner knocks on the door of her family's fieldstone house in the Pleasant Hill settlement. Her father rushes to join him. When they return, they are visibly shaken.

Nearly 65 years have passed since the town of Richfield resident witnessed the event. It remains vividly etched in her mind.

Although the find had faded from the collective conscience, interest is again being piqued as the state Department of Transportation continues to

develop plans to convert Highway 164 into a four-lane highway, a few hundred feet from the site.

Radermacher and her family rented the farmhouse from Ben Aulenbacher, who was plowing a field on Oct. 28, 1935. His tractor-pulled plow uncovered a bone, then another, and eventually gave way to a veritable collection of skeletal remains. Fearing he had uncovered victims of a mass murder, he called on Radermacher's father for assistance and witness.

The two men attached a wagon to the tractor. When they returned, its bottom was filled with skulls and bones, Bebe Radermacher said.

"There were all kinds of them, all shapes, all sizes," she said. "You knew they belonged to a

lot of people of all ages, even at least one child."

Aulenbacher promptly notified Deputy Sheriff R.W. Laubenheimer of Richfield. As word and rumor spread, throngs of interested folks from throughout Washington County and beyond trekked to view the remains.

"Back in those days, you would hardly see anyone on the road," Radermacher said. "But after the bones were found, there were lines of traffic just wanting to get a look at the place."

According to an Oct. 31, 1935 story in the West Bend News: "Mr. Aulenbacher's farm became a mecca for souvenir hunters and others interested for various reasons. A number of residents of this city made the trip to Mr. Aulenbacher's farm and returned home with samples of the bones found. One of the bones is on display at the News office."

The Milwaukee Public Museum and University of Wisconsin-Madison were called to investigate. Within days, the remains were determined to be those of at least 30 Native Americans and the site was deemed an Indian burial ground.

Over time, interested waned. The site was covered over and only bits of further investigations were sporadically conducted. A small file detailing the find is catalogued as WT 105 in the State Archaeologist Office. The Milwaukee Public Museum has no records on the site, but a representative said due to the large volume of archeological finds during the 1930s, the museum's records are not complete.

The 1930s were a time of upheaval as the nation was wrought with the Depression and

World War II about to begin. Record keeping would have been far from a top priority.

Because the site was not surveyed and cataloged, no one is exactly sure how many other bodies were buried or remain buried near the former farm. However, Bebe and husband David Radermacher possess an impressive collection of Native American artifacts including arrowheads, tomahawk heads and grinding stones. Many were collected by Bebe's father, who would walk the field following a rainstorm and gathered a can full of arrowheads, she said. They have become treasured holdings of the Radermachers, who visit area schools to tell them of Indian activity in their hometowns.

"We want to keep the heritage of the area alive," said David Radermacher, a retired educator and county supervisor. "If we don't keep passing on these stories of local history, they will eventually fade away. There aren't too many of us left who can still tell them."

While Bebe Radermachers' memory remains vivid, the burial ground has not fared as well. Some of the area, located near the intersection of Highway 164 and Pleasant Hill Road, remains substantially untouched, while other parts have been plowed and graded and converted into a subdivision. No markers or maps of the exact location of the find remain.

Department of Transportation project engineer Brian Bleisner said he would redraw the Highway 164 widening proposal to avoid any burial grounds if their exact location and continuous existence were known.

"We just don't even know what

is out there or where it might be," he said.

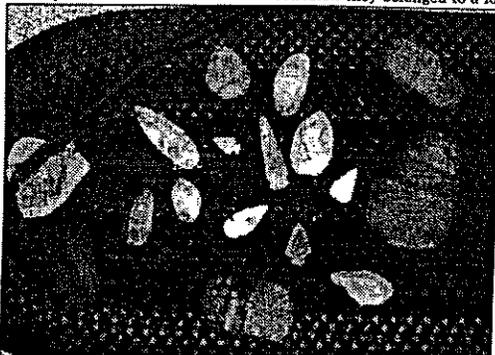
Not to be deterred, the Radermachers are convinced that the surrounding grounds, which include a river spur and watering holes, are also rich in Native American history and could contain other burial grounds. The Radermachers and Richfield Historical Society have determined that five tribes occupied the area at various times. The specific tribal affiliation of the found remains has never been determined, but David Radermacher has alerted all five to the potential existence of more burial grounds.

While the burial grounds' existence has become politicized by debate over the future of Highway 164, the area's next generations of residents will be well served by the refocused attention, regardless of the eventual outcome of the controversial project, said David Radermacher, an opponent of the plan to widen the former Highway J.

"To me, this is about heritage," he said. "You have to be careful about destroying an area's history because once it's gone, there is no getting it back."

Bebe Radermacher said she will continue to speak of her firsthand knowledge of the 1935 discovery as long as she is able. Initially, she concentrated on passing the bit of local history on to her children and grandchildren. She greets renewed interest in the historic discovery with enthusiasm and vigor.

"It was so exciting when it first happened and it is still interesting to talk about now," she said. "I have thought about these people many times and I'm glad other people are, too."



Jill Badzinski/Times Press staff

The Radermachers have amassed a collection of Indian arrowheads and tools from land in Pleasant Hill. Above is a sample of their arrowheads, tomahawk heads and grinding stones. The smaller arrowheads were used for birds, the tomahawk was found in a tree by Bebe Radermacher's grandfather.

Erin board climbs aboard in opposition of Highway 164 project

*Impact on feeder
roads worries
town chairman*

By JILL BADZINSKI
Daily News Staff

Although Highway 164 does not run through the town of Erin, town board members have taken a stance against the state Department of Transportation's plan to widen the roadway to four lanes.

The town board on Monday unanimously approved a resolution opposing the project, after being approached by the Stop Unnecessary Road Expansion (SURE) group. SURE members have attended several Erin meetings.

"Even though 164 is two miles away, it still has an impact on the town by the traffic it will bring," said town chairman Frank Volpintesta.

"Once you start a main thoroughfare like that, the next step is to feed it with arterial and secondary roads and improvements. (The DOT) will be looking at

Highway Q, 167 and K next; all of those are roads that will feed into 164," Volpintesta said.

The resolution, which was approved by the Richfield Town Board in 1999, asks the DOT to instead improve Highway 164 as a two-lane roadway by adding turn lanes and lower speed limits.

"We are asking for a slower, safer, more neighborhood-friendly, two-lane Highway 164," Gonyo said. "We think this is a model that would better serve the communities that border the road as well as the whole region."

The group asked the town of Erin to consider the resolution to show regional support for the SURE plan, Gonyo said.

"The key is for the towns, villages and counties that would be affected by this project to work together to form a community," he said. "The way our legislators and DOT is going to know these plans should be changed is if these communities work together to say they don't like the current plan."

SURE members are currently working with city of Pewaukee officials to secure passage of a similar resolution, Gonyo said.

Please see **HIGHWAY 164/A6**

Highway 164: Erin town board takes stand

The DOT plans to widen Highway 164 from Highway 60 in Slinger to Interstate-94 in Waukesha. The project is expected to be completed in the next 20 years.

In an application to have the town of Erin designated as one of Scenic America's 2000 "Last Chance Landscapes," town chairman Frank Volpintesta said Erin's rural character is threatened by the

proposed expansion of Highway 164 through neighboring Richfield, as well as by urban sprawl and the "inability of town government in the state of Wisconsin to defeat efforts of neighboring cities and villages to annex town lands and at the same time the inability of towns the size of Erin to incorporate on its own" in order to preserve its borders.

The town of Erin was chosen as one of 10 communities in the United States to receive the designation. Scenic America is a national, nonprofit organization based in Washington, D.C., whose mission is to preserve natural beauty and distinctive community character.

Daily News Staff writer Gay Griesbach contributed to this story.

Town Board opposes Highway 164 project

Members sign resolution proposed by group fighting 4-lane expansion plan

By NANCY RUMP

Special to the Journal Sentinel

Erin — Town officials have decided to join the fight against the planned four-lane expansion of Highway 164.

The Town Board on Monday unanimously agreed to sign a resolution opposing the project, even though long-term upgrades to the road will not be evident within the town's borders.

Members of the Stop Unnecessary Road Expansion, or SURE, group, proposed the resolution to gain support for their organization. The group has adamantly opposed state plans to widen the road in several Washington and Waukesha county municipalities.

Jeff Gonyo, a Town of Polk resident and SURE member, said members approached the town because of its proximity to the highway. The eastern border of the town is within two miles of highway 164.

"All the townships surrounding the road will have to work

together because this project could have a domino effect," Gonyo said. "If the highway is expanded, it will lead to unwanted commercial and industrial growth for everyone."

The state Department of Transportation plans to reconstruct 16.7 miles of Highway 164 and expand it to four lanes from Capitol Drive in Waukesha County north to Highway 175 in Washington County.

Department officials estimate the entire project could be completed by 2016.

Immediate plans call for resurfacing the road from County Line Road north to Highway 175 this year and erecting a rail line bridge near Highway 175 in 2002.

SURE members hope their continued protest might force the state to consider a two-lane road with traffic signals and turn lanes at dangerous intersections.

"We're looking for something that is more neighborhood-friendly, not a monster road that the state wants to build," Gonyo said.

The state has been planning to widen the road because of the steadily increasing volume of traffic on the corridor.

County board OKs lower limit for stretch of Highway 164

By DAVE RANK
Times Press Staff

Figuring two miles is better than none, Washington County Board Supervisor David Radermacher of Richfield said he is happy with the amended version of his resolution passed by the board Tuesday asking for a permanent 45 miles per hour speed limit on Highway 164 as long as it remains a two-lane road.

"I'm very pleased," he said of the revised resolution, even though he had earlier voted against the amendment, which requests a 45 mph speed limit only on about 2.5 miles of the state road in Washington County, roughly between the intersection with Pleasant Hill Drive to the Richfield Fire Station.

Locally, Highway 164 runs for about 7.5 miles from the Waukesha County line to Highway 175.

Much of the highway now has a posted speed limit of 55 mph, which residents opposed to any future expansion of the road by the Department of Transportation claim is too fast and unsafe.

The amendment passed 26-4, while the resolution as amended passed 25-5.

County Board Supervisor Patricia Strachota from West Bend proposed the amendment, stating it would be appropriate for the board to back the recommendation of its traffic safety commission. She also said the amendment might give the 30-

members of the board a way to agree on the issue.

"It is movement in the right direction," Radermacher said after the meeting. "It represents the will of the people in (his) District 24 and will allow continuation of a more user-friendly highway."

That is, if the DOT pays attention to it. The amended resolution, which follows the June 2000 recommendation of the county's Traffic Safety Commission, is advisory only. The county has no final jurisdiction over a state highway.

Kenneth Miller, county board chairman, said Tuesday's amended resolution basically was the same as a resolution the board passed last year supporting the traffic safety commission's judgment, which was forwarded to the DOT.

Radermacher brought the resolution to the board a second time even though his similar resolution in October lost a narrow procedural board vote, which sent it to the county's Highway Committee for a recommendation.

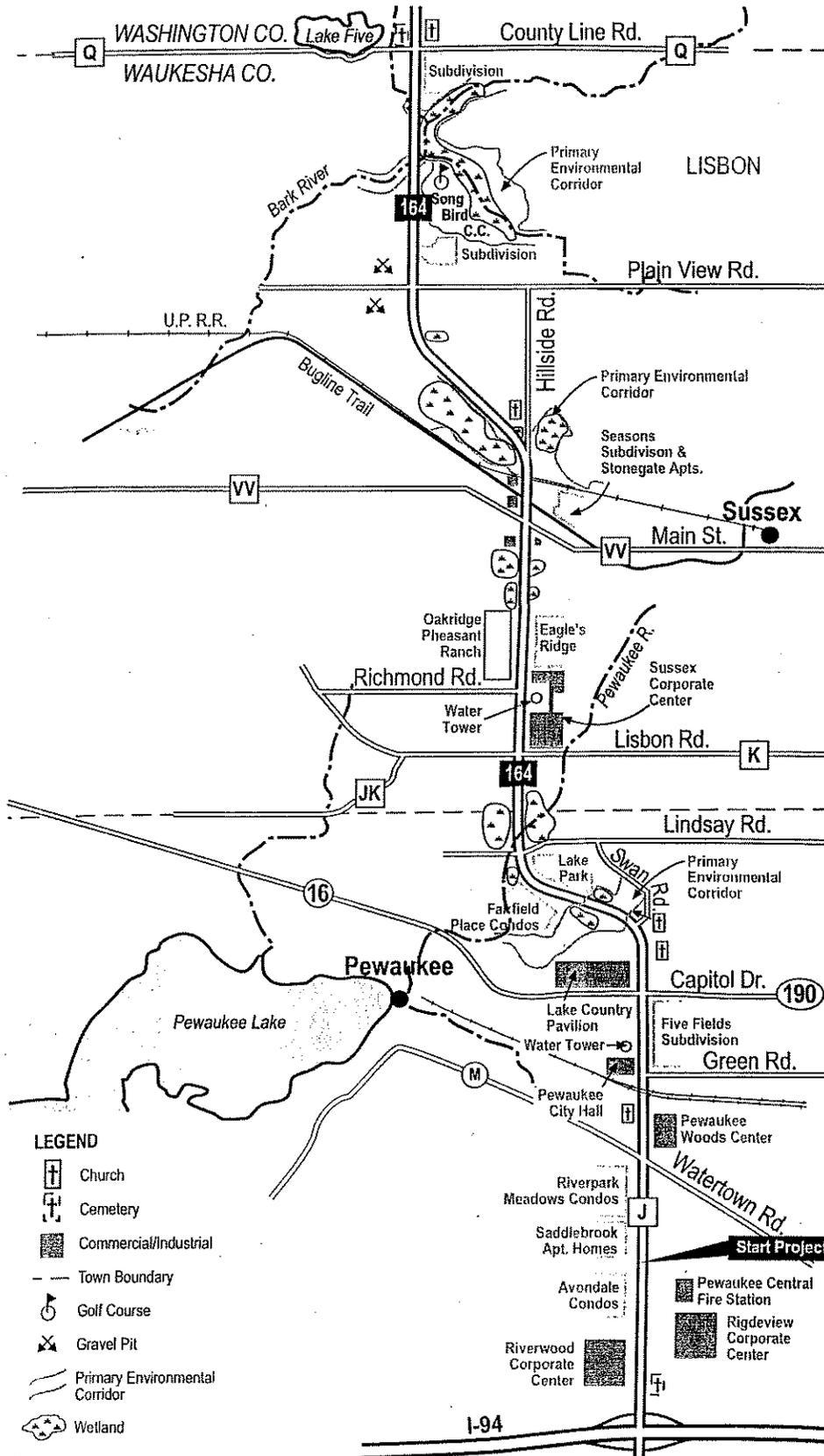
That committee, whose members have supported DOT proposals for Highway 164, voted to make no recommendation and the resolution was never returned to the full board for a vote.

Traditionally, the county board does not consider a resolution unless it has gone before one of its oversight committees for a recommendation.

WIS 164 County J Reconstruction Study

1/2 Mi. North of I-94 (Waukesha County) to 1/2 Mi. South of WIS 175 (Washington County)

WIS 164 (County J Study Area I-94 to WIS 175)

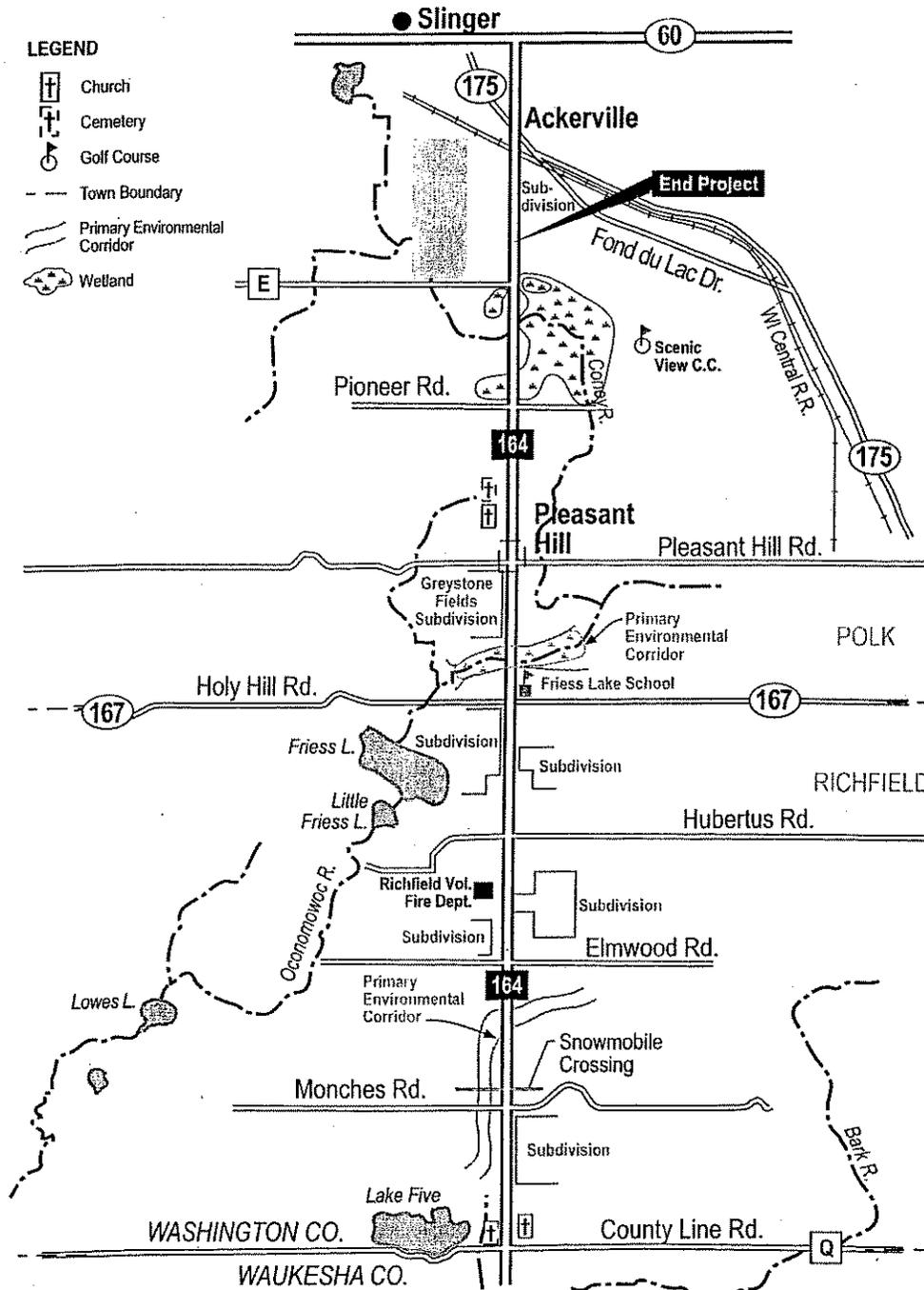


- LEGEND**
- Church
 - Cemetery
 - Commercial/Industrial
 - Town Boundary
 - Golf Course
 - Gravel Pit
 - Primary Environmental Corridor
 - Wetland

WIS 164 County J Reconstruction Study

1/2 Mi. North of I-94 (Waukesha County) to 1/2 Mi. South of WIS 175 (Washington County)

WIS 164 (County J Study Area I-94 to WIS 175)



YOUR VIEWS

DOT's proposed Ackerville bridge project a 'boondoggle'

The following is a detailed discussion about the Wisconsin Department of Transportation's (WisDOT) Ackerville bridge and road widening project (in the town of Polk) which is scheduled to begin in the year 2002. The Ackerville bridge project is the first phase of the WisDOT's overall plan to convert Highway 164 (formerly County Highway J) into a 300-foot wide, four-lane divided superhighway.

This \$11 million, taxpayer-funded boondoggle will be three-quarters of a mile long and four lanes wide, making it one of the largest bridges ever built in southeastern Wisconsin. To accommodate the enormous size of this proposed bridge, the WisDOT plans to demolish at least four homes and purchase up to 45 additional properties. Area residents, elected officials and talk radio hosts have justifiably referred to it as "The Bridge to Nowhere," and "The Hoan Bridge's Little Brother."

Once this bridge project is completed, there will be no direct access from Highway 164 to Sherman Road, Highway 175 or into Ackerville. The proposed bridge will have no "on" or "off" ramps. To get into Ackerville, motorists would have to first drive up to Slinger using Highway 60 and then Highway 175 (which is a four-mile long, circuitous route): Ackerville (a historic community dating back to the 1850s) and the many long-time businesses therein will be negatively impacted by this lack of direct access.

The safety and traffic flow problems in the Ackerville area could be easily corrected with the following simple rail and roadway modifications:

1. Realign the Highway 164-175 intersection (currently skewed at 43 degrees) so that the two roads meet at perfect right angles.
2. Shave down and reduce the steep incline of the Highway 175 hill going down towards Ackerville.

3. Install a traffic light and turn lanes at the Highway 164/175 intersection near Ackerville.

4. Erect a double set of safety gates at the Highway 164 train tracks to prevent future accidents. These gates would cost the railroad only \$100,000 to install and would discourage motorists from trying to "beat the trains" as they approach the tracks.

5. Aggressively enforce the laws prohibiting train operators from blocking Highway 164 and other roads for long periods of time.

All of these simple safety improvements could be done immediately at a mere fraction of the \$11 million cost the WisDOT wants to spend to destroy the entire area. Why not do these things when they are: Easy to implement, highly effective in saving lives and preventing future injuries, far less intrusive on the area homeowners, small businesses and communities, and very cost-effective and fiscally prudent for taxpayers?

If traffic backups persist after all of the above steps are taken, then the railroad company should be required to either remove its switching station or build a bridge (at its own expense) to raise the train tracks over the existing two-lane roadway (a far less intrusive alternative). An excellent example of this type of railroad overpass can be found on Highway 167.

Washington County Supervisors David Radermacher and Robert Kratz (who represent the Highway 164 residents in this area) are to be commended for their vigorous opposition to the WisDOT's seriously-flawed, four-lane highway and bridge projects. Both Radermacher and Kratz believe that the WisDOT's proposed Ackerville bridge is a ridiculous waste of taxpayer dollars and have also emphasized that converting Highway 164 into a major, four-lane thoroughfare would be economically and environmentally devastating to our beautiful, scenic Washington County. We applaud both Supervisors Radermacher and Kratz for courageously supporting the people on this very crucial matter, and we strongly urge the other Washington County supervisors to join them.

Please call Ed Friede, WisDOT systems planning manager at 262-548-5902 and voice your strong opposition to the WisDOT's preposterous bridge and four-lane highway projects.

Jeffrey M. Gonyo

MORNING MAIL**ACKERVILLE BRIDGE****Less-intrusive
alternative needed**

I wholeheartedly agree with Brett Hulsey's statement in the Dec. 17 Journal Sentinel that the Wisconsin Department of Transportation should fix the roads and bridges that we already have instead of building new ones.

Under Gov. Tommy Thompson's 14-year administration, the DOT has been on a wild spending spree with our tax dollars, destroying our beautiful Wisconsin landscapes with divided, four-lane superhighways and ugly, gigantic bridges which are neither needed nor wanted by the people.

An excellent example of the DOT's waste of our tax dollars is its proposal to construct an \$11 million, three-quarter-mile long, four-lane wide bridge over Ackerville (a small, historic community in southern Washington County).

Many area residents have labeled this ridiculous DOT project as "The Bridge to Nowhere" and "The Hoan Bridge's Little Brother" because it also "dead ends" — in this case, up at Highway 60.

Instead of destroying our beautiful Kettle Moraine area with this massive bridge, a more fiscally responsible, less-intrusive solution to the safety concerns in Ackerville would be to immediately: 1) Erect gates at the railroad crossing, 2) Straighten out the Highway 164/175 intersection (including turn lanes and a traffic light), 3) Shave down two steep hills and 4) Improve the road pavement and shoulders on Lovers Lane.

Why can't the DOT adopt this very sensible alternative and then use the money saved here for the further maintenance of our existing roads and bridges?

Jeffrey M. Gonyo

Town of Polk
Highway J Citizens Group

2668 Hwy. 164
Slinger, WI 53086
January 10, 2001

Rodney W. Kreunen, Commissioner of Railroads
Office of the Commissioner of Railroads
P.O. Box 8968
Madison, WI 53708-8968

RE: Request for an Official Public Hearing on the WisDOT's Ackerville Bridge Project.

Dear Mr. Kreunen:

I am writing this letter to request that the Office of the Commissioner of Railroads immediately conduct an **official public hearing** concerning the Wisconsin Department of Transportation's Ackerville Bridge Project on State Highway 164 in Washington County (which is scheduled to begin in less than two years from now).

I strongly believe that such a public hearing is necessary to demonstrate that the WisDOT's proposed \$11 million bridge over Ackerville is totally unnecessary and that there are more fiscally-prudent, less intrusive alternatives available to address the safety concerns of this area. In the paragraphs below, I will provide you with a brief overview of this highly-controversial WisDOT project and our citizen-backed alternatives.

The Ackerville Bridge Project is the first phase of the WisDOT's overall plan to convert the 22-mile long, Highway J/164/Lovers Lane Road corridor into a divided, four-lane superhighway. This "\$11 million dollar boondoggle" will be 3/4 mile long and ultimately four-lanes wide, making it the fifth largest bridge to be constructed in Wisconsin over the next five years (you will need a good strong pair of binoculars to see across the entire bridge span from hilltop to hilltop).

At least four homes will be destroyed and 45 additional properties will have to be purchased to accommodate the enormous size of the bridge and new four-lane road width. Upon completion of this massive bridge, there will be no direct access from Highway 164 into the historic community of Ackerville or to the long-established, family-owned, small businesses located therein. That's because this bridge will have no exit ramps!

The safety and traffic flow problems in the Ackerville area could be easily corrected by: **1)** Realigning the Highway 164/175 intersection and then adding turn lanes and a traffic light at this intersection, **2)** Shaving down the two steep hills which go down into the Highway 164/175 intersection, **3)** Improving the road pavement and adding shoulders to Lovers Lane Road, and **4)** Installing a set of interlocking safety gates at the Highway 164 railroad crossing. If the gates do not solve the safety problems at the Highway 164 railroad crossing, a railroad overpass with the road passing underneath would be far less intrusive than the WisDOT's proposed 3/4 mile long road bridge.

All of these simple and effective safety improvements could be done immediately at a mere fraction of the estimated \$11 million cost that the WisDOT wants to spend on its ridiculous Ackerville Bridge Project. Why not do these things when they are: **1)** easy to implement, **2)** highly-effective in saving lives and preventing future injuries, **3)** far less intrusive on the area homeowners, small businesses and communities, and **4)** very cost effective and fiscally-prudent for taxpayers?

In a March 2, 1999 Milwaukee Journal Sentinel article (copy enclosed), John Shaw of the WisDOT stated that spending \$100,000 for crossing gates would be too expensive for his department, yet, in the same breath, he defends spending nearly \$11 million to build a massive bridge which is neither needed nor wanted by the people. This is a clear example of the WisDOT being "penny wise and dollar foolish."

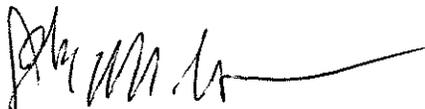
In another series of recent articles (copies also enclosed), the WisDOT was caught diverting \$13 million of federal money (which was intended to fix 130 railroad crossings with lights and gates) into just three bridge projects. This again shows that the WisDOT is more interested in building grandiose bridge projects instead of protecting the health and safety of as many motorists as possible with gates at railroad crossings. Whose interests are really being served here when the WisDOT engages in this outrageous conduct?

The WisDOT has repeatedly refused to consider the reasonable safety improvement alternatives for the Ackerville area which have been proposed by the people. Because the WisDOT has ignored our concerns here, we are requesting that the Office of the Commissioner of Railroads conduct an official public hearing on this very important matter. We would like the public hearing to be held in the Ackerville or Slinger area so the many affected residents who live there can attend and participate.

I have enclosed some highly-relevant documents, maps, news articles and photographs on the Ackerville Bridge Project which should help you prepare for this requested public hearing. We would also like to invite you out to the Ackerville area so we can show you firsthand what our concerns are.

If you need more information on this matter, please contact either me at (262)-644-8334 or our group's attorney, **ED GARVEY** at (608)-256-1003. Thank you for your anticipated cooperation, and we look forward to hearing from you very soon.

Sincerely,



Jeffrey M. Gonyo,
Town of Polk Central Committee member
for **S.U.R.E.** (Stop **U**necessary **R**oad
Expansion)
Phone: (262)-644-8334

Enclosures

Why is Thompson ignoring the people of Ackerville?

In his Oct. 12 letter to the editor, Tony Jewell alleges that Gov. Tommy Thompson is a "popular and effective politician" because he "works with, and listens to, those on all sides of a debate." However, based upon our observations of Thompson's handling (or I should say mishandling) of the current environmental problems in Ackerville (a small, historic community in southern Washington County), Mr. Jewell's statement could not be further from the truth.

In less than two years from now, the Wisconsin Department of Transportation plans to build an \$11 million, 3/4-mile-long, ultimately four-lane bridge in Ackerville over an area that has been heavily contaminated by two nearby toxic waste landfills. The Ackerville bridge project is the first phase of the DOT's plans to convert Wisconsin 164, which runs for nearly 22 miles through both Waukesha and Washington counties, into a divided, four-lane superhighway.

According to documents from the Wisconsin Department of Natural Resources, these two landfills are currently leaching a number of cancer-causing substances (including trichloroethylene, arsenic, barium, benzene, ethylbenzene, zylene, toluene, methyl chloride, 2-butanone, chloroethane, 1,2-dichloroethane, 1,2-dichloropropane and tetrahydrofuran) into the shallow groundwater that is flowing directly toward the Highway 164

These data indicate that the number of reported cancer cases over the last decade was almost 2.5 times higher in the areas closest to these two landfill sites than in the rest of the state. The number of reported cancer deaths during this same time period was almost four times higher in the Ackerville area.

roadbed. The DOT plans to excavate soil and drive bridge pilings into and below this groundwater table.

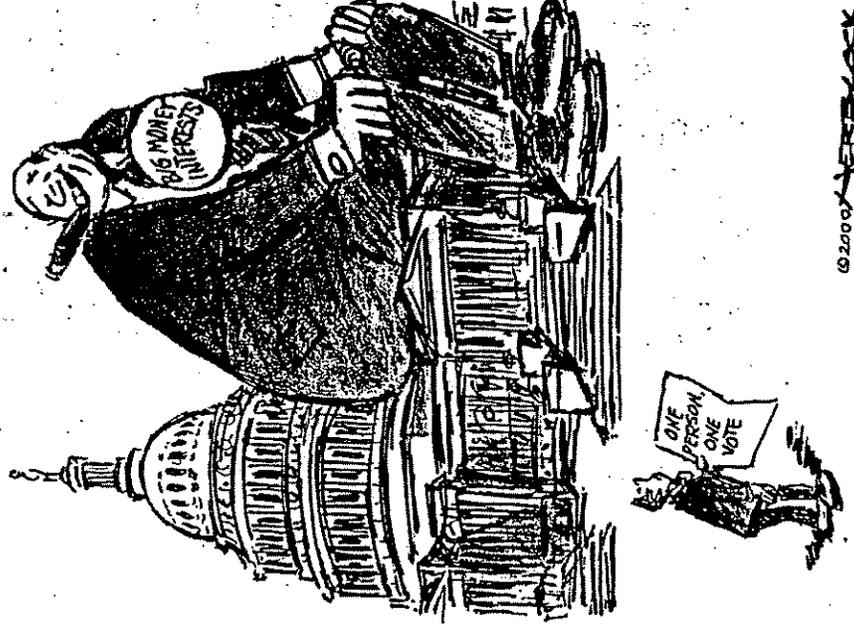
At the Feb. 8, 2000, Washington County Board meeting, Supervisor David Radermacher eloquently referred to these two Ackerville area landfills as "atomic bombs which have already begun to detonate in our community." This statement is supported by the statistical data from the Wisconsin Cancer Reporting System, a division of the state Department of Health and Family Services.

These data indicate that the number of reported cancer cases over the last decade was almost 2.5 times higher in the areas closest to these two landfills sites than in the rest of the state. The number of reported cancer deaths during this same time period was almost four times higher in the Ackerville area.

As a result of a citizens petition being filed earlier this year, the U.S. Environmental Protection Agency is now con-

JEFFREY M. GONYO

"IT'S STILL A REPRESENTATIVE FORM OF GOVERNMENT—THEY REPRESENT US"



Why has Thompson buried his head in the sand and repeatedly ignored the pleas of people whose health and lives are being threatened today and will be threatened tomorrow? Could it be that the enormous amounts of campaign money he has received from the road and bridge-building special interests over the past 14 years is severely impairing his judgment in this matter?

• • •

Gov. Thompson, if you truly care about the health and safety of your constituents who live and work near Ackerville, then you must immediately tell the DOT to begin preparing a comprehensive environmental impact statement for the proposed Ackerville bridge. This statement should fully assess the chemical pollutants now leaching out of the two nearby landfills and thoroughly consider the health, safety and environmental impacts of all reasonable road and rail reconstruction alternatives in great depth, as required by the National Environmental Policy Act and the DOT's own facility development manual.

Gov. Thompson, please listen to the people of Ackerville!

Jeffrey M. Gonyo is the town of Polk's member on the Central Committee of SURE (Stop Unnecessary Road Expansion).

OPINION

'Many concerns' about Ackerville Bridge/Lovers Lane project

At its July 13 meeting, the Washington County Health Committee demonstrated its total lack of concern for the health and safety of our county residents when it refused to ask the Wisconsin Department of Transportation (WisDOT) to prepare an Environmental Impact Statement (EIS) for the Ackerville Bridge/Lovers Lane Road project which is scheduled to begin in less than two years.

The County Health Committee voted against an EIS after being presented with a massive amount of highly-credible, scientific, medical and environmental evidence which clearly shows that the proposed construction area along Highway 164 may be contaminated with cancer-causing pollutants emanating from two nearby landfills. Because we are absolutely appalled at the County Health Committee's decision, we are writing this joint letter to share our many concerns with you about this very serious matter.

According to the Wisconsin Department of Natural Resources (DNR) records and other environmental documents which we and others presented to the County Health Committee, the following critical facts were revealed about the two landfills and related groundwater contamination problems in the Ackerville area:

1. The old town of Polk landfill was shut down by the DNR in 1971 due to apparent repeated violations of the Solid Waste Disposal Standards. The DNR admits that it "knows very little" about this old landfill. If that is the case, then why is the County Health Committee refusing to support the preparation of an EIS which would reveal more information about the many chemi-

cal pollutants that probably are buried at this landfill site?

2. The second landfill was built at the bottom of a sand and gravel pit which was known to flood out after rainstorms or snow meltings. Also, it is questionable whether this landfill has a proper liner installed to prevent the contaminants from escaping into the groundwater that is flowing southeast directly toward the Highway 164 roadbed. An earlier order required horizontal and vertical monitoring of contaminated groundwater movement. The vertical monitoring was apparently not done. Because of concerns regarding groundwater contamination problems, Washington County Circuit Judge J. Tom Merriman ordered the immediate closure of this landfill in 1991. Did the County Health Committee take the time to carefully read Judge Merriman's well-reasoned court order before it hastily voted against the people of Washington County?

3. According to a recent DNR groundwater investigation, the landfill contaminants have been moving southeast towards the Highway 164 roadbed. This is where the WisDOT plans to excavate soil and drive pilings into and very probably below the groundwater table for its Ackerville Bridge Project. According to the DNR, this groundwater is moving at a rate of approximately 102 feet per year. At this DNR-calculated rate of flow, the landfill contaminants have already reached the shallow groundwater in the Highway 164 construction zone for the WisDOT's bridge project. Why isn't the County Health Committee concerned about this?

4. According to DNR documents, some of

VIEWPOINT

the cancer-causing, chemical pollutants discovered in the shallow groundwater water and our families' health, how could the County Health Committee say that these two landfills will pose no public health hazard?

5. Imagine, the original copy of WisDOT's Environmental Assessment (EA) for its Ackerville Bridge Project does not even mention the two nearby toxic waste landfills! Nor do they appear on any of the project maps. Given that the health, safety and environmental impacts of these two landfills were not even considered by the WisDOT's very cursory EA, how can the County Health Committee now say that an EIS is not needed?

In addition to this extensive documentary evidence, both Dr. Jeanne Hryciuk M.D., a pathologist with Community Memorial Hospital of Menomonee Falls, and Jean Pomeroy-Hanson, a Registered Nurse, provided expert medical testimony to the County Health Committee. Their professional concerns were directed to: The close proximity of two toxic waste

landfills, the continuing groundwater contamination, and that the high numbers of cancer cases and deaths in the Ackerville area all require the immediate preparation of an EIS for the Ackerville Bridge Project before any type of road or bridge construction begins. How could the County Health Committee blatantly ignore the compelling testimony of these two highly-qualified, medical professionals and instead rely upon the apparent self-serving statements of the WisDOT?

The WisDOT has flatly refused to prepare a federally-mandated EIS for the Ackerville Bridge portion of its Highway 164 four-lane expansion project even though this road-building agency has already agreed to prepare one for the other approximately 30 miles of this continuous roadway extending south to Interstate 94. Why is the WisDOT so reluctant to do an EIS for its Ackerville Bridge Project? Could it be that the WisDOT is afraid of finding some serious environmental problems near Ackerville which could put its \$11 million bridge project in jeopardy? Why didn't the County Health Committee ask these highly-relevant and necessary health questions?

For your information, the County Health Department's stated mission for this year is to strive to: preserve and promote health for all, prevent disease, injury and premature death, and protect the public - ensuring conditions in which all can be safe and healthy.

Isn't it ironic that, when the Washington County Health Committee (on the recommendation of both the Health Department Director and the County Administrative Coordinator) voted against the scientific,

ically, medically and environmentally-warranted EIS resolution, it totally abandoned both the letter and spirit of its own adopted mission statement? Why has this committee buried its collective heads in the sand and repeatedly ignored the pleas of our county's many residents whose health and lives are being threatened today and tomorrow by the WisDOT's plans to build a bridge in an environmentally-contaminated area without first doing a federally-mandated EIS? Why isn't the County Health Committee supporting the resolution requesting an EIS after being presented with all of these known facts?

As your duly-elected county supervisors, we believe that you deserve immediate answers to these all-important questions. Our recommendation is basically very simple; it is to have our Washington County Health Committee pass a resolution asking for an EIS (Environmental Impact Statement). If an EIS is done and no problems are found, wouldn't that be just great? On the other hand, if groundwater contamination or other environmental problems are found, then let's initiate an immediate clean-up/correction program to protect the health of all residents.

You, the residents of Washington County, deserve no less! No one wants diseases such as cancer to invade their homes and destroy their families, especially if prevention is possible. Do you agree?

David M. Rademacher, Richfield
Robert W. Kratz, Silonger
Washington County Supervisors

Mr. David Rademacher
Washington County Supervisor
4518 Pleasant Hill Road
Richfield, WI 53076

July 9, 2000

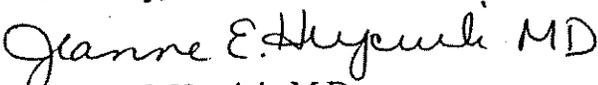
Dear Mr. Rademacher:

I am a pathologist at Community Memorial Hospital in Menomonee Falls. I have been working there for the past three years. During that time I have often commented to myself and my colleagues that, for a small community practice, we seem to see more than our share of aggressive and unusual cancers occurring in the young adult population. Since there is a great deal of scientific evidence linking cancer with environmental carcinogens, I was quite concerned to discover that there is a toxic waste landfill in the Town of Polk in Washington County. It is my understanding that this landfill is in close proximity to a proposed bridge construction project by the Wisconsin Department of Transportation, and that the ground water has been contaminated in this area.

I have recently reviewed cancer statistics from the State of Wisconsin for the years 1980-1997. The zip code which encompasses the Ackerville area, where the landfill is located, has reported more than twice the number of cancers during this time period than its nearest neighbor to the south (351 cases versus 147 cases). In addition, there has been approximately four times the number of deaths by cancer in this area for the period 1989-1997. I am in the process of compiling more recent cancer statistics for this area.

In the face of these compelling statistics, I am requesting your support of a full environmental impact study by the Environmental Protection Agency, with the ultimate goal of a full-scale clean-up of this site. I feel the health and well being of our community is at stake. Please contact me at (262) 532-3254 with any questions that may arise.

Sincerely,


Jeanne E. Hryciuk, M.D.

To Our Elected Officials,

You will be hearing more from the residents of Birnamwood Subdivision that oppose not only the four lane highway, but more importantly, the proposed bridge.

I have great concern about the pollution in the two dumps in Akerville in the town of Polk. I feel it is crucial to do an environmental impact study on this area before any decision is made to disturb the soil in this area. There are known carcinogens in the dumps and ground water. The construction of the bridge pilings will be an avenue for the pollution to travel by and contaminate further area wells and ground water.

My neighbor and I have lost our dogs to cancer. I intend to ensure that my children aren't growing up drinking polluted water. This is a public safety concern for all people living in this area. I hope it concerns all of you!

Sincerely,

Karen and Paul Williams
3568 Birnamwood Dr.

Slinger

and

Jean and Clarence Zastrow
3686 Birnamwood Dr.

Slinger

2668 Hwy. 164
Slinger, WI 53086
June 26, 2000

State Senator Alberta Darling,
Wisconsin State Senate
State Capitol
P.O. Box 7882
Madison, WI 53707-7882

RE: Ackerville Bridge/Lovers Lane Road Reconstruction Project -- Necessity for an Environmental Impact Statement (EIS) Before Any Land Acquisition or Construction Begins in this Area.

Dear Senator Darling:

I spoke with Andy of your office today and told him about our citizens group's **strong objections** to the Wisconsin Department of Transportation's (WisDOT) land acquisition plans related to its Ackerville Bridge/Lovers Lane Road Reconstruction Project (hereinafter referred to as the Ackerville Bridge Project). On behalf of the many affected residents in the Ackerville area, we are asking that you tell the WisDOT to **immediately cease** its land acquisition plans until **after** a comprehensive and thorough Environmental Impact Statement (EIS) is done for this massive road and bridge project.

The WisDOT has improperly segmented the Ackerville Bridge Project from the rest of the STH 164 four-lane expansion project to avoid the preparation of a federally-mandated EIS. The Ackerville Bridge and STH 164 projects are parts of the same overall, four-lane expansion proposal for the STH 164 corridor from Interstate 94 in Waukesha County to STH 60 in Washington County (as discussed in the Regional Transportation System Plan for Southeastern Wisconsin: 2020, endorsed by the Southeastern Wisconsin Regional Planning Commission).

The STH 164 project ends at a hilltop just south of Ackerville where the only place to turn is into a private driveway. This is an illogical ending point for this project because motorists traveling along STH 164 are not going to finish their trips at this location -- but are going to naturally continue until they reach STH 60. Therefore, common sense dictates that the STH 164 corridor study must be extended northward to STH 60 (one of the natural beginning and ending points for a road trip along this corridor). Based upon this criteria, as set forth by the Council for Environmental Quality, the Ackerville Bridge and STH 164 projects both require the preparation of an EIS.

By itself, the Ackerville Bridge Project requires an EIS under the National Environmental Policy Act (NEPA) because:

- 1) The health and safety concerns of area residents and small business owners related to two large toxic waste landfills which are believed to be leaking trichloroethylene and other cancer-causing chemicals into the

groundwater (which is flowing directly toward the Highway 164 roadbed where the WisDOT plans to excavate soil and drive pilings into and below this groundwater table).

- 2) At least two historic homes in this area will be destroyed as a result of this construction. One of these historic sites consists of farmhouse and barn located at the top of the hill on Highway 164 just south of Ackerville (3153 & 3125 Hwy. 164). These two buildings were the first structures to be built in the Ackerville area and still remain fully intact today. The other historic site is a "Civil War Era" home and guesthouse (three buildings) which is located at 3275 Hwy. 164. The National and Wisconsin Trusts for Historic Preservation have recently informed me that both of these sites may qualify as federally-registered historical landmarks (which would prevent the WisDOT from either moving or destroying them).
- 3) At least three Native American Tribes (the Ho Chunk, Menominee and Potawatomi) have recently written letters to WisDOT stating that they are strongly opposed to the WisDOT's Ackerville Bridge Project because its construction could potentially disturb the remains of their ancestral settlements which existed in the Ackerville area prior to Wisconsin statehood.
- 4) The safety and traffic flow problems in the Ackerville area can be easily corrected by implementing road and rail reconstruction alternatives which are both far less intrusive on this area's homeowners, small businesses and environment and more cost effective and fiscally-prudent for taxpayers.

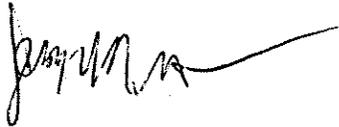
Despite these serious concerns, the WisDOT has refused to prepare a federally-mandated Environmental Impact Statement (EIS) for the Ackerville Bridge Project (even though this agency has already agreed to prepare one for the rest of the Highway 164 roadway down to I-94). As of this date, the WisDOT has only done a very cursory Environmental Assessment (EA) which has not even considered the above specified items. Why is the WisDOT so reluctant to do an EIS for the Ackerville Bridge Project? Is the WisDOT afraid that it will find some serious environmental, historical, cultural and archaeological problems near Ackerville which will put its \$11 million bridge project in jeopardy?

Both Washington County Supervisors Robert Kratz and David Radermacher (who represent the citizens of the Ackerville area) strongly believe that the WisDOT should immediately begin the preparation of an EIS for the Ackerville Bridge Project. Also, at its next meeting in July, the Washington County Health and Aging Committee will be considering a resolution (supported by the citizens along with Supervisors Kratz and Radermacher) requesting that the WisDOT prepare an EIS for its Ackerville Bridge Project before any land acquisition or road construction work begins in this area.

As our duly-elected state senator, we are again requesting that you tell the WisDOT to ***immediately cease*** its land acquisition plans until ***after*** a comprehensive and thorough Environmental Impact Statement (EIS) has been prepared for the Ackerville Bridge/Lovers Lane Road Reconstruction Project. I have enclosed several relevant documents with this letter which should assist you in this important effort.

If have any questions or need more information about these issues, please do not hesitate to call me at (262)-644-8334 or you can write to me at the above address. Thank you for your interest and concern with respect to this very serious matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey M. Gonyo", with a long horizontal flourish extending to the right.

Jeffrey M. Gonyo,
Town of Polk Central Committee member
for the Highway J Citizens Group, U.A.
Phone: (262)-644-8334
E-Mail: jmgonyo@execpc.com

Enclosures

TO: State Senator Mary Panzer, State Senate Candidate Dale Koski, State Representative Mickey Lehman, and U.S. Senate Candidate John Gillespie.

FROM: Jeffrey M. Gonyo, Town of Polk Central Committee Member for **S.U.R.E.** (Stop Unnecessary Road Expansion), 2668 Hwy. 164, Slinger, WI 53086
Phone: (262)-644-8334, E-Mail: jmgonyo@execpc.com.

DATE: October 6, 2000

RE: Information on Flagrant Abuses Inflicted Upon Area Citizens by the Federal Highway Administration (FHWA) and Wisconsin Department of Transportation (WisDOT).

Dear Sen. Panzer, Mr. Koski, Rep. Lehman and Mr. Gillespie:

Last year, the Wisconsin Department of Transportation (WisDOT) announced that it was planning to convert State Highway 164 (formerly known as County Highway J) into a four-lane, divided superhighway, beginning at Interstate 94 in Waukesha County and running approximately 22-miles northward up to State Highway 60 in Washington County (maps enclosed). This massive highway project (including the Ackerville Bridge portion) will be federally-funded which means that the Federal Highway Administration (FHWA) has been directly involved in the approval of the proposed construction process.

The Ackerville Bridge Project (scheduled to begin in 2002) is the first phase of the WisDOT's massive expansion plans for Highway 164. This phase is the most controversial of all because the proposed \$11 million, 3/4 mile long, four-lane wide bridge will be constructed over an area which has been contaminated by two nearby toxic waste landfills. These two landfills are currently leaking several cancer-causing substances (Trichloroethylene, Arsenic, Barium, Benzene, Ethylbenzene, Zylene, Toluene, Methyl Chloride, 2-Butanone, Chloroethane, 1,2-Dichloroethane, 1,2-Dichloropropane and Tetrahydrofuran just to name a few) into the shallow groundwater which is flowing directly toward the Highway 164 roadbed where the WisDOT plans to excavate soil and drive pilings into and below this groundwater table. Despite this fact, the WisDOT has refused to prepare an Environmental Impact Statement (EIS) for the Ackerville Bridge Project, and the FHWA's division office in Madison has "rubber-stamped" the WisDOT's shameful decision in this matter.

To stop this Ackerville Bridge Project from being constructed, I filed a citizens petition (copies enclosed) with the U.S. Environmental Protection Agency (EPA) in Chicago to have these two landfills declared Superfund sites and also filed an appeal with the FHWA's regional office in Olympia Fields, IL. The EPA is currently investigating this matter, but the FHWA has refused to change its prior decision not to require the preparation of a comprehensive EIS for the Ackerville Bridge Project. The FHWA refuses to take action to protect the health and safety of the area residents along with the environment because, in 1998, this federal agency was reorganized to eliminate the regional offices authority to overturn decisions made by FHWA division offices.

The WisDOT's bridge and road expansion projects will be economically and environmentally devastating to our beautiful, scenic Kettle Moraine area. Other more

fiscally-prudent, neighborhood-friendly options are readily available to solve the region's traffic congestion problems, but the WisDOT is ignoring these reasonable alternatives. The WisDOT's highway expansion plans will irreparably destroy our health (because of the additional air, land, noise and water pollution), hundreds of homes, dozens of third and fourth-generation family farms, schools, churches, historic communities (such as Ackerville and Pleasant Hill which were built prior to Wisconsin statehood), cultural/archaeological sites (such as several Native American burial and settlement sites), the environment (including the over eight miles of wetlands, floodplains, and environmental corridors which several identifiable endangered species now live) and our overall quality of life.

As elected officials and candidates for elective office, we must insist that you all officially and publicly go on record **before** election day calling for a comprehensive Environmental Impact Statement (EIS) for the Ackerville Bridge Project which will fully assess the chemical pollutants coming out of the two nearby landfills and thoroughly consider the health, safety and environmental impacts of all reasonable road and rail reconstruction alternatives in great depth, as required by the National Environmental Policy Act (NEPA) and WisDOT's Facility Development Manual (FDM).

Also, we further insist that all of you publicly tell both the FHWA and WisDOT to immediately abandon its four-lane expansion plans for the entire Highway J/164/Lovers Lane Road corridor and then adopt a safer, more fiscally-responsible, neighborhood-friendly, improved, two-lane road alternative modeled after Highway 167 in the Town of Richfield (the details of which are specified in the attached documents).

We, the Central Committee of **S.U.R.E.** (our citizens group) would like to give each of you a personal tour of the 22-mile long area in Waukesha and Washington Counties which the WisDOT and FHWA want to destroy with their multi-million dollar Ackerville Bridge and four-lane expansion projects (which are neither needed nor wanted by the area's thousands of voting residents). To arrange for such a tour, please either give me a call at **(262)-644-8334** or e-mail me at: **jmgonyo@execpc.com**.

Thank you for anticipated interest and cooperation in this very important matter. We look forward to hearing from you **before** election day.

Sincerely,



Jeffrey M. Gonyo,
Town of Polk Central Committee member for
S.U.R.E. (Stop Unnecessary Road Expansion).

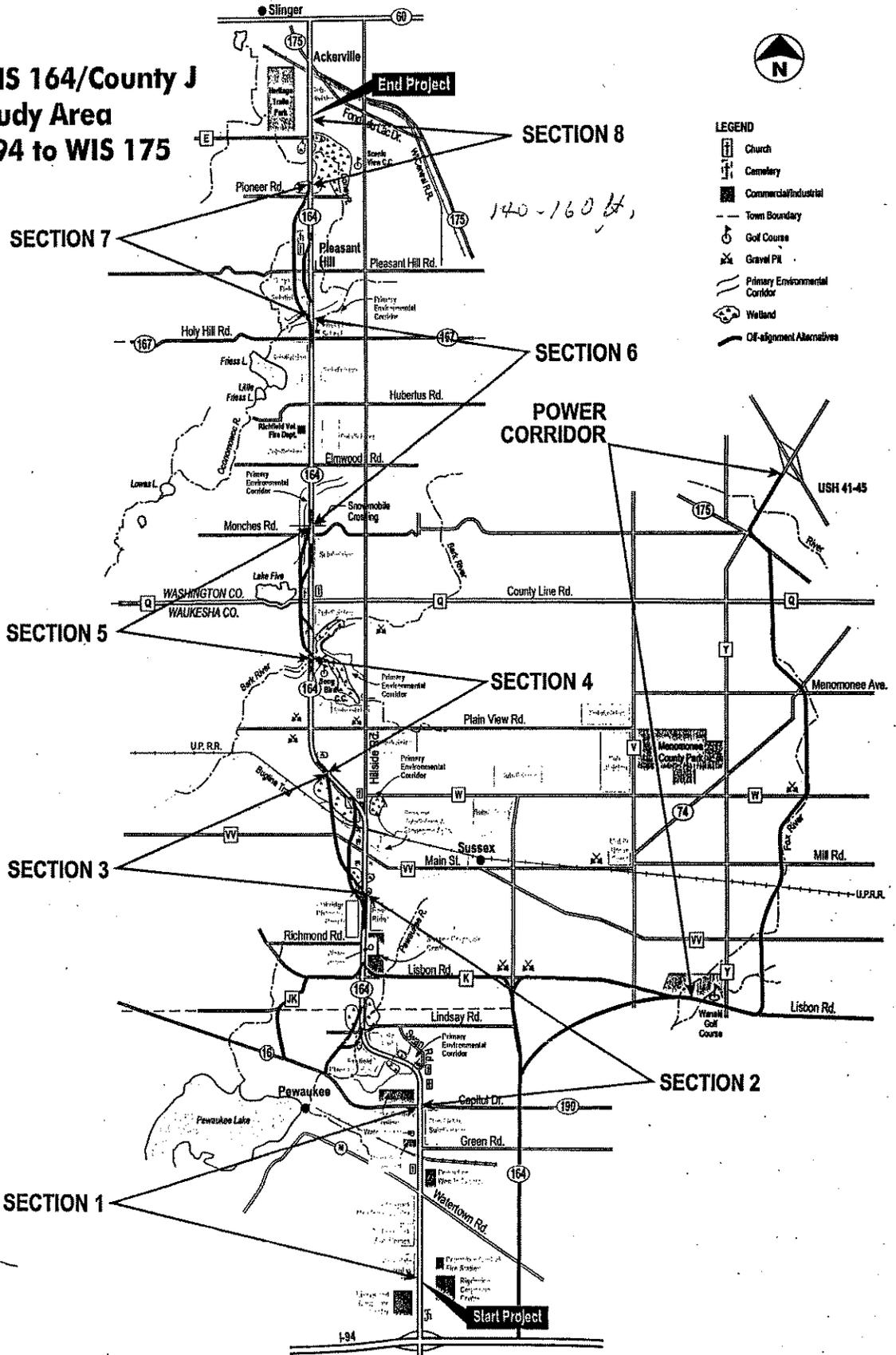
Enclosures

P.S. Our citizens group hired well-known attorney and 1998 Wisconsin gubernatorial candidate, **Ed Garvey** to help us defeat the WisDOT and FHWA. If you would like more information on these road and bridge projects, you can also call **Ed Garvey** at **(608)-256-1003** or e-mail him at **GarveyLAW@aol.com**.

WIS 164/County J Reconstruction Study

1/2 Mi. North of I-94 (Waukesha County) to 1/2 Mi. South of WIS 175 (Washington County)

WIS 164/County J Study Area I-94 to WIS 175



LEGEND

- Church
- Cemetery
- Commercial/Industrial
- Town Boundary
- Golf Course
- Gravel Pit
- Primary Environmental Corridor
- Wetland
- Off-alignment Alternatives