



The League of Women Voters of Dane County, Inc.
April 2011 General Meeting and Issues Forum

Topic:

WISKILEAKS
Reveals the True Story
of Land Use and Transportation
in Dane County, Wisconsin

*Learn about the missions, accomplishments, problems, and potential
of the Capital Area Regional Planning Commission and
the Dane County Regional Transit Authority.*

Speakers:

Kathleen Falk
Dane County Executive
and

Kristine Euclide

Member, Regional Transit Authority Board

When:

Wednesday, April 6, 2011, 7 p.m.

Where:

The Capitol Lakes Grand Hall
333 West Main Street in Downtown Madison
Free Parking in Ramp Available Across the Street

LWVDC Committee Members:

Crystal Gjerde, Libby Lewis, Caryl Terrell, Connie Threinen

Readings:

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LWVDC General Meeting and Issues Forum, April 6, 2011

WISKILEAKS Reveals the True Story of Land Use and Transportation in Dane County, Wisconsin
*Learn about the missions, accomplishments, problems, and potential of the
Capital Area Regional Planning Commission and the Dane County Regional Transit Authority.*

Questions for the Speakers:

1. When can the Dane County Regional Transit Authority (RTA) hold a referendum?
2. How will RTA raise funding for staff and other expenses until a referendum can be held?
3. What if the referendum fails?
4. Is the Capital Area Regional Planning Commission (CARPC) exercising enough control over sprawl?
5. How is the Future Urban Development Area Plan (FUDA) being carried out? When will it be presented to the public? Will either the public or the County Board have any input? Will it require approval from the County Board?

Questions for LWVDC Discussion Units:

1. Is Dane County doing enough to protect the environment?
2. What evidence do you see?
3. How does it matter to you? To your family?
4. What more should be done?
5. Is it important for Dane County to continue to purchase land and easements even when budgets are being cut? Why or why not?
6. If a commuter rail system is developed, will you use it? Why or why not?
7. What benefits could a commuter rail system bring? What problems?
8. Would you vote for a sales tax to pay for commuter rail? Why or why not?
9. Do you talk with your Dane County Board Supervisor?
10. Do you know his or her opinions on Dane County's natural resources programs and expenditures?



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~ READINGS ~

The Speakers: Biographical Summaries

Kathleen Falk

Dane County Executive Kathleen Falk has served as the county's chief elected official since 1997. She has focused on initiatives to protect land and lakes; to improve the lives of kids and families so they can succeed; and to be smart on crime by using effective alcohol and drug treatment strategies with repeat non-violent offenders. Previously Ms. Falk served for 14 years as Wisconsin Assistant Attorney General, 12 years as Wisconsin Public Intervenor, and earlier as co-director and counsel to Wisconsin's Environmental Decade. She has received many awards for her progressive leadership. She will be retiring in April this year.

Kristine Euclide

Kristine Euclide has over thirty years legal experience, focusing on energy, environmental and local government law matters. From 1997 to 1999, she served as Executive Assistant to Dane County Executive Kathleen Falk. Ms. Euclide has been Vice President/General Counsel of Madison Gas and Electric Company (MGE) since 2001.

Ms. Euclide's recent activities include:

- Capitol Area Regional Planning Commission, Vice-Chair (2007-2010)
- Dane County Regional Transit Authority, Board of Directors (2010 to present)

A frequent presenter on business ethics, energy, environmental law and local government topics, Ms. Euclide is also active in many professional and civic activities at the state and local level.

Capital Area Regional Planning Commission (CARPC)

In Wisconsin regional planning commissions exist so that wise use of land and water is not restricted by municipal boundaries. In Dane County concern over urban sprawl and uncontrolled land use became evident in the 1960s and led to the creation of the Dane County Regional Planning Commission (DCRPC) in 1968. Its charge was to provide technical support to the Department of Natural Resources (DNR) to facilitate work in Dane County, including recommendations regarding applications from the municipalities for extensions of urban service areas (usa). Such applications determine whether water and sewer services may be installed on a particular piece of land, so as to make development possible there. It is not surprising that controversies over such decisions created distrust among the affected parties and led to the break-up of the DCRPC in 2004.

DNR found it almost impossible to take on the work that had been done by the DCRPC and the need for a new commission was evident. The new Capital Area Regional Planning Commission (CARPC) was formed in 2007. The CARPC Charter was drawn up by the same four participants who had formed the DCRPC, and commissioners were appointed by the four, as in the past. They were the Dane County Executive, the Mayor of Madison, the Towns Association and the Villages and Cities Association. (See accompanying list.)

The responsibilities of the new organization were defined more clearly than for the earlier DCRPC. CARPC was charged to “develop a water quality plan that will define areas to be protected from development” and “to protect, restore or minimize degradation of water quality” thus again taking on the task of making recommendations on urban service extensions. In its seven years of existence, CARPC has approved 28 applications. It has rejected only 2 applications, one from Verona and one from Mazomanie, which is in legal contention at this time with a final decision to be made by DNR.

CARPC has some other functions. DNR turned responsibility for implementing the 1972 Clean Water Act to the new agency. In addition to protection of water quality and quantity, the CARPC Charter also requires that a “Future Urban Development Areas” (FUDA) Plan be made to indicate where development should or should not be permitted, a plan that both developers and environmentalists have urged for at least 50 years.

The backlog of applications for usa extensions and the rash of new ones has delayed the work of staff and commissioners on FUDA. Only recently has work begun, but decisions will involve many difficult factors, including possible conflicts with decisions made previously as part of the state-mandated Comprehensive Plans.

Citizen interest in CARPC appears muted except for the efforts of several environmental groups (including the Land-Use and Transportation Committee of the League of Women Voters of Dane County), partnering with the non-profit organization “Capital Region Advocates for Environmental Sustainability” (CRANES), that believes CARPC has not been firm enough in assessing the damage that excessive growth and development can cause.

Decisions regarding future development will involve many factors, including previous decisions made by those municipalities for the state-required Comprehensive Plans. This stage will be watched with great interest throughout Dane County as it will have a major influence on the future of Dane County.



List of CARPC Commissioners

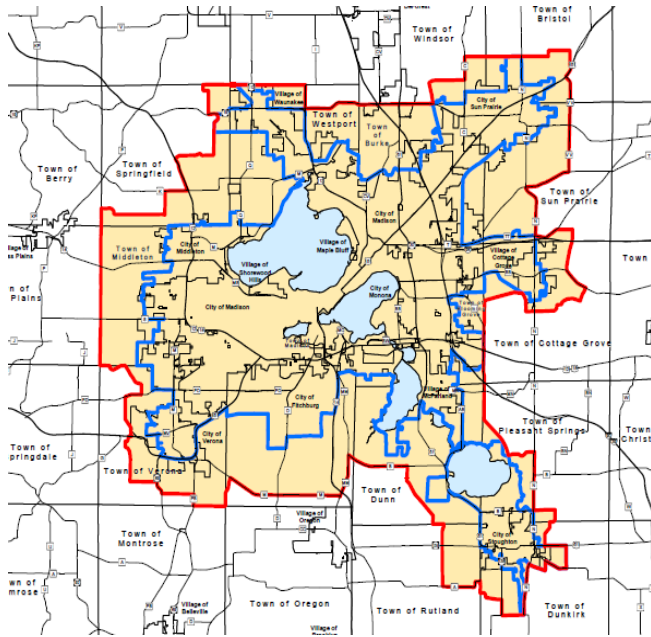
Appointed by the Dane County Executive: Martha Gibson; Peter McKeever; Caryl Terrell

Appointed by the Madison Mayor: Zach Brandon; Curt Brink; John Imes; Larry Palm

Appointed by the Cities and Villages: Jeff Miller; John Murray; Kurt Sonnentag

Appointed by the Towns Association: Ed Minihan; Sue Studz; Phil VanKampen

Dane County Regional Transportation Authority (RTA)



www.danecountryRTA

Roads have always received much attention and generous funding in Wisconsin – even rural ones – because of their value to farming. Wisconsin traditionally took pride in the quality of our roads compared to those in other states. We built roads for bussing farm children to school and for opening up new residential areas without worrying about cost or anything else. But eventually problems came to light. Adding to complaints about traffic congestion, time consumed in travel, and parking costs were concerns over air pollution from gasoline fumes and particulate matter from tire wear. Then transportation became a major concern. Many ideas were sprouted for improving the road system, even one to deal with Madison’s hour-glass shape – a proposal to build an overpass above the downtown.

It was then that rail was promoted, street cars as well as commuter rail. Rail was also heavily opposed. Opposition was based largely on cost, but rail promoters reminded the public of the real costs of automobiles, roads, and parking. There were many years of studies and proposals, but by 2000 the need for a coordinated regional plan was widely accepted although the rail opponents feared and still fear that such an authority would mean an imminent commuter rail system.

In August 2007, the Dane County Board passed Resolution 57 requesting the state Legislature to pass enabling legislation permitting Dane County to create a Regional Transportation Authority and that

law was finally passed in the 2009-2011 budget. The RTA bill proposed a sales tax of 0.25%-0.5% to be preceded by a referendum. Governor Doyle vetoed several items, particularly one that limits the tax to 0.25% and one that eliminates the requirement for a referendum.

In November 2009, even a few days before the Legislature passed the enabling resolution, the Dane County Board voted 20-16 to create an RTA Board and promised to hold a referendum before imposing a sales tax. The area to be included coincides with that of the Metropolitan Planning Organization. (See map above or on-line.) The Board has members, two appointed by Madison; two by Dane County; one by the governor; one each by Fitchburg, Middleton, and Sun Prairie; and one by the Dane County Villages and Cities Association from a city or village with fewer than 15,000 people. (See accompanying list.)

In February 2011, the RTA Board issued its first report, "Draft Phase 1 Plan for Transit. Recommended for Public Comment." In essence it proposes expansion of bus and shared-ride tax service with park-and-ride lots. Elderly and disabled transit services would also be expanded. Commuter rail service is not included in this phase of the project. Furthermore the RTA would go back to the voters for another referendum before funding any construction of a commuter rail or bus rapid transit system. At the time when the "Draft Phase 1 Plan" was introduced it was anticipated that a referendum would be held on April 5, 2011, but, following two hearings in early February, the RTA Board announced that it would not be conducting a referendum then.

The future of the RTA remains to be seen.

List of RTA Board Members

Appointed by the Governor: Darrell Bazzell

Appointed by the Dane County Executive: Kristine Euclide; Dick Wagner

Appointed by the Fitchburg Mayor: Kimberly Warkentin

Appointed by the Madison Mayor: Steve Hiniker; Susan Schmitz

Appointed by the Middleton Mayor: Mark Opitz

Appointed by the Sun Prairie Mayor: Don Esposito

Appointed by the Cities and Villages: Tom Wilson



LWVDC Positions on Natural Resources
(*LWVDC Local Positions* [last revised 2005], pp. 5-8)

IV. NATURAL RESOURCES

National and Wisconsin League Land-Use Positions

At the national level the League of Women Voters has stated its recognition that “land is a finite resource, not just a commodity and believes that land ownership, whether public or private, implies responsibilities of ownership.” Further, “Each level of government must bear appropriate responsibility for planning and managing land resources.” And, “...citizen participation must be built into the planning and management of land resources at every step.” In addition, the Wisconsin League has many land-use positions that underlie and reinforce the validity of those held by the Dane County League.

Dane County League Positions on Land Use

In 2004 positions taken from 1972 onward were placed in a new structure. (A history of the positions is available in the LWV-Dane County office.)

A. Land Use Planning in Dane County

Support of:

1. Protecting Natural Resources

The League supports policies and practices that:

- a) Conserve in permanent open space significant natural resources: wetlands, forests, wildlife, farmlands, both the quality and quantity of ground water, and will reduce flooding problems.
- b) Protect natural resources and linkages outside the open space corridors such as scientific areas, glacial features, and other isolated environmentally sensitive areas
- c) Acquire and preserve wetlands and the adjacent uplands and shoreline along lakes, streams, creeks, their headwaters and springs, as well as woodland areas and areas of significant topography
- d) Assist in implementing the Dane County Water Quality Plan
- e) Include any additional green space preservation plans that are adopted by Dane County

2. Urban Development

- a) The League supports cluster types of urban development with small lot sizes and more shared open space.
- b) League objectives should strengthen the role of the downtown area of Madison as a regional center for a wide variety of activities, including government, office activity, retail stores and entertainment.
- c) The League encourages rehabilitation of physically deteriorating portions of existing urban areas with emphasis on “in-filling” of vacant or under-used parcels that are in the urban service area.
- d) The League supports expenditures for sufficient public parks and recreation areas to meet the needs of the users.
- e) The League supports the detailed delineation and implementation of the system of environmental corridors within urban areas.

3. **Outlying Areas or Rural, Non-Farm Areas**

The League supports:

- a) Reducing urban sprawl through buffer zones between communities and land-use districts
- b) Efforts to enhance Dane County's essential character by preserving the unique assets of the outlying communities such as
 - i. Their autonomy
 - ii. The small town atmosphere
 - iii. The close relationship of government and citizen
 - iv. Their variety of ages, occupations, and cultures
 - v. Their natural areas – parks, marshes, ponds, creeks
 - vi. Their historic sites
- c) Using open space to achieve separation of communities and help guide urban growth
- d) Continued preservation of the physical and biological resources within the countywide open space corridor system as adopted in the Regional Development Guide.
- e) Allowing only low-impact recreational uses of natural resource protection areas
- f) Restoration of upland prairies, woodlands, and wetlands
- g) Continued implementation of the Nine Springs E-Way and Cherokee Marsh long-range plans
- h) Linking public lands and trails of various political jurisdictions to communities and population centers to amplify the availability and recreational use of these lands
- i) Providing access to lakes and streams and water-based recreation trails for use by canoes, kayaks, and similar watercraft.
- j) Prohibiting non-farm development in wetlands and floodplains and restricting it to areas containing soils unsuitable for agriculture.

4. **Planning Fundamentals**

The League of Women Voters supports efforts to maintain the environmental quality of both the urban and the rural parts of the county, specifically through:

- a) Comprehensive master planning at each governmental level
- b) Regional planning
- c) Administrative and professional staffing
- d) Coordination of planning efforts among departments within the county government
- e) Cooperation of planning commissions with other governmental units and with each other
- f) Support of these criteria against which to weigh conflicting land-use demands: density, energy conservation, green building, access to public facilities
- g) Development of further planning criteria such as: economic, monetary, social and resource costs;
- h) Acquiring land for outdoor recreation, open space, scenic beauty, and fresh air
- i) Providing funds for park maintenance

5. **Planners' Responsibilities**

The League believes that planning agencies must

- a) Anticipate population growth and development pressures
- b) Identify environmental corridors and wetlands and other natural resources

- c) Identify population growth areas and coordinate school building with communication and transit systems within the population centers
- d) Consider joint action among municipalities on acquisition and maintenance of parklands
- e) Educate pertinent government employees, public officials, and the citizenry

6. Planning Tools

The League believes governmental units must use certain tools if they are to implement their plans for guiding development, preserving open space, protecting environmental quality, and providing adequately for housing needs

- a) Realistic and effective zoning regulations, including meaningful agricultural zoning
- b) Extraterritorial planning and zoning powers
- c) “Cluster development” and “planned unit development” regulations
- d) A vigorous and ongoing program of land acquisition through gifts, grants, leasing, easements or outright purchase, even if capital budgeting is required
- e) Active pursuit of donations and grants from public and private sources
- f) Restricting the timing and location of development by control of utility services
- g) Tax concessions
- h) Legal devices by property owners to keep land undeveloped when it is in the public interest to do so

7. Citizen Involvement

The League believes that citizen members of planning boards and commissions should be persons actively interested in the community and representative of a range of interests and experience.

- a) They should be able to consider the needs of the entire area in their jurisdiction.
- b) They should be chosen for overall competence rather than solely for any professional expertise.
- c) In the case of any conflict of interest, a member must abstain from discussion and voting.
- d) New members should be offered an orientation program.
- e) Citizens should receive pertinent land-use information from their government regularly.

B. Transportation Systems and Plans in Dane County

▪ ***Support of an Integrated, Multi-Modal Transportation System***

- 1. The League of Women Voters supports an integrated, multi-modal transportation system that provides for those of all ages and abilities access to schools, jobs, housing, services, education, and other destinations.

▪ ***Support of Transportation Planning: [adopted prior to 1972]***

- 1. The following principles in transportation planning:
 - a) Coordination
 - i. With land use
 - ii. With other governmental units
 - iii. Among all modes of transportation
 - iv. Between immediate and long-range solutions, maintaining flexibility for the future
 - b) Preservation of high environmental quality with attention to aesthetics, prevention of pollution and preservation of neighborhoods, the downtown area, and open spaces

- c) Consideration of people’s needs as well as safety, convenience and cost
- b. Recognizing that the local public transportation system is a responsibility of local government, the League supports its inclusion in comprehensive transportation planning and its adherence to the above principles
- 2. The League also supports expansion of public transit in area covered, upgrading its service, and initiating efforts to encourage the public’s use and participation
- **Support of Railroads: [adopted 1984]**
 - 1. Railroads as an integral part of the public transportation system (freight and potentially passenger)
 - 2. Subsidies for railroads of economic importance
 - 3. Government purchase and maintenance of abandoned railroad, track, or track for which abandonment has been approved, if the track is considered important to local economies
 - 4. County financial contributions for railroad preservation within the county, recognizing that railroads may be a part of a multi-community network
 - 5. Preservation of Dane County’s railroad corridors
 - 6. Development of excess right-of-way in accordance with local land-use plans
- **Support of Local and Regional Transit Systems: [adopted 5/13/1992]**
 - 1. Continued efforts to include additional Madison area communities in contracts with Madison Metro and Metro Plus
 - 2. County participation in funding and coordination of federally mandated services with significant state and federal aid. Consideration should be given to participation of the private sector and help for smaller communities that might be forced to close down transit systems under the costs of federal mandates.
 - 3. Enabling state and county legislation for a regional transit district (without specifying metropolitan or county)
 - 4. High priority be given to certain criteria
 - a) Fiscal and regulatory control by a general purpose government
 - b) Long-term commitment by communities who join a regional system
 - c) A central dispatch system for Dane County specialized transportation services with careful study of its implementation
 - 5. High or medium priority be given to:
 - a. Tax or assessment (fiscal) equity through periodic review of differing service levels in a regional system
 - b. Keeping Madison Metro service high, while permitting flexibility in routes
 - 6. Funding of transportation needs must be considered as a major budget item together with other needs of “transit-disabled” citizens