



April 22, 2004

Honorable Richard Durbin
U.S. Senator
267 Russell Office Building
Washington, D.C. 20510

Re: **Transportation Legislation Conference**

Dear Senator Durbin:

As Congress approaches the conference on transportation reauthorization, the Village of Oak Park and its citizens would like to thank you for all of your efforts on our behalf with respect to this legislation. As you know, we are particularly concerned with these issues in view of the Illinois Department of Transportation's proposal to expand the Eisenhower Expressway (I-290) as it passes through Oak Park. Over the past several years, we have fought very hard to ensure that any decisions are made only in the context of a multi-modal analysis of all potentially viable options for the Cook-DuPage transportation corridor, and includes appropriate measures for promoting community cohesion and for mitigation of adverse public health, environmental and other local community impacts. We believe we have made great progress toward this goal. Thanks in large part to your efforts, we believe that the pending legislation would, for the most part, preserve and enhance the progress we have made on these issues at the local level.

With respect to the upcoming conference, we invite your attention to the following issues of major importance to our local activities. Once again, we ask your assistance in protecting our interests on these and other issues as the Conference Committee proceeds with its deliberations.

Project Funding

First, funding contained in the House bill should be retained, and if possible expanded, for continuing study of the Oak Park Cap in connection with any renovation or expansion of the I-290. This is an essential measure for reuniting our community and mitigating the adverse impacts of the highway regardless of which option eventually is chosen for the I-290. The Cap should be funded concurrently with any project to reconstruct or expand the I-290, and the options for the I-290 should be considered in the context of an integrated and comprehensive multi-modal corridor study as provided in the 2030 Regional Transportation Plan for the Chicago area. We ask your assistance in submitting these points to the Conference Committee for potential inclusion in the Committee's report.

Second, other projects we urge you to support the authorization of funds for the Metra UP West Line Core Capacity Upgrades, the CTA Transit Hub, including both Circle Line and the Ogden Streetcar Transitway, as found included in the House bill, and the PACE signal preemption proposal that would further PACE's proposal for bus rapid transit service on Cermak Road. All of these transit options are in the Cook-DuPage corridor and may provide some basis for relief of highway congestion. We also ask your continued support for increased funding of transit options generally and for the Congestion Mitigation and Air Quality (CMAQ) program, which has experienced a significant funding backlog in our area.

Mitigation Measures

The Senate bill (Section 1601) would add a new provision governing "eligibility for environmental restoration and pollution abatement." The provision covers "water pollution or environmental degradation" caused by a "transportation facility." The costs of measures to mitigate these impacts are limited to 20% of the total cost of the transportation project.

We understand that this provision is intended only to prevent widespread use of transportation funds to upgrade wastewater treatment plants that receive runoff from highways or other transportation facilities. However, we are concerned that it could be interpreted to preclude, or to restrict funding of, other types of mitigation measures necessary to protect public health from the adverse effects of emissions to air from increased traffic on renovated or expanded highways. We urge you to seek language in the Conference Report clarifying that the stormwater runoff mitigation provision is not intended to affect other types of mitigation measures.

Historic Preservation and Park Preservation

The Senate bill includes a provision that would exempt historic sites from protections under current law if the Secretary of Transportation determines that the impact of a proposed transportation project would be *de minimis*. The House bill includes a similar exemption where the required consultation under the Historic Preservation Act results in a determination that the site would not be adversely affected.

These provisions are extremely important to Oak Park, which is home to more than 300 buildings of historical or architectural significance, and three historic districts. Oak Parkers treasure this priceless heritage and appreciate that the preservation of these structures greatly enhances the quality of life in the Village. In addition, our architectural treasures, including the birth home of native son Ernest Hemingway and Frank Lloyd Wright's Home and Studio, have brought tens of thousands of people to the Village each year. The promotion of tourism without undue stress on the citizens, the infrastructure, or the attractions themselves, is an important challenge for the coming decades.

Our ability to meet this challenge would be substantially limited if the protections provided by Section 4(f) are reduced, particularly in view of current plans to reconstruct or expand the Eisenhower which is adjacent to numerous public parks

and historic buildings and landmarks and a historic district. Section 4(f) has worked well over the years because it requires transportation planners to look for prudent alternatives to road building that would mar or destroy historic place and parks. This search for the prudent alternative has saved so many places that are important community and neighborhood resources, not just historic places but parks, recreation areas, and wildlife refuges as well. We urge you to take all possible actions to ensure that the Section 4(f) protection is retained, and that any provisions designed to weaken it are omitted from the final legislation.

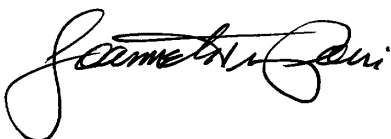
Transportation Planning Process

Conformity. For long-term transportation plans, the Senate bill would reduce the conformity process from 20 years to 10, requiring updates every four years instead of two years. We prefer the House approach, which would not change current law. We believe that 20 years is necessary to measure the long-term impacts of new transportation projects, but that significant short-term effects often become apparent within two years. In addition, state-funded projects should not be allowed to proceed during a lapse in conformity if they are regionally significant projects, as provided in current law.

NEPA. In determining the purpose and need for a project and identifying the potential alternatives, the Senate bill would give the lead agency in the NEPA process discretion not to consider the local long-term transportation plan or the land use plans adopted by affected local governments. The House bill does not address this issue, retaining current law under which local plans must be considered. The Conference Committee should adopt the House approach. Major transportation decisions should be made in the context of local land use and transportation plans, not imposed over them. Local plans should be considered at the beginning of the process to ensure that transportation projects are blended with local transportation and land use plans to the maximum possible extent.

Again, many thanks for your valuable assistance on these issues. If you have any questions, please contact me about these issues or Pete Dame, Deputy Village Manager, at 708.358.5778.

Sincerely,
VILLAGE OF OAK PARK



Joanne E. Trapani
Village President