



August 8, 2003

The Honorable Timothy W. Martin, Secretary
Illinois Department of Transportation
2300 South Dirksen Parkway
Springfield, IL 62764

Dear Secretary Martin:

Thank you for your May 15, 2003 letter responding to the Village of Oak Park's recommendations for coordination of the Phase I study of I-290 Eisenhower Expressway reconstruction including the proposal to expand the highway through the Village of Oak Park with the study of alternatives to be conducted by the Regional Transportation Authority (RTA). We greatly appreciate that you recognize the importance of holding off on engineering work related to the expansion of I-290 while the RTA study is concluded. However, your letter raises a number of concerns that we feel need to be clarified, not the least of which was the statement that the RTA would be completed by Spring of 2004 which is actually only the projected end of the first phase of the study, a market analysis.

The Village fully understands and supports IDOT's efforts to undertake a Phase I study of reconstruction of the Eisenhower Expressway due to the age of the facility. However, to objectively address the questions of how to best address mobility and congestion needs of this entire corridor, the Village believes that all issues related to capacity expansion of the various travel modes in the RTA study area should be addressed and considered on an equal basis by the study process outlined by the RTA. These transportation system capacity expansion options studied by RTA should include the creation of I-290 High Occupancy Vehicle (HOV) lanes, the I-88 add lanes proposal, and all other reasonable options to address the mobility needs of the corridor such as the transit projects being considered by the Chicago Area Transportation Study in the 2030 Regional Transportation Plan and those contained in the Village's February 7, 2003 letter. The RTA should conduct a multimodal analysis that objectively evaluates the mobility needs of the corridor and then reviews the feasibility and selects an alternative or combination of alternatives. The selected alternative or alternatives would then be incorporated, as applicable, into IDOT's Phase One study. In summary, the Village believes that the I-290 study process should be fully integrated with the RTA study, and no engineering work related to I-290 expansion should be performed unless the expansion project is adopted as a preferred alternative at the conclusion of the study process.

This integrated approach would require IDOT to continue to withhold engineering work on the I-290 HOV expansion project (but not work related to reconstruction) until after Phase III of the RTA study, the alternatives selection phase, which is not anticipated for two and half years from now. In that same vein, since a "purpose and needs statement" would be developed as part of the RTA study would govern capacity improvements in the corridor, a "purpose and needs statement" developed for I-290 that addresses capacity needs before even the RTA's study does is premature. The Village related this position to IDOT District

staff when we met with them as suggested in your letter. If the Village's suggested approach is followed, IDOT's Phase I study would be fully integrated with the RTA study in a manner that IDOT would not prejudice or undermine the RTA study by proceeding with premature engineering of just one of the alternatives before the locally preferred alternative(s) is selected.

To further explain this recommended integrated approach, as noted in the attached letter to the RTA, the Village supports the RTA study as an essential basis for future transportation decisions impacting this corridor, from both legal and public policy perspectives. The potential I-290 HOV highway project, and most if not all of the potential transit projects in this corridor, constitute "major metropolitan transportation investments" within the meaning of the federal highway and transit regulations.¹ As such, before any federal funding can be devoted to such projects, they must be selected through a process that includes a Major Investment study (MIS). An MIS is required to assist the planning agencies "on the design concept and scope of the investment," and must "evaluate the effectiveness and cost-effectiveness of alternative investments or strategies in attaining local, State and national goals and objectives."² In addition, the MIS "will, when appropriate, serve as the analysis of demand reduction and operational management strategies" required in the federal Congestion Management System regulations.³ The RTA study certainly can be an appropriate vehicle for compliance with these federal requirements, and is an approach we have advocated and supported. From the Village's perspective, it is essential to ensure that the RTA study objectively examines and recommends all reasonable options in this corridor, and is not just an examination of transit options while IDOT continues work on its HOV project. While your letter indicates that the Department has previously stated that a MIS is not required at all for the proposed highway project, we believe that is in error as we are not aware of any such unequivocal prior statement and, in any event, it is clear that the proposed I-290 HOV expansion is a major investment that requires a MIS.⁴

Because the MIS is required to include a comparative analysis of all reasonable alternatives, if the highway proposal is to be considered it must be addressed in the RTA study in the context of the other proposed alternatives. In addition, the Village feels the RTA study should not rely solely on the Department's 1998 feasibility study for the I-290 HOV lanes. The 1998 report considered only the HOV option, and did not consider any other options other than HOV lanes on I-290 or any of the other projects to be analyzed in the Corridor Study. If the HOV project is considered in the context of the other proposed transit projects, the 1998 conclusions with respect to feasibility are likely to change. The 1998 conclusions were based on detailed assessments of purpose and need, transit facilities, traffic data, and traffic demand, each of which would change if the other proposed projects are considered. The 1998 report is also significantly outdated using accident and traffic data and assumptions that date back to the late 1980's and early 1990's, and assumptions from the 2010 RTP. Many more years of traffic data are now available, as are new and improved computer models for assessing those data. For example, in its analysis for the 2020 RTP, CATS estimated that the HOV project is likely to cause a 35% increase in the traffic on the

¹ See 23 CFR 450.104 (2002)(defining "major metropolitan transportation investment").

² 40 CFR 450.318(a), (c)(2002).

³ 40 CFR 450.318(e)(2002).

⁴ Perhaps this statement was intended as a reference to the Department's prior position, discussed further below, that no Environmental Impact Statement (EIS) should be performed initially for the proposed I-290 HOV.

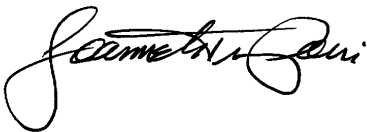
affected segment of I-290 by 2020. As detailed in the report prepared by the Village on the potential impacts of the HOV proposal, submitted previously to IDOT, recent studies of "induced demand" suggest that the actual increase would be much larger than models used by CATS predict.

Further, engineering work on the highway expansion proposal must continue to be held up unless and until the RTA Study and the related analyses under the National Environmental Policy Act (NEPA) have been completed and the highway project has been chosen as a preferred alternative. The federal regulations make it clear that no federal funding can be devoted to metropolitan projects unless they have been selected in accordance with the procedures specified in the regulations for such projects.⁵ As discussed above, those procedures have only just begun and the RTA Study is an essential component of the selection process. Indeed, a major part of the proposed RTA study is development of the local and regional criteria by which the preferred projects will be chosen. Clearly, it is premature to proceed with engineering for a potential project before even the criteria for project selection have been adopted.

Environmental impacts should also be considered in the process of selecting alternatives in the RTA study. The federal MIS regulations provide that the MIS may be used as an input to the NEPA analyses, or the NEPA analyses may be drafted as part of the MIS.⁶ As noted, environmental impacts are one of the factors that must be considered in the MIS alternative selection process, and the federal regulations also specify that "a major investment study will include environmental studies which will be used for" the NEPA analyses.⁷ The Village believes that health, safety and environmental impacts will play a particularly important role in the selection of the preferred alternatives in this case. As discussed in the Impacts Report prepared by the Village and previously submitted to IDOT, based on the FHWA regulations and from what is already known about the I-290 HOV proposal from IDOT work on the proposal to date, the Village believes that an Environmental Impact Statement clearly is required for the HOV project.

The Village of Oak Park appreciates the Department's interest in these transportation issues that are so vital to our community, and looks forward to a continuing dialogue as the various studies progress. Questions or comments with respect to our position should be directed to me or Peter J. Dame, Assistant to the Village Manager, (708) 358-5778.

Sincerely,
VILLAGE OF OAK PARK



Joanne E. Trapani
Village President

⁵ See 23 CFR 450.222(b)(2002).

⁶ See 23 CFR 450.318(f)(2002).

⁷ 23 CFR 450.218(f)(2002).



Illinois Department of Transportation

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2300 South Dirksen Parkway/Springfield, Illinois/62764
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VILLAGE CLERK
OAK PARK, ILLINOIS

May 15, 2003

Honorable Joanne E. Trapani
Village President
123 Madison Street
Oak Park, Illinois 60302

Dear Village President Trapani:

Thank you for your recent letter concerning the department's preliminary engineering and environmental study (Phase I) for the proposed improvement of Interstate 290 from US 12/20/45 (Mannheim Road) to Illinois 50 (Cicero Avenue). With regard to your concerns pertaining to the applicability of an Environmental Impact Statement (EIS) and a Major Investment Study (MIS), both the department and the Federal Highway Administration have previously responded to these concerns. We have said previously that an MIS is not required and our position has not changed. We will continue with the environmental process under way to determine what type of environmental document will meet federal and state requirements.

The department is committed to coordinating with the stakeholders along the corridor, including the transit agencies, to ensure that the proposed improvement plan that advances from the Phase I study is appropriately multi-modal and meets the project's purpose and need. As you are aware, the department requested the Regional Transportation Authority (RTA) to initiate a study of transit alternatives along the I-290 corridor. The results of the RTA's study will be incorporated into the department's Phase I study as part of a comprehensive review of the corridor transportation needs and an evaluation of all feasible transportation alternatives. At this point, we anticipate the RTA study to be completed by early 2004. On this basis, the efforts performed over the last year have been narrowly focused on data collection, traffic forecasting, environmental surveys, evaluating safety and operational deficiencies in the corridor, performing interchange operation studies and the testing of preliminary concepts in critical areas based on a variety of factors. This will remain the case until we have an opportunity to incorporate the RTA study results into the I-290 Phase I study.

In response to your concern that the department is prematurely proceeding with engineering for a High Occupancy Vehicle (HOV) lane alternative, the department has a need to analyze issues associated with potential alternatives. The RTA will be addressing similar concerns regarding transit alternatives. In this respect, department staff have been coordinating with the

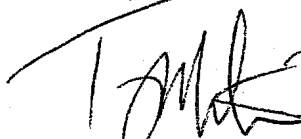
Honorable Joanne E. Trapani
May 15, 2003
Page Two

CTA and the freight railroads, on potential right-of-way and/or operations issues in the corridor. These efforts are necessary and fundamental elements of the overall Phase I engineering process. These discussions have led to the review of various preliminary concepts to define possible limits of involvement with CTA and the freight railroads, but by no means represent any solutions or recommended alternatives.

Based on the compilation of existing expressway deficiencies and needs to-date, department staff have begun arranging project coordination meetings with the municipalities adjacent to I-290, including Oak Park. The purpose of these meetings will be to share preliminary findings pertaining to the I-290 corridor's deficiencies and needs. We also wish to gain the benefit of your views and opinions regarding the I-290 corridor and its needs, and to learn about any plans you and the other municipalities may have for community improvements along or crossing I-290.

We look forward to a continuing dialogue with the village of Oak Park on this important transportation improvement project. Thank you for your interest in Illinois' transportation system.

Sincerely,

A handwritten signature in black ink, appearing to read 'Timothy W. Martin', with a large, sweeping flourish above the name.

Timothy W. Martin
Secretary