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Lincoln Drive project could lose \$1.2 million

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The county's plans to rebuild Lincoln Memorial Drive with a landscaped median have hit another bump.

On the heels of a lawsuit filed by a group trying to stop the project, the Wisconsin Department of Transportation has notified the county that it won't receive \$1.2 million in federal funds to underwrite pedestrian lighting for the project. That's because the county failed to comply with federal parkland and environmental laws, the DOT's general counsel, James Thiel, told County Parks Director Susan Baldwin in a July 1 letter.

Those laws prohibit the taking of any public parkland "unless there are no prudent or feasible alternatives" and also require certain federally aided projects to carry an assessment of their impact on the human environment. Thiel noted that the county had been warned by its own consultants in November 1996 that those laws must be obeyed.

"This has not been accomplished," he said. "Therefore, although the lighting was eligible for this type of federal funding, federal funds are not and cannot be authorized for this project as proposed."

The same laws were cited by a citizens group, Preserve Historic Lincoln Memorial Drive, in its request for a preliminary injunction to halt the \$8.2 million project. A hearing on the lawsuit is scheduled before U.S. District Judge J.P. Stadtmueller for Monday -- just a week before the reconstruction, with the addition of a 6- to 17-foot median, was to begin on the southern portion of the 3.2-mile road between Mason St. and Lafayette Hill Road. The northern section, from Lafayette Hill Road to E. Kenwood Blvd., was to be rebuilt next year.

Jay Urban, an attorney for the 400-member citizens group, said its position was validated by Thiel's letter. "All we did was force the issue," Urban said. "We're not trying to be spoilers. The county should use this as an opportunity to realize that a mistake was made and go back to the drawing board." Urban's group wants the county to rebuild the road on its current footprint, without any additional medians -- an option that the preservationists say would save money and maintain the leafy character of the drive.

County Board Chairwoman Karen Ordinans rejected that idea. "We are not at all inclined to do that," she said. "We cannot let this project drag on. The road is in terrible disrepair. We have to move. And in the end, the naysayers will end up liking the new Lincoln Memorial Drive."

Bids for the reconstruction were opened last week, but no contracts have been awarded, according to Bill

Heinemann, the county's public works director. Corporation Counsel Robert Ott said any major changes at this point would delay the schedule. "We're back to square one" on the lighting issue, he said.

The County Board's finance and parks committees will address this latest wrinkle next week. Ordinans said supervisors have two basic options. They could:

Try to find an extra \$1.2 million to replace the lost federal dollars and install old-fashioned harp lights, as planned, on either side of the road, or:

Revert to an original, cheaper plan for a row of tall lights in the median, an idea that critics scorned for its potential to ruin the ambience of the drive.

Meanwhile, U.S. Rep. Tom Barrett (D-Milwaukee) has been drawn into the fray. Barrett said he would meet with county officials and do what he could both to save the federal dollars and to protect open space. "Obviously (the county) has to comply with the letter and the spirit of the law," he said, "but I want to see if we can find peace in the valley and minimize the cost to county taxpayers."