



November 25, 2020

Jay M. Ciavarella
Director, Office of Planning and Program Development
Federal Transit Administration
200 West Adams Street, Suite 320
Chicago, IL 60606-5253

Re: Madison Metro's Sept. 16, 2020 memo responding to FTA request for more information

Dear Mr. Ciavarella:

Thank you for asking Madison Metro to provide more information regarding the categorical exclusion for the Oscar Mayer bus barn project, which FTA approved on November 18, 2019.

At our request, Tom Lynch sent us the [memo Metro sent to you on September 16, 2020](#), in part to fulfill FTA's request for more information, following from MEJO's August 25, 2020 request for reconsideration of the categorical exclusion.

In the last few months, several groups and individual citizens who have reasons to believe the community isn't getting complete and accurate information about the bus barn project have submitted open records requests to city and state government agencies to find out what is going on. MEJO also submitted a FOIA request to the FTA many months ago, but to date we have received no records whatsoever.

When citizens get to the point where they have to submit open records requests to get information from government agencies—about publicly-funded projects that will significantly affect their health, environment, and quality of life—this indicates deep systemic problems in these agencies' respect for the public, and for open, transparent public engagement. Clearly this is not in line with NEPA guidelines for public engagement during NEPA processes.

Specific to the Sept. 16, 2020 Metro memo, some of the information citizens received from various open records requests (which has been shared among collaborating community members) conflicts substantially with the information Metro is providing to the public and FTA.

Further, this information, and first-hand experiences with the Oscar Mayer site planning process, reveal a story that substantially differs from Metro's public statements and documents about their engagement with the community, the city's commitment to comprehensively address the significant toxic contamination at the Oscar Mayer site, and the likelihood that the Wisconsin Department of Natural Resources will assure that this is done.

Just as problematically, Metro is completely ignoring legitimate, significant community concerns about the environmental injustice situation it is creating by placing the Metro bus barns on top of a highly contaminated site and next to planned high density affordable housing.

Finally, citizens know from obtained records that Madison Metro worked closely with FTA to ensure that they received a NEPA categorical exclusion and, more recently, in drafting responses to our and other community members' requests for re-evaluation of this categorical exclusion.

While this may be how things are normally done, it suggests that NEPA processes are little more than token exercises. We hope this is not the case. If so, it greatly undermines our and other community members' trust in the legitimacy of NEPA laws, as well as city, state, and federal government agencies and their roles in the NEPA process.

We have enclosed our responses to the information Madison Metro is providing FTA and the community about the proposed bus barns, for the public record. Please acknowledge that they were received.

Thank you.

Sincerely,

Maria Powell, PhD
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