



# Politics and Freeways: Building the Twin Cities Interstate System

by Patricia Cavanaugh



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*Horses and wagons, bicycles, automobiles, and streetcars cause traffic congestion at Nicollet and Sixth, Minneapolis*



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*Cars in front of the St. Paul Cathedral, Summit and Dayton, St. Paul*



Used with permission of Henry Benbrooke Hall, Minnesota Historical Society

*Interstate-35E construction, St. Paul*



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*View of downtown from Interstate 35, Minneapolis*



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*Interstate 35W with Minneapolis skyline in background*

# **Politics and Freeways: Building the Twin Cities Interstate System**

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for  
Center for Urban and Regional Affairs (CURA)  
and  
Center for Transportation Studies (CTS)  
at the  
University of Minnesota

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## FOREWORD

Fifty years ago, the U.S. federal government began the most ambitious public works project in our nation's history: the Interstate Highway System. As we look back on that landmark event, it is worth briefly reflecting on how we arrived at that moment in history.

The internal combustion engine came onto the scene in the late 1800s. Within the short span of 20 years, the automobiles and trucks it powered were becoming ubiquitous. The Great Depression and World War II slowed the spread of motor vehicles; most people today are too young remember that U.S. automobile manufacturers stopped producing cars for three years or so during the war, and converted their plants to the production of military equipment and vehicles. Most people today are also too young to appreciate the explosion of the manufacture and sale of cars and trucks following the war in 1947 and 1948.

Following Eisenhower's election in 1952, the country entered the era of "Peace, Prosperity, and Progress." Americans had jobs and money, and were on the move. Most of those who had left farming communities and small towns during the war never went back. Many Americans migrated to the South and West, and Americans in significant numbers moved from central city to suburb. No matter where and when Americans moved, they went by car.

Cars require roads, and by the mid-1950s, it was clear that America would need to build lots of roads—roads to move themselves and their goods, and roads that would meet modern speed, safety, and design standards. Congress passed the Federal-Aid Highway Act in 1956, with the federal government providing 90% of the cost of the interstate system in each state. The boom in modern highway construction among and within American's urban centers began in earnest in 1958.

This report started with the idea that it would be useful to record the thoughts and memories of some of the people who have played major roles in the development of the interstate system in Minnesota, particularly in the Twin Cities. As the project evolved, many of those people were interviewed about their experiences, and their recollections were supplemented with documentary analysis to provide complete accounts of particular stages and phases of the interstate's development in the Twin Cities.

Several conclusions emerged as the project evolved. First, each person who was involved in the development of the interstate system in Minnesota has a slightly different perspective on what happened and why. The major job of the author, Pat Cavanaugh, and those who advised the project was to attempt to sort out these different perspectives in a fair and meaningful way. Second, each phase of the development of the interstate system in the Twin Cities was extraordinarily complex, involved many issues and parties, and required careful planning, engineering, and construction. At the same time, each phase of development took place in a changing social and political environment, both nationally and in Minnesota. In many ways, this project became a study of the evolution of a major public works project during five decades of dramatic change in the United States.

There is much to learn from this report and, inevitably, there is much that is not reported. Nonetheless, those of us involved with this project believe that this study

allows us to look back on five decades of individual highway construction projects and provide some perspective on the cumulative impact of what we've been doing and why we've done it that way.

*Thomas M. Scott  
Director, Center for Urban and Regional Affairs (CURA)  
University of Minnesota  
October 2006*

## **ACKNOWLEDGMENTS**

This report is intended to be useful for the transportation planning and policy community, citizens interested in transportation issues, and those with an interest in local history. The focus is the Twin Cities area. Its purposes are to provide an historical reference for our current situation, offer analytical discussion on issues raised by the cases, and stimulate questions for further reflection and action. From inception, creation of this report was guided by the expertise of a distinguished advisory committee consisting of: Richard P. Braun, Peter Fausch, Jim Newland, Robert C. Johns, Thomas Scott, and Barbara Lukermann. This report was jointly funded by the Center for Transportation Studies and The Center for Urban and Regional Affairs (CURA).

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# INTRODUCTION

This project grew out of informal conversations among the members of the advisory committee about the value of capturing, as far as it is possible, the memories and perspectives of those who participated in the dramatic development of our highway and freeway infrastructure in the Twin Cities during the last 50 years. In addition, this research is an extension of the Transportation and Regional Growth Study conducted by the Center for Transportation Studies. The concept of the research evolved into more formal conversations and interviews, then added archival materials and secondary sources. Along the way, it became apparent that the full array of changes that occurred in urban areas during the building of our highways is a rich area for research. To make it manageable, the scope of the research has been narrowed to include only interstate freeways and then furthered narrowed to the selected cases discussed on the following pages.

The research design was strongly influenced by, *Mega-Projects: The Changing Politics of Urban Public Investment*, by Alan Altshuler and David Luberoff,<sup>1</sup> in particular their conceptualization of eras to describe changing politics and decision-making processes in the 20th century. The eras were modified to reflect the local experience and include three periods: mega-projects (from 1956 to the late 1960s), the era of expanding the debate (from 1970 to 1990), and finally, the era of falling behind (1990s). The beginning and end dates of the eras suggest transitions rather than clear demarcations, although miles of actual highway construction strongly suggest these time periods, as shown in Figure 1. Cases were selected to provide insight into the local urban dynamics as they evolved after passage of the Federal Aid Highway Act of 1956 and throughout the subsequent eras. Many segments of the interstate were built without controversy. As shown in Table 1, 298 miles of freeway were built in the Twin Cities area, and most of this was welcomed by the surrounding communities. The beltline route of I-494 and I-694 is an example of this. In 1961, James Marshall, commissioner of highways, noted that because of the lack of land development and the early stage of highway planning, the beltline could be built with minimal disturbance and function as a factor in guiding growth of the area.<sup>2</sup> The cases selected for research, however, are all urban routes that involved conflict (see Figure 2). This was done to learn as much as possible about the way in which participants and institutions adapted to changing circumstances and political pressures. Thus, for the period of mega-projects, from 1956 to the late 1960s, the cases included:

- I-94 from downtown St. Paul to downtown Minneapolis
- I-35W/Highway 62: Crosstown Commons

The four cases for the period of expanding the debate, from 1970 to the early 1990s, consist of three segments that shared a moratorium bill in the state legislature:

- I-335 (which was not built)
- I-35E from the Mississippi River to downtown St. Paul
- I-394 from downtown Minneapolis to I-494

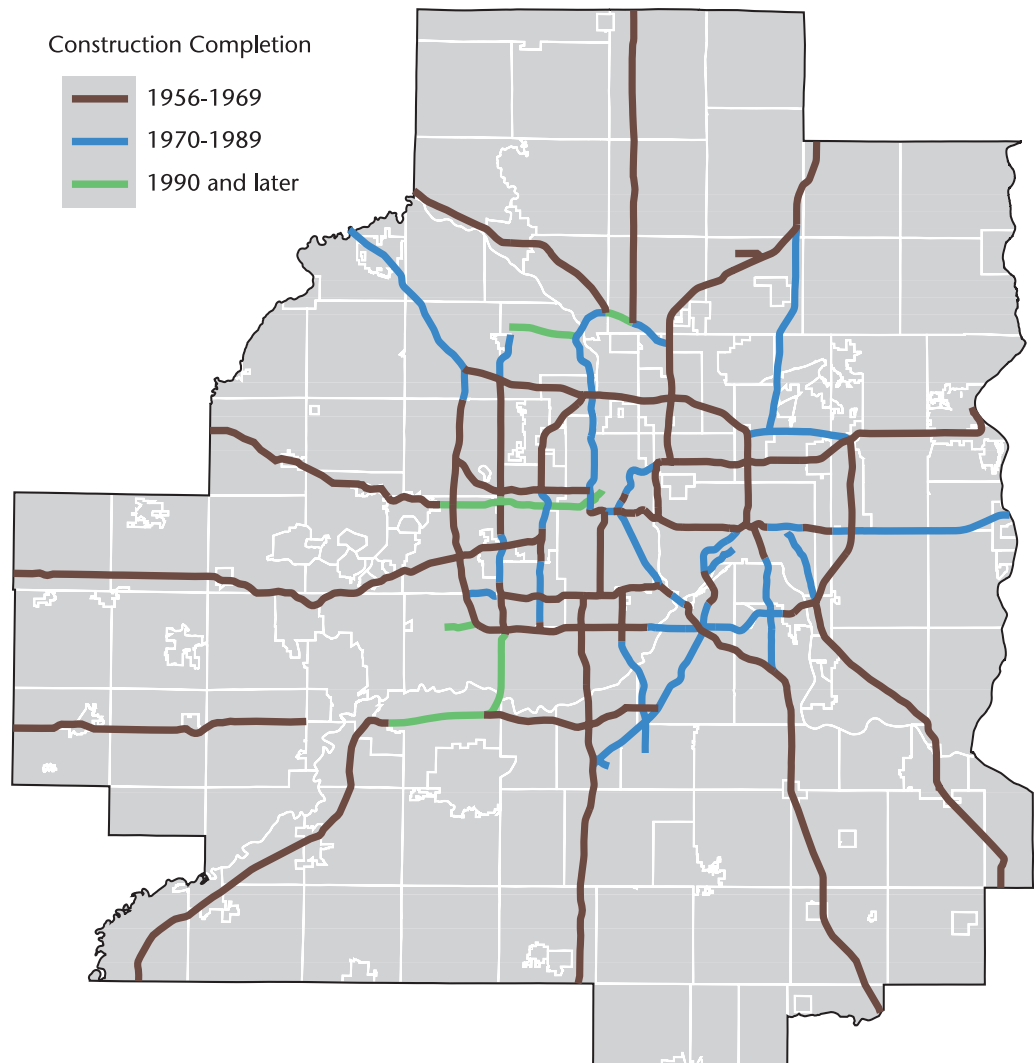
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1. Alan Altshuler and David Luberoff, *Mega-Projects: The Changing Politics of Urban Public Investment* (Washington, D.C.: Brookings Institution Press, 2003).

2. Notes for Remarks of Commissioner James C. Marshall, Minnesota Highway Users Conference, October 4, 1961.

**Figure 1.** Freeway Construction Completion by Era

**Source:** Mark Lindberg, Cartography Lab, Department of Geography, University of Minnesota; and Jeff Matson, CURA.



There is one additional case, which was not part of that group:

- I-94 from I-494/I-694 to Trunk Highway 95 near the St. Croix River

For the final period, falling behind, in the 1990s, a case was selected that was a modification to an existing freeway segment, because that is typical of later projects, and one that also came to a promising compromise but was not implemented because of lack of funds:

- Expansion of I-35W leading into downtown Minneapolis

Information was gathered by two primary means: interviews and archival research. Initially, key informants were identified by the committee, with more people added to answer specific information or fill in gaps as questions arose, or as suggestions were made by people with relevant expertise. In all, 31 interviews were conducted with respondents whose knowledge

**Table 1.** Construction of Freeways in the Seven-County Twin Cities Area\*

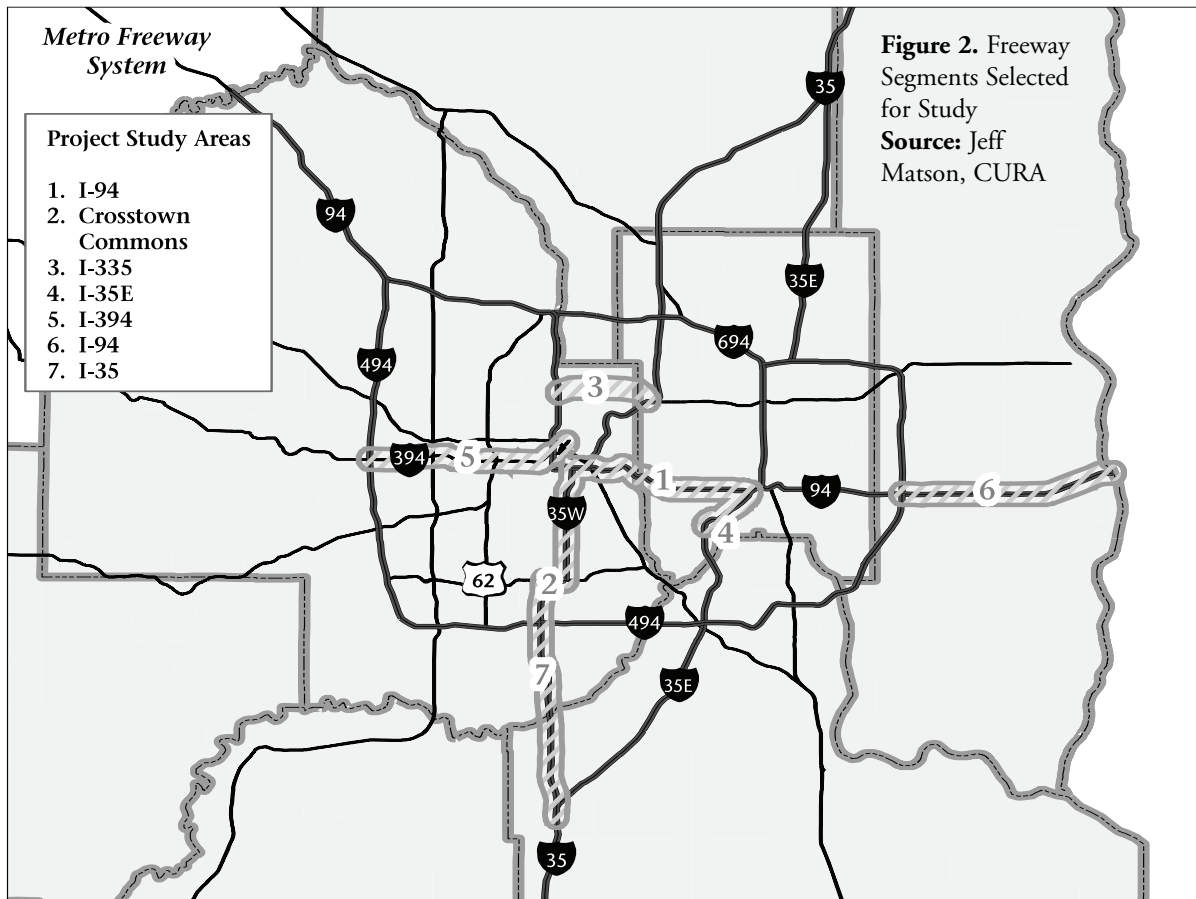
Time Period	New Freeway Centerline Miles Opened to Traffic		New Freeway Lane Miles Opened to Traffic	
	Period	Cumulative	Period	Cumulative
1958–1959	19	19	76	76
1960–1963	30	49	134	210
1964–1967	77	126	354	564
1968–1969	33	159	144	708
Subtotal 1959–1969	159		708	
1970–1973	54	213	254	962
1974–1976	10	223	46	1,008
1977–1979	0	223	0	1,008
1980–1981	16	239	81	1,089
Subtotal 1970–1981	80		381	
1982–1983	8	247	47	1,136
1984–1985	13	260	74	1,210
1986–1987	16	276	90	1,300
1988–1989	3	279	12	1,312
Subtotal 1982–1989	40		223	
1990–1991	2	281	8	1,320
1992–1993	6	287	36	1,356
1994–1995	1	288	4	1,360
1996	10	298	40	1,400
Subtotal 1990–1996	19		88	
<b>Total</b>	<b>298</b>		<b>1,400</b>	

**Source:** Minnesota Department of Transportation

\* This table does not include data from I-35 north of the I-35W/I-35E northerly junction in Columbus Township or I-35 south of County Road 5 in Lakeville.

could cover all eras under investigation.<sup>1</sup> This reflected Minnesota Department of Transportation personnel, Metropolitan Council planners, elected representatives, citizen activists, and others, as shown in Table 2. The largest group interviewed was civil engineers for a total of 34%. In terms of geographic area, those who conducted their work from a state perspective made up the largest group, at 37%. Archival research included materials available at the following libraries: Minnesota Department of Transportation; the Minnesota Historical Society; the Metropolitan Council; Minneapolis Public Library, Special Collections; Hennepin County Historical Society; and Wilson Library at the University of Minnesota. Primary sources were used to reconstruct events as much as possible.

1. To protect the anonymity of respondents who agreed to be interviewed, they are identified in footnotes only as “anonymous interviewee.”



**Table 2.** Interviews by Type of Respondent

	Engineers	Other Professionals	Elected Officials	Citizens	Business	Totals
Federal	1		1			2 (6%)
State	9	3	1			13 (37%)
Regional		6				6 (17%)
County	1					1 (3%)
City	1	1	4		1	7 (20%)
Neighborhood				6		6 (17%)
<b>Totals</b>	<b>12 (34%)</b>	<b>10 (29%)</b>	<b>6 (17%)</b>	<b>6 (17%)</b>	<b>1 (3%)</b>	<b>35 (100%)</b>

Note: There were 31 total interviews completed. Totals are more than the number of respondents because some are counted in two categories due to their experience.

## LEADING UP TO THE 1956 FEDERAL-AID HIGHWAY ACT

Imagine the state of Connecticut knee deep in earth; that's how much was moved for the interstates. Or a wide sidewalk extending from the earth to a point in space five times the distance to the moon; that's how much concrete was poured for the interstates. Or a land mass the size of the state of Delaware; that's how much property highway authorities acquired in order to site interstates. Or enough drainage culverts to handle all the needs of a city six times the size of Chicago; that's how much was laid beneath the interstates. The Great Wall of China and the Interstate Highway System are among the only human creations that can be seen by astronauts from an orbiting spacecraft.

—Tom Lewis, *Divided Highways*<sup>1</sup>

### Federal

The United States has an impressive history of great public works projects, from the privately-financed turnpikes and canals in the early 1800s, followed quickly by the federally-subsidized railroad boom, to the impressive locks and dams in the late 1800s. Until the 20th century, however, roads in the United States were built and maintained primarily by state and local government. By the time Henry Ford honed his system of mass-production, ushering in the age of the automobile, however, roads were beginning to be viewed as a public good that should be provided by the federal government.<sup>2</sup> At the 1939 World's Fair in New York City, five million people saw the Futurama exhibit constructed by General Motors. It held out a vision of a future with road systems designed specifically for fast travel by automobiles. There were models of roads built through mountains, across wide rivers, and bypassing cities. At a time when travel by car was slow, dangerous and unpredictable, crowds thronged to the vision. It expressed the hope many felt. When the demand pent up from war restrictions was let loose in the mid 20th century, support for a national system of highways was virtually a consensus. In 1953, Americans made more money per capita than at any previous time in history. With two world wars behind them, they were ready to roll.<sup>3</sup>



Horses and wagons, bicycles, automobiles, and streetcars cause traffic congestion at Nicollet and Sixth, Minneapolis, 1905. (Courtesy of the Minnesota Historical Society, location no. HE2.3 r29, negative no. 975. Reprinted with permission.)

1. Tom Lewis, *Divided Highways* (New York: Viking, 1997).

2. Owen D. Gutfreund, *Twentieth Century Sprawl: Highways and the Reshaping of the American Landscape* (New York: Oxford University Press, 2004), 9.

3. Norman Bel Geddes, *Magic Motorways* (New York: Random House, 1940), 3–13; Lewis, *Divided Highways*, 72.

The pressure for more and faster roads for motorists increased rapidly during the early 20th century. By the end of the 1920s, 56% of American families owned a car. Politicians responded to this pressure, and the legislative foundation for a federal-aid highway program was the Federal Aid Road Act of 1916 and the Federal Highway Act of 1921. The 1916 act required that all states form a highway department and defined the federal-state relationship that was made permanent in the 1921 act. The relationship of state initiative combined with federal review and assistance created at that time is still used today. The 1916 act also set the precedent of federal highway aid distributed through a relatively independent bureaucracy managed by engineers, with a similar structure used in the states. At this time, the Bureau of Public Roads published standards covering surveys, plans, specifications, estimates, contracts, and construction work.<sup>4</sup>



Cars in front of the Cathedral of St. Paul, Summit Avenue and Dayton Avenue, St. Paul, 1938. (Courtesy of the Minnesota Historical Society, location no. MR2.9 SP2.2 p53, Negative no. 19922. Reprinted with permission.)

Then in 1938, the Bureau of Public Roads published *Toll Roads and Free Roads*, the first national study to consider the feasibility of building a national system of super-highways. This report recommended against the general use of toll roads, because it concluded they would be underutilized. Instead, the report encouraged development of a large national system of free highways built to superior standards, consisting of 14,336 miles built almost entirely on new alignments separate from existing roads (see Figure 3). In addition, the report clearly expressed concern about urban congestion, recommending that the highways pass through cities in addition to

providing bypasses and connecting major urban areas. It was believed passing through urban areas would be good for downtown business districts and provide a way to remove blighted areas.<sup>5</sup> The report concluded that it was inaccurate to assume that a bypass would provide sufficient relief to urban congestion, because only a small proportion of travelers wanted to avoid the city. Traffic data showed that the largest proportion of heavy traffic “at a city entrance is an in-and-out movement of local generation. That part cannot be drained off by a bypass route.”<sup>6</sup> Instead, the report proposed that in larger cities, “only a major operation will suffice—nothing less than the creation of a depressed or an elevated artery (the former usually preferred) that will convey the massed movement pressing into, and through, the heart of the city, under or over local cross streets without interruption by their conflicting traffic.”<sup>7</sup>

Although the report noted the reluctance of city administrators to undertake the type of projects envisioned in the report because of expense and a reluctance to acquire private property, it also stressed the urgency of addressing growing traffic problems. In addition, *Toll Roads and Free Roads* pointed out that the new highway program com-

4. Gutfreund, *Twentieth Century Sprawl*, 20–21.

5. United States Bureau of Public Roads, *Toll Roads and Free Roads* (Washington, D.C.: U.S. Government Printing Office, 1939), 1–2, 42, 91–94.

6. United States Bureau of Public Roads, *Toll Roads and Free Roads*, 91.

7. United States Bureau of Public Roads, *Toll Roads and Free Roads*, 93.



**Figure 3.** General Location of Proposed Freeway Routes, 1939

**Source:** Reproduced from House Committee on Public Roads, *Toll Roads and Free Roads: Message from the President of the United States* (Washington, D.C.: U.S. Government Printing Office, 27 April 1939), 19.

plimented the slum-clearance projects underway by the federal government.<sup>8</sup> The new highway system was envisioned as a necessary part of the “radical revision of the city plan. Such a revision will have to provide the greater space now needed for unfettered circulation of traffic” and “For such a revision of the city plan decision upon the location and character of the new highway facilities here described is a basic necessity.”<sup>9</sup>

The opening of the Pennsylvania Turnpike in the fall of 1940 seemed a marvel to many, as a reporter wrote, “I never thought I could drive 75 miles an hour around mountain curves in heavy rain and live to tell about it,” and many people in Washington, D.C., were similarly impressed.<sup>10</sup> Although legislation was passed by Congress in 1941 to fund a 78,780-mile network of highways, it was vetoed by President Franklin D. Roosevelt because of his expectation that the United States soon would be involved in World War II. Demonstrating his commitment to the project, however, President Roosevelt appointed the National Interregional Highway Committee.<sup>11</sup>

8. United States Bureau of Public Roads, *Toll Roads and Free Roads*, 94.

9. United States Bureau of Public Roads, *Toll Roads and Free Roads*, 95.

10. Lewis, *Divided Highways*, 66–67.

11. U.S. Department of Transportation, Federal Highway Administration (U.S. DOT–FHA), *The Story of the Federal-Aid Highway Program: America on the Move* (Washington, D.C.: U.S. Department of Transportation, 1980), 9; *Biennial Report of the Commissioner of Highways of Minnesota* (St. Paul: Minnesota Department of Highways, 1942); District Nine Resource Section, Minnesota Highway Department, “A History of the Interstate System at the National Level,” internal memorandum, August 1975; Mark H. Rose, *Interstate Express Highway Politics: 1939–1989*, rev. ed. (Knoxville, TN: University of Tennessee Press, 1979), 2–3.

This committee's report, *Interregional Highways: Report and Recommendations of the National Interregional Highway Committee*, was published in 1944. It recommended 34,000 miles of interstates, with another 5,000 miles available for bypasses and other urban routes, continuing the commitment to urban freeways stated in *Toll Roads and Free Roads* (see Figure 4). The report stressed planning the interstates so that they complement urban development: "Because of these two things—the permanency of the highways and the more or less planless form of the cities—the interregional routes must be so located as to conform to the future shape of cities, insofar as this can be foreseen, as well as to the existing pattern of urban centers."<sup>12</sup> And further, "It is highly important that this force be so applied as to promote a desirable urban development."<sup>13</sup> The committee's report also stressed the importance of local authorities in determining detailed locations of the routes within federal guidelines. The major point of departure from the 1938 report was the emphasis on building completely new roads rather than upgrading existing roads when possible. In addition, the idea of limited access was elaborated and insisted upon.<sup>14</sup> The Federal-Aid Highway Act of 1944 followed this report quite closely, designating the interstate system of 40,000 miles. It also appropriated funds for surveys and plans, stimulating coordination of planning efforts by federal, state, and local governments. The main components of the 37,700-mile system were formally adopted in 1947 with reserve miles for beltlines and radial routes in urban areas. In the late 1940s, there was concern about the adequacy of the nation's roads for defense purposes, adding another pressure to the need



**Figure 4.** General Location of Proposed Freeway Routes, 1944.

**Source:** Reproduced from House National Interregional Highway Committee, *Interregional Highways: Message from the President of the United States*, House Document No. 379, 78th Congress, 2d Session (Washington, D.C.: U.S. Government Printing Office, 12 January 1944), 7.

12. U.S. National Interregional Highway Committee, *Interregional Highways: Report and Recommendations of the National Interregional Highway Committee* (Washington, D.C.: U.S. Government Printing Office, 1944), 53.

13. U.S. National Interregional Highway Committee, *Interregional Highways*, 54.

14. U.S. National Interregional Highway Committee, *Interregional Highways*, 78.



for roads. Based on the success of the Pennsylvania Turnpike, states developed plans of their own, with New York beginning construction of the Thruway in Syracuse in 1946, and the New Jersey Turnpike getting underway in 1949.<sup>15</sup> In 1954, President Eisenhower announced his intention to push for funding for a national freeway system. Although he did not yet have a financing plan, the idea was well received. He appointed a federal Interagency Committee to study policy options and appointed General Lucius Clay to head a presidential advisory committee, known informally as the Clay Committee, to study finance plans. The Clay Committee's report was sent to the president in January 1955. It recommended that the federal government assume a substantial portion of the cost of the interstate system. These additional routes were adopted in September 1955.<sup>16</sup>

After legislative roadblocks in the 1955 session regarding apportionment and finance formulas, the bill came to fruition as the Federal-Aid Highway Act of 1956. It committed funding from the Highway Trust Fund, which was set up by the Highway Revenue Act of 1956. This increased taxes on fuel, vehicles, and related purchases and provided that revenue from these taxes go to the Highway Trust Fund. Federal funding was provided at 90%, an astounding level of support. The 1956 act also required public hearings, changed the name of the highway system to the National System of Interstate and Defense Highways, and stressed rapid completion of the system to meet economic and defense needs of the country. The goals were to provide limited access highways built to the safest and highest design standards available, to meet traffic needs for the next 20 years (projected to 1975), and connect a substantial number of cities with a population of 50,000 or more by 1972<sup>17</sup> (see Figure 5). The benefits of freeways were seen to be vast: safety, economic growth, national defense, improved business and employment, and the convenience and freedom of mobility for citizens. Freeways showed promise as being safer, faster, cheaper, and having greater capacity for drivers.<sup>18</sup>

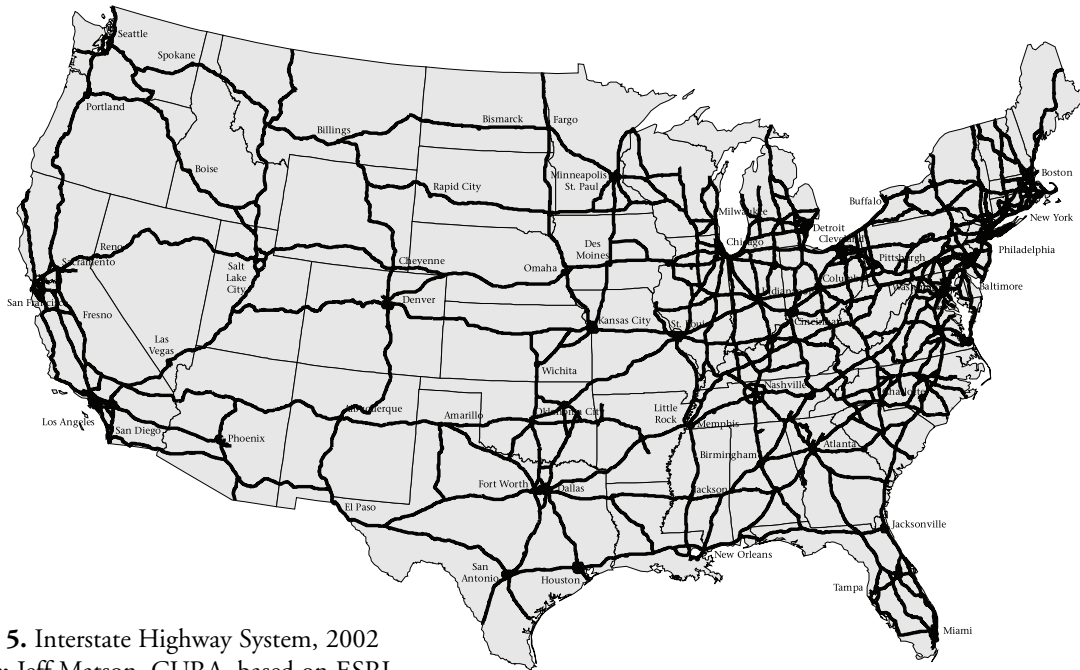
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15. Lewis, *Divided Highways*, 68–69.

16. Minnesota Department of Highways, *A Study of Interstate Highway 94* (St. Paul: Minnesota Department of Highways, September 1961); U.S. Department of Transportation, Federal Highway Administration, *America's Highways 1776–1976: A History of the Federal-Aid Program* (Washington, D.C.: U.S. Department of Transportation, 1977), 165; District Nine Resource Section, Minnesota Highway Department, "A History of the Interstate System at the National Level."

17. U.S. Department of Transportation, Federal Highway Administration, *The Story of the Federal-Aid Highway Program*, 11, 22; District Nine Resource Section, Minnesota Highway Department, "A History of the Interstate System at the National Level"; George W. Barton and Associates, *Freeways in Minneapolis: An Appraisal Prepared for the City of Minneapolis* (Evanston, IL: Barton and Associates, January 1957), 33.

18. Barton and Associates, *Freeways in Minneapolis*, 5, 15; "43 Reasons Why America Needs Better Highways Now!" brochure, (NP: NP, 196?).



**Figure 5.** Interstate Highway System, 2002  
**Source:** Jeff Matson, CURA, based on ESRI data and maps

### State and Local

History has determined that I be Governor of Minnesota just at this moment—in 1956 and 1957 and 1958—and I feel especially privileged to be our state’s chief executive at the dawn of a greatly expanded Highway Era. I am convinced that this decade and the next will eventually be found to have been the Era of Highway Development—just as there was an Era of Steam, and an Era of Electricity, and the dawning of the Atomic Era. We are presently at the threshold of a time in which another new element has been completely recognized and will grow mightily from this point. That element is the highway—and I am convinced that what we have seen since the passage of the Interstate Highway Act only sixteen months ago, is only a hint—a foretaste—of what is yet to come. In our office, we are Highway-conscious—because this is the way of the future.

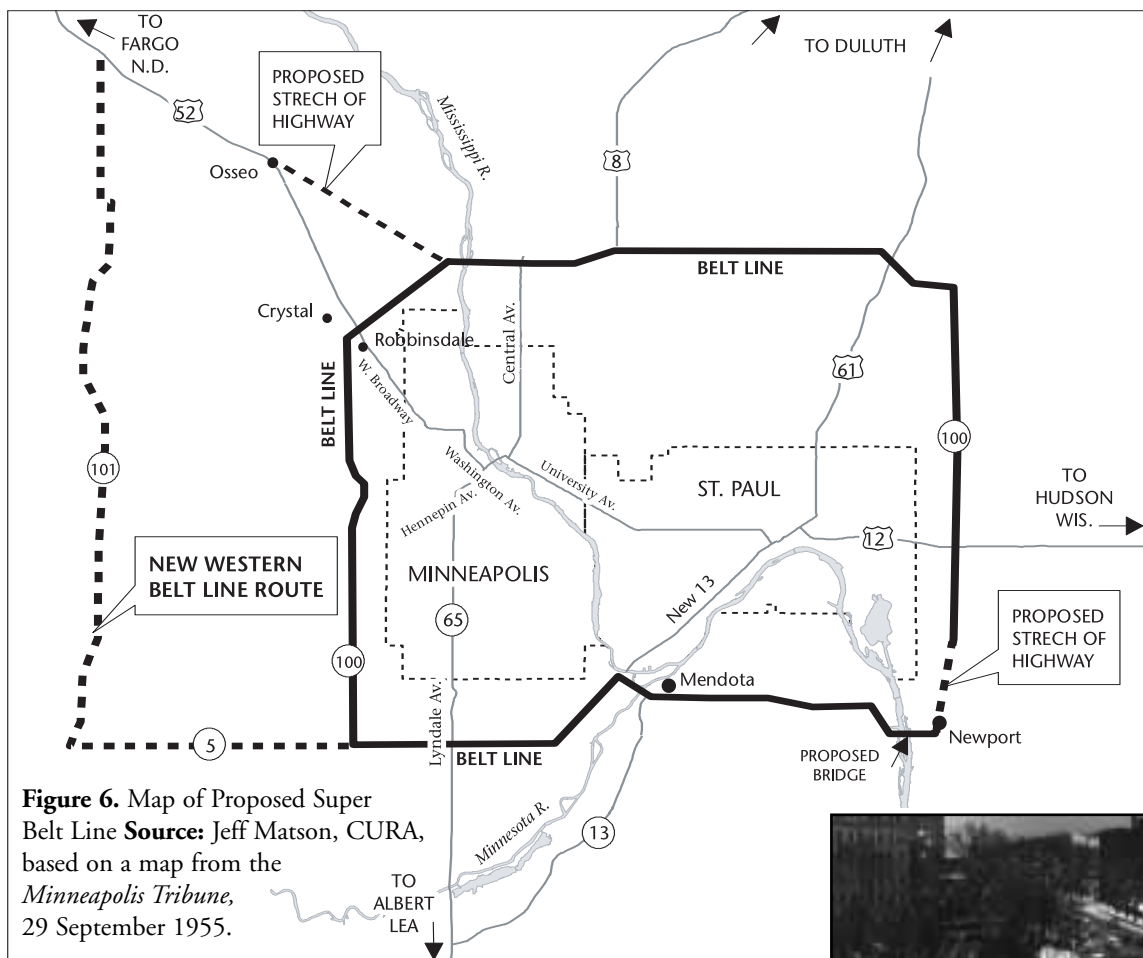
—Governor Orville Freeman, 1957<sup>19</sup>

Minnesota reflected the optimism and urgency felt across the nation, with congestion and traffic hazards in the Twin Cities a growing a problem. Highway construction was planned and underway, including early plans for and construction of a belt line around the metro area, as shown in Figure 6. The idea of circumferential roads as a way to alleviate congestion appeared as early as the 1920s, with construction on Highway 100 beginning in the late 1930s. The interstate program would provide a means to build a complete circumferential system at a high standard.<sup>20</sup> In 1961, Commissioner James Marshall described this upgraded beltline as a means to ease congestion and spur development.<sup>21</sup> On March 2, 1956, even before the Federal Highway Act was passed, the *Minneapolis Tribune*

19. Speech by Governor Orville Freeman, Minnesota Highway Users Conference, Curtis Hotel, 15 October 1957.

20. Ted Kolderie, “Memorandum to Persons Interested in Transportation and Transit Issues,” 12 December 1987.

21. Notes for Remarks of Commissioner James C. Marshall, Minnesota Highway Users Conference, 4 October 1961.



announced the state plans for the Twin Cities freeways, declaring that the first segments could be open by 1958. Highway Commissioner M. J. Hoffman and L. P. Zimmerman, the chief engineer, presented plans to an enthusiastic group of local officials hosted by the Minneapolis Chamber of Commerce<sup>22</sup> (see Figure 7). The new routes were viewed as a welcome addition to the existing system of highways. Then in May, J. E. P. Darrell, a traffic engineer with the Minnesota Highway Department (MHD), stated that the highway program was “far along in the planning stage” and could begin “very quickly” after the federal appropriation was passed. An expressway between downtown Minneapolis and St. Paul was noted as a top priority. A shortage of trained civil engineers was the only obstacle anticipated.<sup>23</sup> Minnesota was viewed as having a head start over other states because of its established department with “a large corps of loyal employees of long tenure.”<sup>24</sup>

Minnesota formed the State Highway Commission in 1905, which was then modified to comply with the federal requirements of the 1921 Act. The 1920s, often called the Babcock era after Charles Babcock, the first highway commissioner, brought the development of Minnesota’s trunk highway system. The 16th amend-

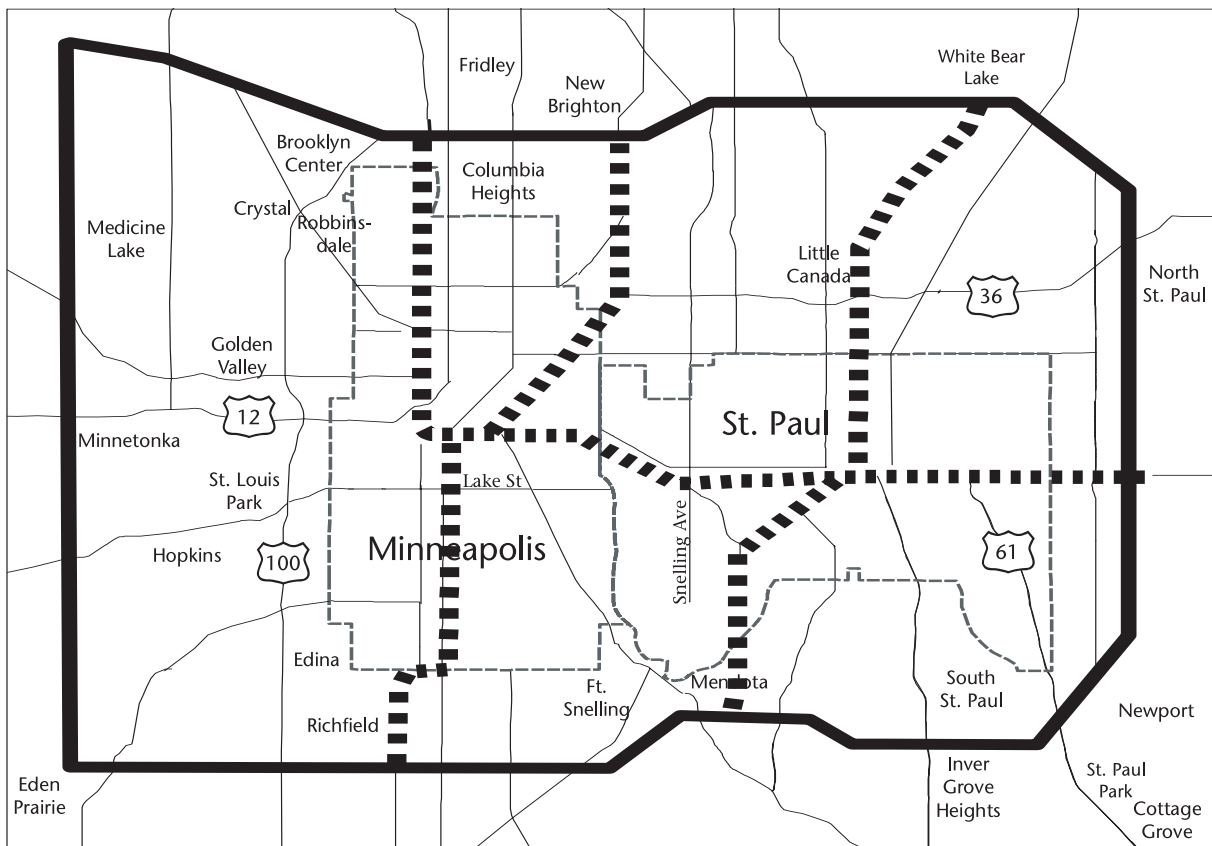


Rush-hour traffic (loop-bound) at the junction of Lyndale and Hennepin Avenues, Minneapolis, 1951. (Photo from the *Minneapolis Star Journal Tribune*, courtesy of the *Minnesota Historical Society*, location no. MH5.9 MP2.1 p617, negative no. 52338. Reprinted with permission.)

22. “First Expressways May Be Completed by 1958, City Told,” *Minneapolis Tribune*, 2 March 1956.

23. “Official Sees Early Start on State Highway Program,” *Minneapolis Tribune*, 11 May 1956.

24. “Freeway Offers New Travel Links,” *Minneapolis Star*, 5 January, 1958.



**Figure 7.** Twin Cities Freeway Pattern, 1956  
**Source:** Jeff Matson, CURA, based on a map from the *Minneapolis Morning Tribune*, 2 March 1956.

ment to Minnesota's constitution was adopted in 1920 to create the state trunk highway system, the goal of which was to connect all county seats and principal centers of population. In 1921, the Trunk Highway fund was established to finance the construction and maintenance of the system. These laws moved the state squarely into the role of road building, something which had previously been the responsibility of towns and counties.<sup>25</sup>

On the 1944 federal map, three interstate system routes were planned for Minnesota: I-90 along the southern border, I-35 from Iowa to Duluth, and I-94 traversing Minnesota from Hudson, Wisconsin, to Moorhead, Minnesota. From the beginning of the interstate development, there were plans to split I-35 into east and west sections because the state capitol was in St. Paul and the business center was in Minneapolis. In Minneapolis, the first plans for expressways were along diagonal radials running out from the central business district, such as a southeast diagonal highway on Hiawatha Avenue to connect to the Mendota Bridge over the Minnesota River, built in the 1920s. The interstate alignment, however, called for freeways that formed an intersection as they crisscrossed the country, so rather than present a means for developing the diagonal routes, it led to the development of new transportation corridors at the same that it offered a means to get the badly needed expressway between the two downtowns built quickly.<sup>26</sup> St. Paul, which had plans for an expressway ready to go and worked closely with MHD, was ready to build I-94 when the 1956 Act passed. The Minnesota Highway Department had a good reputation and was highly thought of in Washington, D.C. "It was known as a friendly and good state to work with." The first section of interstate to open in Minnesota was an eight-mile stretch of I-35 near Owatonna on August 21, 1958.<sup>27</sup>

25. Office of Public Information, Minnesota Department of Highways, *1921–1971: 50th Anniversary* (St. Paul: Minnesota Department of Highways, 1971), 25.

26. Kolderie, "Memorandum to Persons Interested in Transportation and Transit Issues."

27. Anonymous interviewee, interview with author, May 2004.

## HISTORY OF THE TWIN CITIES AREA INTERSTATE: MEGA-PROJECTS (1956 TO THE LATE 1960S)

### Introduction

Minnesota was prepared to act when the interstate program was funded in 1956. The state's tradition of professionalism was already established because MHD enjoyed a good reputation in Washington, D.C. Construction moved quickly statewide, and by 1967, Minnesota had about 360 miles of freeway open to traffic, almost 40% of the total planned.<sup>1</sup> Public sentiment was strongly in favor of the freeway system. In 1959, 72% of Minnesotans backed an increase in the gas tax to fund building roads.<sup>2</sup> There were, however, some indications that there might be turbulence ahead. In 1958, Lewis Mumford published his well-known essay, "The Highway in the City," in which he cautioned against the dangers of building interstates through urban areas, stressing the need to plan transportation systems that incorporate a balanced variety of "speed and mode to fit a diversity of human purposes."<sup>3</sup> In 1963, racial issues were viewed as the top problem in the nation.<sup>4</sup> Overall, however, it was a time of great optimism and expectation of good financial times, with bringing new industry to the state viewed as a top priority by most Minnesotans.<sup>5</sup> "Freeways seemed like pure paths to progress."<sup>6</sup>

The confidence and forward looking atmosphere of the era is evident in the Twin Cities Area Transportation Study (TCATS) conducted by the State of Minnesota, in cooperation with the Bureau of Public Roads, beginning in 1958 and concluding in the early 1960s. This state-of-the-art research was based on the predominant view at the time, that "urban travel is an orderly phenomenon susceptible to rational analysis and prediction."<sup>7</sup> Rather than rely on origin and destination studies alone, as done previously, TCATS based its projections on land use patterns and found higher than expected traffic forecasts for 1980. The pent up pressure for new expressways was great, public attitudes were favorable, and professionals believed they had the tools necessary for the task at hand. An important change in state municipal consent law in 1959 also facilitated the interstate program. The previous law allowed municipalities complete veto power on highway projects, but Minnesota Statute §161.17, subdivision 2, allowed the commissioner to refer the plan to the Twin Cities

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1. "35W Should Save 15 Minutes Driving Time," *Minneapolis Tribune*, 28 November 1967.

2. "7 of 10 Minnesotans Back Boost in Gasoline Tax for U.S. Roads," *Minneapolis Tribune*, 8 November 1959, Upper Midwest section, 4.

3. Lewis Mumford, "Highway in the City," in *The Highway and the City* (New York: Harcourt, Brace and World, 1963), 236.

4. "Racial Crisis Seen as Biggest Problem," *Minneapolis Tribune*, 11 August 1963, Upper Midwest section, 1.

5. "Public: State's Top Problem is New Industry," *Minneapolis Tribune*, 30 December 1962, Upper Midwest section, 1.

6. Curtis Johnson, "Market Choices and Fair Prices," Transportation and Regional Growth Study Report #17 (Minneapolis: Center for Transportation Studies, University of Minnesota, January 2003), 6.

7. Minnesota Department of Highways, *Twin Cities Area Transportation Study* (St. Paul: Minnesota Department of Highways, 1962).

Metropolitan Area Planning commission for further review and recommendation (see Appendix 2). Also in the mid-1960s came the formation of the Joint Program, a collaborative planning effort that acknowledged the importance of multiple agencies coordinating their efforts to develop comprehensive regional plans and policy (see Appendix 5). The following two cases illustrate how the process for building freeways worked in the beginning of the interstate program.

### **Interstate 94 from St. Paul to Minneapolis**

Timeline	
1947	St. Paul City Council approves Minnesota Highway Department plan
1955	Rondo–St. Anthony Improvement Association formed
1956	Prospect Park dispute
1959	Merriam Park dispute
1968 (Dec.)	Freeway section opened

The need for an expressway between the central business districts of St. Paul and Minneapolis became clear immediately upon the growth of popularity and affordability of the automobile. Previously, there had been a connection between the two downtowns via the Milwaukee Road railroad, with a station in Merriam Park, a fashionable St. Paul suburb in the late 1880s, which provided a 12-minute trip to each downtown. But by 1920, the St. Paul city engineer was drawing up plans for a radial highway system with a western radial to Minneapolis along St. Anthony Avenue.<sup>8</sup> When the first interstate map was published by the federal government in 1938, an east-west route connecting Chicago, Madison (Wisconsin), the Twin Cities, and Fargo (North Dakota) was present along the route we now know as I-94. The need for a fast, convenient connection along this route has never been in dispute.<sup>9</sup>

Two alignments for the intercity expressway received serious attention. The first was along St. Anthony Avenue, which paralleled University Avenue and extended all the way from the central business district in St. Paul to Minneapolis and ran near both the University of Minnesota and the Midway Industrial District. In the 1940s, when civic organizations and MHD began making plans for expressways, MHD chose the general alignment of this early plan with a river crossing at 26th Street in Minneapolis. The cities of Minneapolis and St. Paul were in agreement on this general expressway plan. As it approached downtown St. Paul, St. Anthony Avenue ran through the Rondo neighborhood, where most of the African Americans in St. Paul lived. George Harrold, the St. Paul city engineer, was opposed to freeways going through cities because of his concern about land use and the dislocation of people and business, so he proposed a second alternative, which became known as the Northern Route. This ran adjacent to railroad tracks north of St. Anthony Avenue. The Minnesota Highway Department was opposed to this route because it was less direct and did not serve the Midway area as well. In 1947, the St. Paul City Council approved MHD's St. Anthony Avenue plan.<sup>10</sup>

8. Brendan Henehan, "KTCA Reports: St. Paul's Past." (St. Paul: Twin Cities Public Television, 1991).

9. U.S. Bureau of Public Roads, *Toll Roads and Free Roads* (Washington, D.C.: U.S. Government Printing Office, 1939).

10. Alan Altshuler, "The Intercity Freeway," in Donald Krueckeberg (ed.), *Introduction to Planning in the United States* (New Brunswick, NJ: Rutgers University Press, 1983), 199–206; *Minneapolis Times*, 30 October 1945.

Related to the alignment discussion was the push for federal urban renewal funding. This was obtained in 1949 because of the efforts of St. Paul Mayor Edward Delaney, who pushed for project approval, which required demonstration that there was a need for the land once it was cleared. MHD officials assured him that funding for the freeway would be forthcoming, and local officials believed land adjacent to the freeway would increase in value. Moving ahead with the urban renewal project west of the state capitol solidified the freeway location. In addition, when the interstate program was launched in 1956, states had only one year to get cost estimates to the Bureau of Public Roads, which left little time for arguing with local officials. If there was a dispute about a segment of the freeway, MHD officials made it clear they would simply build other segments first. Many interest groups strongly supported the freeway program, such as downtown businesses, truckers, and labor. Congestion was a growing problem and downtown interests were concerned about postwar suburban flight. The momentum for I-94 was in full force.<sup>11</sup>

Leaders of the African American community became aware of the approval of the St. Anthony route in 1953, six years after it occurred. It came up because there was a push to rehabilitate a school in the affected area, and it was learned that the school was in the path of the proposed freeway. The area residents used this information to get a new school built at another site, but there was little other activity regarding the freeway until 1955 when it became apparent that federal funding for the massive undertaking was about to pass. Reverend Floyd Massey, a community leader, learned that the St. Paul Planning Board, of which he was a member, would be asked to approve the intercity freeway proposal. On Massey's advice, residents formed the Rondo–St. Anthony Improvement Association, the first of many organizations to be formed in response to freeway construction. Timothy Howard was president of the group and worked closely with Massey to decide how to proceed. Many neighborhood residents already had been displaced by the urban renewal project, so further displacement was a concern, but they also weighed the claims made by freeway proponents that this project would stimulate development and bring economic opportunity to their neighborhood. There was evidence to support such claims and expectations.<sup>12</sup> In addition, it seemed possible that displacement might result in the integration of some other neighborhoods as community leaders hoped for enactment of an ordinance making discrimination in the rental and sale of homes illegal as part of their negotiations with political leaders. Furthermore, they were persuaded by the technical evidence provided by MHD's traffic data. Based on all of these things, Howard and Massey decided to focus on limiting the effects of the freeway and using the publicity to gain support for a new housing ordinance.<sup>13</sup>

Even though they coordinated their efforts with other African American groups, they made no headway on the housing ordinance at the local level, so in the summer of 1956, Howard and Massey went to Governor Orville Freeman and MHD officials asking them to give authority to a state agency to make sure the relocation was done without discrimination. Governor Freeman referred the matter to the state Commission on Human Rights, which had no legal power. The leaders attended hearings in fall 1956, voicing their concerns about relocation, but at that time, there was no specific government body charged with addressing their problems, and little

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11. Altshuler, "The Intercity Freeway," 207–214.

12. Barton and Associates, *Freeways in Minneapolis*, 17–30.

13. Altshuler, "The Intercity Freeway," 214–216.

action was taken. Howard appealed to officials to at least use appraisers from the neighborhood, who would be sympathetic to the homeowners; to a large part, that request was met. The relocation went fairly smoothly, but the vision of a fair housing ordinance was not realized. One in eight African Americans in St. Paul lost a home to I-94. Many black-owned businesses, such as barbershops and movie theaters, were lost and never replaced. Of the homes demolished, 72% had been homes to African Americans. Research conducted after the relocation found that the density of non-white residents increased in all parts of the surrounding nonwhite area. What formerly had been a vibrant mixed community became primarily black and economically depressed.<sup>14</sup>

The one other objective Massey and Howard wanted to achieve was to have a depressed—that is, below-grade—freeway built. They viewed this as far superior to elevating the freeway at Lexington Parkway and Victoria, as planned. After securing a recommendation by the St. Paul Planning Board for a depressed freeway, Massey and Howard went to the city council, which referred the planning board's recommendation to committee for study. At a public hearing in December 1956, Massey and Howard argued for a depressed freeway design. Soon after that, George Shepard, the



Interstate 94 construction, looking toward St. Anthony and St. Albans, 1966. (Courtesy of the Minnesota Historical Society, location no. HE3.81 r75. Reprinted with permission.)

city engineer, recommended a depressed design. Although MHD officials maintained that the Bureau of Public Roads was unlikely to approve the additional cost of depression, when Shepard advised city officials that this was one design feature on which they should stand firm, they followed his advice, and MHD accepted their position. With Shepard's help, the neighborhood leaders did achieve the goal of having a depressed freeway built.<sup>15</sup>

Another dispute arose in 1959 for MHD officials working to meet the demands of the federal interstate program in the Merriam Park neighborhood on the western edge of St. Paul. Like the leaders of the Rondo neighborhood, the Merriam Park Residential Protective Association was not opposed to the freeway or to its location, but they wanted to affect one aspect of the design and move an interchange. Specifically, they objected to an elevated section from Snelling Avenue to Cleveland Avenue, as well as the proposed interchange at Prior Avenue, which they thought should be at Cretin Avenue instead. Significantly, the Archdiocese of St. Paul was also involved in this dispute because it owned property in the surrounding area, including a hospital for cancer patients, a parish school, and two Catholic colleges for a total capital investment of more than \$40 million. In a letter to Deputy Commissioner Frank Marzitelli, dated August 12, 1960, Archbishop William Brady made it clear to MHD that he was willing to make his concerns public and take them all the way to Washington, D.C., if need be to get the depressed design and interchange moved from Prior to Cretin Avenue.

14. Altshuler, "The Intercity Freeway," 216–218; Henehan, "KTCA Reports: St. Paul's Past"; F. James Davis, *Phylon* 26,3 (1965): 209–215.

15. Altshuler, "The Intercity Freeway," 218–222.



The concern about the Prior Avenue interchange was based on its proximity to neighborhood schools, both public and parochial, and increased loss of land in the neighborhood park. Connie Kozlak, system planning and programming manager at the Metropolitan Council, recalls being an elementary school student at St. Mark's school on Prior Avenue when the students were led outside to stand on Prior Avenue in a protest of the interchange.<sup>16</sup> When a series of local meetings and hearings resulted in no progress on the matter, the Merriam Park Association approached the Bureau of Public Roads and eventually met with Federal Highway Administrator Bertram Tallamy. To assess the situation, he asked MHD to prepare a report with background materials and studies of the area. Despite the greater overall functionality of the Prior Avenue interchange because of improved flow from Highway 280 onto I-94, the neighborhood and Archdiocese were able to get the interchange moved and the elevated section depressed.<sup>17</sup>

Another dispute about I-94 arose in the Prospect Park neighborhood of Minneapolis. The Minnesota Highway Department's original design for the freeway entrance into downtown Minneapolis put the Mississippi River crossing near the railroad trestle, which entered Minneapolis near 26th Street, where the freeway would join Hiawatha Avenue (planned at that time to be upgraded to a freeway) and progress into downtown. The area had a well-established neighborhood association, the Prospect Park and East River Road Association, which had been aware of the freeway plans since 1956 and was concerned about where it would be located, finding the original 26th Street crossing layout compatible with the character of the neighborhood. However, the downtown Minneapolis business interests wanted a more direct entrance, and the University of Minnesota wanted the freeway to come closer to campus to better serve its needs. The Minnesota Highway Department also preferred a more direct approach to downtown Minneapolis and proposed the existing alignment along the railroad tracks, which cuts through the Prospect Park neighborhood. Under the leadership of John Jamieson, who later would become commissioner of MHD, the neighborhood group attended hearings, wrote letters, and attempted to retain the original layout.<sup>18</sup>

In addition to the general freeway layout, some Prospect Park residents were concerned about the future of the Glendale housing project, a complex that consisted of 28 buildings housing 182 families. In addition, nearby Luxton Park was heavily used by neighborhood families. Norma Olson, an active neighborhood resident, wrote a letter to Governor Orville Freeman expressing these concerns that included signatures from local residents who worked with children.<sup>19</sup> The governor responded promptly and referred the matter to MHD Commissioner Hoffman for review.<sup>20</sup> In late August, the commissioner responded with a detailed letter in which the concerns about the housing development and park were addressed through adjustments to the design.<sup>21</sup> The design change was approved by the city and incorporated into the final plans.<sup>22</sup>

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16. Anonymous interviewee, personal interview with author, October 2004.

17. Minnesota Department of Highways, *A Study of Interstate Highway 94* (St. Paul: Minnesota Department of Highways, 1961).

18. Anonymous interviewee, personal interview with author, March 2004.

19. Diane Kepner, "Map Scares Neighborhood into Action," *Southeast: A Minneapolis Community Newspaper*, July 1994, 1, 7; Magnus Olson and Norma Olson et al., Letter to Governor Orville Freeman, July 1956.

20. Governor Orville Freeman, Letter to Mrs. Magnus Olson, 19 July 1956.

21. M. J. Hoffman, Commissioner of Highways, Letter to Mrs. Raymond H. Shove, 27 August 1956.

22. Kepner, "Map Scares Neighborhood into Action," 1, 7; Olson et al., Letter to Governor Orville Freeman.

As in the other disputes regarding this section of I-94, Prospect Park residents were able to have an effect on the plans, albeit relatively minor ones. Through dealings with University of Minnesota administrators in the course of the dispute, neighborhood citizens learned that they could be more effective if they formed coalitions with other organizations to coordinate information and activities. There were people involved in the I-94 hearings who later became involved in opposing I-335, and they were more knowledgeable about neighborhood organizing as a result.<sup>23</sup>

The freeway opened from the Lyndale-Hennepin interchange to downtown St. Paul in December 1968 at a cost of \$80 million. It was possible to drive from the Lowry Hill Tunnel to the Marion Street exit in downtown St. Paul in 10 minutes. The joining of the two cities was marked by the Queen of the Snows and the Minneapolis Aquatennial queen tying a large ribbon across the freeway in the presence of Commissioner Waldor and city dignitaries.<sup>24</sup>

### **Interstate 35W/Highway 62: Crosstown Commons**

Timeline	
1956	Hennepin County Board of Commissioners approves plan for Highway 62
1957	Barton Report recommends common section with I-35W
1958	Minneapolis city engineer recommends common section to Minnesota Highway Department
1959	Bureau of Public Roads grants location approval for the common section
1966	Crosstown Commons opened

There were plans for an expressway across the southern edge of Minneapolis as early as 1940 in a report by the Minneapolis Planning Commission. This called for a highway on 60th Street to alleviate traffic coming through downtown from Highway 12 on its way to stockyards on the other side of the city:

The transportation of livestock by truck into the packing centers has become an important highway industry in recent years. As the City of Minneapolis lies between these packing centers in South St. Paul and Newport and the livestock producing areas westerly of the city, a large volume of this traffic passes daily through local streets.<sup>25</sup>

The new highway would connect with Highway 100 and provide a bypass to the city.

In 1949, the Minneapolis City Planning Commission prepared another report, under the guidance of Herman Olson, city planning engineer. This report proposed a south crosstown highway on the city limits from Highway 100 to Highway 55 near Fort

23. Anonymous interviewee, personal interview with author, March 2004.

24. *Minneapolis Star*, 8 December 1968; Anonymous interviewee, personal interview with author, March 2004.

25. Minneapolis City Planning Commission, *A Report on a Survey of Traffic on Major Arterial Streets and Trunk Highways and Recommendations and Plans for Improvement of Traffic Facilities* (Minneapolis: Minneapolis City Planning Commission, 1 May 1940), 64.

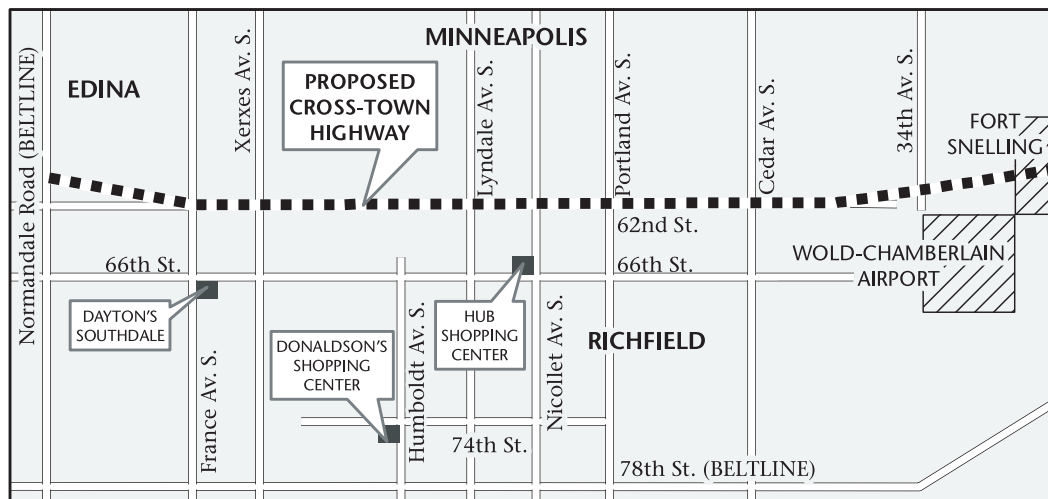
Snelling along the alignment where Highway 62 is today. This was to complement the planned 28th Street expressway. The report stated that from the earliest days of city highway planning, the need for a south crosstown expressway had been recognized, with proposals at different times for 58th and 60th Streets. The 1949 proposal recommended moving the planned expressway further south to 62nd Street because development further north made construction more difficult. The importance of this insight would be borne out as many designs in the following decades got thrown out to preserve homes or businesses in developed areas. The south crosstown highway was viewed as providing an important connection to the airport, as well as a way to get trucks to the stockyards. Citing expansion of the airport and growth of south Minneapolis, this 1949 report urged earliest possible completion of the highway.<sup>26</sup>

In 1953, there was a request in the state legislature to build the Crosstown Highway aligned as shown in Figure 8, following the same general plan proposed by Olson. By 1956, the highway had been approved by the Hennepin County Board of Commissioners, which then attempted to get it designated as a state-aid highway to get 50% of the cost paid for by federal funds. In December 1957, when the Edina City Council approved the plan, it was optimistically called clearing the “last real stumbling block” for the highway.<sup>27</sup>

The historical record of the development of the now infamous Highway 62/I-35W commons section is missing some pieces, but there are plausible explanations for why it got built the way it did. The compromise layout for I-35W through south Minneapolis was a diagonal from 58th Street and Stevens Avenue in Minneapolis to the intersection of 65th Street and Trunk Highway 65 in Richfield. This route was selected over diagonal roads that went only through Minneapolis, or one that was exclusively through Richfield, neither of which was politically acceptable. These diagonal designs had a single interchange with Highway 62 and no common section.<sup>28</sup> In

**Figure 8.** Proposed Route of Crosstown Highway, 1953

**Source:** Jeff Matson, CURA, based on a map from the *Minneapolis Tribune*, 27 February 1953.



26. Minneapolis City Planning Commission, *Report on the South Crosstown Highway* (Minneapolis: Minneapolis City Planning Commission, November 1949).

27. *Minneapolis Tribune*, 27 February 1953; Crosstown Road Dream Takes Shape, *Minneapolis Star*, 27 August 1956; “Edina Clears Way for Crosstown Highway,” *Minneapolis Tribune*, 19 December 1957.

28. Anonymous interviewee, personal interview with author, March 2004.

1957, George Barton, a highly respected highway engineer, recommended building the common section:

The Department of Highways has suggested two alternate treatments for the freeway [I-35W] south of 58th Street. Under one alternative the freeway would swing southwesterly to a junction with U.S. 65 west of Lyndale. Under the second, it would proceed straight south to 62nd Street and share a right-of-way with the 62nd Street Crosstown to a junction with U.S. 65 where an interchange would be provided. The second alternative appears preferable for several reasons. First, it would allow the 62nd Street Crosstown to serve as a better collector, bringing traffic from both the east and the west to use the South Freeway. Second, it would leave intact the area east of Nicollet and north of 62nd [Street] which is zoned for light industry, is served by railroad trackage and [is] already partly developed. Finally, it would avoid creating a small triangular piece of property containing residential developments bounded on two sides by freeway rights-of-way.<sup>29</sup>

In February 1958, Hugo Erickson, Minneapolis city engineer, wrote to Minnesota Highway Department Commissioner L. P. Zimmerman and recommended the common section over the diagonal alignment, most likely basing his recommendations on the Barton Report. In July, MHD asked the Bureau of Public Roads for location approval for the common section, and approval was received in January 1959. The common section was financially advantageous to Hennepin County because it meant that portion of Highway 62 would have 90% of costs paid by the federal government through the interstate program.<sup>30</sup>

It is important to note that because the plans for the common section were prepared prior to 1963, they were bound by federal regulations to follow designs intended to handle 1975 traffic projections. In addition, in the early 1960s, county roads were not seen as major expressways. “Nobody thought a county road would add much traffic.”<sup>31</sup> In 1964, in a letter to County Highway Administrator Kent Youngdahl, Acting Highway Commissioner M. E. Hermenson stated there was no reason to believe at that time that traffic volumes on Highway 62 would be a problem for the crosstown section before 1980.<sup>32</sup> In hindsight, it is easy to be critical, but given the knowledge and constraints of the time, the plan did not look so far off given the state-of-the-art forecasting models used. The predicted traffic volume was a larger problem for the Crosstown Commons section than the physical design. Another factor that contributed to future difficulties was that the county’s overall design and purpose of the Crosstown Highway was “unlike an interstate freeway” because it was intended to “provide access and interchange points . . . at frequent intervals.”<sup>33</sup> The different purposes of the two roads became part of the problem with arriving at an acceptable design. This tension was summed up by Professor Warren Ibele: “They’re being forced

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29. George W. Barton and Associates, *Freeways in Minneapolis: An Appraisal Prepared for the City of Minneapolis* (Evanston, IL: Barton and Associates, January 1957), 57–58.

30. D. T. Burns, Assistant Highway Operations Engineer, Memorandum to John H. Swanberg, Deputy Commissioner, 23 December 1966.

31. Anonymous interviewee, personal interview with author, October 2004.

32. M. E. Hermanson, Acting Commissioner, Letter to Kent Youngdahl, 25 March 1964.

33. Hennepin County Highway Department, *Hennepin County Highways* (Minneapolis: Hennepin County Highway Department, 1964).

to do a job they were never meant to do. Freeways simply are not designed for urban traffic use.” And this was particularly clear in the Crosstown Commons.<sup>34</sup>

Construction of the common section began in 1963.<sup>35</sup> About this time, the Hennepin County Highway Department made complaints about the design. According to MHD records, Hennepin County provided a report on their design concerns for the common section after construction was underway. There was speculation that they did not want to come forward earlier because of potential loss of federal funds.<sup>36</sup> One design feature that was in dispute (and that has been repeatedly over the decades) was the ramp providing access to Lyndale Avenue. This was not in MHD’s original design because of safety and traffic flow considerations. However, this area of Lyndale Avenue was Richfield’s main commercial area. The Richfield Chamber of Commerce, a very active organization, brought the matter to MHD. They strongly supported building the common section but were adamant that access at Lyndale was necessary for the local business community. They garnered support from the Richfield city council and succeeded in getting the design changed.<sup>37</sup> The ramps did in fact prove to be an obstacle to safe, free flowing traffic, yet Richfield business interests continued to object to eliminating the ramps based on access to the commercial area and local business and community needs.

In general, residents of Richfield supported the new expressway because the regional shopping center, Southdale, was generating traffic on neighborhood streets. Other than the negotiations by Richfield business interests, the only other citizen protest was regarding Wood Lake along I-35W as it approached the common section. As the first urban nature center, it was a source of pride for nearby residents. It was difficult for them to generate concern in the wider community, however, because of limited resources and inexperience with community organizing. This made it difficult to get many people involved, and only those who lived near the lake were active. I-35W changed the drainage patterns, turning the lake into a marsh, yet efforts were made by MHD to preserve the area, and it continued to be a thriving urban nature center.<sup>38</sup>

The common section opened in November 1966<sup>39</sup> (see Figure 9). Highway 62 was carrying 20,000 vehicles a day at the time it opened, but by late 1967, the common section was carrying 45,000 cars a day. The Bureau of Public Roads admitted that traffic projections had been low nationwide. The compromise design, which was the fourth choice of MHD, was met with almost immediate dissatisfaction. The chairman of the Hennepin County Board of Commissioners made public statements that “the whole thing has been unbelievably botched,” blaming MHD. State troopers dubbed the common section, “Blood Alley.”<sup>40</sup> All the agencies involved began blaming others. A member of the Hennepin County board was reported to have said that Highway Commissioner Zimmerman designed the highway on a paper napkin, and county highway engineers made public statements that they had no authority over the plans, deflecting criticism to MHD and the cities of Richfield and Minneapolis.<sup>41</sup>

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34. “A Terrifying Ride on Our Modern Freeway,” *Monday Sun*, 13 June 1968, section A, 11.

35. “Crosstown Construction Proceeds in Sections,” *Minneapolis Star*, 14 September 1963, section A, 10.

36. Burns, Memorandum to John H. Swanberg.

37. Anonymous interviewee, personal interview with author, April 2004.

38. Anonymous interviewee, personal interview with author, April 2004.

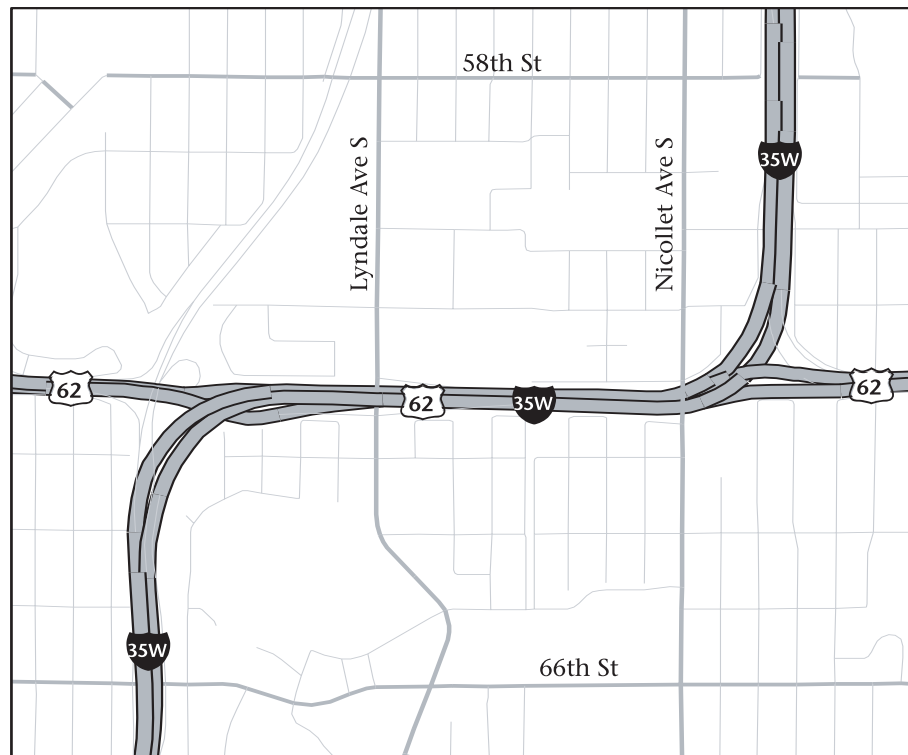
39. “Crosstown Highway Open for 8 Miles,” newspaper article (no publication listed), November 1966, 23.

40. Molly Ivins, “Crosstown Hwy. Called ‘Compromise, Blood Alley,’” *Minneapolis Tribune*, 3 September 1967.

41. “Crosstown is Target Again,” *The Richfield News*, 9 February 1967.

**Figure 9.** Common Section of Interstate 35W and Highway 62

**Source:** Jeff Matson, CURA



This was disingenuous, as it would have been impossible for MHD to plan a common section without county involvement. For their part, MHD staff accused the county of simply going after interstate funds. There were immediate calls to close the Lyndale ramps, and options for complete separation of the two highways entered the discussion right away.<sup>42</sup> The cross purposes of a county road and an interstate freeway became apparent as the section was criticized for having too many closely spaced entrances and exits. Both Minneapolis and Richfield opposed any further taking of homes, which also limited design options. Highway Commissioner Waldor summed up the difficulties in arriving at a satisfactory solution: “The ultimate solution may involve more money than anyone wants to spend,” he noted, and “There is also the problem of where to take more property to redesign the crossing.”<sup>43</sup>

In February 1968, a meeting was held to discuss the problems with the common section. In attendance were Senator Bill Kirchner (IR–Richfield), Representative Bob McFarlin (St. Louis Park), and Bob Cook; Hennepin County Commissioner Jack Provo; a representative from the governor’s office; members of the Richfield Chamber of Commerce; and Richard Braun, MHD assistant director of operations. Discussion centered on the tension between local access and improved safety and flow. Braun stated MHD’s view that the Lyndale ramps must be closed, yet with the exception of Representative McFarlin, everyone else opposed closing the ramps out of concern for access to the Richfield business district. Senator Kirchner asked for alternate ramp designs, but Braun pointed out that Minneapolis would be unlikely to agree to the

42. “County Skeptical of State Plans for Crosstown Hwy.,” *Minneapolis Tribune*, 16 December 1967; Anonymous interviewee, personal interview with author, October 2004.

43. “Highway Chief Concerned About Crosstown Highway,” *Sun*, 16 March 1968.

necessary loss of homes and businesses. Interestingly, the discussion went back to the reasons for the decision to build the common section, and those present cited the Barton Report, as well as efforts to get approval from both Minneapolis and Richfield. The only point of consensus at the meeting was to move slowly with regard to making the improvements. This impasse was typical of what would slow down improvements on the Crosstown Commons for decades.<sup>44</sup>

## Discussion

The beginning of the interstate program in the Twin Cities was characterized by a distribution of power generally limited to federal and MHD staff, with city officials as the only source of meaningful dissent. Hennepin County was a significant actor in the development of the Crosstown Commons, but only because there was a common section, an unusual occurrence. Organized business interests had an effect on the access provided on the Crosstown Commons, but support of the Richfield city council was crucial to their success. Downtown Minneapolis business interests combined with those of the University of Minnesota were crucial to the alignment of I-94 crossing the Mississippi River and entering the central business district. At this time community groups could have a minor effect, but the lack of legal or institutional tools available to them combined with a lack of knowledge about organizing limited their role. In the instances when citizen demands were met successfully, there was an important ally lending support. In Merriam Park, it was the Archdiocese of St. Paul; George Shepard, the St. Paul city engineer, was crucial to getting I-94 depressed in the Rondo neighborhood. In general, officials in state and federal highway agencies had reason to believe their projected completion schedule was realistic (see Figure 10).

It is clear that federal policy, and not only highway policy, defined the terrain on which local politics took place and strongly influenced positions taken by various interests. The availability of urban renewal funding was the main reason Mayor Delaney pushed to get I-94 built through the Rondo neighborhood. The fact that designs were restricted by federal regulations to 1975 traffic projections until 1963 had a considerable effect on how quickly congestion built up on the Crosstown Commons and throughout the system. Although it was not the determining factor in why the common section was built given the considerable influence of the Barton report, the desire on the part of Hennepin County to benefit from the generous 90% funding of the federal interstate program clearly influenced the way they behaved and likely made coordination between the county and state more difficult. In addition, the situation at the beginning of the interstate program was characterized by the fact that freeways were an extremely desirable scarce resource. In 1956, congestion was growing, sentiments were strongly in favor of building freeways, cities wanted the convenience and access they promised, and state highway engineers had the power to



View of downtown Minneapolis from Interstate 35, 1968. (Photo by Norton & Peel, courtesy of the Minnesota Historical Society, location no. Norton & Peel 305742D, negative no. NP305742-D. Reprinted with permission.)

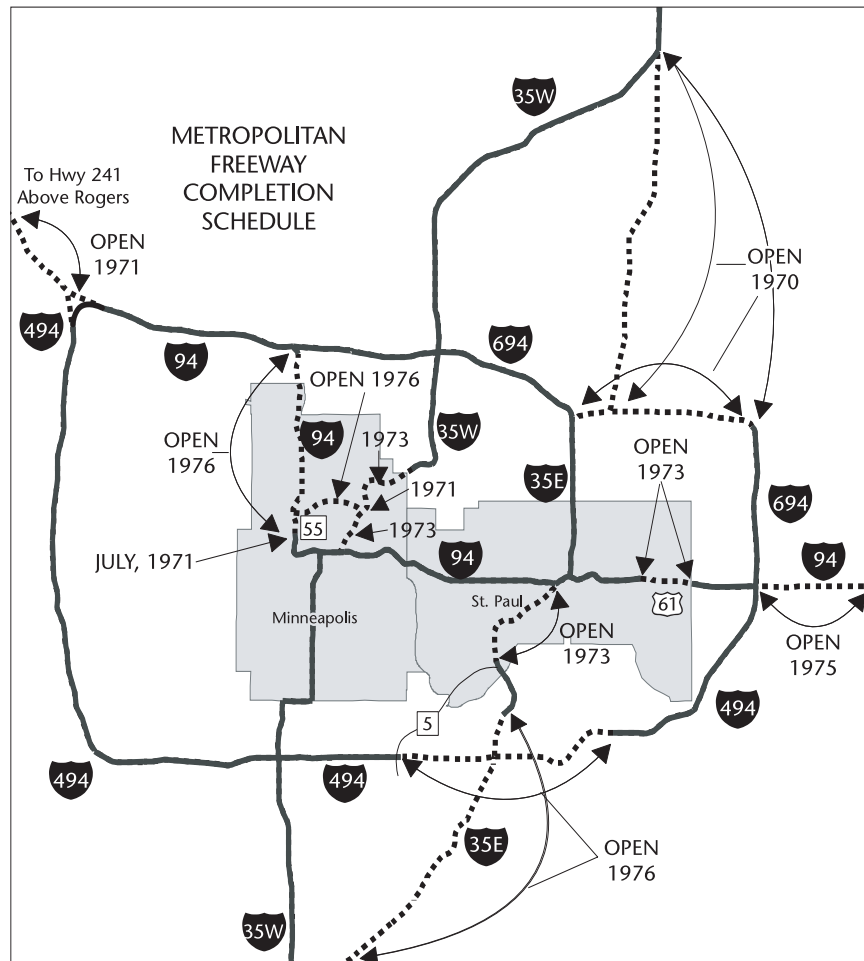
44. R. P. Braun, Memorandum to C. E. Burrill, 1 March 1968; Stanley Olson, Mayor of Richfield, Letter to Commissioner Waldor, 27 July 1968.

determine who got what. The timeline for getting a design approved and funds allocated set by the Bureau of Public Roads was short. If there was a dispute in one area, MHD had the leverage that they could simply build someplace else first, where the plan was ready to go. The threat of being left behind quelled some of the disputes. As the system was completed, as would become clear in the 1970s, this dynamic changed.

There were some interesting indications of things to come in these cases. The study and report required by Federal Highway Administrator Bertram Tallamy to address the concerns of Merriam Park residents is similar to, albeit much smaller and less comprehensive than, an environmental impact statement. In the Prospect Park dispute, neighborhood organizations began forming coalitions, something that would become important to them in coming decades. One of the main things to note, however, is that there has often been some controversy associated with urban freeway planning and building since its inception. Further, tension between the intent of building a high-speed limited access freeway and the needs for local access in the neighborhoods through which it travels has resulted in compromise designs, inadequate capacity, and disgruntlement all around.

**Figure 10.** 1970 Metropolitan Freeway Completion Schedule

**Source:** Jeff Matson, CURA, based on a map from the *Minneapolis Tribune*, 16 November 1970.





## HISTORY OF THE TWIN CITIES AREA INTERSTATE: EXPANDING THE DEBATE (1970 TO THE MID-1990s)

### Introduction

By the late 1960s, it was clear that building freeways through urban areas was more difficult than originally envisioned. Ted Kolderie, writing for the *Minneapolis Tribune* in 1964, observed:

This community—even its specialists—had little real conception of all the changes that lay in store. The freeways took homes and businesses. They reduced tax values in some cities and increased them in others. They changed the pattern of buying and selling. They revolutionized state highway departments. They vastly stimulated city planning. They cut driving time, and thus opened up new locations for homes and shopping centers. They changed driving habits. They provided jobs. They made major controversies for neighborhoods, important policy headaches for city councils and troublesome political problems for governors.<sup>1</sup>

Not surprisingly, these changes created tensions. Reflecting this, an advisory report to the secretary of transportation stated:

On the one hand, personal mobility remains a cherished right in a free society and essential to the pursuit of each individual's goals. Highway transportation is the basis for the unprecedented degree of personal mobility we enjoy today, as well as for the scope and dependability of freight movement. . . . On the other hand, highway transportation cannot be allowed to function apart from or in conflict with its environment. Inevitably, it directly affects the quality of the environment, for better or for worse. Inevitably, it interacts with other personal and community aspirations . . . and community well-being. And inevitably, the potential for conflict between the highway and these other values is greatest in America's densely populated urban areas.<sup>2</sup>

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1. Ted Kolderie, "Do Freeways Seem Like 'the End'? They're Only a Beginning," *Minneapolis Tribune*, 1964.

2. Urban Advisors to the Federal Highway Administrator, *The Freeway in the City: Principles of Planning and Design* (Washington, D.C.: Department of Transportation, 1968), 8.

Nationwide, the 1970s ushered in an era of change, turmoil, and disenchantment with government institutions and officials. “Confrontation and reassessment became the norm in America during the 1970s.”<sup>3</sup> The growth of the environmental and women’s movements along with continuing action for civil rights brought widespread citizen activism, often against government. Increasing disillusionment with the Vietnam War, followed by the Watergate scandal and economic problems, led to great skepticism toward government. Minnesota reflected the rest of the nation in these views. In 1972, 78% of Minnesotans, regardless of party affiliation, viewed ending the Vietnam War as the top political issue. “The big issue is discontent in the nation,” an August 1972 *Minneapolis Tribune* article noted.<sup>4</sup> In 1976, 70% of Minnesotans reported that they felt distrust toward political institutions and the mass media.<sup>5</sup> The federal interstate program was dramatically affected by these changes. For example, in 1974, the Justice Department ruled that the Civil Rights Act forbids discrimination in any federally funded program. Officials at the U.S. Department of Transportation were told to withhold funds for any project that displaces a “substantially disproportionate number of minority residents without an adequate, nonracial justification.”<sup>6</sup> If such a measure had been in effect during the planning for I-94 between Minneapolis and St. Paul, there may have been a different alignment or a more protracted dispute. “At the beginning of the interstate system, there was lots of money and expectations were high.”<sup>7</sup> In the 1970s, there was a need for more restrained planning.

The environmental movement gained force and influence in Washington, D.C. In 1969, the National Environmental Protection Act (NEPA) was passed, requiring environmental impact statements (EIS) to be conducted on all federal construction projects. In 1973, there was an attempt to dedicate a portion of the national Highway Trust Fund to mass transit, an effort that gained the support of the Nixon administration. Although it failed, it was alarming to highway interests and surely signaled a change in how transportation was viewed.<sup>8</sup> In 1971, 56% of people living in the Twin Cities thought some of the state gas tax revenue should be moved from improving highways and used to fund transit.<sup>9</sup> This sentiment was again found in the 1972 Metro Poll, when 59% of statewide and 63% of Twin Cities residents thought some state gas tax money should be spent on transit instead of highways. Not surprisingly, at this time pollution was among the top three concerns of 72% of likely Minneapolis voters, along with taxes and law and order.<sup>10</sup>

The energy crisis played a significant role in these changing dynamics. In his 1974 State of the State address, Governor Wendell Anderson spent half the speech discussing the energy shortage, which he called “the most frustrating single element” in the crisis facing Americans. He noted that Minnesotans were wasteful because of over-dependence on cars. He promoted mass transit, asking the legislature to develop a transit plan by 1975.<sup>11</sup> By this time, Representatives Don Fraser

3. Lewis, *Divided Highways*, 214.

4. “Vietnam War, Economy, Top 1972 Election Issues,” *Minneapolis Tribune*, 20 August 1972, section B, 6.

5. “70% Distrust Our Political Institutions, Mass Media,” *Minneapolis Tribune*, 5 July 1976, section A, 1.

6. *St. Paul Dispatch*, 8 November, 1974.

7. Anonymous interviewee, personal interview with author, November 2004.

8. David Kuhn, “Road Interest Told ‘It’s Now or Never’ in Attempt to Stop Diversion of U.S. Funds to Mass Transit,” *Minneapolis Tribune*, 4 March 1973, section A, 4; Betty Wilson, “Highway Department Looking for New Role, Increased Gas Tax,” *Minneapolis Tribune*, 5 March 1973.

9. “Mass Transit Use of Gas Tax Backed,” *Minneapolis Star*, 5 January 1971, section B, 2.

10. “6 of 10 Metro-Area Residents Say, Use Gas Tax for Transit,” *Minneapolis Star*, 13 June 1972, section B, 1.

11. Gary Dawson, “Wendy Seeks Energy Unit, Mass Transit,” *St. Paul Dispatch*, 16 January 1974, section A, 1.

(DFL–Minneapolis) and Bill Frenzel (R–Golden Valley) were advocating the use in Minnesota of the Federal-Aid Highway Act of 1973. This legislation allowed the conversion of interstate funds, taken from general funds rather than the Highway Trust Fund, to be used for other transportation-related projects, such as noise walls. When President Gerald Ford signed an \$11.8 billion transit bill in 1974, the *St. Paul Pioneer Press* declared it was the end of the dominance of the highway lobby.<sup>12</sup> By 1977, 58% of Minnesotans believed there was a serious energy shortage.<sup>13</sup>

Attitudes toward cars became less positive and more complicated. In 1966, 62% of Minnesotans thought the country's beauty was enhanced by automobiles, but in 1971, that changed to a negative assessment, as 56% thought that automobiles made the country less beautiful. Attachment to cars remained strong, however, as 87% said the automobile made life easier and 89% thought cars made the nation more prosperous.<sup>14</sup> In 1970, car ownership was 1.25 autos per household, daily trips per person increased from 2.45 in 1958 to 2.72, and travel by auto increased while transit ridership decreased. People were using cars more and more even though their stated attitudes about them were changing.<sup>15</sup> The growing distrust of government institutions, concern about the environment, worries about the energy crisis, and an atmosphere of growing citizen activism made MHD's work more complicated and difficult than it had ever been.

Although it was a minority view, it is noteworthy that in 1971, 44% of Minnesotans viewed MHD as "too independent" and that the legislature should have more control over its activities. The same number believed it would be more effective if the legislature had more control.<sup>16</sup> Governor Wendell Anderson publicly referred to MHD as the state's "pentagon," apparently implying a lack of responsiveness. An illustrative example is a private meeting between MHD officials and the Senate Metropolitan and Urban Affairs Committee. It was held, in violation of Senate rules, behind closed doors at the Lexington Restaurant with the legislative planning manager for the Ford Motor Company. Doug Kelm, with the Metropolitan Transit Commission (MTC), was rebuffed when he asked to be included, even though the topic of the meeting was an expanded bus system. Senator Ralph Doty (DFL–Duluth) publicly used this action to support the belief that MHD makes all decisions privately and holds hearings only to make their decisions public. The meeting itself is perhaps not as remarkable as the public outcry, indicating that expectations about government openness were changing.<sup>17</sup>

In 1973, because of increased public criticism and actions by the legislature indicating it would no longer allow MHD to operate as an independent entity, MHD acknowledged it had to change its ways. In addition, there were new federal requirements regarding citizen involvement developed in response to the requirement in the Federal-Aid Highway Act of 1970 that guidelines were to be developed by the Federal

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12. "Fraser Eyes Transit Funds," *St. Paul Pioneer Press*, 10 February 1974; Gil Bailey, "Transit Bill Ends Highway Lobby Control," *St. Paul Pioneer Press*, 1 December 1974.

13. "More Convinced of Energy Shortage," *Minneapolis Tribune*, 6 February 1977, section A, 1.

14. "56 Percent Feel Cars Hinder Country's Beauty," *Minneapolis Tribune*, 19 July 1971, section B, 1.

15. Metropolitan Council, Twin Cities Area Transportation Planning Program, "A Summary Report of Travel in the Twin Cities Metropolitan Area" (St. Paul: Metropolitan Council, 1974).

16. "44% Call Highway Unit Too Independent," *Minneapolis Tribune*, 2 May 1971, section B, 6.

17. "Senate Panel, Ford Official Meet Privately," *Minneapolis Star*, 21 February 1973, section A, 1.

Highway Administration (FHWA) to assure full consideration of “possible economic, social, and environmental effects,” which included consideration of the decision-making process.<sup>18</sup> Thus, meetings were set up with citizens to design an action plan to increase public participation in matters related to highways. The effort was met with criticism by the Minnesota Public Interest Group (MPIRG) and a citizens’ advisory committee to the state Environmental Quality Council as only allowing participation “after the fact.” In response, Highway Commissioner Ray Lappegaard revised the procedure to include frequent public meetings early in the process, liaison staff to coordinate planning with local agencies, and a new Office of Environmental Policy and Programs. In addition, MHD took innovative action in 1974 when 28 engineers attended a week-long course on human behavior and citizen participation. The purpose of the course was to improve communication with the public.<sup>19</sup> Although these efforts indicate the beginning of change at MHD, they did not allay persistent concerns about “hidden decision making.” There was a growing view that because MHD clearly makes policy decisions and sets priorities, it is, and should be, political. Therefore, its decision-making process should be much more transparent. The history of the following cases show how this was hammered out via power struggles between the legislature and MHD.

Freeway planning in this period also was affected by unexpected data from the state demographer’s office. Population forecasts were reduced as birth rates declined. This led state and Metropolitan Council officials to move population forecasts for 2000 down from 4 million to 3.2 million and then down again to 2.9 million. Data at that time indicated that the population in the metro area was stabilizing. About this time, there also was a decline in traffic volume of 7% in the metro area, causing some to question how much new freeway construction was needed, particularly in regard to the I-335, or the North Ring.<sup>20</sup>

This was a difficult time for highway engineers. They were working through the dynamics of a changing environment and figuring out how to adapt. The political dynamics were unfamiliar, and there was public doubt and skepticism where there had previously been support and enthusiasm. It was an energizing time for citizen activists who learned to use the new legal tools and often perceived themselves as part of a movement. This new element marked the beginning of a new era. The following four cases illustrate both these trends, as well as the increasing role of the state legislature.<sup>21</sup> In 1975, the legislature passed a bill that would have been unthinkable in the mega-project era: a construction moratorium on three interstate segments and one interchange (see Figure 11). Times had definitely changed.

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18. U.S. Department of Transportation, Federal Highway Administration, *Action Plan for Consideration of Social, Economic and Environmental Effects* (Washington, D.C.: U.S. Federal Highway Administration, 1974); Wilson, “Highway Department Looking for New Role, Increased Gas Tax,” 5 March 1973, section A, 5; “Meetings Set on Citizen Help in Highway Planning,” *Minneapolis Tribune*, 20 March 1973, section B, 2.

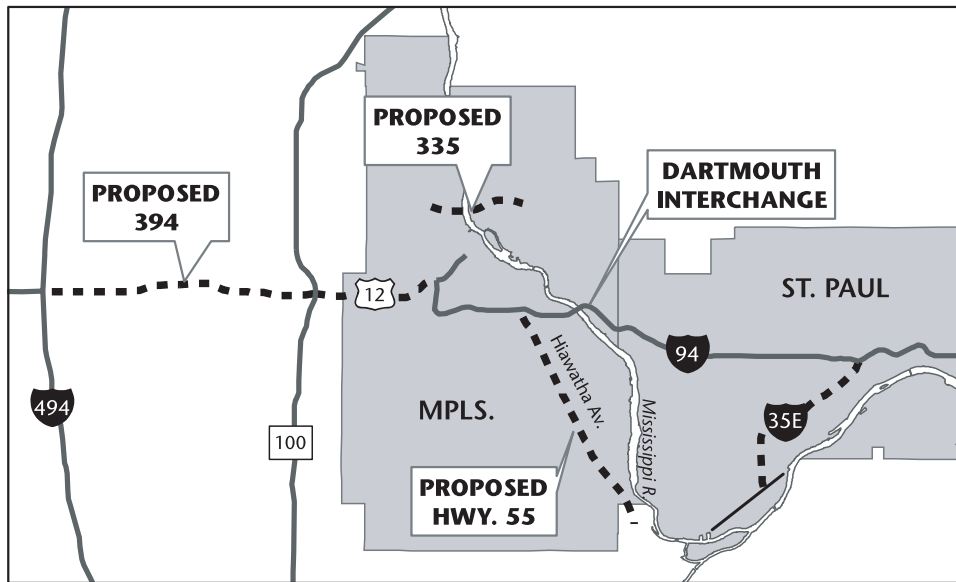
19. “Plan for Citizen Role in Road Decisions Weak, Group Charges,” *Minneapolis Star*, 24 September 1973, section B, 14; Betty Wilson, “Road Unit Revises Plan, Will Give Public More Say,” *Minneapolis Star*, 30 May 1974; Betty Wilson, “Task Force Asks: Should Board Lead Roads Unit?” *Minneapolis Star*, 6 June 1974; James George, “Highway Personnel Take Class to Understand Public Feeling,” *St. Paul Dispatch*, 8 October 1974.

20. Dan Wascoe, “Metro Population Forecast Trimmed,” *Minneapolis Tribune*, 21 February 1974; Betty Wilson, “Traffic Decreases Sharply in State,” *Minneapolis Star*, 16 April 1974; Aron Kahn, “7-County Metropolitan Area Has Slowest Growth,” *St. Paul Dispatch*, 21 June 1974.

21. American Trucking Association, “The Cost of Not Building,” *Transport Topics* (29 July 1974): 12; Anonymous interviewee, personal interview with author, November 2004.

**Figure 11.** Freeways Blocked by Moratorium Bill

**Source:** Jeff Matson, CURA, based on a map from the *Minneapolis Star*, 9 May 1975.



### Interstate 335, the North Ring

Timeline	
1964 (Oct.)	I-335 added to the interstate system
1970	Minneapolis City council approves plans
1971 (Oct.)	I-335 Concerned Citizens Committee formed
1972 (June)	Minneapolis City Council reverses its decision
1972 (Oct.)	Funds for I-335 halted by U.S. transportation secretary pending further study
1975	Legislative moratorium on freeway construction
1977	Committee made up of Transportation Advisory Board and Metropolitan Council members recommends withdrawal of I-335 from the interstate system
1978 (March)	Governor Rudy Perpich formally requests withdrawal
1978 (Aug.)	U.S. Department of Transportation removes I-335 from the interstate system

The idea of a ring route around the Minneapolis downtown business district was proposed as early as 1940. Although the early proposals planned for a smaller ring than the one formed by the proposed interstate alignment, the reasons for it did not change.<sup>22</sup> The addition of the 2.8 miles of the North Ring freeway was viewed as a way to complete a loop around downtown Minneapolis that was already formed by I-94 and I-35W. Its original purpose was to move traffic in and out of the central business district, although, as traffic volumes increased, it came to be viewed as a way

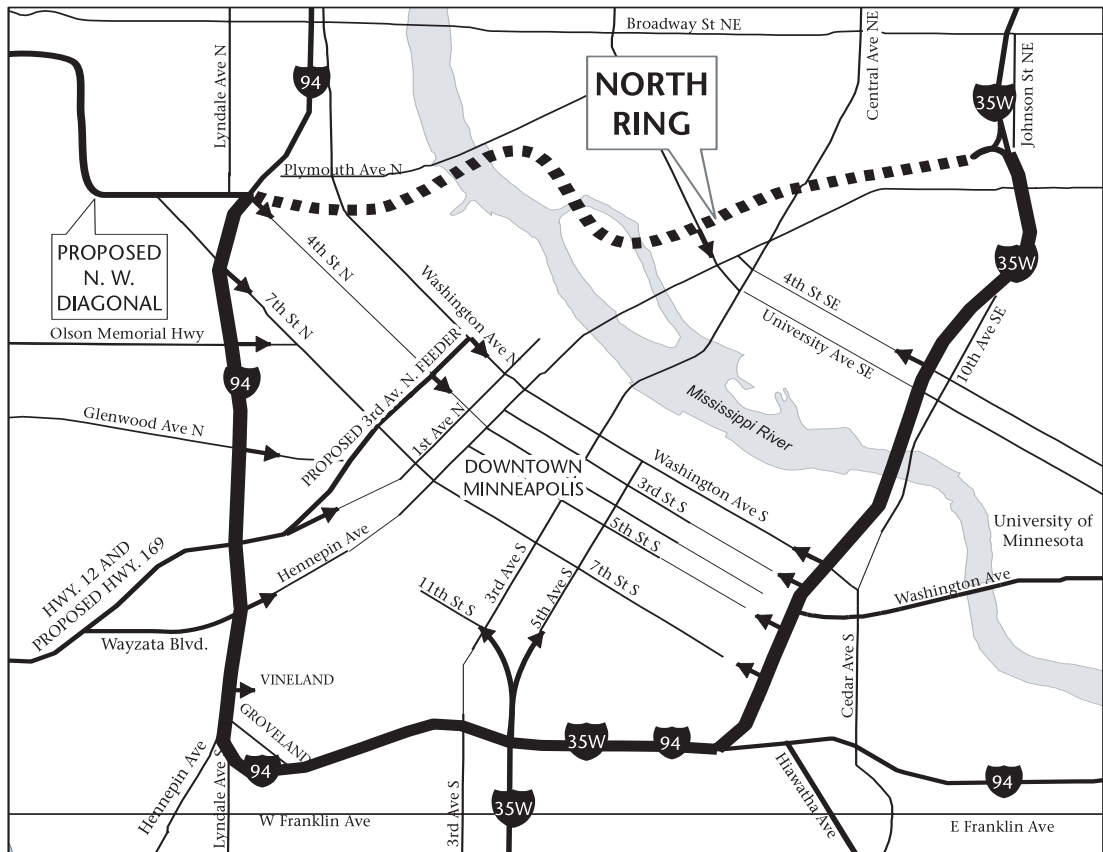
22. Minneapolis City Planning Commission, *A Report on a Survey of Traffic on Major Arterial Streets and Trunk Highways and Recommendations and Plans for Improvement of Traffic Facilities* (Minneapolis: City of Minneapolis, 1940).

to reduce volume in the I-94 Lowry Hill Tunnel. It was not discussed in the influential 1957 Barton report, but by 1962, plans for the route had been developed to the point that the Minneapolis City Council requested the addition to the interstate system. In May 1963, MHD submitted this request to the federal government, and approval of I-335 was granted in October 1964 (see Figure 12). In a report prepared for the Minneapolis Chamber of Commerce and the Downtown Council in 1963, Barton-Aschman Associates stated the following:

Currently, no direct interchange is contemplated between the North ring route and the west leg [of I-94]. This connection was eliminated to avoid unworkably heavy traffic loads on the west leg southward through the Bottleneck. Consequently, this may induce some cross-town traffic to drift through the [central business district].<sup>23</sup>

**Figure 12.** Proposed Northern Ring Route (Interstate 335)

**Source:** Jeff Matson, CURA, based on a map from the *Minneapolis Star*, 3 May 1963.



23. Barton-Aschman Associates, "Review of Freeway Planning at Downtown Minneapolis" (Evanston, IL: Barton-Aschman Associates, February 1963), 15.

Deane Wenger, the preliminary design engineer for MHD, viewed the freeway as a way to serve drivers going downtown and to reduce the need for a large number of arterial routes. Leaving out an interchange between I-335 and I-94 was originally intended to discourage drivers from the north destined to south Minneapolis or suburbs from using the route. The North Ring was strongly supported by the Minneapolis Downtown Council but only if it provided access to the central business district rather than serving through traffic. Business interests had long desired the ring route to increase access to downtown, and the new idea of a limited access freeway did not sit well with them.<sup>24</sup> Residents from the affected neighborhood viewed the project as supporting downtown business at the expense of their neighborhood. About 125 people attended a public hearing in December 1964, where they voiced their opposition, which was intense on the part of both residents and small neighborhood business owners. The cohesive northeast neighborhoods took exception to the proposed layout, because it took homes and left industrial land intact. It looked to them like their homes were being targeted so that the industrial area would not be disturbed. With many elderly residents in the area, citizens called upon officials to save the homes of “widows and pensioners who had lived most of their lives in the area.” One resident declared, “We’ve got big mouths and we’ll never keep them shut.” Nevertheless, in July 1970, the City Council approved preliminary plans for I-335 and purchase of right-of-way began.<sup>25</sup>

Besides the curving route, another controversial design aspect was the elevated section planned to run through the St. Anthony East neighborhood and over Central Avenue. Initially, this fueled much of the anger for the members of the I-335 Concerned Citizens Committee. By the early 1970s, skepticism about freeways was growing, and the northeast citizens toured other neighborhoods where freeways had been built and talked to residents about the effects this had on their neighborhood. This led the committee to call for a complete halt to the project and to initiate protest meetings. In December 1971, they held a meeting attended by about 350 people at which the protesters confronted MHD officials and local aldermen made their positions public. Aldermen Sam Sivanich, Lou DeMars, and Zollie Green opposed the freeway that a decade earlier had been sought vigorously by the city council. Alderman Green was quoted as saying, “If we have to have freeways to save downtown Minneapolis, then to hell with downtown Minneapolis.”<sup>26</sup> In March 1972, Governor Wendell Anderson ordered the freeway design changed so that it would be depressed the entire length. It was hoped this would allow the project to move forward without further conflict. There was a neighborhood meeting on March 21, 1972, to discuss this design change with Bill Crawford, assistant district engineer, in his usual role of explaining the revisions to the skeptical residents and attempting to get the project moving forward. At the meeting, the citizen’s committee issued a statement calling for a design at grade with stoplights instead of ramps. In addition, these citizens asserted that MHD had not complied with the public hearing requirements of the U.S. Department of

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24. Ted Kolderie, Memorandum to Bob Smith and George Peterson, 7 May 1963.

25. Sam Newlund, “North Ring Freeway Proposals Protested,” *Minneapolis Tribune*, 22 December 1964; Bob Schrank, “North Ring’s Residents Rap Freeway Plan,” *Minneapolis Star*, 22 December 1964; Kerry Ashmore, “1970s Northeast Freeway Protesters Has Some Early Help Convincing Officials it Was a Bad Idea,” *Northeast*, 19 June 1995; MHD District Five and Barton-Aschman Associates, *Status Report: Minneapolis Freeway System*, Prepared for presentation to the Greater Minneapolis Chamber of Commerce Highway Ad Hoc Committee, January 1972.

26. Kerry Ashmore, “Early ‘70s Protest Laid the Foundation for a New Northeast Neighborhood,” *Northeast*, 24 July 1995.

Transportation. They vowed they would turn to the city council and governor for redress.<sup>27</sup> Alderman Sivanich read aloud a letter from the city attorney's office, which interpreted the status of the city's approval of I-335. The assistant city attorney determined that Minnesota statutes required approval of both preliminary and final plans, making it possible for the city council to change its position without revoking its earlier approval.<sup>28</sup> The new design did not placate the activists, who were now in complete opposition to the freeway. Additionally, on June 9, 1972, the Minneapolis City Council reversed its position and voted to oppose I-335.<sup>29</sup>

The politics took a new turn in August 1972, when Senator Walter Mondale (D–Minnesota) and Representative Donald Fraser (D–Minneapolis) attended a meeting organized by the protesters. They had stated that their intention was to listen to the residents and not take a stand. For the most part, residents presented their positions calmly and expressed great pride in their neighborhood, and by the end of the meeting, both representatives had decided to do whatever they could in Washington, D.C., to stop I-335. A *Minneapolis Tribune* editorial a few days later was critical of Mondale and Fraser, arguing that the I-335 link was crucial to the functioning of the area's freeway system and should not be stopped because of neighborhood concerns, especially because property had been acquired and clearing had begun. Fraser was quick to act, however, and announced on October 3, 1972, that U.S. Transportation Secretary John Volpe had halted all funds for I-335 pending review. At the state level, Representative Phyllis Kahn (DFL–Minneapolis) and Senator Allan Spear (DFL–Minneapolis) stated their opposition to the freeway and worked in support of the 1975 Moratorium Bill (see Appendix 6).<sup>30</sup>

At the same time that opposition to I-335 gathered strength, professionals working in state agencies and the Metropolitan Council were affected by changes in population growth indicated by the 1970 census. In the 1960s, the common wisdom was “four million by 2000,” but the 1970 census cast doubt on this. The best available information indicated that population growth had slowed, which affected traffic forecasting.<sup>31</sup> The energy crisis was under way and support was low for freeways that did not serve a critical need that was clearly visible to the public. There was a desire in the U.S. Department of Transportation to reduce the total interstate miles and this piece of the interstate had no strong suburban advocates with municipal authority who needed it for their residents to get access to downtown Minneapolis. When MHD announced its six-year plan in 1973, it announced a halt on funding pending further study, perhaps indicating that it was already losing interest in completing the I-335 project. The Federal-Aid Highway Act of 1973 allowed the conversion of funds for unbuilt sections of the interstate to transit and other transportation-related projects.<sup>32</sup> The possibility of not building I-335, yet retaining the federal funds, made its completion much less likely.

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27. Statement of 335 Concerned Citizens Committee, 21 March 1972; Highway Department District Five Office, memorandum, 4 April 1972.

28. Jerome Fitzgerald, Assistant City Attorney, Letter to Alderman Sivanich, 21 March 1972.

29. Kerry Ashmore, “Early ‘70s Protest Laid the Foundation for a New Northeast Neighborhood,” *Northeaster*, 24 July 1995.

30. Kerry Ashmore, “Early ‘70s Protest Laid the Foundation for a New Northeast Neighborhood,” *Northeaster*, 24 July 1995.

31. Anonymous interviewee, personal interview with author, March 2004.

32. “Frenzel: Transit and Hwy. 394,” *Minneapolis Tribune*, 11 April 1974; Betty Wilson, “State Announces 6-Year, \$684-Million Road Plan,” *Minneapolis Star*, 26 March 1973, section A, 1.



In a letter to Governor Wendell Anderson in the spring of 1974, Commissioner Lappegaard stated his intention to build all remaining segments of the interstate system including I-335. However, the letter included the caveat that he might change his mind at a later date, and it was widely believed that I-394 was the project with the highest priority for MHD. There was speculation that commitment to I-335 had waned, though it was necessary to keep it in the plan to retain federal funds.<sup>33</sup> When Minneapolis Mayor Albert Hofstede called for MHD to drop I-335 and apply for substitution funds in July 1975, a *Minneapolis Star* editorial commented that I-335's future was already in doubt and that "there are reports that the MHD itself is ready to junk the plan."<sup>34</sup> Hofstede said that although his call for scrapping the freeway was not new, he waited to announce his decision until MHD had cleared the B. F. Nelson Manufacturing Company, because the site was to be part of a renewal project along the Mississippi River. Ultimately MHD spent \$5 million clearing the site.<sup>35</sup> The city council voted to support the mayor's proposal several days later.<sup>36</sup> Because \$9 million already had been spent to acquire land for the freeway, and much of the land already had been cleared to begin construction, it was unclear how the details of the substitution funds would play out, and of utmost importance, whether the money already spent would have to be repaid. This uncertainty about the financial implication makes it understandable that MHD would be reluctant to halt the project even if traffic projections became less compelling. It was an unfamiliar situation with unclear guidelines, as only two cities in the nation had applied for the substitution funds.

Highway Commissioner Marzitelli responded to Mayor Hofstede's request by saying he would back him up "100 percent," which is another hint that MHD had already decided that I-335 was not a priority. The division engineer for the Federal Highway Administration, Dean Carlson, said the final decision was up to the governor.<sup>37</sup> Governor Anderson announced that fall that he would ask the U.S. Department of Transportation to withdraw I-335 from the interstate system. Because the law on substitution projects was originally quite restrictive and it looked like the money could not be shifted to the proposed bus lanes and car pool projects, on the advice of Representative Fraser, officials held off on asking for the funds until it was understood exactly which kinds of projects would get funding.<sup>38</sup> In November, the Interstate Study Committee asked the city to reconsider its request for withdrawal.<sup>39</sup> When in December 1975, Congress passed a bill relaxing the restriction on which substitution funds could be spent, allowing them to be spent on skyways, bus lanes, transit terminals, and other innovative transit projects, the request for withdrawal was assured, especially because the bill allowed for inflation, so the substitution funds would be greater than the \$58 million originally earmarked for I-335. The bill also eliminated the requirement that the state repay the \$9 million spent on acquisition of right-of-way, increasing the appeal of this option.<sup>40</sup>

33. Pat Marx, "State Tells Intent to Build I-394," *Minneapolis Star*, 30 April 1974; "All Interstate Plans Endorsed," *St. Paul Pioneer Press*, 1 May 1974; Anonymous interviewee, personal interview with author, January 2004.

34. "Instead of a Freeway," *Minneapolis Star*, 28 July 1975.

35. Eric Pianin, "Hofstede Seeks Highway Money for Mass Transit," *Minneapolis Star*, 24 July 1975, section A, 1, 6.

36. "Council Supports Opposition to I-335," *Minneapolis Star*, 26 July 1975; Nick Coleman, "City Council May Ask State to Drop I-335," *Minneapolis Tribune*, 25 July 1975, section A, 1, 6.

37. "Governor May Have Last Say on I-335 Plan," *Minneapolis Star*, 29 July 1975.

38. "Hwy. I-335 Funds Use for Transit Restricted," *Minneapolis Star*, 21 October 1975.

39. "Completing Freeways Supported," *Minneapolis Tribune*, 7 November 1975.

40. "Bill Would Allow Using I-335 Funds for Other Transit Work," *Minneapolis Star*, 22 December 1975.

The demise of I-335 shifted rapidly to proposals for alternate uses of the land and money, but the process of removing the interstate from the interstate system was slow. City officials and the governor waited until it was clear which proposals would be funded, with Clayton Sorenson, the director of public works for Minneapolis, stating that the city would wait to file a formal request until the new rules were published by the Federal Highway Administration. In addition to the use of money, the rules would clarify how the land acquired for right-of-way could be used.<sup>41</sup> In late 1977, a committee with members from the Transportation Advisory Board (TAB) and the Metropolitan Council wrote a report recommending the withdrawal of I-335 from the system. The formal request was finally made by Governor Rudy Perpich on March 1, 1978.<sup>42</sup> The City of New Brighton and Carver County expressed some concern about the withdrawal, but at this late date, their objections had little effect. In August of 1978, the U.S. Department of Transportation approved the removal of I-335 from the interstate system.<sup>43</sup>

Chaired by Patrick Murphy, the I-335 Interstate Task Force was created to advise the Metropolitan Council on possible projects. This task force recommended many projects for the \$76 million that was available in 1978. In a windfall for the area, the amount was adjusted up from the original \$58.5 million allotment to the estimated cost of building the freeway in 1978. Although the increase in available funds was good news, it remained unclear whether substitution projects would qualify for the federal/state, 90/10 matching program to fund the interstates, or whether local government would have to provide a larger share. Projects approved by the Metropolitan Council included local street improvements in the area where I-335 was to have been built; a bridge over the Mississippi north of I-694; highway improvements around the Twin Cities; a transit hub at the regional shopping center, Southdale; and a busway between the two University of Minnesota Twin Cities campuses.<sup>44</sup>

## Interstate 35E

Timeline	
1964	Construction begins
1969	Residents in Protest 35E (RIP 35E) formed
1972	Construction stopped by lawsuit regarding environmental impact study; St. Paul City Council withdraws previous approval
1974	St. Paul City Council grants approval
1975	Two-year legislative moratorium begins
1977	St. Paul City Council supports parkway design with no direct connection to I-94
1978	Legislation passed to build parkway design
1981	St. Paul City Council supports parkway design with direct connection to I-94 Commissioner Braun selects parkway design with direct connection
1982	Legislature passes bill for parkway design leaving decision about connection to the commissioner
1983	RIP 35E files lawsuit
1984	RIP 35E loses lawsuit

41. Betty Wilson, "New Law Permits I-335 Fund Shift," *Minneapolis Star*, 20 May 1976, section B, 1; Peter Ackerberg, "Homes May Rise Again on Unbuilt I-335," *Minneapolis Star*, 15 January 1976;

42. Metropolitan Council, "Recommended Substitution Projects for Interstate-335" (St. Paul: Metropolitan Council, October 1978).

43. "DOT Approves Dropping of I-335," *Minneapolis Tribune*, 6 August 1978.

44. Dan Wascoe, Jr., "I-335 Money May be a Windfall for Metro Area," *Minneapolis Tribune*, 2 October 1978, section B, 1, 5.

The development of Minneapolis and St. Paul as neighboring central cities created the pressure to build a split interstate route to serve both central business districts and indeed, original plans made in the 1950s included such a layout. In St. Paul, the Pleasant Avenue corridor was designated for the route. In Minneapolis, the construction of I-35W south of downtown occurred early in the interstate program and with relatively little controversy. Such was far from true in St. Paul. The conflict around the completion of I-35E in St. Paul south of downtown eventually would become enshrined in the local lexicon as highway engineers, planners, and politicians adopted the phrase, “We don’t want another 35E.” In addition, the conflict would result in an innovative parkway design for the link. Although the section north of downtown to Forest Lake opened in 1970, the projected estimate that the 3.7-mile-long section from West 7th Street to the state capitol area in downtown would be completed in 1973 turned out to be off by nearly two decades.<sup>45</sup>



I-35E construction, St. Paul, 1971. (Photo by Henry Benbrooke Hall, courtesy of the Minnesota Historical Society, location no. Collection III.44.109, negative no. 014266-8. Reprinted with permission.)

The process for building I-35E began in the usual manner in 1964, with most of the right-of-way acquisition completed by 1967, 9 of 15 planned bridges built, and grading about three-quarters done by 1972. Approvals by the Metropolitan Council, the St. Paul City Council, and the Minnesota State Planning Agency had been obtained. Approximately \$23.5 million had been spent, and projected completion at that time was 1977. But construction was halted in August 1972 by a compromise agreement formed under the pressure of a lawsuit. Although the City of St. Paul previously had approved several portions of the construction, in April 1972, the city council stated its intent to withdraw all previous approvals. In August, the City of St. Paul was joined by eight citizens and four neighborhood associations in a suit brought against MHD and the U.S. Department of Transportation. The suit stated that construction should stop until an environmental impact statement (EIS) could be prepared in compliance with the National Environmental Policy Act of 1969. An agreement was reached quickly between Commissioner Lappegaard and the plaintiffs. Lappegaard demonstrated an awareness of the changing politics in his statement to Governor Anderson: “We do recognize the impact of the freeway construction and operation on an immediate neighborhood and are sympathetic to the concerns of those residents in the immediate area particularly.” Governor Anderson praised Commissioner Lappegaard as “thoughtful, responsible, and responsive.” For their part, those insisting on an EIS praised the governor’s office for getting involved in facilitating an agreement and thanked members of the Minnesota Congressional delegation—Representative Joseph Karth (D–Minnesota), Representative John Blatnik (D–Minnesota), Senator Hubert Humphrey (D–Minnesota), and Senator Walter Mondale—for working on the settlement.<sup>46</sup>

45. “Two Sections of Freeway Open Today,” *Minneapolis Tribune*, 16 November 1970.

46. Gary Dawson, “State to Order Halt to I-35E,” *Minneapolis Tribune*, 17 August 1972; Tuncay M. Aydinalp and Walter Butler Engineering Co., *I-35E Report: Proposed West 7th Street to Capitol Approach* (St. Paul, MN: The Walter Butler Engineering Co., 1975).

The citizen group that was central to these activities was Residents in Protest 35E, or RIP 35E, formed in late 1969. It was a group of neighbors who lived at the top of the bluff overlooking the planned route for I-35E. Shortly after the group formed, two representatives of RIP 35E went to a meeting of anti-highway activists in Washington, D.C. Speakers addressed the effects of freeways on city neighborhoods, and workshops were offered on how to fight the state highway departments. While they were in Washington, NEPA was passed, giving citizens new tools for fighting for their neighborhoods and the environment. This, along with a fair dose of anger, energized the group.<sup>47</sup>

Although the expediency with which the various political forces came together to reach an agreement appeared to be a hopeful sign, while the EIS was underway, the controversy continued to heat up. The ability of citizen groups to successfully stop freeway construction was certainly something new that resulted from the passage of NEPA and its EIS requirement. Not surprisingly, this change was alarming to those whose interests were best served by the rapid completion of the freeway. Vitriol flowed freely on both sides. John Klein, representing the joint highway committee, which consisted of representatives from the area chambers of commerce, began making public statements calling the freeway opponents “eco-freaks,” claiming that all over the country they “are just trying to stop everything for the sake of stopping something.”<sup>48</sup> In 1974, Klein became director of the newly formed Urban Council on Mobility, a nonprofit organization formed to promote the completion of I-35E as well as I-494 and the Cedar Avenue Bridge.<sup>49</sup> Residents of the area along West 7th Street and Lexington Avenue collected signatures on petitions to call for the immediate completion of the link to alleviate traffic on Lexington Avenue.<sup>50</sup> Yet these calls for immediate action were impossible to meet until the EIS and public hearing process was complete. These new procedures had not yet become familiar. In late 1974, the St. Paul City Council once again changed its position on the I-35E link.<sup>51</sup> This may have been the result of pressure from the St. Paul Chamber of Commerce, labor groups, and those representing the south Lexington Avenue neighborhood. Frank Marzitelli, the city administrator and soon-to-be highway commissioner, was a strong proponent of completing the link.<sup>52</sup> Nevertheless, the EIS and public hearing process had to be completed.

Members of RIP 35E were persuaded that the need for access to downtown St. Paul was important even though there was skepticism regarding what some called “me-too-ism” in the claims that St. Paul needed direct freeway access because Minneapolis had it. No one was sure yet what the new regional shopping center, Southdale, would mean for the downtowns, and many members of RIP 35E were longtime, dedicated citizens of St. Paul. Pleasant Avenue had long been a major roadway in St. Paul, so although RIP 35E remained opposed to building a freeway in the corridor, in December 1974, they proposed as an alternative a four-lane boulevard along Pleasant

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47. Anonymous interviewee, personal interview with author, April 2004.

48. “Eco-Freaks Try to Stop Everything,” *South St. Paul Sun*, 3 July 1974.

49. “Citizen Group Backs Freeway Completion,” *St. Paul Dispatch*, 27 August 1974.

50. Paul Presbrey, “Residents Want Link of I-35E Completed,” *Minneapolis Star*, 16 November 1974.

51. “Council Urges Work on I-35E,” *St. Paul Pioneer Press*, 16 November 1974.

52. Don Ahern, “Marzitelli May Get I-35E Project Moving,” *St. Paul Dispatch*, 30 November 1974.

Avenue with completion of the freeway connection to the interstate system at a different location, such as Shepard Road or the Lafayette Freeway. One key aspect of this plan for RIP 35E was that there be no direct connection from the parkway to I-94 in the State Capitol area. They offered the proposal in lieu of completing the EIS and to avoid the possibility of years of legal battles. Because they doubted that MHD could ever meet the noise pollution requirements, RIP 35E believed they would have grounds for litigation. And they believed it was possible to get the federal government to pay for both projects. This proposal won the support of the St. Paul City Council.<sup>53</sup>

Shortly after this, in the spring of 1975, the report prepared by Walter Butler Engineering Company, which was intended to fulfill the 1972 agreement, was released. It was self described as “a locational and environmental analysis” of the proposed I-35E link in the Pleasant Avenue corridor and not strictly speaking an EIS, because the requirements for an official EIS were being developed during the time the study was conducted. The report’s purpose was to provide “impartial comparative analyses” that could be used for making decisions about the corridor and alternative alignments, including a do-nothing alternative. In preparation of the report, the consultants attended many public meetings in addition to using state, city, and county data. Noise, air pollution, vibrations, and slope stability were identified as the primary issues of concern, and connection of the central business district to the interstate system as the primary benefit of the link. Additional complications for the project were the close proximity to historic districts, including two buildings listed in *The National Register of Historic Places*, and to United and Children’s hospitals, which was concerned about vibrations because the proposed alignment would run within 150 feet of hospital operating rooms.<sup>54</sup>

The Butler report concluded there was a need for a connection between the interstate system and downtown to serve St. Paul, Dakota County, and the region, with the Pleasant Avenue corridor the best alternative. It also noted that none of the alignments were likely to meet the Minnesota Pollution Control Agency (MPCA) noise standards, which were stricter than federal standards. The report did recommend some changes to the original design, notably the depression of the freeway under Grand Avenue and Ramsey Street, rather than being elevated over them, to reduce noise and maintain the aesthetics of the area. The report also recommended preserving the historic German Presbyterian Bethlehem Church designed by gothic-revivalist architect Cass Gilbert. The report acknowledged that MHD had resolved the vibration problems regarding the hospital while the report was being written. In addition, the report stressed that downtown Minneapolis was already connected to I-35; excluding St. Paul would put the city at a competitive disadvantage and have a negative effect on downtown development.<sup>55</sup> In compliance with the 1972 agreement, there was a public hearing to discuss the report on May 20, 1975. To the extent that opponents of the project viewed building more freeways as “just relieving the symptoms” of congestion “by giving automobiles more of our living space,” a thought commonly held in the 1970s, they saw the recommendation to build as backward,

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53. “35E Opponents to Give Compromise Plan on Wednesday,” *St. Paul Pioneer Press*, 7 December 1974; Anonymous interviewee, personal interview with author, July 2004.

54. Aydinalp et al., *I-35E Report*.

55. Aydinalp et al., *I-35E Report*; “St. Paul Need for I-35E Told,” *Minneapolis Star*, 28 November 1973, section D, 7.

rather than forward, thinking.<sup>56</sup> On the other hand, to downtown St. Paul business interests and residents of Dakota County, the report was good news. To meet the new standards for conducting an EIS, MHD still had some technical information to collect, analyze, and put into a report. This included future traffic analysis, noise and air pollution analysis, transit alternatives, and drainage system alternates to ensure water quality compliance.<sup>57</sup>

About this time, the state legislature passed the “moratorium bill,” which stopped all building on I-35E for two years (see Appendix 6). Representative Fred Norton (DFL–St. Paul), chair of the House Appropriations Committee, played a key role in getting the moratorium passed, as did Senator Nick Coleman (DFL–St. Paul). Norton was also a resident of the affected neighborhood. In response to this new development, the St. Paul Chamber of Commerce explored “all legal avenues” to follow through on the Butler report and resume construction.<sup>58</sup> The chamber filed a lawsuit in July 1975. The suit asked the Ramsey County District Court to declare the legislation unconstitutional, arguing that only the U.S. transportation secretary can halt construction of the federal interstate. In addition to invalidating the moratorium bill, the suit sought to direct Commissioner Marzitelli to take all necessary steps to complete the link.<sup>59</sup> The RIP 35E Environmental Defense Fund sought and was granted permission to become a party in the litigation, arguing that completion of the link would cause harm to the surrounding neighborhoods.<sup>60</sup> Dakota County joined the St. Paul Chamber in the suit.<sup>61</sup> In May 1976, Ramsey County District Judge John Graff upheld the legislation as constitutional. This ruling was significant beyond this case, because it gave the legislature clear power to make decisions about what MHD could do.<sup>62</sup>

Opponents to I-35E had significant legal victories during this period. Previous avenues of power and authority were changing, federal technical requirements in the form of EIS reports were evolving, and the earlier widespread acceptance of freeways became a much more complicated scene with a wide spectrum of attitudes about both the environment and how to best meet transportation needs. The St. Paul Chamber of Commerce adapted to this new climate by changing its position and in August 1976, coming out in favor of the four-lane parkway proposal (see Figure 13). They also called for the legislative moratorium to be lifted. Representative Norton responded with suspicion, saying that if the St. Paul Chamber supported a parkway, then there was no need to lift the moratorium. RIP 35E hailed the St. Paul Chamber’s statement as a “major compromise.”<sup>63</sup> Representative Norton’s skepticism may have been justified because the chamber appealed the previous court decision and argued

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56. Winston Kaehler, “The I-35E Report” [letter to the editor], *St. Paul Pioneer Press*, 23 May 1975.

57. Minnesota Highway Department, “Minnesota Highway Department Response to Questions,” internal memorandum, 28 August 1975.

58. “St. Paul Chamber Plan Legal Fight for I-35E,” *Minneapolis Star*, 26 May 1975.

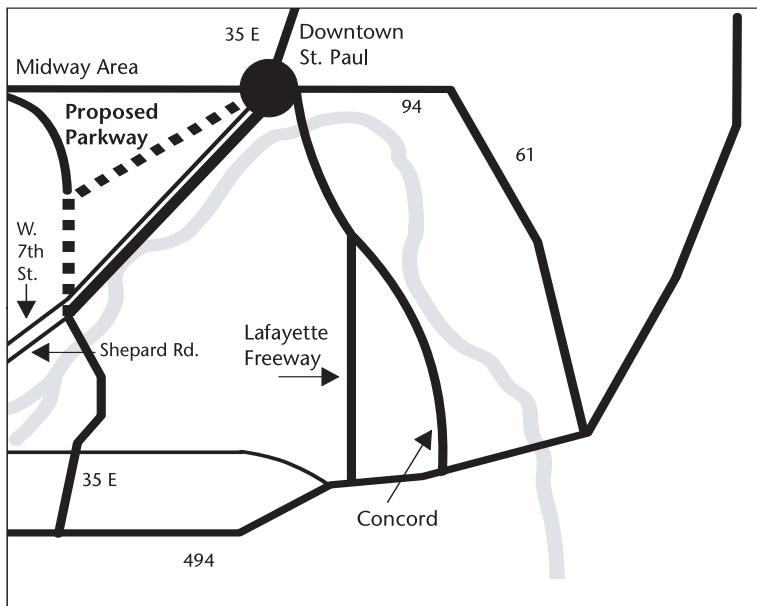
59. “St. Paul Chamber Lawsuit Pushes I-35E Completion,” *St. Paul Pioneer Press*, 15 July 1975.

60. J. C. Wolfe, “Judge Allows RIP-35E to Enter Suit,” *St. Paul Pioneer Press*, 9 August 1975.

61. Hilda Kuehl, “County Joins Effort to Speed I-35E Action,” *Dakota County Tribune*, 20 November 1975.

62. Dean Rubuffoni, “Judge Upholds Halt in Highways,” *Minneapolis Tribune*, 28 May 1976.

63. Laird Hart, “St. Paul Chamber Alters Stand on I-35E Extension,” *Minneapolis Tribune*, 19 August 1976.



**Figure 13.** Proposed Interstate 35E Parkway  
**Source:** Jeff Matson, CURA, based on a map from the *Minneapolis Star & Tribune*, 20 May 1983.

the case before the Minnesota Supreme Court in April 1977.<sup>64</sup> The Supreme Court let the legislation stand, stating that no one's legal rights had been violated, that the legislature has the authority to decide when freeway construction should stop, and that although citizens may sue to prevent the illegal use of public funds, the same principle does not apply to money that is not spent. Further, in a statement illustrative of the growing skepticism toward freeways that took hold in the 1970s, the court said that although the freeway is a benefit to the area, "it is clear the system cannot be expanded indefinitely, for environmental reasons, among others," and that it was up to the legislature to decide when freeway construction should be stopped.<sup>65</sup>

Meanwhile, Dakota County legislative representatives remained under pressure from their constituents to do their utmost to provide freeway access through St. Paul from the southern suburbs. In early 1977, they pressed for lifting the moratorium and completing the link as originally planned.<sup>66</sup> In contrast to the rest of Dakota County, the City of Mendota Heights passed a resolution in favor of the parkway design (although, in 1981, they changed their position to support a traditional freeway).<sup>67</sup> In the legislature, the conflict was primarily between suburban and urban representatives. As long as Representative Fred Norton and Senator Nick Coleman continued to hold prominent positions, the freeway opponents were likely to hold sway in that political arena. The Senate voted 30 to 18 to retain the moratorium.<sup>68</sup> By this time, the parkway concept was gaining wide circulation, and both St. Paul legislators pushed it as the best solution. The neighborhood conceded that access to St. Paul was important, but going from Dallas to Duluth through St. Paul on an interstate was not

64. Gwenyth Jones, "Hwy. I-35E Link Project Illegally Halted, Justices Told," *Minneapolis Star*, 6 April 1977, section A, 9.

65. "State's High Court Refuses to Allow I-35E Construction," *Minneapolis Tribune*, 10 September 1977, section C, 12.

66. Betty Wilson, "Halt to Freeway Ban Suggested," *Minneapolis Star*, 28 February 1977, section B, 5; "Panel Backs Lifting Moratorium on I-35E," *Minneapolis Star*, 5 April 1977, section C, 8.

67. City of Mendota Heights, Resolution No. 77-82, 20 September 1977.

68. "Senate Retains Moratorium on 35E," *Minneapolis Tribune*, 24 April 1977, section A, 15.

important, thus the parkway plan was acceptable to them. A compromise bill calling for the construction of a parkway in the Pleasant Avenue corridor made headway but did not make it through the legislative process. The Minnesota Department of Transportation (MnDOT—formerly the Minnesota Highway Department) continued its studies for the link.<sup>69</sup>

The political dynamic changed when Governor Perpich made a surprise move in September 1977. He announced that under the advice of MnDOT Commissioner Jim Harrington, the decision of what should be built in the Pleasant Avenue corridor should be left to the City of St. Paul. Perpich and Harrington understandably viewed the situation as terribly “mired down,” and in an attempt to move toward resolution, they stated that they would abide by whatever St. Paul decided.<sup>70</sup> Some viewed this as an attempt to rid themselves of a political “hot potato.” This may not be correct, as Perpich held the position that MnDOT should not press for highway construction in areas where residents were opposed. In any case, although this action can be understood politically, legally this was a questionable strategy, as the City of St. Paul still was bound by legislative action. Reflecting the new emerging reality, Harrington pointed out that even if the City of St. Paul decided to go ahead with the freeway and get legislative approval, it would take three to five years to complete the EIS before construction could begin, and the likelihood of further legal action to stop the freeway was almost certain. Harrington also highlighted the uncertain status of federal funds, because if the freeway was not built in the Pleasant Avenue Corridor, it was possible the state would have to return the money already spent. He informed the St. Paul City Council that funds earmarked for the project could be used for another transportation project.<sup>71</sup>

The parkway concept continued to gain favor, and at the end of 1977, officials and neighborhood associations had reason to believe the situation was moving toward resolution. The St. Paul City Council approved the parkway plan and voted to remove the link from the interstate system. Senator Coleman agreed to modify the moratorium to allow some kind of indirect connection to I-94, although the details were not discussed. Following the example of I-335 in Minneapolis, the St. Paul City Council expected that federal funds could be transferred to other projects. Metropolitan Council Chair John Boland stated that a highway in the corridor is “unrealistic.” He stressed that some kind of connection to I-94 was crucial for the parkway to be a part of the regional system.<sup>72</sup> In March 1978, the legislature approved a bill to permit construction of a four-lane parkway with some connection to I-94.<sup>73</sup> Responsibility for completing an EIS for the parkway was transferred from MnDOT to the Metropolitan Council, with a draft EIS to be completed cooperatively by September 1, 1979.<sup>74</sup>

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69. “35E Compromise Gains in Senate,” *Minneapolis Star*, 13 May 1977, section A, 5; Anonymous interviewee, personal interview with author, July 2004.

70. “Perpich Tosses I-35E to St. Paul,” *Minneapolis Star*, 7 September 1977, section A, 1.

71. “St. Paul Considers Completing I-35E Section,” *Minneapolis Star*, 9 September 1977, section A, 9; “St. Paul Told 35E Needn’t Be Done,” *Minneapolis Tribune*, 9 September 1977, section A, 11.

72. Robert Guenther, “St. Paul Shuns I-35 Freeway for Parkway Plan,” *Minneapolis Star*, 23 December 1977, section A, 6.

73. “I-35E Corridor Bill is Approved,” *Minneapolis Star*, 23 March 1978, section A, 1.

74. Minnesota Department of Transportation, “MnDOT Legislative Mandate for I-35E in St. Paul,” memorandum, 1 July 1981.



As so often happens, the devil is in the details, and the optimism expressed by local officials at the end of 1977 was lost in the controversy over the manner of connecting the new parkway to I-94 in the capitol approach area and in the doubts about the feasibility of interstate substitution funds becoming available. Although the parkway design—with landscaping, a 45-miles-per-hour speed limit, and a truck ban—had wide approval, including that of MnDOT Commissioner Richard P. Braun, the lack of direct access to I-94 did not. One factor affecting this disapproval was that according to the FHWA, if there was not a direct connection, I-35E would have to either continue on another route or be deleted as it was not possible to have dead ends or stop signs on the interstate system. It would be possible to consider I-35W the interstate route through the Twin Cities, but approval would have to come from Washington, D.C. If the state was to get 90/10 funding for the project, it had to keep the interstate designation. Also, substitution funds were viewed as increasing unlikely because they were appropriated yearly and recent years had not been very successful. In view of how long the construction had been stopped, by the early 1980s, the 1986 deadline for beginning all remaining interstate construction seemed rather close.<sup>75</sup>

The draft EIS prepared by the Metropolitan Council presented 12 alternatives, but only two garnered much support: a parkway with a direct connection, and one without. The traditional freeway design had dropped out fairly quickly, with Dakota County interests being the remaining traditional freeway proponents. Commissioner Braun, the Metropolitan Council, and the St. Paul Planning Commission preferred the parkway with direct connection alternative, which provided the same level of service as a freeway.<sup>76</sup>

Citizen activists in nearby neighborhoods, however, remained staunchly opposed to a direct connection. In addition to RIP 35E, activist groups included the Lexington-Hamline Community Council, the Summit Hill Association, the West Seventh Street Association, and the Ramsey Hill Association. The Board of Directors of United Hospitals also supported the indirect connection. From the neighborhood perspective, a parkway with a direct connection would be as detrimental as a freeway because of the likelihood that drivers would exceed the speed limit, resulting in the noise and air pollution they sought to prevent. There also was some suspicion that if there was a direct connection, it would be upgraded to a full-fledged interstate at a later date, and existing documentation verifies that there were in fact freeway proponents who at least hoped to use such a strategy. Understanding that the 90/10 funding was a crucial factor in the outcome of the dispute, the concerned citizens appealed to Secretary of Transportation Drew Lewis to fund this non-traditional design. The citizens argued that the alternative with an indirect connection had the support of St. Paul Mayor George Latimer, that studies had shown most of the traffic in the corridor would be local, and that a six-block bypass in downtown could handle the traffic. Additionally, a direct connection would require a common section with I-94 as I-35E continues north of downtown and south around the capitol, an area that was already frequently congested. The letter to Secretary Lewis made it clear that they would take

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75. Richard P. Braun, "I-35E in St. Paul," MnDOT office memorandum, 31 July 1981.

76. Metropolitan Council, U.S. Department of Transportation, and Minnesota Department of Transportation, *I-35E Final Environmental Impact Statement* (St. Paul, MN: Minnesota Department of Transportation, 1982).

legal action to try to stop any alternative that included a direct connection.<sup>77</sup> The response from Secretary Lewis's staff simply stated that what qualifies for 90/10 interstate funding is clearly defined by law and excludes, among other things, any roadway with at-grade intersections.<sup>78</sup> Unfortunately, this point remained a matter of debate and confusion. William Lake, the FHWA division administrator, repeatedly stated that it was not clear an indirect connection would qualify and that this would require deliberation in Washington, D.C.<sup>79</sup>

On September 3, 1981, the St. Paul City Council once again changed its position, this time from its 1977 decision to support a parkway with no direct connection. They joined with the Metropolitan Council and MnDOT to support a four-lane parkway with a direct connection. In December 1981, Commissioner Braun formally selected the direct connection using a design that preserved the two historic sites adjacent to the alignment: the James J. Hill House and the German Presbyterian Church. In 1982, bills came before both bodies of the legislature to allow a parkway with a direct connection to I-94 to be built. Notes from committee meetings make it clear that obtaining 90/10 funding for the project was of great concern. The measure passed in March, leaving the determination of whether or not there should be a direct link with I-94 to the commissioner. Around this time, the Metropolitan Council approved the final EIS, followed quickly by approval from the FHWA. This cleared the way for contracts to be let and construction to begin.<sup>80</sup>

As promised, RIP 35E, along with the West 7th/Fort Road Association and the Summit Hill Association, filed a suit in spring 1983.<sup>81</sup> They contended that the final EIS was inadequate and that the draft EIS also was inadequate and biased, because 10 of the 11 designs focused heavily on Pleasant Avenue alternatives making it essentially preordained that Pleasant Avenue would be selected as the corridor. In addition, they charged that the draft EIS did not consider the effect of a direct versus indirect connection on the likely observance of traffic speeds. This was important because they were worried that the 45-miles-per-hour speed limit may have little effect in actual practice. The reduced speed was crucial to reducing noise, without which they would consider the parkway designation artificial. There also were criticisms of the air quality and noise analyses. The activist groups sought second opinions from University of Minnesota faculty and other experts. It was a new level of sophistication in citizen activism and an indication this was a new era for highway development. Separate from their issues with the draft EIS was their belief that the earlier compromise should be honored.<sup>82</sup> Almost simultaneously with the filing of the lawsuit, the St. Paul City Council approved the final design. Local government officials stated that they

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77. Mark G. Mishek, Richard H. Zehring, David Thune, Michael Monahan, John E. Diehl, and Gregory Filice, M.D., Letter to Secretary of Transportation Drew L. Lewis, 26 October 1981.

78. Ali F. Sevin, Chief, Environmental Programs Division, U.S Department of Transportation, Federal Highway Administration, writing on behalf of Secretary of Transportation Drew Lewis, Letter to Dr. Gregory Filice, 9 November 1981.

79. Gene Ofstead, Director, Government Relations, Minnesota Department of Transportation (MnDOT), "Ramsey County Delegation Hearing on I-35E on February 2," Memorandum to Richard P. Braun, Commissioner, MnDOT, 9 February 1982; Chief, Environmental Programs Division, MnDOT, "Meeting in Congressman Tom Hagedorn's Office on I-35E," memorandum, 21 April 1982.

80. Del Gerdes, MnDOT, "I-35E House Appropriations Committee Meeting, March 3, 1982," memorandum, 5 March 1982; Delbert W. Gerdes, MnDOT, "I-35E Senate Finance Committee," memorandum, 8 March 1982; Metropolitan Council et al., *I-35E Final Environmental Impact Statement*.

81. "Hear I-35E Suit Soon," *St. Paul Dispatch*, 23 March 1983, section A, 10.

82. Metropolitan Council et al., *I-35E Final Environmental Impact Statement*.

would proceed unless stopped by an injunction. It was hoped contracts could be let by May 20, 1983.<sup>83</sup>

In February 1984, in U.S. District Court, Judge Paul Magnuson ruled against RIP 35E. He found that the EIS process had been adequate; therefore, construction could proceed. Citing previous litigation, Judge Magnuson noted that for an agency to be able to function, the number of alternatives considered must be kept to reasonable alternatives that accomplish the purpose of the action. The Lafayette alignment, which the neighborhood groups wanted considered, he ruled to be an alternative that could not meet project goals.<sup>84</sup>

In an effort to address design issues left unresolved by either the final EIS or the court order, MnDOT and the City of St. Paul made a decision to add a step in the final design process. They referred to this extra step as the design concept process. This added step focused on the segment of the I-35E Parkway between Grand Avenue and I-94, which required a customized design given the narrow right-of-way, the emphasis on historic preservation, and the “gateway” nature of the corridor. The St. Paul Planning Commission convened a meeting of the Lower Cathedral Hill Design Task Force, comprised of neighborhood and business representatives from the area adjacent to the project. Although many of the task force members were still recovering from their defeat in district court, the climate within this group gradually became more constructive, and the group focused on developing the most sensitive design possible.

The key issues that were addressed through a series of workshops with the task force included landscaping and architectural details consistent with the historical and urban environment, connections to the local street system providing access to businesses and institutions, and pedestrian/bicycle circulation. A nationally recognized highway design expert, Joseph Passonneau, of Washington, D.C., was brought in to work with the task force and develop design concept sketches to capture the aesthetic intent of the process. The follow up on each issue raised early in the process helped to win support of the final design concept proposed at the end of the process. Although those who were against the project from the beginning would have preferred a different outcome, most task force members seemed to be pleased and proud of the substantial enhancements that were developed as part of the newly added design concept process.<sup>85</sup>

The ribbon-cutting ceremony for the opening of the I-35E link was held on October 15, 1990, 12 years after the first action was taken to halt construction.<sup>86</sup> If the measure of a successful compromise is that no one is totally happy with the result, then the I-35E link was a success. Members of RIP 35E and other neighborhood freeway opponents were unhappy because there was a direct link with I-94. Dakota County residents were unhappy because they wanted a high-speed freeway. Truckers were unhappy because they could not use the route and the designated truck alternate on

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83. Don Ahern, “Council Gives Final Blessing to I-35E Parkway Through City,” *St. Paul Dispatch*, 12 April 1983, section A, 1.

84. *Residents in Protest-I-35E v. Dole*, 583 F. Supp. 653 (D. Minn. 1984).

85. Ann Hopkins, Senior Associate, SRF Consulting Group, personal e-mail correspondence to the author, May 2006.

86. Conrad deFiebre, “At Last Traffic to Roll on Final Link of I-35E,” *Star Tribune*, 14 October 1990, section B, 1.

Trunk Highway 3 (Robert Street) is less direct. Yet, the result was undeniably innovative, drawing interest from highway engineers from around the United States. The unusual median and attractive landscaping was funded by federal mitigation funds, and this part of the regional and federal interstate systems was kept intact. In addition, the court order provided secure protection for the nearby neighborhoods. As recently as 2004, the St. Paul City Attorney’s office interpreted the court order as akin to a legal contract to which the state is legally bound. Periodic legislative efforts to increase the speed limit or allow trucks have failed, and if such action passed, it most certainly would be met with a credible legal challenge. In the world of political maneuvering, the fact that this dispute was resolved in court resulted in an unusually firm agreement.<sup>87</sup>

## Interstate 394

Timeline	
1968	I-394 added to the interstate system without transit provisions
1971	Minnesota Highway Department forms the Citizens Advisory Committee
1971	High-Occupancy-Vehicle lane approved
1973	Draft environmental impact statement (EIS) completed
1975	Legislative moratorium
1978	Mayors form Task Force
1982	Final EIS completed
1986	South Bryn Mawr Highway Committee files lawsuit against the Minnesota Department of Transportation (MnDOT)
1991	Eastbound lanes opened
1997	Added lanes opened

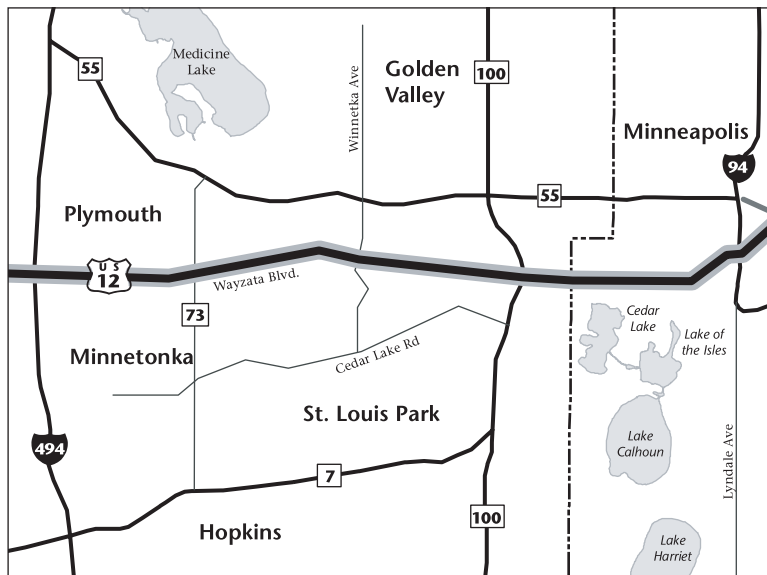
Although I-394 was not added to Minnesota’s interstate system until 1968, the corridor has been an important passageway between communities west of the Twin Cities and downtown Minneapolis for a long time. It was a concrete roadway before 1920 and was designated U.S. Highway 12 in 1921, although it is more commonly known as Wayzata Boulevard. In 1930, leaders from Hopkins, Excelsior, Deephaven, Edina, St. Louis Park, and Minnetonka Mills were coordinating their efforts to expand Highway 12.<sup>88</sup> In 1939, the highway was widened to a four-lane expressway between St. Louis Park and downtown Minneapolis. This was extended to Wayzata in 1952.<sup>89</sup> Because this expansion was fairly recent at the time the Interstate Act was passed, and because Highways 7 and 55 also were available to motorists, it is understandable that an interstate section in this area did not seem necessary in the initial planning stages of the Twin Cities interstate system. Interstate 94 going west from downtown Minneapolis was planned to run north along the Mississippi River because of the presence of Highway 12, although the Highway 12 corridor could have been used.

87. “City Memo Outlines the Futility of Trying to Raise 35E Speed Limit,” *The Villager*, 12–25 May 2004, 10.

88. “Proponents of Diagonal Wins Month’s Stay,” *Minneapolis Tribune*, 13 October 1930.

89. Minnesota Department of Transportation (MnDOT), *Final Environmental Impact Statement and Final Section 4[f] Evaluation US-12/I-394* [hereafter cited as *Final EIS*] (St. Paul, MN: Minnesota Department of Transportation, 1982), 56.

Development in the western part of the metropolitan area was rapid, however, and the need to accommodate increasing number of commuters became evident during the 1960s. In 1961, Highway Commissioner Marshall noted that Highway 12 was overloaded and that the state hoped to get it upgraded to freeway standards.<sup>90</sup> By late 1968, I-394 was added to the Federal-Aid interstate system after a first attempt in 1967 was denied because of unavailability of mileage on the interstate system (see Figure 14). In 1970, MHD hired Howard, Needles, Tammen and Bergendoff (HNTB) to study the corridor; HNTB submitted comprehensive recommendations for the project followed by a location study. Because NEPA was passed just prior to these efforts getting under way, there was uncertainty about how to proceed in a way that satisfied the new requirements. The law required public involvement, but federal guidelines did not yet specify what to do. The Minnesota Highway Department created a technical advisory committee as well as an administrative committee, which were made up of representatives from various government agencies. In 1971, MHD formed the Citizens Advisory Committee (CAC), which included representatives from each of the affected cities (Minneapolis, St. Louis Park, Golden Valley, and Minnetonka). There was further reorganization in 1972, when the administrative subcommittee of CAC was changed to the Project Management Board, which included representatives from CAC, as well as MHD, the Metropolitan Council, and the Metropolitan Transit Commission. At this time, a transit study of the corridor was being conducted by consultants from Simpson and Curtin, and an attitude survey was completed by Midwest Planning and Research as subconsultants to HNTB. During this time, MHD increased the amount of community contact from that of previous projects using public meetings, information booths, and a newsletter on I-394 that was distributed in St. Louis Park. In addition, MHD assigned a full-time assistant district engineer to manage this effort, including the increased community connections.<sup>91</sup> These efforts reflected the changes institutionalized by NEPA.



**Figure 14.** Proposed Route of Interstate 394 (Highway 12 Improvement)  
**Source:** Jeff Matson, CURA, based on a map from the *Minneapolis Tribune*, 6 December 1978, sect. B, 1.

90. Notes for Remarks of Commissioner James C. Marshall, Minnesota Highway Users Conference, 4 October 1961.

91. MnDOT, *Final EIS*, 56–57; Anonymous interviewee, personal interview with author, May 2004.

Opposition to the construction of I-394 emerged quickly. Many residents and their elected officials in Golden Valley, including the mayor, were against the freeway proposal, coining the slogan, “It will make an alley out of Golden Valley.” In a 1971 letter writing campaign, Golden Valley residents listed their objections as follows: loss of tax revenue, loss of newly developed park grounds near General Mills, threats to the safety of area children, increased noise and neighborhood through traffic, and criticism of a “one-corridor approach” rather than conducting minor upgrades to all the western highways, namely Highways 7, 12, 55, 52. In addition, there was by this time a history of neighborhoods damaged or destroyed by the building of freeways in the Twin Cities, and those memories affected people’s attitudes toward building more interstates. Statements such as “razing established neighborhoods to allow room for more concrete seems like an unimaginative way to spend federal matching funds and not a very lasting solution to the problem (congestion)” were commonplace, as were phrases like “ugly, noisy, tangle of congested concrete.” The experiences of I-94 and I-35W causing harm to neighborhoods, anger in the affected communities, and the observation that traffic capacity is quickly reached on the interstates were all reflected in community reactions. Distrust of MHD was quite apparent at this time also, with letter writers feeling they had to turn to other audiences, such as elected representatives, to have their concerns considered.<sup>92</sup> In Minneapolis, the Bryn Mawr neighborhood and its state representatives were much more actively involved than Minneapolis City Council members. In November 1971, Bryn Mawr residents organized the Bryn Mawr Highway Committee as their means to study and oppose the project.<sup>93</sup> In an attempt to respond to the changing times and address some of these concerns, MHD formed the Citizens Advisory Committee, as noted earlier, which was a change from its previous practices. In addition, when CAC passed a resolution requesting that the state permit the Metropolitan Council to assume primary responsibility for the study, Highway Commissioner N. T. Waldor approved the request.<sup>94</sup>

Reflecting the mood nationwide, anti-freeway sentiment gained steam in the Twin Cities, and by 1973, there was a bill introduced into the House of Representatives by Representative John Salchert (DFL–Minneapolis) to halt construction of I-335 and I-394, with the Dartmouth interchange on I-94 added to the bill later (see Appendix 6). Labor and construction organizations came out strongly against the bill. A coalition of 60 organizations opposed to freeway construction in the Twin Cities, called the Metropolitan Freeway Moratorium Coalition, was pulled together; this group opposed any further freeway construction.<sup>95</sup> The City of Orono added its voice to the dissent, with the Sierra Club and the Minnesota Public Interest Research Group (MPIRG) also opposed to I-394.<sup>96</sup> This situation is dramatically different from that which surrounded construction of the first sections of freeway in the 1960s.

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92. Golden Valley residents, letters to elected and appointed Minnesota officials, Minnesota Historical Society archives, September 1971.

93. Minnesota Highway Department, *Draft Environmental Section 4(f) Statement: I-394* (St. Paul, MN: Minnesota Highway Department, 1973), 1–57.

94. Minnesota Highway Department District Five and Barton-Aschman Associates, *Status Report: Minneapolis Freeway System*. Report prepared for presentation to the Greater Minneapolis Chamber of Commerce Highway Ad Hoc Committee, January 1972.

95. “Panel Hears Sides on Road-Limiting,” *Minneapolis Star*, 9 March 1973, section B, 12; “Opposing Forces Clash Over Bill to Block Freeways,” *Minneapolis Star*, 23 March 1973, section C, 12.

96. Robert E. Riggs, “The Mayor reports: 1-394 hearing next week,” *Golden Valley Sun*, 21 February 1974.

The draft EIS was completed in December 1973. Originally, eight alternate routes were considered, but four were eliminated during the first stage of the draft EIS process because they were not considered the best solutions to traffic problems and would have involved taking too many homes or encroached too seriously on parks. Two of these, alternates 6 and 7, began along U.S. Highway 12 but turned to run southwesterly between Cedar Lake and Lake of the Isles, then continue along Highway 7. The four remaining alternates were as follows:

1. Alternate 1 followed U.S. Highway 12 to Penn Avenue, where there would be an interchange and the lanes would split, with westbound lanes continuing on the Highway 12 alignment and eastbound lanes running south to parallel railroad tracks just north of Cedar Lake until rejoining the Highway 12 alignment at Winnetka Avenue.
2. Alternate 2 generally coincided with the existing Highway 12 alignment.
3. Alternate 3 was called the Highway 12 bypass because it would leave Highway 12 as a roadway for local traffic, whereas I-394 would provide limited access for drivers on regional or long-distance trips. This alternate would run southwesterly along existing railroad tracks, along the northern edge of Cedar Lake, cross Highway 100 south of Highway 12, then swing back up to join the Highway 12 alignment at Colorado Avenue.
4. Alternate 4 was the no-build option.<sup>97</sup>

Following the new EIS guidelines, about 35 local, state, and federal agencies were asked to comment on the report as it was developed. The draft EIS argued in favor of the project but cautioned that the project could meet projected traffic demands only if there was significant transit ridership.<sup>98</sup>

A public location hearing was held at the Wayzata High School on February 27, 1974, at which MHD proposed three alternate routes plus the no-build option. The hearing lasted four hours and was attended by nearly 800 people, including citizens from rural communities west of the Twin Cities who supported the project, as well as residents from communities directly adjacent who were generally opposed.<sup>99</sup> At the hearing, the Citizens Advisory Committee recommended that no decision be made on the corridor until there was a plan for transit in the corridor. At this time, the Bryn Mawr Neighborhood Association also took the position that more information and a clear statement of tradeoffs between different proposals were needed before a decision could be made. After the hearing, the *Minneapolis Tribune* published an editorial opposing construction of I-394 and asking whether freeways were an appropriate way to solve transportation problems, citing the energy shortage, the decline in population growth, and the need to prevent sprawl.<sup>100</sup> In early 1974, the city of St. Louis Park announced its support for I-394.<sup>101</sup> In addition, St. Louis Park supported concurrent development of a major mass transit component along a southwest diagonal in the vicinity of Highway 7. The City of Golden Valley would not approve any of

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97. Minnesota Highway Department, *Draft Environmental Section 4(f) Statement: I-394*.

98. Pat Marx, "EPA Gets Favorable Hwy. I-394 Statement," *Minneapolis Star*, 10 January 1974.

99. "I-394 Hearing," *Golden Valley Sun*, 7 February 1974; Robert E. Riggs., "The Mayor Reports: I-394 Hearing Next Week," *Golden Valley Sun*, 21 February 1974; Dan Wascoe, Jr., "700 Attend I-394 Hearing," *Minneapolis Tribune*, 28 February 1974.

100. "Another Metropolitan Freeway?" [editorial], *Minneapolis Tribune*, 7 March 1974, section A, 10; "Questions About Freeway" [letter to the editor], *Minneapolis Tribune*, 24 March 1974.

101. "I-394 Route Along Hwy. 12 Endorsed by St. Louis Park," *Golden Valley Sun*, 10 January 1974.

the designs in the draft EIS, stating that it did not believe the need for I-394 had been demonstrated yet, and further, that it would wait for an overall transportation plan for the western part of the metro area.<sup>102</sup> After the public hearing, Commissioner Lappegaard selected Alternate 2, the U.S. Highway 12 alignment, as the preferred plan.<sup>103</sup>

In March 1974, the U.S. Environmental Protection Agency (EPA) recommended that plans to build I-394 be dropped for a mass transit system and upgrade of area highways. Francis T. Mayo, EPA regional administrator, stated that the draft EIS was not comprehensive enough to be used as the basis for a complete environmental assessment, and he specifically called for further investigation of mass transit options. The EPA report, which was advisory only, cited increased noise and air pollution and highway runoff in nearby lakes as concerns and suggested the EIS consider a transit-only alternative. This was in addition to the Minnesota Pollution Control Agency expressing doubts about the project and opposition from U.S. Representative William Frenzel (R–Minnesota), whose district included most of the affected area. Frenzel supported the EPA recommendations. Commissioner Lappegaard took these concerns under consideration.<sup>104</sup>

Meanwhile, the Metropolitan Council's Physical Development Committee approved the alternate selected by Commissioner Lappegaard and sent the decision to the full council, which already had approved the plan twice. At this time, the attorney representing the City of Golden Valley pointed out a possible conflict of interest with regard to Larry Dallam, the Metropolitan Council's director of transportation, who had been the project manager for the HNTB corridor study. The attorney, Charles Dayton, asked that Dallam resign or that the proposal review be conducted by independent parties. Dallam acknowledged it was a difficult situation, but noted that the proposal review was only partially based on the HNTB report.<sup>105</sup> However, the *Minneapolis Tribune* followed up on this situation with an editorial calling for an independent review and criticizing the Physical Development Committee for not giving fair consideration to viewpoints different from those of the Metropolitan Council's staff.<sup>106</sup> What in earlier times would have gone unnoticed became a public issue because of skepticism about the transparency of procedures used for decision making, no doubt a symptom of growing distrust for government institutions in general. The Metropolitan Council vote on April 11 was deadlocked in a 7-to-7 tie, with Chairman John Boland rejecting the committee report because it did not consider suggestions made by the Citizens Advisory Committee. In addition, the Metropolitan Council discussed a letter received from Representative Frenzel promoting the use of the funds for transit, which was permissible under the Federal-Aid Highway Act of 1973.<sup>107</sup> Upon reconsideration, the Physical Development Committee recommended that the freeway be limited to six lanes with an additional lane for buses and carpools. In May, the full council approved the committee recommendations. These included recommendations that noise from the freeway "not exceed the average sound of bird

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102. MnDOT, *Final EIS*, 399, 407–433.

103. MnDOT, *Final EIS*, 58.

104. Randy Furst, "U.S. Agency Prefers Mass Transit to I-394 Plan," *Minneapolis Star*, 27 March 1974, section A, 11; Dan Wascoe, Jr., "I-394 May Increase Pollution, EPA Says," *Minneapolis Tribune*, 27 March 1974.

105. Dan Wascoe, Jr., "Metro Council Panel Approves Building I-394," *Minneapolis Tribune*, 28 March 1974, section C, 5.

106. "Unanswered Freeway Questions" [editorial], *Minneapolis Tribune*, 1 April 1974.

107. Pat Marx, "Metropolitan Council Deadlocked Over I-394," *Minneapolis Star*, 12 April 1974.



calls” in the Eloise Butler Wildflower Garden and Bird Sanctuary, that designers make the freeway visually appealing to both travelers and the adjacent communities, and that measures be taken to preserve surrounding residential neighborhoods and accommodate pedestrians and bicyclists. There was disagreement at the Metropolitan Council regarding whether or how strongly to make recommendations to MHD, as freeway design had been exclusively MHD’s purview.<sup>108</sup>

While this process was going on in the Metropolitan Council, Commissioner Lappegaard stated that MHD intended to build all remaining segments of the interstate including I-394. He added the notable caveat that he could reverse his decision because of the strong differences of opinion that remained. He pointed out that it was widely acknowledged that Highway 12 needed improvement, and that if it was upgraded to an interstate, federal highway funds would pay for 90% of the improvements.<sup>109</sup> Although probably practical in intent, Lappegaard’s statement provoked some outcry. Robert Riggs, the mayor of Golden Valley, several legislators, and one Metropolitan Council member held a press conference stating they had hoped Lappegaard would bring responsiveness to MHD, but they were disappointed that he decided to ignore the needs of citizens and communities. It is worth looking at a portion of their statement in detail as it beckons to past experiences as justification for their position:

[The Highway Department is] unresponsive and insensitive to the needs of many thousands of people who have been forced to move their homes and businesses as a result of freeways, and to the thousands of people who have had to live next to or in the vicinity of freeways with their concomitant noise, dirt, and noxious odors.<sup>110</sup>

There is more than anger about I-394 at work here. Distrust of government, anti-freeway sentiment, and a we-won’t-take-it-anymore attitude grew out of the layers of experience related to building urban freeways and the different interpretations of that experience. In addition, Lappegaard’s statement reinforced the belief of some opponents that MHD decisions were based on federal funding rather than careful consideration of area transportation needs. This suspicion of Lappegaard was more than a bit ironic, as he was notably responsive to the new era and did his part to bring the department in step with rapidly changing circumstances.

In June 1974, Commissioner Lappegaard met with representatives from a task force of several citizens’ groups involved in the I-394 dispute. The citizens expressed doubts about the accuracy of some of the analyses in the EIS, but more importantly, they expressed bafflement and exasperation with the opacity of the decision-making process regarding I-394. Lappegaard agreed to provide them with a flow chart of the department’s process and said he would reply as soon as possible. About this same time, the citizens’ groups also began mobilizing to gather resources to file a lawsuit

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108. Robert Franklin, “Metro Council Panel Urges Six-Lane Limit on Freeway,” *Minneapolis Tribune*, 9 May 1974; Dan Wascoe, Jr., “Metro Council Sets Standards for I-394,” *Minneapolis Tribune*, 24 May 1974.

109. Pat Marx, “State Tells Intent to Build I-394,” *Minneapolis Star*, 30 April 1974; “All Interstate Plans Endorsed,” *St. Paul Pioneer Press*, 1 May 1974.

110. “Officials Protest I-394 Decision,” *Golden Valley Sun*, 9 May 1974.

against MHD, believing it was their only remaining means of affecting the decision-making process.<sup>111</sup>

The political process also was in full swing, and in the 1975 legislative session, the “moratorium bill” was passed, stopping all studies and construction on I-394 (see Appendix 6). Review of I-394 by the Interstate Study Committee resulted in recommendations to restrict this highway to six lanes; change the transit median to a reversible traffic lane with preference given to carpools, buses, and commuter vans; and work with the neighboring communities to minimize impact.<sup>112</sup> In 1976, the legislature lifted the moratorium on I-394 and approved construction of a six-lane freeway along the U.S. Highway 12 corridor to stay within the existing right-of-way as much as possible.<sup>113</sup>

In 1978, a new approach was taken to moving the project forward and achieving an acceptable design. Mayors from Minneapolis and the western suburbs adjacent to the corridor had been involved in preliminary planning to facilitate communication between MnDOT and neighborhood and business groups. The mayors created a task force for each of four segments between I-94 and I-494, made up of citizens and representatives from business, Hennepin County, and the Minneapolis Park and Recreation Board, who would be included in preliminary design discussion. MnDOT Commissioner Jim Harrington described this new organization as relieving his department of considerable pressure. In addition, more than a dozen public meetings were held in the communities affected by the freeway. In 1979, a preliminary design was circulated for discussion, followed by revised layout plans in 1980.<sup>114</sup>

Although this new structure may have helped move the process along and undoubtedly improved communication between MnDOT and residents, it did not relieve disagreements between the cities. Minneapolis was concerned about the lack of access between Penn Avenue and Highway 100 on the preliminary plan, but the City of St. Louis Park vehemently objected to the proposal to add access at France Avenue (known as the France Flyover). In addition, St. Louis Park opposed the transit/high-occupancy-vehicle (HOV) lane, because in 1974, the city had approved the development of transit improvements along a southwest railroad corridor. Consequently, although expressing support for I-394 in general, St. Louis Park did not approve the design being circulated at this time. Golden Valley hired Barton-Aschman Associates to conduct a study to determine, among other things, the effects of the proposed layout on local streets and neighborhoods. They opposed the transit/HOV lanes because they preferred light rail as a transit solution. To continue to move the process forward, in December 1980, Commissioner Braun asked the Metropolitan Council to resolve the disputes under its authority provided by Minnesota Statute §161.17, subdivision 2.<sup>115</sup>

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111. Paul Light, “Citizen groups continue challenge to I-394 plans,” *Minneapolis Tribune*, 25 June 1974, section B, 5; Duchess McBee, “Natz: consider lawsuit if I-394 enters village,” *Golden Valley Sun*, 13 June 1974.

112. Dan Wascoe, Jr., “Completing freeways supported,” *Minneapolis Tribune*, 7 November 1975, section A, 1.

113. MnDOT, *Final EIS*, 52, 58.

114. Eric Pianin. “Mayors assume role in planning of I-394.” *Minneapolis Tribune*, 6 December 1978, section B, 1; MnDOT, *Final EIS*.

115. St. Louis Park City Council, Resolution 6586, 1979; St. Louis Park, *A Report on Highway and Transit Improvements and MnDOT’s Preliminary Layout*, 3 June 1980; Barton-Aschman Associates, *I-394 Impact Study of Golden Valley*, October 1980; “I-394 dispute shifted to Metro Council,” *Minneapolis Tribune*, 11 December 1980; Connie Kozlak and Larry Dallam, Memorandum to the Metropolitan Council Transportation Subcommittee, 26 February 1981.

In response to statements regarding ongoing municipal conflict, the cities of Golden Valley and St. Louis Park developed a joint position statement. They emphasized their desire for I-394 to be evaluated as part of an overall transportation plan for the western suburbs, they opposed the France Avenue interchange as well as HOV lanes, and they supported light-rail transit (LRT) along Highways 55 and 7 in view of the LRT study being conducted at the time. They proposed that interstate substitution funds be used to fund LRT when such funds became available through elimination of the HOV lane. Meanwhile, Minneapolis held firm to its position that there must be access between Penn Avenue and Highway 100. The City of Orono continued to oppose the project.<sup>116</sup>

Other voices joined the fray. Leaders of the Downtown Council of Minneapolis and the Greater Minneapolis Chamber of Commerce instigated regular meetings with Commissioner Braun and Charles Weaver, Metropolitan Council chair, to do whatever they could to facilitate the project. Their position was that although the project was vital to the health of downtown business, it ought to be designed in a way that had minimal impact on the surrounding communities and was responsive to their concerns. General Mills voiced its support for I-394, but objected to the HOV lanes. The Bryn Mawr Neighborhood Association opposed the interstate because no access was planned between Penn Avenue and Highway 100.<sup>117</sup>

In May 1981, the Metropolitan Council held three public hearings, one each in Bryn Mawr, Plymouth, and St. Louis Park. Among items objected to in both Bryn Mawr and St. Louis Park was a Cedar Lake Road extension proposed to provide continuity for local travel. Metropolitan Council staff reported that “the valid concerns so eloquently expressed” were reason to drop the extension, especially because it was not integral to I-394. Thus, they recommended dropping the Cedar Lake Road project. The issue of access between Penn Avenue and Highway 100 at either France Avenue or Wirth Parkway remained because of concerns about neighborhood access and cut-through traffic. The Bryn Mawr Neighborhood Association was opposed to the Penn Avenue interchange. Metropolitan Council staff continued to recommend no access, and this recommendation was included in the final EIS in 1982.<sup>118</sup> The design in the final EIS included six lanes from downtown Minneapolis to I-494, with two inside lanes designated as reversible diamond lanes for high occupancy vehicles and with physical separation from Highway 100 to downtown Minneapolis. The HOV lanes had dedicated ramps in three locations. Park-and-ride sites were planned to increase the use of carpools and buses. The project would require taking 63 homes and 37 commercial buildings.<sup>119</sup>

An innovative aspect of the I-394 project became reality in 1982. The idea for a Third Avenue distributor to route traffic from the west into downtown Minneapolis

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116. The City of St. Louis Park and the City of Golden Valley, Joint Statement Regarding Design Features for Upgrading Highway 12, 13 February 1981; Parker Trostel, Letter to Charles Weaver, 27 February 1981; Brad Van Nest, Mayor of Orono, Letter to Senator George Pillsbury, 17 March 1981.

117. Howard Barnhill and John McHugh, Letter to Charles Weaver, 5 March 1981; Downtown Council/Chamber of Commerce, Position Regarding the Metropolitan Council Staff Report on I-394, 1981; John T. Schevenius, General Mills P.E., Letter to Ghaleb Abdul-Rahmen, 6 March 1981; Bryn Mawr Neighborhood Association, Resolution, 17 March 1981.

118. Connie Kozlak and Larry Dallam, Memorandum to the Metropolitan Council Transportation Committee, 15 June 1981.

119. MnDOT, *Final EIS*, 14–17.

appeared in the 1957 Barton and Associates report, *Freeways in Minneapolis*, followed by a preliminary plan by the city presented to MHD in 1961. In 1970, after I-394's inclusion in the interstate system, Minneapolis approved the preferred route from just west of 13th Street to Washington Avenue, and the Metropolitan Council included it in its short-range highway improvement program. The final EIS for this portion of the I-394 project was approved in 1973.<sup>120</sup> Closely related to this, a proposal to build three parking ramps downtown directly connected to the HOV lanes with a bus station and access to the skyway system located right in the ramps was seen as key to achieving the ridership goals for the HOV lanes. Because it was an integral part of the interstate project, interstate funding was sought to fund the project. After being rejected by federal highway officials, Senator Dave Durenburger (R–Minnesota) shepherded the proposal through Congress and got the project authorized in the interstate bill for that year, acquiring \$100 million in federal funding for the ramps and skyways. Construction began in 1986.<sup>121</sup> This became a national model for multimodal design, which emphasized the movement of people rather than vehicles.

In 1986, residents of Bryn Mawr, organized as the South Bryn Mawr Highway Committee representing about 225 families, filed suit against MnDOT and the MPCA. Expressing frustration that “the transportation department seems to answer to no one” and seeing themselves as having no place else to turn, they resorted to a lawsuit. At issue was the design of noise walls and the frontage road along the south side of I-394. The noise walls were being built to federal standards, but the neighborhood wanted them built to the stricter state standards. In addition, the residents alleged that the design for the frontage road was changed without informing the neighborhood, in violation of state law. Early design plans showed the frontage road ending at the Prudential Insurance Company Building parking lot, but at the request of Golden Valley, the department made the frontage road continuous to Highway 100. The residents were concerned that this change would increase traffic, noise, and air pollution in their neighborhood. The lawsuit sought to block construction of the frontage road and upgrade the noise walls to state standards. Commissioner Braun said that although he had no preference regarding the frontage road, Golden Valley was firm in its desire to have the continuous road. In 1988, Representative Gloria Segal (DFL–St. Louis Park) got a bill through the state legislature that made the lawsuit moot.<sup>122</sup>

In October 1991, the eastbound lanes of I-394 opened, with the unpleasant result of the morning rush-hour traffic backing up from downtown Minneapolis to Louisiana Avenue. Al Pint, corridor project manager, explained that although there would be some adjustments as drivers adapted to the new roadway, the one-lane junction with I-94 as traffic moves through the Lowry Hill Tunnel meant that congestion would be a permanent feature of the freeway. His advice was to carpool or take the bus to take advantage of the innovative HOV lanes; I-394 was the first freeway in Minnesota built with exclusive bus and carpool lanes and seven park-and-ride lots. The optimism

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120. George W. Barton and Associates, *Freeways in Minneapolis: An Appraisal Prepared for the City of Minneapolis* (Evanston, IL: Barton and Associates, January 1957); Minnesota Highway Department, *Final Environmental Impact Statement for I-394* (St. Paul: Minnesota Highway Department, 1973).

121. “Plans for I-394 Don’t Stop at the Downtown Exits,” *Minneapolis Star and Tribune*, 11 December 1986, section Y, 1.

122. Laurie Blake, “I-394 foes may sue, citing flaws in frontage road, walls,” *Minneapolis Star and Tribune*, 28 March 1986, section B, 4.; Dean Rebuffonie, *Minneapolis Star and Tribune*, 10 May 1986, section B, 1, 2.; Anonymous interviewee, personal interview with author, July 2004.

that this option would be a success, however, was muted by limited funding for the Metropolitan Transit Commission, which did not have enough money to provide the number of buses required to meet ridership goals. Because transit is funded separately, the freeway project was able to move forward without secure funding for the necessary buses. As Pint pointed out, however, the transit investment was 1% of the total cost of I-394, and if the daily carpool and bus riders were each to drive their own vehicles, the cost to provide capacity for all of those individual drivers would be much greater than 1%.<sup>123</sup>

When the last segment of I-394 opened, there was well-deserved pride in the integration of the elements designed to encourage carpooling and bus ridership, and indeed, 12,000 people were using the HOV lanes daily during morning and afternoon rush hour. Nearly half the people on I-394 used carpools and buses during peak travel times. Perception of the HOV lanes as a success was a different matter, as their relatively empty appearance allowed people to conclude that they were wasted space, a phenomenon known as the empty lane syndrome. Public perceptions of a high rate of cheating, both in the lanes and in the reduced-rate parking for carpools, was another problem. The biggest problem that accompanied the opening of I-394, however, was the immediate congestion. During construction, Pint maintained that the freeway, although a tremendous improvement over Highway 12, would still be crowded because, “We are no longer designing facilities to accommodate the single-occupant vehicle at a good level of service in the peak hours. We can’t afford to—financially, environmentally, or politically.” Public expectations did not necessarily take this broad perspective into account, however. Commuters, who were unlikely to be aware of the complicated history and vast multi-lane freeway that would be required to completely avoid congestion, tended to expect free-flowing traffic upon the opening of the freeway and many labeled I-394 a waste of \$420 million because of the congestion immediately present when the highway opened.<sup>124</sup> Clearly, the opening of I-394 did not mean that the work was over.

In the face of public complaints, Pint continued to make statements encouraging the use of carpools and buses and MnDOT conducted a telephone survey of residents in the western suburbs to learn how to continue increasing bus ridership. Just a few months after the official opening of I-394, the HOV lane was carrying 4,000 people a day during morning rush hour despite public perceptions that this lane was not working. In addition, there was a public outcry about a change from three lanes to two between Penn Avenue and Highway 100. This was a result of the six-lane restriction passed by the legislature as part of the moratorium bill, which applied starting at Penn Avenue, where the six lanes included two lanes in each direction plus two reversible HOV lanes. Attempts to change the six-lane restriction were met with opposition in the legislature, with representatives from the western suburbs advocating the lane addition and Minneapolis representatives opposing it. Opponents also maintained that it was unclear whether adding another lane would ease traffic or simply attract more cars and thus result in congestion once again. Residents of Bryn

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123. Laurie Blake, “New I-394 lanes open, but it’s no quick trip,” *Star Tribune*, 2 October 1991, section B, 1; Laurie Blake, “Funding in doubt for MTC to meet I-394 rider goals,” *Star Tribune*, 3 August 1992, section B, 1.

124. Anonymous interviewee, personal interview with author, March 2004; Laurie Blake, “A New Kind of Freeway Opens Officially,” *Star Tribune*, 19 October 1992, section A, 1; Laurie Blake, “A Not-So-Grand Opening: Premature I-394 hoopla leaves a long line of frustration,” *Star Tribune*, 23 November 1992, section B, 1.

Mawr were concerned about the additional noise created by adding a lane because noise levels already exceeded state standards and approached federal limits. Representative Dee Long (DFL–Minneapolis), who represented Bryn Mawr, maintained the importance of honoring commitments that were made to surrounding communities during the protracted design process. Bryn Mawr eventually agreed to the additional lanes if the surface was asphalt rather than concrete to reduce noise, and if additional noise walls were built. The lanes opened in 1997.<sup>125</sup>

In 1993, ridership in the HOV lane met MnDOT goals for the year 2000, with traffic counts showing that during morning rush hour, half the people on I-394 were in carpools or on buses. On Highway 12, there were 350 carpools, and on I-394, there were 1,400. Specifically on I-394, there were 1.4 people per vehicle compared with 1.15 people per vehicle in the rest of the Twin Cities highway system. Despite this clear success, public perception continued to be negative. Commuters in single-occupant vehicles were faced with traffic jams; they continued to call the HOV lane wasted space and the \$420 million spent on the project wasteful government spending. It proved to be extremely difficult to communicate that I-394 was not built to meet the rush-hour demand of people in single-occupant vehicles. When the views of those who actually used the HOV lanes were added to the mix, it was a much more positive picture, as carpools reported significantly reduced commute times. The park-and-ride lots also were popular with those who wanted to take advantage of the HOV lane.<sup>126</sup>

### **Interstate 94 from Interstate 494/Interstate 694 to Trunk Highway 95**

<b>Timeline</b>	
1958	Three alignments proposed
1960	FHWA approves U.S. Highway 12 alignment
1965	FHWA approves revised alignment, north of U.S. Highway 12
1973 (June)	Bids received for construction
1973 (July)	Commissioner Lappegaard halts construction to conduct an EIS; I-94 Management Committee formed by Highway Commissioner Lappegaard
1974	Citizen groups, Residents Against Pavement Pollution and I-94 Truth Association, formed
1975 (May)	I-94 Management Committee selects northern alignment
1976	Metropolitan Council selects U.S. Highway 12 alignment as consistent with the Metropolitan Development Guide
1976 (June)	MnDOT Commissioner Marzitelli follows Metropolitan Council recommendations and selects U.S. Highway 12 alignment

125. Laurie Blake, “The pain at Penn; Bottleneck blues still affect drivers on new I-394,” *Star Tribune*, 22 December 1992, section B, 1; Laurie Blake, “Penn interchange clogs the works; But residents, commuters collide over I-394 solution,” *Star Tribune*, 14 May 1993, section B, 2; *Star Tribune*, 17 July 1997, section B, 2.

126. Laurie Blake, “Experts say I-394 meeting its goals; But some angry drivers disagree,” *Star Tribune*, 18 October 1993, section B, 1; Laurie Blake, “Park-and-ride lots are a transit success story; Convenience lures many who might not use bus otherwise,” *Star Tribune*, 12 November 1995, section B, 1.

The highway now known as I-94 appeared on the first federal interstate map published in *Toll Roads and Free Roads* in 1938. I-94 appeared on every subsequent map, and the need for an east-west freeway connecting Chicago to the upper Midwest has never been in dispute. In 1958, the State of Minnesota proposed three possible alignments for this leg of the freeway, each running east from downtown St. Paul to the St. Croix River:

1. Historic Alternate A: upgrade U.S. Highway 12 to freeway standards;
2. Historic Alternate B: follow U.S. Highway 12 past White Bear Avenue, then parallel U.S. Highway 12 one-half mile to the south to County State Aid Highway (CSAH) 17, then return to U.S. Highway 12;
3. Historic Alternate C: follow U.S. Highway 12 past White Bear Avenue, then parallel U.S. Highway 12 one-half mile to the south to St. Croix River Bluff, then return to U.S. Highway 12.



U.S. Trunk Highway 12 (Hudson Road) and 61, junction east of St. Paul, 1947. (Photo by Minnesota Department of Highways, courtesy of the Minnesota Historical Society, location no. HE3.8 p19, negative no. 21843. Reprinted with permission.)

Public hearings were held on these possible routes, with Alternate A receiving the most support. Studies indicated that keeping the U.S. Highway 12 alignment would be best for local development, and on November 15, 1960, the FHWA approved Historic Alternate A. As continuing studies were conducted, a fourth alternate was developed:

4. Historic Alternate D: follow U.S. Highway 12 one-half mile east of I-494/I-694, then turn north to follow a line north of U.S. Highway 12 to Trunk Highway 95, where it would rejoin U.S. Highway 12.

Public hearings were held on this fourth alignment option, technical studies completed, and in August 1965, the FHWA gave a revised local approval for the northern route. Design approval followed in 1971.<sup>127</sup>

The project proceeded with little controversy. Right-of-way acquisition was completed, the Metropolitan Council approved the project, and municipal approvals were granted. Bids for roadway grading were received in June 1973, and the project appeared ready to move forward. However, in July, Commissioner Lappegaard halted all activity and announced that contracts would not be awarded as planned. Citizen groups stated that the project had not met NEPA's EIS requirements. The commissioner ordered a restudy of the project and the formation of a cooperative committee with representation of citizens, transportation and planning professionals, and elected representatives. This committee was called the I-94 Management Committee.<sup>128</sup>

In an attempt to find a more inclusive way to make a decision about the I-94 alignment, the I-94 Management Committee was made up of a citizen and elected representative from each of the six municipalities along the corridor. In addition, the committee included representatives from Washington County, FHWA, MHD,

127. Minnesota Department of Transportation (MnDOT), *Interstate Highway 94 from Interstate 494/694 Interchange to Trunk Highway 95 Interchange, Washington County: Administrative Action Draft Environmental Impact Statement Submitted Pursuant to 42 U.S.C. 4332(2)(C) and Minnesota Statutes Section 116D.01 et. seq* [hereafter cited as *Draft EIS*] (St. Paul, MN: MnDOT, February 1976), 13–16.  
 128. MnDOT, *Draft EIS*, 19; Anonymous interviewee, personal interview with author, February 2006.

the Metropolitan Council, and the Metropolitan Transit Commission. The group had an open meeting policy and was given responsibility for determining the approach of the study, defining alternatives, reviewing technical data, and making recommendations to the commissioner. A second group, called the Interdisciplinary Study Group, was formed to provide information and conduct studies of the areas in dispute. This group was made up of specialists from nine areas within MHD.<sup>129</sup>

Although the affected area was largely undeveloped, there were several major development projects in planning stages. Minnesota Mining and Manufacturing (3M) already had an office complex adjacent to U.S. Highway 12 that employed 8,500 people and that brought much traffic into the area. In addition, 3M had plans for an office expansion at I-694 and Trunk Highway 212 with expected employment of 9,500 people by 1989. There were plans to build a regional shopping center called Eastown on Afton Road in Woodbury. The center would be anchored by two large department stores and house about 100 other smaller stores. Eastown was expected to generate 22,250 vehicle trips by 1990. Dayton-Hudson announced plans to build a “major diversified center” in Lake Elmo along Minnehaha Avenue. Construction on this center was expected to start in 1976, with complimentary office space and a large hotel to follow. The Minnesota Highway Department estimated this development would generate an average of 180,000 trips per day. Residential development was planned around Colby Lake in Woodbury with supporting developments nearby. This could generate another 75,000 trips per day. Washington Central Plaza, near U.S. Highway 12 and CSAH 15, was in very early planning stages but also could be presumed to generate more traffic. The U.S. Highway 12 alignment would benefit the Colby Lake development, whereas the northern alignment would benefit the Dayton-Hudson development.<sup>130</sup>

Public sentiment was in favor of completing this segment of I-94. The do-nothing alternate did not have a following, because it was clear this section of freeway was a necessary piece of the national interstate system. There was, however, intense disagreement regarding the two alignments. The southern route had dropped out of consideration, and the two proposed alternates consisted of the northern route (Alternate 1), which ran a half mile north of U.S. Highway 12, and the reconstruction of U.S. Highway 12 to interstate standards (Alternate 2). A survey commissioned by MHD found that views on the location depended on the respondent’s proximity to each of the proposed corridors. Predictably, those who lived close to one alignment wanted it built in the other. Citizen groups formed to represent each of these positions. The Residents Against Pavement Pollution (RAPP) I-94 formed to advocate for the U.S. Highway 12 upgrade and was the group that requested the EIS from Commissioner Lappegaard. The I-94 Truth Association represented residents living near U.S. Highway 12 and advocated for the northern route.<sup>131</sup>

The state legislature became involved in the dispute during the 1974 legislative session. The House and Senate Transportation committees both heard testimony from the rival groups. Representative Walter Hanson (DFL–St. Paul) introduced a bill directing MHD to build I-94 in the U.S. Highway 12 corridor. His position was that

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129. MnDOT, *Draft EIS*, 19, 219.

130. MnDOT, *Draft EIS*, 50–55.

131. Larry Adcock, “82% Favor Proposed I-94 Link,” *St. Paul Dispatch*, 4 January 1974; MnDOT, *Draft EIS*, 63, 219.



the northern alignment was undesirable, because it reduced open space. Jess Mottaz, a representative of RAPP I-94, also made arguments about preserving the environment and argued that the rural character of the community should be preserved. Lyle Thorsten, from the I-94 Truth Association, maintained that the U.S. Highway 12 alignment would take too many homes and businesses and cost too much, and that a second major highway was needed to forestall future congestion. Stanley Olander of the I-94 Management Committee argued that the legislature should not take action until the committee carried out its responsibilities to evaluate the alternatives. No further action was taken during the legislative session.<sup>132</sup> Minnesota Highway Department representatives expressed reservations about the hearing, stating that the legislature had never taken responsibility for selecting a freeway corridor.<sup>133</sup>

The I-94 Management Committee held public hearings in the communities along the proposed corridors. Because the EIS process was relatively new, representatives from MHD spent a good deal of their time explaining the EIS process to concerned citizens. The new, more comprehensive approach—which included social, economic, and more detailed environmental issues in addition to the traditional engineering factors—was welcome to many but frustrating to those who wanted action taken as quickly as possible, especially supporters of the previously approved northern alignment.<sup>134</sup>

In March 1975, the I-94 Management Committee was surprised when the news media reported that staff at MHD had been conducting technical studies on a third, “north-south” route. It followed the alignment of the northern route from I-494/694 to County Road 15, then turned south to join the U.S. Highway 12 alignment. When they learned of the technical report, committee members voted unanimously to form a subcommittee to study it. The news reports came as a “complete surprise,” according to Olander, the committee chair. An MHD spokesperson said that informing the committee of the decision [to conduct the technical studies] would have exceeded MHD’s role as technical advisors.<sup>135</sup>

Questions regarding cost estimates also came up in 1975. This was significant to the dispute; a major argument in favor of the northern route was that it would save millions of dollars because the area was undeveloped, the right-of-way already had been purchased, and this route would be faster to build. Northern route opponents had doubts about the estimates because of what appeared to them to be inconsistencies between reports. One MHD report gave costs for demolishing homes and businesses, whereas another gave costs of sound barriers for some of the same homes and businesses, raising the question of why both would be necessary. In addition, 390 feet of right-of-way already had been acquired for the northern route, but for the U.S. Highway 12 alignment, it was stated 500 feet were needed. This raised further questions. Finally, if the northern route was built, an interchange would be required where it would cross U.S. Highway 12, and the Metropolitan Council’s estimates were that it would cost \$6 million to \$9 million. Obviously, this interchange would not be

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132. “Citizen Groups Give Freeway Stances,” *St. Paul Pioneer Press*, 10 May 1974; “Lawmakers Hear Testimony on Location of I-94 in Washington County,” *Inside the Interim*, June 1974.

133. “I-94 Proposal to Be Discussed At House Committee Hearing,” *St. Paul Dispatch*, 8 May 1974.

134. Mollie Hedges, “I-94 Management Committee Discusses Resident Concerns,” *Ramsey County Review*, 20 November 1974.

135. Jack Rhodes, “I-94 Study to Include 3rd Route,” *St. Paul Dispatch*, 1 March 1975.

required for the U.S. Highway 12 route.<sup>136</sup> In the political climate of the 1970s, many people felt that building a second major expressway seemed wasteful.

In the 1975 legislative session, Representative Hanson once again introduced his bill directing the freeway to be built in the U.S. Highway 12 corridor, this time with coauthors Representatives Mike George (DFL–Mahtomedi) and Gary Laidig (R–Stillwater) of Washington County. The I-94 Management Committee passed a resolution that such legislation was contrary to the purposes of the committee as charged by the highway commissioner. In this round of hearings, proponents and opponents made the same arguments they had during the previous session. This time, however, members of the transportation subcommittee questioned the neutrality of the I-94 Management Committee, noting that several members were from city councils that previously had endorsed the northern route. In addition, Mr. Thorsten of the I-94 Truth Association came under fire for allegedly circulating incorrect information regarding traffic safety and affected farmland. Although a bill was introduced, full legislative action was not taken that year.<sup>137</sup>

In May 1975, the I-94 Management Committee announced its selection of the northern route as the most desirable location for the freeway. The majority opinion in the report held that uncertainty in the community had negatively affected development, and the northern route would alleviate this uncertainty more quickly because it could be built more quickly. The majority opinion in the report stated that building the freeway on the northern route also would cause less disruption and present fewer safety concerns during the construction period. Separation of through traffic from local traffic could be achieved with the northern alignment, as local traffic could continue using U.S. Highway 12, resulting in a safer design. Also, the estimated cost of land acquisition was less for this option. Finally, the majority opinion was that future land use in Washington County would be affected more by sewers, zoning, and development plans than by the freeway location.<sup>138</sup>

In contrast, the minority opinion in the report stated that the U.S. Highway 12 alignment was preferable. This group viewed the construction of a new freeway only a half mile from an existing highway as unnecessary “proliferation” of highways. Development of rural land could be reduced with the U.S. Highway 12 route, which also would cause the least amount of environmental damage. The U.S. Highway 12 option would cause less community disruption in Washington County and preserve the rural character of the area, which would be disturbed by the northern alignment, they argued. Sprawl could be better controlled with their preferred route. Only one member voted for the north-south option that was added later in the process.<sup>139</sup>

In October 1975, when the report was formally delivered after 22 months of work, Commissioner Marzitelli said he would give it careful consideration.<sup>140</sup> There was evidently speculation that he would select the U.S. Highway 12 alignment because when Representative Hanson introduced his bill again, the bill was dropped even though it passed

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136. “Whither Interstate 94?” *St. Paul Pioneer Press*, 10 March 1975.

137. Brian Sweeney, “I-94 Bill Advance to House Committee,” *Washington County Bulletin*, 27 March 1975; I-94 Management Committee, Resolution, 23 January 1975.

138. Carl Griffin, Jr., “Northern I-94 Plan is Favored,” *Minneapolis Tribune*, 23 May 1975; MnDOT, *Draft EIS*, 255–258.

139. MnDOT, *Draft EIS*, 259–261.

140. “Interstate Location Study to be Weighed,” *St. Paul Pioneer Press*, 22 December 1975.

the House by a large majority, was introduced in the senate by Senator Robert North (DFL–St. Paul), and moved easily to the floor for a vote. Commissioner Marzitelli had made it clear that he intended to select the U.S. Highway 12 alignment, and in June 1976, he announced his decision. The legislature considered it prudent to drop the legislation because there was concern that it might be contrary to federal regulations, which generally assumed decisions about location to be the proper domain of state departments of transportation. Marzitelli said his decision relied heavily on a Metropolitan Council Physical Development Committee report that selected this design option. The council's development plan called for the eastern half of Washington County to remain relatively rural.<sup>141</sup>

The Metropolitan Council had approved the northern route, but at the beginning of the restudy process started by Commissioner Lappegaard in 1973, Metropolitan Council staff announced that it would not be bound by its previous approval of the northern alignment. In December 1974, the council's position was that either alternate would be consistent with its transportation policies. After further review, in 1976, the council supported the U.S. Highway 12 alignment. Its position was that the U.S. Highway 12 alignment would have less environmental impact and be more consistent with the Metropolitan Development Guide. Building I-94 on the northern alignment would result in duplicating the existing impact of U.S. Highway 12. In contrast to the I-94 Management Committee report, the Metropolitan Council viewed freeway construction as likely to stimulate growth, and the northern route would do so in tension with other Metropolitan Council development priorities, such as sewer construction. In addition, the Metropolitan Council's goal was to control sprawl, and it viewed using the U.S. Highway 12 alignment as complementary to that goal. Finally, Metropolitan Council traffic analysis concluded that U.S. Highway 12 was operating at only 53 to 65% of its capacity with a lower than average accident rate.<sup>142</sup> Commissioner Marzitelli apparently found their case persuasive.

Federal approval of the U.S. Highway 12 alignment was received in April 1977. Given the history of controversy about the alignment, however, it is not surprising that progress was slow. In January 1978, a lawsuit to stop construction of I-94 on the U.S. Highway 12 alignment was filed by Washington County and the towns of Woodbury, Lake Elmo, and Afton. This group contended that because the location alternates were duly studied by the I-94 Management Committee, and because the committee selected the northern route, the commissioner acted arbitrarily when he selected the U.S. Highway 12 alternate. It was hoped that filing the suit would get federal officials to direct MnDOT to build on the northern route.<sup>143</sup> Municipal approval was slow in coming. Lake Elmo approved the plan, but also passed a resolution stating that it reserved the right to challenge the plan in court. Woodbury objected to the frontage road layout, prompting MnDOT to ask the Metropolitan Council to approve or disapprove of building I-94 through Woodbury under Minnesota Statute §161.17. The council approved the design. The City of Afton let pass the 90-day deadline for approval, thus endorsing the design by default. The City of Lakeland approved the plan. By January 1979, all approvals were obtained.<sup>144</sup>

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141. "The Commissioner's Choice," *The Minneapolis Star*, 23 June 1976.

142. Connie Kozlak and Ghaleb Abdul-Rahman, Memorandum to the Physical Development Committee, 10 February 1977; Anonymous interviewee, personal interview with author, March 2004.

143. "County, Towns File Suit Over I-94 Route," *Minneapolis Tribune*, 17 January 1978.

144. Harry Reed, Letter to John Boland, 22 November 1978; Connie Kozlak and Ghaleb Abdul-Rahman, Memorandum to the Physical Development Committee, 23 January 1979.

## Discussion

This era was one of enormous change and adaptation, much of which was painful for those involved. One of the biggest adjustments during this period was learning the truth of a statement noted in an advisory report prepared for the secretary of transportation: “It is not possible to make vital decisions in highway location by totaling up and comparing formula answers. Subjective evaluations must always be applied.”<sup>145</sup> To arrive at and use these other, nontechnical evaluations, however, more participants had to be allowed into the process, something for which previous public works projects provided little experience. As stated by Barnes and Langworthy, before the mid-1960s, the primary means of transportation planning was “to use the ‘systems approach’ to estimate travel demand and to plan transportation systems that would adequately meet this demand. Increased levels of automobile use were widely seen as representing desirable societal progress, and the issues of social and environmental impact resulting from the associated facilities were not of great concern.”<sup>146</sup> No one was prepared for the changes that occurred during the 1970s, and few, if any, of the participants in the mega-project era could predict the ramifications of building the first interstates through built-up urban areas. The cases show both the strain and the innovation these changes prompted.

The crucial role of cities did not change, but the Mayor’s Task Force, created to coordinate the dissemination of information and decision making in the I-394 corridor, was a new kind of organization that proved to be quite useful in moving the project forward. A separate problem between city councils and highway engineers was the difference in the time frames in which these groups operated. As one transportation planner pointed out, “MnDOT projects are lifetime events.”<sup>147</sup> However, elected officials respond to their constituents; thus, according to one MnDOT official, as constituents become more involved and concerned, it means “the politics change over the life of a project.”<sup>148</sup> In the cases of I-335 and I-35E, the changing positions of the city council had an effect on the dynamic of the decision-making process.

The increased role of regional government is clear in this period. It is likely that the Metropolitan Council’s preference for the U.S. Highway 12 alignment was decisive in the final selection of that location over the northern alignment for I-94 east of downtown St. Paul. In addition, the Metropolitan Council recommended that I-335 be withdrawn from the system, and it promoted the parkway design for I-35E. In the early stages of planning for I-394, the Citizen’s Advisory Committee requested that the Metropolitan Council take the lead in the EIS process, a request that was granted by Commissioner Waldor.

The relationship between the legislature and MnDOT changed dramatically during this period. Previously, the expertise of transportation professionals was considered sufficient to manage the interstate program. On many issues nationwide, however,

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145. Urban Advisors to the Federal Highway Administrator, *The Freeway in the City: Principles of Planning and Design. A Report to the Secretary, U.S. Department of Transportation* (Washington, D.C.: U.S. Government Printing Office, 1968), 47.

146. Gary Barnes and Peter Langworthy, “Increasing the Value of Public Involvement in Transportation Project Planning: Final Report” (St. Paul, MN: Minnesota Department of Transportation, Research Services Section, March 2004), 2.

147. Anonymous interviewee, personal interview with author, March 2004.

148. Anonymous interviewee, personal interview with author, April 2004.

the role of experts in a representative government was being questioned. In the 1970s, some members of the state legislature responded to their constituents' concerns and inserted themselves more directly into the decision-making process. In 1974, the legislature was poised to make a decision regarding the location of I-94, and the moratorium bill and six-lane restriction on I-394 was a level of intervention previously unknown. Legislative authority was affirmed when the St. Paul Chamber of Commerce lost its lawsuit to declare the moratorium bill unconstitutional. Related to this was an increasing inclination on the part of citizen activists to turn to their elected officials because of their perception that MnDOT was not sufficiently responsive. As part of the changing expectations about government responsiveness and openness generally, activists had expectations about how government should treat them, and often those expectations were not met. As one activist noted, "Part of our dispute was that where we lived was seen as a 'traffic corridor.'"<sup>149</sup>

In many areas of public life, citizen organizing was growing dramatically. Freeway opponents often "shared many aspects of the 1960's countercultural and change-inducing anxiety. Typical of the time was rejection of top-down decision making, the normal practice of the highway establishment in routing and building highways."<sup>150</sup> With the energy crisis and the growth of the environmental movement, previous ways of thinking were being challenged. "Auto domination was the way of thinking" until this time.<sup>151</sup> During this period, there was a sense of social movement among many activists, a concern beyond what is too often characterized as the Not In My Backyard (NIMBY) syndrome. By the early 1970s, there was some national structure to anti-highway activity, with conferences and legal action workshops held in Washington, D.C.<sup>152</sup> Citizens active in RIP 35E were energized by attendance at such a conference. Citizens learned from each other, as in the case of I-335, when protesters visited neighborhoods where the freeway previously had been built. As one activist noted, "We were acutely aware what was happening in other disputes."<sup>153</sup>

The single event most crucial to increasing the ways in which citizens could affect the process was the passage of the National Environmental Protection Act in 1969. The environmental review process and the requirement that alternatives be studied and evaluated opened the possibilities for citizens to participate in the process more than ever before. This also created confusion as all parties figured out what the implications of NEPA were. All four of the cases discussed in this report were under way when NEPA was passed. Huge, complex projects had to be adjusted mid-stream to the unfamiliar requirements. Professionals in the highway planning community suddenly were working under different expectations. It is not surprising that adapting to the new procedures was challenging for everyone involved. A former commissioner notes that, "Based on years of conditioning, local people do not trust MnDOT."<sup>154</sup> When such a big change occurs in the midst of distrust, moving forward is even more difficult. As one retired transportation professional observed, "The EIS moved the conversation from design issues [first] to policy first and then design issues."<sup>155</sup> The

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149. Anonymous interviewee, personal interview with author, July 2004.

150. Raymond A. Mohl, "Stop the Road: Freeway Revolts in American Cities," *Journal of Urban History* 30 (July 2004): 675.

151. Anonymous interviewee, personal interview with author, March 2004.

152. Mohl, "Stop the Road," 696–697.

153. Anonymous interviewee, personal interview with author, April 2004.

154. Anonymous interviewee, personal interview with author, April 2004.

155. Anonymous interviewee, personal interview with author, November 2004.

technical expertise of engineers was losing its primacy, and the time required to plan and build a freeway increased dramatically. Consequently, so did the expense. In 1980, more than one-third of the national system's greater than \$100 billion cost still remained under contract.<sup>156</sup>

Another piece of legislation that had a large impact on the politics of urban freeways was the Federal-Aid Highway Act of 1973, which allowed funds allocated to building freeways to be converted to other projects. This played a key role in abandoning the plan to build I-335. Few government officials are ever going to take action that would result in the loss of large amounts of federal money for their home districts, especially when it is as substantial as the 90/10 funding provided in the interstate program. As one MnDOT official stated, "A priority is that you don't lose federal funds."<sup>157</sup> Because substitution funds did not come from the Highway Trust Fund, they were not completely reliable, but they definitely did add to the decision-making process a new dimension of alternatives other than building freeways. All in all, the new legislative and legal environment "posed new hurdles for the highway advocates and highway builders, created administrative confusion and delay at the local level, provided new access to information for citizen groups, and opened new opportunities for litigating the freeway revolt."<sup>158</sup>

Business groups were involved in a deep, sustained manner during this period, especially in disputes that directly affected central business districts. The St. Paul Chamber of Commerce was informed and active throughout the entire I-35E dispute. Downtown Minneapolis business interests were crucial to the development of the proposal to build a ring route around the Minneapolis central business district. Although other factors prevailed that resulted in I-335 not being built, members of the business community were key actors in the process for decades.

This period of change also was a time of innovation, both politically and technically. I-35E's innovative parkway design retained the basic location and design as determined by engineering studies, but the operation was modified to restrict traffic speeds and prohibit heavy commercial vehicles. In addition, there was extensive and attractive landscaping. The design of I-394 was built around the need to provide incentives for drivers to switch to carpooling or buses. This was done using HOV lanes with dedicated ramps, park-and-ride lots, and publicly owned parking garages connected to the downtown skyway system. Both of these innovations gained national attention for their creative engineering solutions. New political structures, such as the Citizen Advisory Committee on I-394 and the I-94 Management Committee, were devised to include various perspectives in a systematic way. In the 1970s, American society determined that major public works projects ought to be part of public debate. The conflict during this period was a part of figuring out how to accomplish this. The processes and structures work out in this period sought to establish how to make the best use of engineering and planning expertise within a representative governmental system.

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156. U.S. DOT—FHA, *The Story of the Federal-Aid Highway Program: America on the Move*, 12.

157. Anonymous interviewee, personal interview with author, April 2004.

158. Mohl, "Stop the Road," 697.

## HISTORY OF THE TWIN CITIES AREA INTERSTATE: FALLING BEHIND (1990s)

### Introduction

There was another change in atmosphere and citizen attitudes moving into the 1990s. In 1973, 62% of metro area residents reported that they liked the area in which they lived and if given the chance to move would prefer to stay. Of those who said they would like to move, the weather was cited as the main reason. Clearly, overall satisfaction with the metro area was high. But by 1993, 61% of Minneapolis residents and 57% of St. Paul residents said they thought life was better in the suburbs, with 54% and 50% respectively saying they were thinking about moving. The reason was fear of crime. In 1995, the Minnesota Poll concluded that “a pall hangs over the City of Lakes” with 60% of residents predicting that the quality of life would be worse in a decade. Again, Minneapolis residents stated crime was the biggest problem facing the city. In St. Paul, 44% of residents said crime was the biggest problem in their city. Residents of both cities reported strong attachments to their neighborhoods, however.<sup>1</sup> This strong commitment to neighborhoods became a factor in the I-35W dispute. The mood nationwide was that “things have gotten pretty seriously off on the wrong track.” Governors had some of the lowest job performance ratings in years as federal funding was cut and responsibility for many programs was transferred to states to figure out at the same time they were suffering the effects of the recession.<sup>2</sup> The famous Minnesota quality of life, which had been made rather than given, was starting to erode.<sup>3</sup>

Concurrently with this, the situation regarding freeways also had changed. Although there was much conflict during the previous era, freeways continued to get built and segments were completed. There was now a freeway system in place that people could use, and this system was widely viewed as a benefit to the region. Even with increasing congestion creating pressure for action, the dynamics are different when a system needs to be adjusted rather than created. The need to adjust the freeway system shifted projects from transportation-related construction the area *had* to have to construction that would be *nice* to have.<sup>4</sup> Although large total amounts of money continued to be spent on highways and other travel-related items, investment in transportation infrastructure began to fall behind. Highways that had been planned for years—such as the Hiawatha Freeway, Cedar Avenue Freeway, 28th Street Crosstown, and an upgrade of Highway 55 to freeway standards—had been dropped years earlier and were not likely to ever get built. For a complex array of reasons, including greater competition among scarce resources, anti-tax sentiments, and perhaps, a vague disil-

1. “The Folks Like It Here,” *Minneapolis Star*, 17 April 1973, section C, 7; “61% Wonder If the Good Life Hasn’t Moved to the Suburbs,” *Star Tribune*, 3 September 1993.

2. “Politicians May Face Voter Buzz Saw in 1992,” *Star Tribune*, 29 December 1991, section B, 1; “Carlson Not the Only Governor Losing Popularity Contests,” *Star Tribune*, 8 February 1992, section A, 1.

3. Ted Kolderie, “Cold Sunbelt: Maintaining Minnesota’s Institutions of Public Policy,” *Minnesota Journal* (January 2002).

4. Anonymous interviewee, personal interview with author, November 2004.

lusionment with government, public support for investments waned even as the costs of urban transportation projects continued to increase dramatically. In addition, no clear, widely accepted vision emerged to follow the national mandate to build the interstate system. Many transportation professionals and well-informed citizens began to believe that as a region, the state of Minnesota in general and the Twin Cities metro area in particular were falling behind in meeting transportation needs. In addition, just what standards we should not fall behind was undetermined.

The political dynamics also continued to change. What had been a sharply different way of operating in the 1970s was becoming familiar as the requirements established by NEPA were now codified and understood. Although it was less urgent than other issues, by the early 1990s, Twin Cities residents were complaining about congestion, and although transit was most often cited as the best solution to congestion, few people were willing to carpool or use mass transit themselves.<sup>5</sup> In 1992, 95% of Minnesotans ranked the economy as a serious problem, with 75% calling it very serious.<sup>6</sup> At the same time money became tight, the cost of transportation projects became more expensive. This was due to the high cost of acquiring right-of-way in built up areas and the more complicated physical design needed to accommodate heavier traffic. As Natalio Diaz, director of metropolitan transportation services with the Metropolitan Council put it, “The current era is the era of mega-projects that don’t get built.” He concluded, “It is impossible to put together a financial package that is politically acceptable.”<sup>7</sup> Rapid growth outside the central cities led to conflicting needs between suburbs and city neighborhoods. Although elected officials worked to resolve these conflicts, with assistance from MnDOT staff and consultants, the fundamental differences were not overcome.<sup>8</sup> The following case shows more sophisticated citizen activism making use of political tools that had become familiar by this time and the adaptation by transportation professionals followed by the effect of falling behind on investments in our transportation infrastructure.<sup>9</sup>

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5. “Welcome to the Daily Traffic Jam,” *Star Tribune*, 24 November 1991, section B, 1.

6. “Pocketbook, Social Issues Hit Home,” *Star Tribune*, 3 March 1992, section B, 1.

7. Anonymous interviewee, personal interview with author, March 2004.

8. Anonymous interviewee, personal interview with author, March 2004.

9. Anonymous interviewee, personal interview with author, March 2004.



## Interstate 35W Expansion

Timeline	
1971	I-35W Corridor Demonstration Project: ramp meters, express bus service, traffic surveillance
1978 (May)	MnDOT request for Federal-Aid Interstate Funds (FAI) to add two lanes from 46th Street south to County Road 42 in Burnsville
1979 (April)	FAI funds denied
1984	EIS process under way
1986	I-35W Community Task Force formed
1987	Richfield Ad Hoc I-35W/494 Traffic Committee formed
1987	Public meetings on Crosstown design concepts
1988	Public meetings on concepts for scoping process
1988	Neighborhood Transportation Network formed
1988 (Oct.)	Scoping Decision Document completed
1989	I-35W Solutions Alliance formed
1989 (July)	Alternatives for study reduced to four
1992 (March)	Draft EIS completed
1992 (May)	Public hearing
1993 (Jan.)	Commissioner Denn announces selection of preferred alternative
1994 (Nov.)	Final EIS completed
1995 (Oct.)	Commissioner Denn announces funds not available

Interstate 35 was part of the federal interstate system from the earliest planning efforts, appearing on the 1938 map as an essential north-south route across the middle of the country. Similarly, early planning maps show the freeway splitting into two separate routes—one through Minneapolis (the financial center) and the other through St. Paul (the state capitol) as shown in Figure 15. Construction work on I-35W south of downtown Minneapolis began in 1959, and the route opened to the downtown business district in 1967. The connecting link to I-94 was completed in December 1968. Increasing numbers of drivers quickly took advantage of the faster access I-35W provided to the Minneapolis downtown center, the Minneapolis–St. Paul International Airport, and interchanges with other major routes. Before the freeway, it took a minimum of 30 minutes to drive from downtown Minneapolis to 98th Street and Lyndale Avenue in Bloomington, and when I-35W opened, the time was expected to be reduced to fifteen.<sup>10</sup> Suburbs grew quickly along I-35W south of Minneapolis. In 1969, MHD officials announced the freeway had exceeded the projected 1975 capacity of 5,900 vehicles an hour, reporting a traffic count of 6,078 from 7 AM to 8 AM. This was double the traffic count for 1967, when I-35W opened two years earlier. Congestion on I-35W was partially addressed by the innovative ramp meter program developed by MHD in the early 1970s.<sup>11</sup> Other innovative traffic management elements incorporated into the corridor included a real-time surveillance system, express bus service, priority access to the freeway for buses, and park-and-ride facilities. These efforts were intended to increase the number of people

10. "35W Should Save 15 Minutes Driving Time," *Minneapolis Tribune*, 28 November 1967.

11. "Highway 35 Called Near 'Breakdown'," *Minneapolis Star*, 3 December 1969; Anonymous interviewee, personal interview with author, March 2004.



Minneapolis skyline from I-35W and 39th Street, 1991. (Photo © Regents of the University of Minnesota. All rights reserved. Reprinted with permission of the Metropolitan Design Center.)

moved and improve the flow on an existing freeway, and although ultimately these measures could not keep up with increasing demand, they did ease congestion.<sup>12</sup>

In 1978, MnDOT submitted a request for Federal-Aid Interstate (FAI) funds to widen I-35W from 46th Street in Minneapolis south to County Road 42 in Burnsville. At this time, I-35W consisted of four lanes north to the Crosstown Commons section, six lanes to 46th Street, and eight lanes north of 46th Street to downtown Minneapolis. MnDOT sought to add two lanes from County Road 42 north to 46th Street, add an additional bridge over the Minnesota River to create a total of six lanes there, and provide six lanes for I-35W and four lanes for County Road 62 at the Crosstown Commons. The estimated cost was \$50 million. The proposal indicates that the 1965 reconstruction plan for the I-494 bridge over the Minnesota River shows two lanes added to I-35W. Planning for future expansion had been included quite early in the development on this heavily used corridor. Even so, the rate of growth in the demand for service in this corridor was not anticipated.

Burnsville was incorporated as a village in 1964, had a population of about 20,000 in 1970, and a population of more than 30,000 only six years later. Valley Fair opened in 1976, Burnsville Center opened in 1977, and the Minnesota Zoo opened in 1978. Likewise, the population of Bloomington increased from about 5,000 in 1950 to 82,000 in 1970. In addition, highways planned for Cedar Avenue and Hiawatha Avenue in early designs for the southern part of the metropolitan area were not built. These factors combined to make early traffic predictions fall short, as shown in Table 3.<sup>13</sup>

**Table 3. 1975 Design Year Volumes for Interstate 35W**

	1958 Prediction for 1975 ADT*	1965 Prediction for 1975 ADT*	ADT in 1975	ADT in 1977
Minnesota River Crossing	17,900		61,000	80,000
At 86th St.	21,000		72,800	88,000
At 70th St.	25,000		72,100	85,000
Curve south of Crosstown Common section		33,800	51,800	62,000
Crosstown Common section		59,000	95,700	115,000
Curve north from Crosstown Common section		42,600	75,000	88,000
At 50th St.		67,000	111,600	128,000

\*Average Daily Traffic

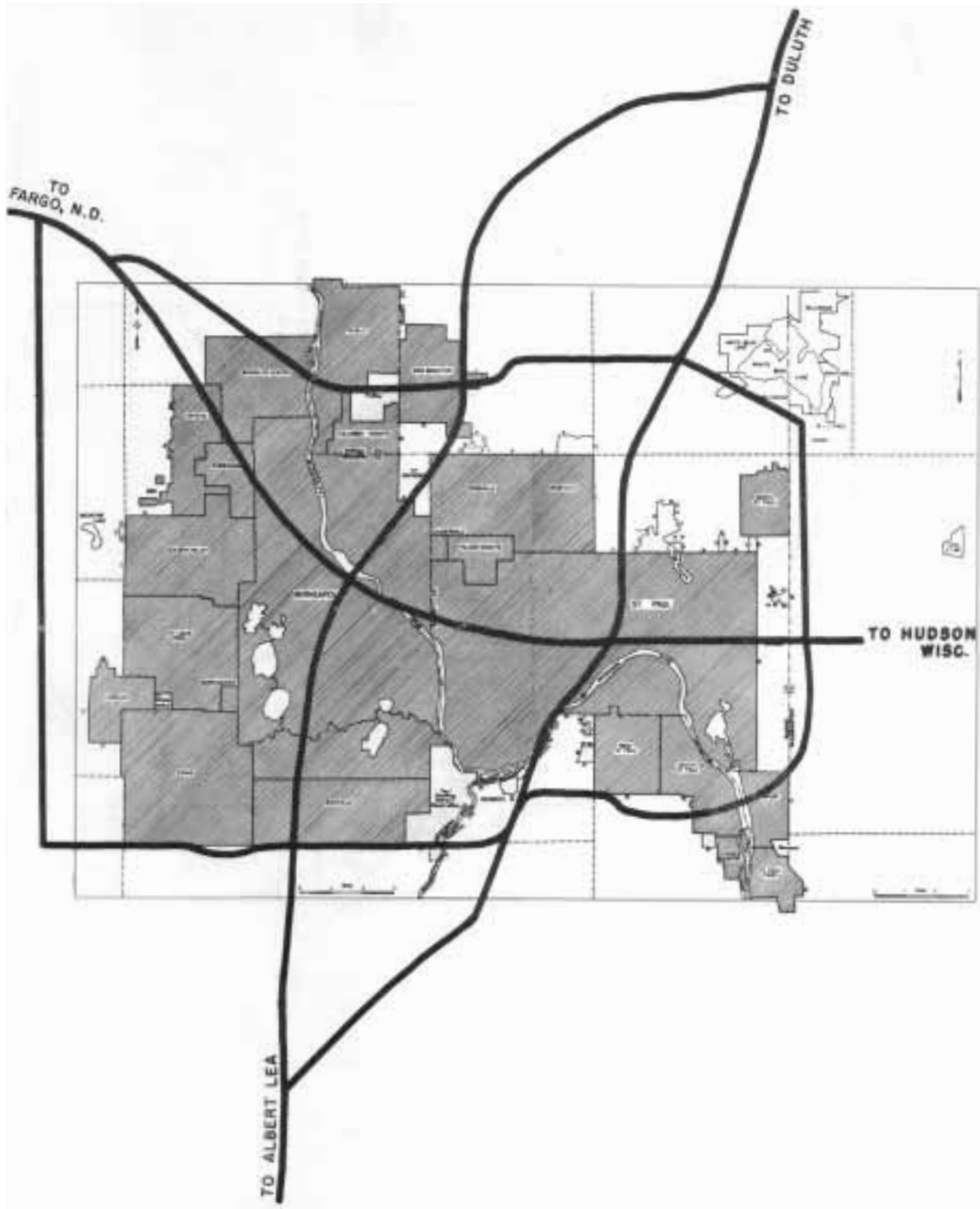
Source: Minnesota Department of Transportation, "Interstate 35W Proposed Lane Addition and Reconstruction" (St. Paul, MN: MnDOT, May 1978), 21.

12. Bather-Ringrose-Wolsfeld, *Final Report for the I-35W Urban Corridor Demonstration Project* (St. Paul, MN: Bather-Ringrose-Wolsfeld, 1975).

13. Minnesota Department of Transportation, "Interstate 35W: Proposed Lane Addition and Reconstruction" (St. Paul, MN: MnDOT, 1978).

**Figure 15.** General Location of Twin Cities Freeways, 1955

**Source:** Reproduced from Bureau of Public Roads, U.S. Department of Commerce, *General Location of National System of Interstate Highways* (Washington, D.C.: U.S. Government Printing Office, 1955), 46.



Despite the demonstration of need by MnDOT, the likelihood of acquiring federal funds was less certain than in previous eras. The availability of federal funds for interstate projects had shifted. In a memo to division administrators, Donald Trull, FHWA regional administrator, said the following:

It would appear that it will become increasingly difficult to justify FAI funding of additional general use lanes, especially on sections that are beyond their 20-year design life. Peak hour congestion is becoming less a factor. The current emphasis is on moving people rather than vehicles and the capabilities of the total existing highway system is to be considered when evaluating a request. Increased emphasis is also being placed on a cost effective analysis.<sup>14</sup>

The FHWA viewed the interstate program as a one-time, initial construction-only program designed for a 20-year period. It stressed its view that the use of HOV lanes and bus service to improve the ability to transport people was of increased importance.<sup>15</sup> Indeed, financial pressure was being felt at MnDOT. The building boom was followed by a shortage of funds to maintain or improve the built system. The 1978 *MnDOT Plan* published under Commissioner Harrington noted:

Inflation in construction costs, difficulty in maintaining an aging system, and a decrease in the growth rate of revenues make it difficult to slow the deterioration of the system. To provide an adequate system, which would meet the State's needs for safety and mobility, may require a significant increase in the financial investment in highways.<sup>16</sup>

The change in emphasis in the federal perspective became evident in a letter to Commissioner Braun from Frederick Behrens on behalf of the U.S. DOT Division Administrator, Dean Carlson. The 1978 request for funds was denied due to the absence of HOV lanes in the proposal. The letter stated the opinion that “no appreciable improvement in operations” would result from the proposed plan. However, FAI funds for further study of options for the corridor would be made available.<sup>17</sup> Although this was viewed as encouragement to develop a project for the area that included HOV lanes, MnDOT staff were acutely aware that the FAI cutoff dates were close (EIS approval was needed by September 30, 1983, and contracts were to be awarded by September 30, 1986) and that funding was not assured for this project regardless of the alternative selected.<sup>18</sup> Although the importance of this project remained, the future upgrading of Cedar Avenue south of the Crosstown Commons

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14. Donald E. Trull, Regional Administrator, Federal Highway Administration, Memorandum to Division Administrators: Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin, 20 June 1978.

15. Associate Administrator for Engineering and Traffic Operations, Federal Highway Administration, Memorandum to Regional Federal Highway Administrators, 7 June 1978.

16. Minnesota Department of Transportation, “MnDOT Plan: A Transportation Plan for Minnesota” (St. Paul, MN: MnDOT, 1978).

17. Frederick A. Behrens, District Engineer for E. Dean Carlson, Division Administrator, Federal Highway Administration, Letter to Mr. Richard P. Braun, Commissioner, Minnesota Department of Transportation, 4 April 1979.

18. Richard T. Peterson, Office of Program Development, Minnesota Department of Transportation, Memorandum to Bruce L. Warzala, Director, Office of Program Development, 2 May 1979.

and Hiawatha Avenue south of downtown, as well as completion of the I-494 Minnesota River bridge, were viewed as projects that could possibly reduce traffic volumes on I-35W.<sup>19</sup> In 1982, a project to repair the I-35W bridge over the Minnesota River received federal approval for three lanes as part of a redecking project. However, the third lane on the bridge could not be used until the approach was also widened.<sup>20</sup>

In 1983, MnDOT announced plans to begin the environmental impact study process for the same section studied in the 1978 proposal, from 46th Street south to County Road 42 in Burnsville. Funding was expected to come by way of shifting automobile excise taxes from the State's general fund to the highway construction fund, which had the support of Governor Perpich.<sup>21</sup> In June 1984, Commissioner Braun formally requested the participation of the Metropolitan Council as a partner in the study and development of the I-35W corridor.<sup>22</sup> The *I-35W Background Executive Summary* from 1984 states that the major funding source for the project at that time was expected to come from the FHWA's Interstate Rehabilitation Program funds. Commissioner Braun established a Project Advisory Board (PAB) consisting of representatives from the affected cities (Minneapolis, Richfield, Bloomington, and Burnsville), Hennepin and Dakota County, the Metropolitan Council, the Minnesota Valley Transit Authority, FHWA, and MnDOT. The purpose of this group, which met monthly, was to recommend policy and direction for the study. Additionally, the group was designed to get coordination among the various governmental bodies from the very start of the project. Another group, the Project Staff Team, was made up of representatives from MnDOT, the Metropolitan Council, FHWA, and a consulting firm. This group had responsibility for actually preparing the studies and other required documents.<sup>23</sup>

Reflecting a change in perspective that shifted to planning for major transportation corridors rather than freeways alone, all options receiving serious consideration (other than no-build) were multimodal, incorporating bus lanes, HOV lanes, or light rail. By 1986, MnDOT, FHWA, and the Metropolitan Council had initiated the environmental studies for expansion.<sup>24</sup> The task at this stage was to prepare a scoping document, which would narrow the alternatives to only those that would be included in the draft EIS. By this time, the freeway section under review had been expanded at the north end to extend to Washington Avenue in Minneapolis (see Figure 16).

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19. Jim Page, Transportation Planner, Minnesota Department of Transportation, Memorandum to John Sem, Director, People and Goods Movement Section, Minnesota Department of Transportation, 22 September 1981.

20. Dennis Cassano, "Proposal to widen 35W pits Richfield's 'no' vs. Burnsville's 'hurry!'," *Minneapolis Star Tribune*, 28 February 1989, section A, 1,7.

21. Laurie Blake, "State Eyes Wider I-35W South from 46th St.," *Minneapolis Star Tribune*, 15 December 1983, section B, 1.

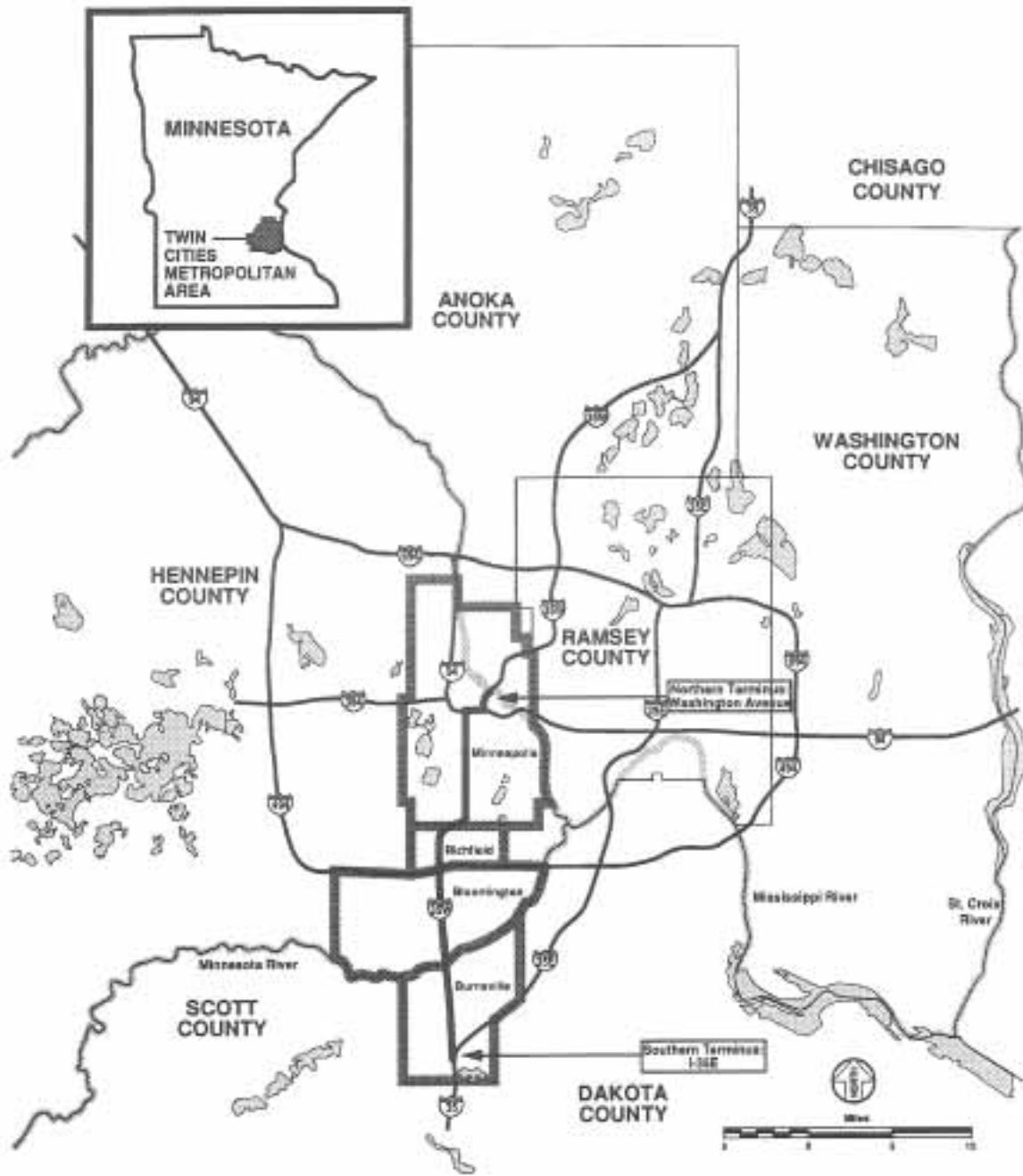
22. Richard P. Braun, Commissioner, Minnesota Department of Transportation, Letter to Sandra Gardebring, Chair, Metropolitan Council, 5 June 1984.

23. Minnesota Department of Transportation, "I-35W Background Executive Summary" (St. Paul, MN: MnDOT, 1984).

24. *Final EIS*, 1-3-1-5.

**Figure 16.** Interstate 35W Project Location

**Source:** Reproduced from Minnesota Department of Transportation (MnDOT), *I-35W Final Environmental Impact Statement* (St.Paul, MN: MnDOT, 1995).



	<b>I-35W PROJECT LOCATION</b>	<b>2-1</b>
	Minnesota Department of Transportation    Metropolitan Council    Federal Highway Administration    Birge-Roscoe-Fauch, Inc.	Figure

Concern among citizens along the corridor in south Minneapolis was present as early as fall 1983, when elected officials consistently heard complaints from residents while door knocking during the campaign. The memory of difficult experiences from the first round of construction on I-35W was present in the community and viewed in retrospect as damaging to the neighborhoods.<sup>25</sup> It is not surprising, then, that the first formal citizen group related to the I-35W expansion project was the I-35W Community Task Force created by the Minneapolis City Council in 1986. This task force included citizen representatives from every ward affected by the proposed project, as well as some business representatives from the area. The group's purpose was to study the alternatives and make recommendations to the Minneapolis City Council.<sup>26</sup> Beginning in April 1987, the task force held public meetings for comment on the scoping study. During these meetings, requests were made that transit be a major component of any proposed plan, concerns were voiced about the loss of homes necessary to complete the project, and complaints were lodged about the possibility of increased noise and pollution. Additionally, Lake Street business interests advocated for access at Lake Street.<sup>27</sup>

Minneapolis was not alone in hearing concerns from citizens. Burnsville residents let their elected officials know that relief for traffic congestion on I-35W was a priority for them.<sup>28</sup> The long process for developing large projects like this was not well understood by citizens, and there was some impatience. In Richfield, people were concerned about traffic flowing onto their city streets and about the loss of access at Lyndale Avenue, which they viewed as crucial to the vitality of their business district. The City of Richfield formed the Richfield Ad Hoc I-35W/I-494 Traffic Committee. The Minnesota Department of Transportation gave the Richfield group and the I-35W Community Task Force six design concepts to study for the Crosstown Commons as part of preparing the scoping document. Public meetings were held, one in each affected city, in fall 1987. This planning was for the freeway portion, with transit design to be made available later after data were available.<sup>29</sup>

The following paragraphs describe the technical status of the project as of August 1987. Because the transit ridership forecasts were not yet completed, designs proposed at this time did not yet incorporate public transit, although, MnDOT made it clear this component would be added. According to a MnDOT press release, "Other design concepts, some including public transit, will be developed in the fall . . . Transit will play a pivotal role in the I-35W design . . . The transportation department is looking at transit options which included light rail transit (LRT) and high occupancy vehicle lanes such as those now being built on I-394."<sup>30</sup> A project briefing memo also noted that "Transit ridership forecasting for LRT and HOV lanes is still underway but near completion. Thus, transit components have not yet been incorporated into design concepts." The memo went on to stress, "This will be done as soon as ridership projections are available."<sup>31</sup> There were six design concepts for the

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25. Anonymous interviewee, personal interview with author, February 2006.

26. Jim Daire, City of Minneapolis, Planning, Memorandum to John Doyle, Chair, I-35W Community Task Force, 25 September 1986.

27. Katie Turnbull, Regional Transit Board, Memorandum to Elliot Perovich et al., Regional Transit Board, 15 April 1987.

28. Anonymous interviewee, personal interview with author, March 2006.

29. Minnesota Department of Transportation, "I-35W Reconstruction Study Advances," *MnDOT News*, 12 August 1987.

30. Minnesota Department of Transportation, "I-35W Reconstruction Study Advances."

31. Minnesota Department of Transportation, "I-35W Reconstruction Study Advances."

Crosstown Commons, three for the I-94 common section, and four for the I-494 interchange. The emphasis in the Crosstown Commons was to improve the curvature, eliminate left exits and entrances, separate the roadways, minimize right-of-way acquisition, and avoid parks, lakes, cemeteries, and churches. The Lake Street interchange area, the next section to be studied, was to continue south to Diamond Lake Road.<sup>32</sup>

The political status of the project was beginning to heat up at this time. In Richfield, residents agreed that improvements to the freeway were necessary and expressed a desire to get it over with as quickly as possible so people who would have to leave their homes would be able to make plans.<sup>33</sup> In Minneapolis, however, the loss of homes and businesses to additional lanes was a significant concern. In September 1987, Minneapolis City Council members Steve Cramer and Carol Johnson, who both represented wards adjacent to the corridor, called for the city council to oppose any plans requiring the taking of homes and businesses. Cramer and Johnson proposed that mass transit options be used in lieu of adding lanes. The absence of data on transit options at that time, and the fact that no design concepts for other sections had yet been made public, made it difficult for MnDOT staff to respond. As the MnDOT spokesperson, corridor manager Craig Robinson replied that the commons section of I-35W and Crosstown necessitated the taking of about 150 buildings to correct safety problems, even if transit options were projected to reduce traffic congestion. With regard to LRT options, one complication was that both state and federal law specified that funds earmarked for highways must be spent on highways. Consequently, although bus and HOV lanes could be incorporated into plans that qualified for federal monies, LRT options could not.<sup>34</sup> In a letter to MnDOT Commissioner Leonard Levine, elected officials representing south Minneapolis stated a theme that would be present throughout the process: “Our neighborhoods have already absorbed more than their share of the burdens associated with the state’s air and highway transportation systems.” Although firmly stating their position (no doubt reflecting that of their constituents) that reconstruction must remain within the existing right-of-way, they also expressed their desire to work with elected officials from other cities to participate in a constructive process.<sup>35</sup> This would be their stance throughout the process. In Burnsville, officials were receptive to LRT as an option, but they wanted to keep it separate from the diamond, carpool lane, or HOV options because they believed including LRT would slow down the project. They wanted expansion as quickly as possible to serve their increasing population.<sup>36</sup>

In November 1987, the transit forecasts for various alternatives were made public. The alternatives included a no-build scenario; buses in mixed traffic; a diamond, carpool lane; a separated, reversible HOV lane; LRT; and combinations of these.<sup>37</sup> As

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32. Minnesota Department of Transportation, “Project Briefing: I-35W Informal Scoping—Crosstown Common Section,” 12 August 1987.

33. Laurie Blake, “300 Buildings Could be Razed Under I-35W Plan,” *Minneapolis Star and Tribune*, 18 August 1987, section A, 1, 9.

34. Laurie Blake, “Minneapolis May Try to Stop Plans for I-35W,” *Star Tribune*, 10 September 1987, section B, 1, 8.

35. Senator John Brandl, Representative Jean Wagenius, Council Member Steve Cramer, and Council Member Carol Johnson, Letter to MnDOT Commissioner Len Levine. 26 September 1987.

36. Anonymous interviewee, personal interview with author, March 2006.

37. Metropolitan Council, “Summary of Key Findings: I-35W Transit Forecasts,” internal Metropolitan Council memorandum, 4 November 1987.



expected, simply including transit options in the design alternatives did not remove the need to demolish some homes and businesses in the Crosstown Commons, with estimates that at least 150 buildings would need to be removed. A corridor study conducted on behalf of MnDOT by Strgar-Roscoe-Fausch found that carpool lanes and LRT would be desirable, and that even if both were built, additional general purpose lanes would be needed to accommodate projected traffic needs. Hennepin County had state authority to build LRT, but funding sources for LRT remained questionable.<sup>38</sup> To have time to incorporate the transit alternatives into the interstate designs, MnDOT delayed holding public meetings until early 1988.<sup>39</sup> The purpose of these meetings would be “to provide the public an opportunity to discuss conceptual ideas being considered” for transit and access alternatives in the reconstruction.<sup>40</sup>

There were more than 200 people at the public meeting in Richfield. Loss of homes was a sensitive issue because people remembered that many homes were removed for the original construction of I-35W and Highway 62. The presence of I-35W, I-494, and Highway 62 along its borders gave Richfield residents a sense of having their community whittled away by the need for expanded freeway capacity. One common sentiment heard over and over at the hearing was that Richfield already had contributed its share to metro area freeways. Because many of the residents in the area were approaching retirement age, uncertainty about the project and the timing of possible acquisition was crucial. If certain residents needed to move before MnDOT was ready to purchase right-of-way, these residents could be left in a financially difficult situation.<sup>41</sup> In this respect, the long timetables for developing such a large project were themselves a problem for property owners adjacent to the corridor.

As the public meeting process got under way, David Fisher, the District Five representative on the Metropolitan Council observed:

When the relative pros and cons of each alternative are discussed, these people want to know up front the practical consequences. I believe many are of the impression that some unknown and unreachable body of decision-makers has already concluded that the system will be changed, regardless of the consequences. I doubt many disagree that perhaps a change of some sort is necessary, but they must be reassured that the benefits of a system change will not be outweighed by the costs, both in money and in social upheaval.<sup>42</sup>

This sense that residents felt there was some hidden part of the decision-making process that they could not affect also was reported by elected officials from Minneapolis. MnDOT and consultant staff worked hard to make themselves accessible by attending many local meetings and personally responding to letters written by concerned citizens. They strove to educate the public in the affected areas about the

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38. Laurie Blake, “State: I-35W Light Rail Wouldn’t Spare Houses,” *Star Tribune*, 6 November 1987, section A, 1.

39. Laurie Blake, “State Seeks Delay on I-35W Hearings,” *Star Tribune*, 25 November 1987, section B, 1.

40. Minnesota Department of Transportation, “I-35W Transit, Access Options Offered,” *MnDOT News*, 30 December 1987.

41. Laurie Blake, “I-35W Plans Spark Plenty of Questions from Area Residents,” *Star Tribune*, 22 January 1988.

42. David F. Fisher, Metropolitan Council, District 5, Memorandum to Connie Kozlak, Metropolitan Council, 29 January 1988.

proposed designs and traffic data.<sup>43</sup> Residents along the corridor appreciated this high level of accessibility. Even though MnDOT and consultant staff made themselves widely available for citizen questions and comments, they often were viewed as inflexible, both by many Minneapolis citizens who lived along the corridor and by their elected representatives.<sup>44</sup> This perception, combined with the sense of community history regarding the original building of I-35W, fostered distrust of MnDOT on the part of many residents in Minneapolis who lived near the freeway.<sup>45</sup>

In March 1988, the I-35W Community Task Force submitted its interim report to Minneapolis Mayor Don Fraser and the Minneapolis City Council. The task force met 21 times, held two public meetings, and studied materials given to them by MnDOT and consultant staff. Staff members from the City of Minneapolis assisted the task force with these efforts. The report expressed a strong commitment to LRT in the I-35W right-of-way and selected three alternatives to move forward into the EIS phase, all of which were for smaller changes versus larger ones. One exception was the inclusion of the stacked alternative for the Crosstown Commons because this alternative would reduce property acquisition. The task force stated its intent to consider an appropriate balance between the tradeoffs of increased local street traffic and the taking of property, and in the end decided in favor of minimizing the loss of property. The group described its screening process as based on guiding principles developed to reflect “community values rather than technical-transportation planning values.”<sup>46</sup> The report also conveyed the group’s belief that MnDOT had not fully explored all possible options for the corridor.<sup>47</sup> MnDOT staff agreed to meet with the task force members, but noted that they thought they had explored all possibilities during the scoping process.<sup>48</sup>

In 1988, concerned citizens from the 14 neighborhood groups along the I-35W corridor in south Minneapolis formed an organization called the Neighborhood Transportation Network (NTN). Dore Mead, who was later elected to the Minneapolis City Council, provided leadership to the group. The group offered structure for local citizens who had been concerned about the I-35W plans for several years and provided a way to share information and coordinate activities. The network was distinctive in that it was committed to not simply say “No!” to proposed changes, but to come up with an alternative plan of its own. The Neighborhood Transportation Network defined its purposes as “to investigate, analyze, and respond to MnDOT’s plans, to develop recommendations for alternate changes that could improve the efficiency and people-carrying capacity of I-35W, and to influence alteration decisions.” In an effort to do this, NTN created a 40-page document called, “Minimum Build/Maximum Management Alternative for Alterations to I-35W.”<sup>49</sup>

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43. Anonymous interviewee, personal interview with author, February 2006.

44. Anonymous interviewee, personal interview with author, February 2006.

45. Anonymous interviewee, personal interview with author, April 2004.

46. I-35W Community Task Force, *Interim Report on the I-35W Scoping Process to the Minneapolis City Council and the Mayor* (Minneapolis: City of Minneapolis, 1988), 3.

47. I-35W Community Task Force, *Interim Report on the I-35W Scoping Process to the Minneapolis City Council and the Mayor*.

48. Steve Brandt, “Task Force Wants More Options for I-35W, Engineer: There May be None,” *Star Tribune*, 12 April 1988, section B, 1, 5.

49. Neighborhood Transportation Network (NTN), *Minimum Build/Maximum Management Alternative for Alterations to I-35W* (Minneapolis: NTN, 1988), 1; Anonymous interviewee, personal interview with author, February 2006.

The report viewed plans for improving I-35W as a debate about the function of the freeway and the focus of the problem, asserting that the debate should be about people rather than cars. Neighborhood Transportation Network's assessment of the problem was that congestion resulted from (1) the number of people who choose to travel on the segment during rush hour, (2) the high level of suburb-to-suburb traffic unrelated to the CBD, (3) low transit ridership, and (4) design defects in the Crosstown Commons as well as the I-94/I-35W interchange. Agreeing that the traffic forecasts were alarming, the report proposed taking an approach NTN viewed as changing the direction of travel patterns rather than accommodating them. This approach involved actions that would be out of the purview of MnDOT, such as creating programs with corporations that encouraged employees to make travel decisions that reduced congestion, coordinating school schedules to reduce traffic, and making improvements to the bus system. The report, focusing only on the portion of freeway located in Minneapolis, requested that NTN's minimum build/maximum management proposal be selected for evaluation in the EIS. There was concern that this would not happen because the 90% federal funding was available only if there were substantial alterations to the segment, which NTN's proposal did not include. Further, at a March 10 public meeting, MnDOT officials pointed out that a no-build or minimal-build alternative was not a realistic option because of the high traffic demands in the corridor. The NTN report sought to lay out a reasonable argument for the neighborhoods' vision of how the section should be altered. It included maps and incorporated references to Metropolitan Council documents, technical reports, newspapers, and journals relating to the project. The report also emphasized the points of agreement between NTN and MnDOT, and where there was disagreement, the report detailed reasons incorporating available technical information. The Neighborhood Transportation Network explicitly stated its disagreement with the guideline of obtaining 90/10 federal funding as a driving consideration in the design selection.<sup>50</sup> Although clearly written by amateurs, when viewed in light of efforts by other citizen groups in previous disputes, the report represents a notably higher level of sophistication than earlier efforts and a considerable expenditure of volunteer time and effort.

The NTN recommendation that no lanes be added north of 61st Street received cool reception from highway planners. Connie Kozlak, a Metropolitan Council planner, pointed out that converting an existing lane to HOV use had not worked anywhere in the country, mostly because drivers object to the loss of a lane and pressure politicians to keep the lane available for general use. Craig Robinson referred to a case in California where a lane converted from general use to HOV use lasted only six weeks due to the level of public outcry and the ensuing response from the legislature. Converting an existing general-use lane to HOV use was not feasible politically. Meanwhile, Minneapolis City Council member Steve Cramer and Representative Jean Wagenius (DFL–Minneapolis) announced their determination to ensure serious consideration of the NTN proposal in the EIS process.<sup>51</sup> There was widespread agreement among all involved that transit should be part of the design; the point of contention was whether additional general purpose lanes should be added. The MnDOT position, as stated by metropolitan district engineer Bill Crawford at public meetings, was that transit alone could not handle the expected demand. The elected officials

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50. NTN, *Minimum Build/Maximum Management Alternative for Alterations to I-35W*.

51. Steve Brandt, "Minneapolis Neighbors Propose Alternatives to I-35W Expansion," *Star Tribune*, 15 June 1988, section B, 1, 5.

from Minneapolis held the position that a transit-only solution should be seriously considered, arguing that people need incentive to abandon single-occupancy vehicles. Both sides were able to marshal research to support their views.<sup>52</sup>

As opposition in Minneapolis continued to mobilize, it became evident that plans for freeway expansion were bumping up against burgeoning neighborhood momentum for revitalization. In the beginning of the interstate program, freeway construction complemented the view that deteriorating areas should be razed and rebuilt. By the mid-1980s, however, neighborhood revitalization through political mobilization and reinvestment was gaining a solid foothold. This was at odds with freeway expansion in south Minneapolis. Loss of low-income housing was now viewed as a problem, rather than a benefit as it was viewed in the late 1950s and early 1960s.<sup>53</sup> Loss of housing was a major area of distrust between Minneapolis neighborhood groups and the Metropolitan Council, because of problems associated with replacing housing lost to make room for the Minneapolis Convention Center.<sup>54</sup> It was difficult to ease the tension between the need for housing and the need to quell the increasing traffic demand.

In response to concerns about loss of homes in Minneapolis and Richfield, MnDOT announced it was dropping from consideration those proposals for realignment of the Crosstown Commons that required the demolition of at least 300 houses, retaining two proposals that required taking about 200 houses. About 40 more houses actually would be taken, according to plans to accommodate the realignment of I-35W and I-94. In November 1988, the scoping decision document described six alternatives for study in the EIS process, including the NTN proposal.<sup>55</sup>

Just as the scoping document was being completed, debate began regarding whether or not the decisions about LRT's inclusion and possible alignment should proceed as part of the I-35W EIS process or whether this issue should be studied separately. This seemingly bureaucratic decision had political implications that were clear to elected officials. Burnsville officials wanted to keep the LRT issue separate to make the I-35W process move more quickly, whereas Minneapolis officials wanted LRT included because they had great interest in LRT-only possibilities.<sup>56</sup> The Metropolitan Council recommended that LRT be a part of the I-35W study. In conjunction with this, they also recommended that Hennepin County participate in the EIS process as a cooperating agency.<sup>57</sup> The Metropolitan Council's "Long Range Transit Analysis Plan" identified the I-35W corridor as one of two high-priority corridors for the region.<sup>58</sup> MnDOT accepted the Metropolitan Council recommendation and asked Hennepin County, via the Hennepin County Regional Rail Authority, to participate as a cooperating agency and pay for the LRT portion of the EIS.<sup>59</sup>

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52. Steve Brandt, "This 35W Thing is Going to be War," *Star Tribune*, 14 June 1988, section B, 3.

53. Anonymous interviewee, personal interview with author, February 2006; Connie Kozlak, Memorandum to Steve Keefe, 17 June 1988.

54. Ana Moreno, Memorandum Steve Keefe, 17 June 1988.

55. Steve Brandt, "State Revises Proposals for 35W Changes," *Star Tribune*, 22 June 1988, section B, 1, 7.

56. Anonymous interviewee, personal interview with author, March 2006.

57. Steve Keefe, Chair, Metropolitan Council, Letter to William Crawford, District Engineer, 12 August 1988.

58. David Fisher, Metropolitan Council, Memorandum to Sen. Carol Flynn, 19 September 1988.

59. William Crawford, MnDOT District Engineer, Letter to Vern Genzlinger, Associate County Administrator, Hennepin County, 6 September 1988.

The scoping decision document selected eight alternatives. In addition to the no-build option required by federal regulations, the included the following:

- Minimum Safe Operation: no additional through lanes, safety improvements
- Diamond Lanes: additional highway lanes reserved for buses and other high-occupancy vehicles
- Hybrid Reversible HOV Lanes: reversible HOV lanes north of the Crosstown and diamond lanes south of 60th Street
- NTN Proposal: convert existing lane to diamond lane north of 60th Street, diamond lanes added south of 60th Street
- LRT combined with minimum safe operation
- LRT and diamond lanes
- LRT on the Soo Line railroad south of 60th Street

This selection of alternatives for inclusion in the EIS process meant all interests had their preferred alternative included in the process. Cost estimates for these projects ranged from \$270 million to nearly \$1 billion.<sup>60</sup>

As the EIS process got under way, elected representatives from all affected areas began to mobilize. Dakota County commissioners and Burnsville officials weighed in on the importance of expanding I-35W south of the Minnesota River. Acknowledging that Richfield and Minneapolis had some thorny issues to resolve and stating their desire to not interfere, they called for expansion of I-35W south of I-494 to County Road 42, including the use of the third lane on the bridge over the river. Recalling the delays in building I-35E, leaders sought to distance themselves from the disputes in which their northern neighbors were embroiled. Officials from Burnsville, Dakota County, Apple Valley, Eagan, Savage, and Lakeville formed a loose coalition that was the precursor to the I-35W Solutions Alliance. Their purpose was to communicate to legislators and Governor Perpich the urgency residents along I-35W south of I-494 felt regarding the freeway expansion.<sup>61</sup> Sympathetic to the desire to open unused lanes that had been built to reroute traffic during bridge redecking, Governor Perpich directed Commissioner Levine to conduct the requisite soil study to open those lanes.<sup>62</sup> Bloomington officials supported the move to divide the project into two phases at I-494 so the improvements they advocated would move ahead. They also passed a resolution calling for the EIS to be similarly divided to reflect the two distinct phases of the project.<sup>63</sup> Richfield city officials' concern was that a delay in improvements to the Crosstown Commons would result in more accidents and increased neighborhood traffic as drivers avoided this section of freeway. Although their position was that loss of homes should be kept to a minimum, they also viewed the loss of homes as inevitable and wanted plans to be made quickly. During this time, elected representatives of Minneapolis took the offensive.



Nicollet Avenue from Burnsville Parkway, Burnsville, 1979. (Photo courtesy of the Minnesota Historical Society, location no. MD2.9 BV2 r1, negative no. 38132. Reprinted with permission.)

60. Minnesota Department of Transportation, "Scoping Decision Document: Interstate 35W Reconstruction Project" (St. Paul, MN: MnDOT, 1988).

61. Dennis Cassano, "Proposal to Widen 35W Pits Richfield's 'No' vs. Burnsville's 'Hurry,'" *Star Tribune*, 28 February 1989, section A, 1.

62. "Perpich Sets Study of Closed 35W Lanes," *Star Tribune*, 17 March 1989, section B, 1.

63. City Council of Bloomington, Resolution No. 89-44, 27 March 1989.

Representative McLaughlin (DFL–Minneapolis), stating that when I-35W was built it “was ripped out of the heart of the city,” wrote a bill proposing that no lanes could be added to the freeway segment until mass transit and traffic management options were exhausted to “soften further effects on the neighborhood.”<sup>64</sup>

In July 1989, Commissioner Levine announced that the number of alternatives in the EIS process had been reduced to four; two alternatives had carpool lanes and two called for LRT in the median. The other alternatives were eliminated because they required taking up to 100 more homes than the remaining alternatives, especially in the Phillips neighborhood in Minneapolis, a fragile area local citizens were working to revitalize. The four remaining alternatives ranged from between 8 and 10 lanes north of Crosstown and 6 to 8 lanes south of that point. Some of the reduction in the number of homes lost was achieved by using double-decking on the common section with I-94. Commissioner Levine and Governor Perpich had visited a two-tiered freeway in Austin, Texas.<sup>65</sup> Commissioner Levine stated that eliminating the most disruptive designs should establish that MnDOT’s goal was to find a solution that met traffic demand needs with minimal disruption. Elected representatives of Minneapolis praised the move and urged the department to continue whittling away at the number of homes and businesses required to be taken by the reconstruction. Representative Connie Morrison (R–Burnsville) noted with encouragement that Minneapolis officials had a positive response to the announcement that the number of alternatives had been reduced.<sup>66</sup> The announcement also was met with some negative reactions.

Because the scoping document had created the expectation that their plan would be included in the draft EIS, NTN members were angered by the announcement that their minimum build/maximum management alternative had been dropped. There were differing understandings regarding who would be responsible for making the technical drawings of the plan, as well as when various requirements had to be met. Minneapolis city staff provided substantial design and engineering work for NTN.<sup>67</sup> In a letter dated July 20, the day after Commissioner Levine announced the reduction of alternatives for study, Craig Robinson, the I-35W corridor manager, stated: “As I stated at [the June 29] meeting, our analysis of all alternatives is anticipated to be concluded this fall. To maintain our project schedule, I need to have your final proposal, complete with conceptual drawings, by approximately the end of September, 1989.”<sup>68</sup> There was increasing tension regarding the NTN report for all involved.

Bob Morgan, the widely respected transportation planning engineer for the City of Minneapolis and a key liaison and support person for the Minneapolis City Council, provided an account of the process for narrowing the alternatives in a memorandum to Mayor Fraser and the Minneapolis City Council dated July 26, 1989. He stated that MnDOT and the Metropolitan Council were likely to have made their decision

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64. Laurie Blake, “Minneapolis Getting Ready to Fight Pending Proposal to Upgrade I-35W,” *Star Tribune*, 14 April 1989, section B, 1.

65. Laurie Blake, “‘Double-Decking’ Considered for 35W,” *Star Tribune*, 17 March 1989, section B, 1, 7.

66. “4 Design Options are Finalists for I-35W Project,” *Star Tribune*, 20 July 1989, section B, 1.

67. Dore Mead, President, Neighborhood Transportation Network, Letter to MnDOT Commissioner Len Levine, 25 July 1989.

68. Craig Robinson, I-35W Corridor Manager, Letter to Dore Mead, President, Neighborhood Transportation Network, 20 July 1989.

based on their concern about being able to provide the necessary documents to meet the timetable set out for the project. In addition, the largest alternatives simply required too much right-of-way to be viable. He describes Commissioner Levine's announcement:

Local elected officials south of Minneapolis were not invited to the Commissioner's briefing and learned of the Commissioner's decision from their staff Wednesday afternoon, July 19, following the Project Advisory Board (PAB) meeting. At the PAB meeting local government staff was advised that MnDOT and the Metropolitan Council, working with the Project Management Team (MnDOT, Metropolitan Council, Regional Transit Board, Federal Highway Administration, and Strgar-Roscoe-Fausch), had developed these major revisions. We were advised that the Commissioner had announced these decisions to a group of elected officials at a meeting that morning. We were further advised that the press had already been briefed. Several thousand of the *I-35W Flyer* newsletters had already been printed, boxed, and were available to us for distribution. This was the first time that I or staff of the cities of Richfield, Bloomington, Burnsville, or Hennepin or Dakota County had heard of this decision. . . . MnDOT has managed in one day to ignore the Mayors and local elected officials of Richfield, Bloomington, and Burnsville; to make major decisions in the EIS while excluding all local government staff; and to lose any developed credibility with active citizen groups at least in Minneapolis.<sup>69</sup>

Morgan's memo reflects the important role local staff can play in the development of complex projects, but only if they are well-informed and involved in the process by both MnDOT and elected officials. Like many other transportation professionals working during these controversial projects, Morgan was caught in the tension between the technical expertise of his profession and volatile political realities. All legislators representing the affected areas in Minneapolis wrote to Commissioner Levine objecting to the process used to reduce alternatives and called for reinstatement of the NTN plan.<sup>70</sup> Mayor Fraser and Minneapolis City Council members who represented wards along the corridor wrote to Commissioner Levine thanking him for his recognition that loss of housing is a concern to the City of Minneapolis, for including LRT for consideration, and for efforts to mitigate neighborhood impacts. They also expressed concern over the exclusivity of the decision-making process that led to the reduced list of design alternatives to be studied. The letter stated that they "would like to see more interest and initiative from MnDOT to evaluate the NTN proposal at the same level of effort as the other EIS alternatives."<sup>71</sup>

Also in 1989, Dan McElroy, mayor of Burnsville, led an effort to form the I-35W Council, a group that by late 1990 would be called the I-35W Solutions Alliance. The

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69. Robert S. Morgan, Transportation Planning Engineer, Memorandum to Mayor Donald Fraser and Minneapolis City Council Members Brian Coyle, Barbara Carlson, Sharon Sayles-Belton, Joan Niemec, and Steve Cramer, 26 July 1989.

70. Representatives Jean Wagenius, John Brandl, Ken Nelson, and Peter McLaughlin, Letter to MnDOT Commissioner Len Levine, 8 August 1989.

71. Mayor Donald Fraser and Minneapolis City Council Members Sharon Sayles-Belton, Brian Coyle, Joan Niemec, Carol Johnson, Barbara Carlson, and Steve Cramer, Letter to MnDOT Commissioner Len Levine, 9 August 1989.

purpose of the organization was to develop solutions to improve traffic flow and capacity on I-35W to meet the needs of future growth and development and to provide a forum to discuss ways of alleviating congestion. Their immediate concern was getting use of the third lane on the bridge over the Minnesota River, whereas their long-term goal was to keep the corridor project on the established timetable and ensure that funding for the project was in place. Elected officials from neighborhoods along the entire corridor were invited to join. Although the I-35W Solutions Alliance did not have much immediate influence because of low attendance at early meetings, the group hired a lobbyist and played a significant role by the mid-1990s. Interactions between representatives from Minneapolis and those of the southern suburbs were cordial, but they had different views on how the corridor should be developed, as did their constituents.<sup>72</sup>

Because of political pressure, MnDOT continued to work with NTN into summer 1990. The EIS schedule was adjusted to accommodate development of the NTN proposal. Bob Morgan observed that although the inclusion of the citizen group's proposal was slowing down the study process a little, it was adding a substantially different alternative, which included both light rail and carpool lanes.<sup>73</sup> The process also was slowed by the eligibility requirements for federal mass transit subsidies, and because this was the first time light rail had been proposed as part of an interstate plan, MnDOT staff members were wading through unfamiliar procedures and paperwork. There was a sense in the transportation community that the decision about light rail in the I-35W corridor was critical to the development of mass transit in future designs throughout the metro area. Adding light rail after the construction would be prohibitively expensive, and many believed that if it was not built along the I-35W corridor in the current project, southern suburbs would never have LRT. Meanwhile, plans sought by those in the southern suburbs to open the third lane of the bridge over the Minnesota River moved ahead.<sup>74</sup>

The lack of familiarity with developing proposals for LRT was evident in a letter from Brian Clymer, with the U.S. Department of Transportation's Urban Mass Transportation Transit Board, to Michael Ehrlichman, chair of the Regional Transit Board. Preliminary cost-effectiveness data for the I-35W corridor, as well as the Hiawatha and Northeast corridors, were described in the letter as "simplistic" and not based on an "acceptable travel forecast modeling process." In addition, Clymer noted that information in different technical memoranda was inconsistent and would need correcting before they would be acceptable. For the U.S. DOT to select the I-35W corridor for an alternate analysis, it would have to be designated the region's LRT priority.<sup>75</sup> However, in 1991, the Regional Transit Board recommended the central corridor between the two downtowns as the top priority, and the Metropolitan Council concurred.<sup>76</sup>

In April 1991, MnDOT announced it was going to drop the NTN plan from the study. The State of Minnesota, the Metropolitan Council, and FHWA stated that the

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72. "Purpose Statement for I-35W Council," 16 March 1989; Anonymous interviewee, personal interview with author, March 2006.

73. Laurie Blake, "I-35W Design Study is Behind Schedule," *Star Tribune*, 10 July 1990, section B, 3.

74. "All Eyes on I-35W," *Star Tribune*, 1 January 1991, section A, 1.

75. Brian W. Clymer, U.S. DOT, Urban Mass Transportation Administration, Letter to Michael Ehrlichmann, Chairman, Regional Transit Board, 11 January 1991.

76. Natalio Diaz, Metropolitan Council, Memorandum to Mary Anderson, Metropolitan Council, 25 February 1991.



NTN plan was unsafe and did not warrant further study. MnDOT Commissioner John Riley explained that the limited vehicle capacity proposed in the NTN plan would divert drivers to local streets, thereby causing an increase in accident rates. Commissioner Riley offered a new proposal that he viewed as incorporating the “substance” of the citizens’ original proposal with changes to avoid the predicted increase in accidents. To achieve this, a lane was added in each direction between the Crosstown Commons and downtown Minneapolis. Because avoiding additional lanes was at the core of the NTN approach, it is not surprising that its supporters found this new alternative unacceptable. Elected representatives for the affected area in Minneapolis continued to call for inclusion of the NTN plan. Both the Minneapolis City Council and the Hennepin County board passed resolutions to include the NTN plan in further study.<sup>77</sup> Dakota County and the cities of Bloomington, Savage, Lakeville, and Burnsville passed resolutions to keep the NTN alternative out of the EIS and to move the project ahead as quickly as possible.<sup>78</sup>

The cities of Richfield, Burnsville, and Bloomington lined up in support of a design that called for four additional lanes, one each direction for general use and one each direction for buses and carpools. Minneapolis was steadfast in its commitment to including LRT in the median. In an effort to arrive at a palatable, if unpopular, compromise, the Metropolitan Council in early 1992 proposed a plan that would add two bus and carpool lanes and retain 45 feet in the median for light rail. The stakes were high because the 18 miles under consideration was the busiest stretch of freeway in the state.<sup>79</sup>

In spring 1992, attention turned to the MnDOT public hearing, which was expected to have unprecedented turnout. The hearing was preceded by informational meetings at various locations throughout the corridor. Opponents to expansion worked hard to get their supporters to the meeting. Neighborhood Transportation Network distributed 23,000 flyers alerting people to their position and the importance of the hearing. Former MnDOT Commissioner Richard Braun, highly respected by all parties, was asked to preside over the hearing; his experience was viewed as a valuable asset given the likelihood of a complex and heated event. The hearing was held at Richfield High School. This location was selected because of its central location along the corridor, ample parking, and large auditorium that could seat 1,000 people.<sup>80</sup> This location was seen by Minneapolis citizen activists, and some elected officials, as a choice that excluded many of those in areas likely to be affected by the project, as there was no close bus access. In response, MnDOT provided shuttle buses through the Whittier and Phillips neighborhoods. In addition, NTN organized rides for those who needed them. Minnesota Department of Transportation staff also received criticism for holding only one hearing for four communities, but members of PAB replied

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77. Laurie Blake, “State Calls I-35W Plan Unsafe, Quits Studying It,” *Star Tribune*, 24 April 1991, section B, 1; “MnDOT Rejects Group’s Plan,” *Whittier Globe*, April 1991, 1; Peter McLaughlin, Hennepin County and Steve Cramer, Minneapolis City Council, Letter to MnDOT Commissioner John Riley, 3 May 1991.

78. City of Bloomington, Resolution No. 91-46, 1 April 1991; City of Savage, Resolution No. R-91-47, 2 April 1991; City of Burnsville, Resolution No. 3656, 1 April 1991; City of Lakeville, Resolution No. 91-47, 24 April 1991; Dakota County, Resolution No. 91-276, 9 April 1991.

79. Laurie Blake, “Minneapolis, Suburbs Jockey for Inside Lane on I-35W’s Future,” *Star Tribune*, 13 April 1992, section A, 1.

80. James Denn, MnDOT Commissioner, and Mary E. Anderson, Chair, Metropolitan Council, Letter to Dore Mead, President, Neighborhood Transportation Network, 31 March 1991.

that they thought it was important for everyone to hear everyone else in one forum. Preparations included court reporters in a separate room to take comments from those who did not wish to speak at the hearing; these individuals could fill out cards with their comments to be included in the public record. Plans also were made to broadcast the hearing via radio to a community center in the Phillips neighborhood. There was an air of paranoia among some Minneapolis neighborhood activists, some of whom carried pieces of paper in their pockets to hand off in case they were arrested, and extra police were called in from Richfield and Edina.<sup>81</sup>

The hearing lived up to expectations. On May 14, 1992, an overflow crowd estimated at 3,000 people attended. The hearing began at 7 PM, the crowd remained thick until 11 PM, and the hearing did not end until 2:45 AM. The cheers and boos from the crowd reflected the dominance of anti-expansion, pro-LRT attitudes among those in attendance, with urban and suburban camps starkly divided. Distrust of MnDOT was evident in many of the speakers' comments, including elected officials from Minneapolis as well as representatives of various interest groups. One theme of the evening was articulated in testimony sent by Archbishop John Robert Roach (as read by Bishop Joseph Leo Charron), in which the archbishop stressed that although extensive technical studies had been conducted, the social justice implications of the proposal had not been fully articulated even though it was clear that poor and minority communities were going to be disproportionately harmed by the construction. He argued that policy makers should examine the history of the effects freeway construction had on Twin Cities neighborhoods and weigh that as part of the decision. Many of the citizens were familiar with information in the draft EIS, prepared their comments in advance, and expressed heartfelt distress and genuine pain at the prospect of further freeway expansion in their communities. Elected officials from Bloomington and Burnsville argued for the necessity of more lanes to serve their communities, stating they were not the enemy of Minneapolis residents but simply needed relief from congestion for their growing communities. Spokespeople on each side of the debate (McLaughlin and Turner) criticized the 2010 design date<sup>82</sup> as unrealistic. All told, there were more than 1,000 written and oral comments formally submitted. Of these, mass transit, environmental impact, and social and economic impacts were the three most common concerns.<sup>83</sup> All in all, it was a remarkable event and retains the distinction of being the longest public hearing held in Minnesota.<sup>84</sup>

During the summer, the Urban Coalition came out against adding lanes in Minneapolis, arguing that the taking of homes would disproportionately affect minority, elderly, and poor residents. State Representative Myron Orfield (DFL–Minneapolis) made a statement that expanding the freeway would contribute to the fleeing of jobs from the city to the suburbs, making it difficult for low-income residents to take advantage of employment opportunities. The Legal Aid Society of Minnesota asserted that freeway expansion in south Minneapolis would violate fed-

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81. Anonymous interviewee, personal interview with author, April 2004; "Grand Plans Made for Hearing on New I-35W," *Star Tribune*, 5 May 1992, section B, 1.

82. The term *design date* refers to the date engineers project forward to in order to create a design based on the projected traffic volume for that year.

83. MnDOT, *Final EIS*, 1–27.

84. Anonymous interviewee, personal interview with author, March 2004; "Light Rail Gets Heavy Emphasis at Hearing on I-35W," *Star Tribune*, 15 May 1992, section A, 1; "Archbishop Roach: 35W Widening Plans Ask Low-Income People to Sacrifice the Most," *Catholic Bulletin*, 21 May 1992, 3; MnDOT Public Hearing (videocassette), Richfield High School, Richfield, MN, 14 May 1992.

eral fair housing and civil rights laws. The Minneapolis Civil Rights Commission concluded that expansion of I-35W would violate federal civil rights laws and recommended that if MnDOT proceeded with a plan to widen the freeway in south Minneapolis, the city should sue. Minneapolis Mayor Don Fraser supported their conclusions.<sup>85</sup>

Making a complex high-stakes situation more complex, in August 1992, 17 Minneapolis officials presented their plan for improving the freeway. They developed a design that would add lanes only in the Crosstown Commons section and would build light rail in the median of the freeway, at a cost of \$60,000 to Hennepin County. Their proposal required the destruction of 30 houses compared to the approximately 900 predicted to be lost in the state's plan. Stating that the future of the city was at stake, the group argued against further loss of homes and increased pollution and asked MnDOT Commissioner Jim Denn to select their plan as the preferred alternative. Denn approached the plan guardedly, stating that he had to consider the needs of the whole state in making his decision. Bloomington officials stated that light rail would not accommodate existing suburb-to-suburb travel.<sup>86</sup>

In a report to the Minneapolis City Council, Richard Straub, Minneapolis city engineer, recommended LRT for the corridor. He noted that he had some disagreement with the LRT patronage estimates in the draft EIS and suggested that alignment of the LRT along the west side of the freeway should be considered. He recommended that the city support a build alternative that included LRT, a stacked mainline design at the I-35W/I-94 common section, the addition of one lane in each direction south of 46th Street to the Crosstown Commons, and a rebuilding of the Crosstown Commons with I-35W in the middle.<sup>87</sup> The Minneapolis City Council accepted some of these recommendations but remained firm in their position that LRT be built in advance of highway reconstruction.<sup>88</sup>

On January 12, 1993, Commissioner Denn announced the long-awaited decision. He selected an unprecedented multimodal design that included (1) LRT on the freeway median from downtown Minneapolis to 95th Street with a feeder bus system; (2) an HOV lane achieved by building new dedicated lanes from County Road 42 to 46th Street, and converting existing lanes from 46th Street to downtown; (3) addition of one general purpose lane from County Road 42 to I-494; (4) separation of I-35W and Crosstown Highway 62 at the same level, side-by-side; and (5) rebuilding of the I-94/I-35W commons with stacking of the mainlines.<sup>89</sup> The overall cost was \$1 billion, and right-of-way acquisition was expected to involve about 70 businesses and 1,000 homes, with about 875 of those homes located in Minneapolis. In addition, MnDOT stated it would replace 75% of the housing acquired for the project.

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85. "Minorities, Poor to be Hurt by Wider 35W, Panel Told," *Star Tribune*, 6 August 1992, section B, 1; "Panel Looks at a Road and Rights," *Star Tribune*, 6 August 1992, section B, 7.

86. Citizens and elected officials from the South Minneapolis community, "I-35W Change Plan: Economical Solution," unpublished presentation to MnDOT Commissioner James Denn, 20 August 1992; "Minneapolis Officials Offer Plan for Light Rail Along I-35W," *Star Tribune*, 25 August 1992, section B, 1.

87. Richard L. Straub, *Report to the City Council on the I-35W Draft Environmental Impact Statement* (Minneapolis, 19 May 1992).

88. Minneapolis City Council, Detailed comments on the I-35W Draft EIS for incorporation in the Public Hearing Record, 21 May 1992.

89. MnDOT, *Final EIS*, 1-12-1-14.

Construction was projected to begin in 1998 and take 10 to 15 years, depending on the availability of funds.<sup>90</sup> The commissioner's choice was a compromise between Minneapolis officials' desire for LRT and suburban officials' preference for added lanes, and was significant because it was the first time a MnDOT commissioner had ever selected a plan that included light rail. Denn also announced his intention to have replacement housing built before demolition. The final EIS process was expected to be completed in late 1993. To assist with obtaining federal funding, Denn asked the legislature to form a financing study committee.<sup>91</sup> Denn described the decision-making process as difficult, admitting that there were moments he "came very close, given the hard posturing that was taking place, and every indication that it was sincere, that no build was the best solution—just patch it up and let somebody else deal with it."<sup>92</sup>

Southern suburbs and the I-35W Solutions Alliance pressed for an interim HOV third lane south of I-494, and Denn was persuaded both by their arguments and the poor safety statistics for the area. In March 1993, the Minneapolis City Council voted 10 to 1 to oppose plans for the interim lane, overriding Mayor Fraser's veto. Their reasoning was that if one part of the project moved ahead independently, other portions, especially LRT, would be jeopardized. Mayor McElroy responded to their action by saying the project was so important to the area that officials would do whatever was necessary to get it done.<sup>93</sup> In May, the Minneapolis City Council voted 10 to 1 to join a lawsuit NTN had filed against the state, because money had been guaranteed for an interim lane on I-35W from 78th Street in Richfield to County Road 13 in Burnsville, but no money was committed to light rail. The council acknowledged that the lane was needed, but alleged that suburban legislators said they would support funding for light rail, yet made no effort in that direction.<sup>94</sup> They maintained that the project should remain an integrated, single project with one EIS. Only five days later, however, the council voted 9 to 3 to rescind its action to join the lawsuit. Two city council members attributed this reversal to pressure from Governor Arne Carlson's staff. There were accusations that the governor's staff had indicated that a residency requirement bill strongly desired by Minneapolis representatives would be vetoed if Minneapolis moved forward with the suit. Pressure from south suburban legislators was also cited. Perhaps it was coincidence, but the governor signed the residency bill hours after the city council rescinded its action to join the lawsuit. The governor's press secretary made a statement denying a connection between the lawsuit and the residency bill. Senator Bill Belanger (R-Bloomington), however, came forward and admitted to brokering the deal.<sup>95</sup>

Neighborhood Transportation Network contended that the interim project was little more than freeway expansion before the completion of the EIS. Funding for the lanes

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90. Minnesota Department of Transportation, "Summary of Recommendations for Reconstruction of I-35W" (St. Paul, MN: MnDOT, 12 January 1993).

91. Minnesota Department of Transportation, News Release, 12 January 1993, 6.

92. Laurie Blake, "Smooth Move: I-35W's Design is an Old Sore; Fixing it Will be Painful," *Star Tribune*, 24 January 1993, section B, 1; Anonymous interviewee, personal interview with author, April 2004.

93. Patricia Lopez Baden, "Minneapolis Council Votes to Block I-35W Lane," *Star Tribune*, 20 March 1993, section B, 1.

94. Patricia Lopez Baden, "Minneapolis Votes to Sue Over Extra Lane on I-35W," *Star Tribune*, 15 May 1993, section B, 1.

95. Patricia Lopez Baden, "Vote Abruptly Reversed on I-35W Expansion," *Star Tribune*, 20 May 1993, section A, 1.

was allocated from the existing MnDOT budget, prompting opponents to accuse the state of slipping in a new construction project, while circumventing EIS procedures. In addition, the lanes were being built in the median, space supposedly proposed for light rail. Commissioner Denn replied that the temporary HOV lanes had approval from the Metropolitan Council and the Minnesota Pollution Control Agency, followed required legal procedures, and were necessary to improve safety and relieve congestion. In July, FHWA revoked funding for the lanes citing inadequate environmental review, and NTN withdrew their lawsuit.<sup>96</sup> By late August, the funding was restored, however, and the suit proceeded. Commissioner Denn and Bob McFarlin, MnDOT director of public affairs, both acknowledged that distrust of their organization was very high in Minneapolis. That was reflected in statements by NTN and elected officials that the temporary project increased suspicions about the state's commitment to light rail. The Minneapolis city council voted to join the lawsuit, but failed to override a veto by Mayor Fraser.<sup>97</sup>

In November 1993, U.S. District Judge Richard Kyle dismissed the NTN suit, ruling that adding the interim lanes was a separate project from the proposed I-35W reconstruction. Consequently, it was proper for it to move forward before the EIS was completed for the larger project. The ruling stated that the interim lanes had merit without regard to the larger project and did not foreclose any options.<sup>98</sup>

In summer 1994, a report by the Downtown Transportation Management Organization, a private-public study group, urged Minneapolis city lawmakers to reconsider their opposition to additional highway lanes without LRT. The report noted the importance of the I-35W corridor and cautioned that delays in construction could result in the loss of funds to other projects, such as the widening of I-494. The report also suggested paying for improvements to I-35W with gas tax funds. This position was supported by the Minneapolis Downtown Council and the Greater Minneapolis Building Owners and Management Association. Minneapolis City Council member Jim Niland used procedural tactics to prevent a vote on the report, declaring, "I'm going to use any tactics I have available to stop the expansion of 35W, including laying in front of a bulldozer." Minneapolis City Council member Pat Scott, who had introduced a motion to reconsider the council's position on LRT, warned that they were likely to get neither LRT nor freeway improvements. Scott was joined by Minneapolis City Council member Steve Minn, Minneapolis Mayor Sayles-Belton, and public works staff.<sup>99</sup> The timing of the introduction of the resolution also was affected by the anticipation of the release of the final EIS, which would start a series of meetings and decisions. Dore Mead, now a member of the Minneapolis City Council, along with Niland, conducted public meetings in south Minneapolis at which design plans were made available for review. The purpose of the meetings was to call for the city council to maintain its opposition to freeway expansion. Mead declared, "Widening roads to fight congestion is like loosening your belt to fight obesity."<sup>100</sup>

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96. Laurie Blake, "Funding for I-35W Expansion Delayed," *Star Tribune*, 1 July 1993, section A, 1.

97. Patricia Lopez Baden, "Council to Join Suit Again I-35W Project," *Star Tribune*, 28 August 1993, section B, 1; "Fraser's Veto Sustained in I-35W Project," *Star Tribune*, 16 October 1993, section B, 1.

98. Laurie Blake, "Judge OKs Third Lane for I-35W in 2 Suburbs," *Star Tribune*, 19 November 1993, section A, 1.

99. Kevin Diaz, "Report Says Widening I-35W Needed," *Star Tribune*, 22 July 1994, section B, 1;

100. "300 Fear City Weakening Resolve on I-35W," *Star Tribune*, 20 October 1994, section B, 2.

The final EIS was released in November 1994. The report stated that “it has been determined that it is not feasible to meet all the projected vehicle demand for travel on I-35W.” However, transit solutions alone were not viewed as sufficient to meet the planned development in the Twin Cities. The preferred alternative incorporating LRT and additional lanes was described as the plan that could satisfy the most diverse needs of the region, while minimizing right-of-way acquisition. The total number of housing units lost would be 854, plus the loss of 34 businesses. The Metropolitan Council supported this as consistent with the regional plan.<sup>101</sup>

It was not long before new situations developed. In January 1995, the Minneapolis Park Board announced its intent to sue MnDOT over the plans to upgrade the I-35W bridges over Minnehaha Creek. The park board had granted an easement to the state when the freeway was originally built. It did not view the easement as permission to expand the bridges. The immediate issue was that MnDOT proposed covering the 30-foot gap between the two existing bridges, which would kill the plants underneath and create a dark section in the popular recreation area. The larger dispute, however, was again over the nature of the plan. The park board and State Senator Jane Ranum (DFL–Minneapolis), who represented the area, viewed the plan as a piecemeal way of constructing the I-35W project; MnDOT officials said it was a temporary effort and separate from the I-35W construction project. In addition to this new development, conflict on the Minneapolis City Council intensified. Although the majority of council members continued to oppose the plan to add lanes in south Minneapolis, the transportation committee was dominated by members who thought the city would be better served by softening its position. Maneuvering by both sides served to increase rancor.<sup>102</sup>

The city-level political situation was soon to be unimportant, however. The gas tax revenue had become inadequate to pay for major road improvements, and Governor Carlson and a majority of state legislators were unwilling to raise taxes. Natalio Diaz, the Metropolitan Council’s director of transportation planning, stated it was clear they would not be able to move forward on any of the big projects that had been planned for years. Consequently, it was necessary to rewrite the regional plan. The funding panel formed at Commissioner Denn’s request to study funding options for freeway projects declined to make any recommendations.<sup>103</sup>

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101. MnDOT, *Final EIS*, 1-11-1-12, 1-18.

102. Dean Rebuffoni, “Park Board Will Sue State to Block Work on I-35W Bridges,” *Star Tribune*, 13 January 1995, section A, 1.

103. Laurie Blake, “Lack of Money Stalls Major Projects on I-35W, 494,” *Star Tribune*, 10 April 1995, section A, 1.

In an October 1995 speech to the Minnesota Transportation Alliance, Commissioner Denn spelled out the situation in bleak terms:

For metro area transit, service will continue to be cut and fares increased without additional financial support from the state Legislature. For outstate transit, funding shortages will delay implementation of service for all counties in the state and will limit, in many cases, service currently being provided. For our highway system, under current funding levels, we can maintain and preserve the existing system in approximately its existing condition for the near future. . . . What we cannot do is address the major capital improvement needs facing the system today, and the capital needs that will grow in the future.<sup>104</sup>

The politics of urban transportation projects had run into the new reality of changing priorities, less commitment to investing in infrastructure, and unwillingness to raise taxes.

## Discussion

The local politics of this case were intense, and they played out on terrain dictated to a large extent by federal policy regarding spending priorities and institutional requirements. The stakes were high because of the critical role I-35W plays in the region, memories of previous events loomed large over the discussions, and every position had knowledgeable, capable leadership. Although there was business support for expanding the freeway, organized business interests were no longer major players. Interstate 394 was a precursor to this case in that it also was not built with the expectation that it would meet needed capacity. With the expansion of I-35W, the region had a situation where no one even suggested it was realistic politically or financially to build to completely meet capacity. Similarly, no one felt that nothing should be done and the corridor simply left alone. The points of contention were how to address congestion.

Opposition in Minneapolis often was focused on the loss of homes. This included more than simply the practical loss of dwelling units, and extended to encroachment on neighborhoods, some of them fragile and at beginning stages of revitalization efforts, and loss of community. Both Minneapolis citizen groups, the I-35W Task Force and the Neighborhood Transportation Network, wanted to shift the debate to one of societal values. This was clear in their written documents, as well as in many of the comments made at the May 1992 public hearing. Representative Karen Clark (DFL–Minneapolis), for example, argued that it was “an act of injustice” to ask families to lose their homes and communities to suffer degradation simply to allow drivers to go five miles per hour faster.<sup>105</sup> Regardless of the technical accuracy of this statement, it reflected a questioning of previous nationwide priorities regarding the importance of meeting traffic demand. As one commentator noted, “Judging whether that extra margin of speed justified displacing . . . poor families is not purely a technical

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104. Charles C. Whiting, “As Traffic Increased, Revenue Failed to Keep Pace With Costs; Governor, Legislature Each Want the Other to Propose Solution,” *Star Tribune*, 19 December 1995.

105. MnDOT Public Hearing (videocassette), Richfield High School, Richfield, MN, 14 May 1992.

question. It is a question of values.”<sup>106</sup> For some, there was a desire to deeply rethink policy decisions that were made in 1956 with the passage of the interstate act. This resulted in tremendous frustration, and it is hard to see how it could have been otherwise given the institutional arrangements and processes in place. The Minnesota Department of Transportation is not a policy-making body but serves the state via the governor and the legislature with its expertise about a wide range of transportation matters. When faced with statements that the expansion of I-35W was a moral issue, MnDOT staff and consultants had no means to respond because they were not the appropriate body for this kind of a discussion. There was a mismatch between, on one hand, the debate about values and social morality those opposed to the expansion wanted to have, and on the other hand, the purpose of MnDOT, which was given the task to implement, to the highest standard of their considerable technical expertise, policy already made by other institutions. In addition, the way the process is structured puts MnDOT staff in the awkward position of “representing a particular position, typically that of the road or transit user,” while “they are also moderating the discussion.”<sup>107</sup>

Concern about the environment and belief in transit as a good policy choice was in many cases a sincere commitment among various interests. However, the separation of transit and highways, both institutionally and financially at state and federal levels, made coordination of transit and freeway construction difficult. In Minneapolis, a public already disposed to distrust MnDOT was made more ill at ease by this situation. In the southern suburbs, the concern was that the cumbersome nature of doing an intermodal project would slow a project they needed badly.

History loomed large, if behind the scenes. Officials in the southern suburbs were acutely aware of the delay in construction caused by those opposed to the construction of I-35E and framed their positions in a way they thought could tend to the needs of their constituents without entering the dispute Minneapolis residents had with the plans. From their perspective, officials in Burnsville felt their city was made possible by the original building of I-35W. To then deny accommodation of the resulting growth seemed unfair. Commissioner Denn was aware of the widespread distrust of MnDOT fostered by previous experience, and he did his best to balance everyone’s needs in a deeply contentious situation. His selection reflected not only considerable expertise on the part of his staff, but also his intent to include elements that would satisfy the needs of various interests. Residents in south Minneapolis and Richfield could remember the original freeway construction and spoke about the damage to their neighborhoods. In the late 1960s, the *Minneapolis Star* ran a series of articles discussing the resentment and instability caused by I-35W in south Minneapolis neighborhoods, effects that lingered in the community memory and that occurred despite attempts made to protect the communities in the early investigations conducted by George Barton.<sup>108</sup> For their part, citizen activists had a wide array of previous disputes from which to learn. Indeed, by the time NTN was formed, citizen organizing had reached new levels of sophistication. The National Environmental Policy Act was in place before the planning began for expanding I-35W, and people understood how the process worked. They not only understood the political power

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106. Jonathan Gifford, “Toward the 21st Century,” *Wilson Quarterly* 17 (Winter 1993): 41.

107. Barnes and Langworthy, “Increasing the Value of Public Involvement in Transportation Project Planning,” 48.

108. “Freeway View: Noise, Smog, Hippies, Ruins,” *Minneapolis Star*, 12 November 1968, section A, 1.



derived from forming coalitions, but also distinguished themselves by actually developing a proposal of high enough quality that it made its way into the EIS process. The level to which a citizen group was able to affect the design process was new.

The Minnesota Department of Transportation had clearly changed its practices in significant ways since the beginning of the interstate program. At the very beginning of the I-35W project, Commissioner Braun established the Project Advisory Board to structure dissemination of information and ongoing discussion among the agencies, cities, and counties. In addition, MnDOT staff generously made themselves available for meetings in all affected areas. A newsletter, the *I-35W Flyer*, was distributed regularly and broadly. In many cases, citizen letters received individual responses from MnDOT project staff. However, large institutions necessarily change more slowly than free-forming citizen groups and elected officials. When proposals for such things as coordinating downtown work schedules or increasing the number of taxicabs became options discussed to ease congestion, it was difficult for the existing agencies to respond. They did, however, adapt. As will be discussed in the next section, transportation professionals adapted, and continue to do so, via the development of context sensitive design and other innovative practices.

This case reflects on the planning process as institutionalized by NEPA and federal regulations. All groups involved were grasping for new ways to develop a major transportation corridor that met various needs. These dynamics did not have an opportunity to develop further, however, because inadequate funds made them moot. In 1990, Dore Mead decried the failure of the region to invest adequately in transportation.<sup>109</sup> This also was the principal conclusion articulated so well in the speech by Commissioner Denn in 1995: We face a serious lack of resources to satisfy the capital improvement needs. The precedent of the flow of federal money for the initial building of the interstate system perhaps left the public and public officials unprepared for arriving at a means of paying for maintenance, let alone paying for the growing transportation needs of the region. As a retired transportation professional said, "People do not have any idea of the cost of the roads they drive on. Cultural change is required to get over the idea of abundant cheap highways without even having to think about it."<sup>110</sup> Yet, society faces multiple needs, all of which suffer from scarce resources. Another transportation professional noted,

Right now, transportation is overshadowed by healthcare and schools. It is really small compared to those. There is a scarcity of resources and to build a road, you have to take [the money] from somewhere else. We don't have a national priority for transportation. People don't vote on transportation. They might get frustrated driving home, but they aren't going to die and their kids aren't going to be stupid. They will just be frustrated.<sup>111</sup>

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109. "More Mass Transit Needed, and Let's Start with I-35W" (editorial), *Star Tribune*, 28 July 1990, section A, 15.

110. Anonymous interviewee, personal interview with author, April 2004.

111. Anonymous interviewee, personal interview with author, May 2004.



## EPILOGUE

In Minnesota, the freeway system has continued to develop, albeit in a less dramatic fashion than in previous eras. Statewide, the use of cars continues to grow, as shown in Table 4. Vehicle miles traveled per year have more than tripled since 1965, and there are 1.1 vehicles for every Minnesotan over the age of 16.<sup>1</sup> The Minnesota Department of Transportation has responded to these growing needs within financial and political constraints. In 2003, the state legislature authorized the conversion of the HOV lanes on I-394 to high-occupancy toll (HOT) lanes. This new traffic management strategy, called MnPASS, opened in May 2005. To maximize capacity, single-occupancy vehicles are allowed in the HOV lanes for a fee, which is charged to the user's account via a transponder attached to the vehicle's windshield. The fee is determined by the level of congestion and can range from \$0.25 to \$8, with an average of \$1 to \$4 during rush hour. Carpools and buses continue to have free access to the lanes.<sup>2</sup> This varied fee structure, known as *congestion pricing*, is a growing trend that attempts to relieve congestion by making more efficient use of existing facilities. It also results in getting drivers to pay more of the true cost of each trip. Although it is true that car-related taxes often add up to more than government spending on roads, many of these taxes are placed on the car itself, rather than the use of the facilities.<sup>3</sup> When commuters driving alone during peak hours do not pay the true social costs of their trip, it results in an understatement of the cost of low-density housing development, in addition to increasing congestion.<sup>4</sup> Essentially, MnPASS is a traffic management technique that shifts the costs of freeways closer to the user, resulting in more efficient use of the corridor. Initial evaluations show that MnPASS has been successful in allowing more vehicles on the corridor, and that public opinion is favorable.<sup>5</sup>

**Table 4.** Minnesota Driving Statistics Summary, 1965–2004

Year	Licensed Drivers (million)	Motor Vehicles (MV million)	State Population (million)	Vehicle Miles Traveled (VMT billion)
1965	1.85	1.86	3.57	16.8
1970	2.05	2.24	3.80	22.4
1975	2.51	2.69	3.92	25.6
1980	2.77	3.01	4.08	28.5
1985	3.04	3.22	4.19	33.1
1990	3.18	3.52	4.38	38.8
1995	3.39	3.68	4.61	44.1
2000	3.65	4.20	4.92	52.4
2004	3.85	4.63	5.14	56.5

Source: Minnesota Department of Public Safety, Office of Traffic Safety, "Minnesota Motor Vehicle Crash Facts 2004"

1. Johnson, "Market Choices and Fair Prices," 6.
2. Minnesota Department of Transportation, "About MnPASS," MnPASS website, [www.mnpass.org](http://www.mnpass.org), accessed April 2006.
3. "Taming the Beast: A Survey of Living with the Car," *The Economist* (22 June 1996): 12, 17.
4. Anthony Downs, *Still Stuck in Traffic: Coping With Peak-Hour Traffic Congestion* (Washington, D.C.: Brookings Institution Press, 2004), 321.
5. "Evaluation Finds Positive Views of MnPASS," *Center for Transportation Studies Report* (May 2006): 3.

There was a noteworthy legal change in Minnesota when the municipal consent law was changed in 2001, creating an appeals board process (see Appendix 2). If the local governing body disapproves of a freeway or road layout, the MnDOT commissioner now has the option to refer it to an appeals board. The board consists of one member appointed by the commissioner, one member appointed by the local governing body, and a third member agreed upon by both the commissioner and the governing body. If the parties cannot agree on the third member, the chief justice of the Minnesota Supreme Court makes the appointment. If the appeals board disapproves of the layout, the commissioner can cancel the project or “prepare final construction plans substantially similar to the final layout referred to the appeal board, notify the governing body and the appeal board, and proceed with the project. Before proceeding with the project, the commissioner shall file a written report with the governing body and the appeal board stating fully the reasons for doing so.”<sup>6</sup> This change makes it much less likely that a municipality will be able to block an interstate construction project.

Although not a part of the interstate system, Highway 212 in the southwest quadrant of the Twin Cities metro area is an important new thoroughfare intended to serve as a link to western Minnesota. Construction on this four-lane, 12-mile-long section of freeway will be completed in 2008. The beltline route of I-494 is currently being expanded to increase capacity and improve safety. An additional lane in each direction is being added to create a six-lane freeway, feeder routes are being upgraded, and sound walls are planned for some areas. In addition, MnDOT is reconstructing a portion of I-694 where it runs as a common section with I-35E north of St. Paul. Major bridge improvements and safety upgrades are also included in this project.<sup>7</sup>

The I-35W corridor has been developed and planning has continued even though the expansion project was cancelled in 1995 due to lack of funds. The approach has been to build mini-projects instead of the mega-project to address some of the concerns in the corridor in a time of financial constraints. In April 1996, MnDOT announced its intention to rebuild the Crosstown Commons area and add an HOV lane in each direction from 42nd Street in Minneapolis to I-494 in Richfield to connect with the HOV lanes that run south from I-494 to Highway 13. The proposal was to build a side-by-side design with I-35W in the inside and Highway 62 on the outside lanes.<sup>8</sup> The portion of the project that widened I-35W south of Highway 62 to I-494 proceeded without serious dispute. When the plan for the Crosstown Commons became more widely known, there was concern about the extended highway closures during construction and the lack of increased capacity. The state legislature passed a moratorium on the project and required further study of these issues, as well as the level of transit, Lyndale Avenue access, and right-of-way acquisition.<sup>9</sup>

The new plan presented by consultants provided two new through lanes on the Crosstown rather than one and presented an alternative to closing the interchange during construction. According to Laurie Blake, “although [MnDOT] disliked the idea of the legislature telling it how to design roads, the directive brought the inter-

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6. Minnesota Statute §161.165, Subd. 6.

7. Minnesota Department of Transportation, “Construction Projects,” MnDOT website, [www.dot.state.mn.us](http://www.dot.state.mn.us), accessed April 2006.

8. Minnesota Department of Transportation, *Interstate I-35W: Addendum to the Final Environmental Impact Statement* (St. Paul, MN: MnDOT, December 1996).

9. Parsons Brinkerhoff, “I-35W/Crosstown Concept Study,” submitted to the Minnesota Department of Transportation, 28 January 2002, 3–4.

ests of those who use the interchange into design discussions along with those who live nearby. The department has embraced the design and plans to build it.” Elected official representing south Minneapolis were concerned about the plan for transit in the corridor.<sup>10</sup> Funding for the project remained a problem. An advisory committee continued to develop the consultant’s plan and in November 2003, proposed a plan designed to meet capacity for 20 years at a cost of \$176 million. When the two freeways are separated, there would be a total of 10 lanes, six for I-35W and four for Highway 62. This section will be completed long before a fifth lane for I-35W heading north out of the common section, which is planned for 2015. This means drivers will likely experience congestion at peak hours because of the lane drop.<sup>11</sup> In March 2004, MnDOT announced the finalized design at an updated cost of \$201 million.<sup>12</sup> In August, the City of Minneapolis announced it would withhold municipal consent unless MnDOT made a firm commitment to high-speed bus service in the corridor.<sup>13</sup> In response, MnDOT sent the project to an appeals board as allowed under state law.<sup>14</sup> The appeals board developed a plan that included the Minneapolis request for a bus rapid transit station on the 46th Street bridge along with a commitment to accelerate funding for transit projects. This plan was accepted by MnDOT.<sup>15</sup> Due to the continuing shortage of funds for freeway upgrades, MnDOT is attempting to use an unorthodox means for financing the project: Officials want contractors to temporarily pay the costs of the project when the state does not have funds immediately available, then be reimbursed as the state receives federal funds.<sup>16</sup> Construction was delayed in 2006 and is now scheduled to begin in summer 2007.

The federal government continued to adapt to changing national needs and attitudes when it enacted the Intermodal Surface Transportation Efficiency Act of 1991, or ISTEA. It stated, “It is the policy of the United States to develop a National Intermodal Transportation System that is economically efficient and environmentally sound, provides the foundation for the Nation to compete in the global economy, and will move people and goods in an energy efficient manner.”<sup>17</sup> The act provided funds for construction and maintenance of highways as did previous highway aid acts, but it was innovative in that it created a new block grant program, the Surface Transportation Program (STP), which made funds available for a broad range of transportation purposes, including not only transit, but also bicycle and pedestrian facilities.<sup>18</sup> This was followed in 1998 by the Transportation Equity Act for the 21st Century (TEA-21), which continued funding for programs established by ISTEA with an emphasis on safety and research in intelligent transportation systems. In 2005, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) was passed, continuing the broad approach to surface

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10. Laurie Blake, “Crosstown Meddling Gets Some Raves Now; Legislators Credited with New Design; Minneapolis Would Like More Transit,” *Star Tribune*, 10 January 2002, section B, 1.

11. Laurie Blake, “Overhaul for Busy Junction Revived; Work on 35W/Crosstown Would Start in 2006,” *Star Tribune*, 7 November 2003, section A, 1.

12. Laurie Blake, “So Long to One Scary Drive?; Crosstown-35W Redesign is Finished,” *Star Tribune*, 22 March 2004, section B, 1.

13. Rochelle Olson, “City Rejects Crosstown/I-35W Plans,” *Star Tribune*, 4 September 2004, section B, 1.

14. Laurie Blake, “MnDOT Appealing City Decision on Crosstown,” *Star Tribune*, 1 October 2004, section B, 1.

15. Scott Benson, City Council Ward 11, newsletter to constituents, March 2005.

16. Laurie Blake, “Crosstown Project to Rely on Contractors’ Money,” *Star Tribune*, 19 April 2006.

17. Edward Weiner, *Urban Transportation Planning in the United States: An Historical Overview*, 5th ed. (Washington, D.C.: U.S. Department of Transportation, 1990), 140.

18. Weiner, *Urban Transportation Planning in the United States*, 140–152.

transportation established by ISTEA with a strong emphasis on flexibility, safety, regional planning, and environmental safeguards.<sup>19</sup>

Another initiative at the federal level was environmental justice. There are three fundamental environmental justice principles: (1) to avoid, minimize, or mitigate disproportionate effects on minority populations; (2) to ensure full participation of all potentially affected communities in the decision-making process; and (3) to prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.<sup>20</sup> In 1994, President Clinton signed the executive order, “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations.” Although the Civil Right Act of 1964 already prohibited discrimination, this executive order was intended to clarify goals, improve internal management of the federal government, and ensure that all federal programs include accurate measures of the effect they have on low-income and minority communities. Specifically, the order required that the processes used under NEPA be used to study environmental justice issues. To follow up on this, the U.S. DOT held a conference to develop the means to implement the executive order. Out of this conference came recommendations to increase public involvement in decision making, improve research techniques, and support interagency cooperation. In 1997, the U.S. DOT issued its own order establishing procedures to meet these goals (DOT Order 5610.2).<sup>21</sup> The Minnesota Department of Transportation developed its own guide for meeting these goals and requirements by the August 1998 deadline.<sup>22</sup>

As part of the process of continuing to adapt while striving for excellence within the new political environment, transportation professionals have developed context sensitive design. This approach has been institutionalized and is supported by FHWA in partnership with the American Association of State Highway and Transportation Officials (AASHTO). In 1998, they jointly sponsored a conference held in Maryland called “Thinking Beyond the Pavement.” After the conference, five states were selected to participate in incorporating context sensitive design into their highway planning process; Minnesota was one of the states selected.<sup>23</sup> At MnDOT, context sensitive design was incorporated into their design process in 2000, as follows:

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19. U.S. Department of Transportation, Federal Highway Administration (FHWA), “Federal Highway Administration,” FHWA website, [www.fhwa.dot.gov](http://www.fhwa.dot.gov), accessed April 2006.

20. U.S. Department of Transportation, Federal Highway Administration (FHWA), “An Overview of Transportation and Environmental Justice,” FHWA website, [www.fhwa.dot.gov/environment/ej2000.htm](http://www.fhwa.dot.gov/environment/ej2000.htm), accessed May 2006.

21. Weiner, *Urban Transportation Planning in the United States*, 162.

22. Minnesota Department of Transportation, “MnDOT Environmental Justice Draft Guidance” (St. Paul, MN: MnDOT, August 1998).

23. U. S. Department of Transportation, Federal Highway Administration (FHWA), “The History of Context Sensitive Design,” FHWA website, [www.fhwa.dot.gov/csd/history.htm](http://www.fhwa.dot.gov/csd/history.htm), April 2006.

Context Sensitive Design is the art of creating public works projects that are well accepted by both the users and the neighboring communities. It integrates projects into the context or setting in a sensitive manner through careful planning, consideration of different perspectives and tailoring designs to particular project circumstances. Context Sensitive Design uses a collaborative, interdisciplinary approach that includes early involvement of key stakeholders to ensure that transportation projects are not only “Moving Minnesota” safely and efficiently, but are also in harmony with the natural, social, economic and cultural environment. Early involvement of these stakeholders may help reduce rework later on and thus contributes to more efficient program delivery.<sup>24</sup>

This entails early and continuous involvement of all parties likely to be affected by and concerned about the project. Specifically, all parties are involved in the scoping phase, during which the purpose of the project must be clearly stated and agreed upon. The project is supported from the beginning by an interdisciplinary team as determined by the needs of the project. Public involvement is also designed to meet the needs of each project. A key facet is that the community and its viewpoints must be well understood *before* the engineering design process begins.<sup>25</sup> There are signs that this new approach is developing further in research efforts by the Center for Transportation Studies at the University of Minnesota conducted for the American Institute of Architects. The research focuses on the benefits of well-designed transportation facilities to communities including economic, environmental, aesthetic, cultural, and public involvement perspectives.

Despite these hopeful signs, questions not only remain, they loom. The Twin Cities region lacks a sense of clear direction regarding transportation policy, as does the nation as a whole. Pondering the implications of a broad array of research in the Twin Cities Regional Growth Study, led by the Center for Transportation Studies at the University of Minnesota, Curtis Johnson stated:

The “limits” question is whether the region, because of past decisions on development and transportation patterns, now faces a choice among inherently unattractive options. By analogy, if the region were a business, one might say there is a problem with the convenience or attractiveness of the product. Shall we improve the product and raise prices to pay for the improvement, on the grounds that our customers will appreciate and pay for the solution? Or do we advertise that it isn’t perfect but it’s not very appealing.<sup>26</sup>

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24. Patrick C. Hughes, Assistant Commissioner, MnDOT, “Technical Memorandum No. 00-24-TS-03,” 9 November 2000.

25. Context Sensitive Solutions.org, [www.contextsensitivesolutions.org](http://www.contextsensitivesolutions.org), accessed April 2006.

26. Johnson, “Market Choices and Fair Prices,” 12.





## DISCUSSION AND CONCLUSIONS

In building the Interstate Highway System, we displayed ourselves in all our glory and our meanness; all our vision and our shortsightedness. We showed democracy's virtues and not a few of its vices. The highways represent the height of American technological achievement; but no one, not the engineers, the planners, the builders, not even the naysayers— those who opposed the highways—understood how the roads would ripple through the culture.”

—Tom Lewis, *Divided Highways*<sup>1</sup>

Building freeways is an inherently political enterprise. As Lewis Mumford said in 1968, “Every freeway is a political statement.”<sup>2</sup> Because transportation decisions are some of the most public governmental decisions currently made, it is appropriate for them to be part of the public political process. As such, these projects were and are subject to the myriad factors that affect our political system as a whole. Politics and governance in the United States changed dramatically in the second half of the 20th century, and the interstate program was inevitably deeply affected by this. Due to their enormity, these projects caught people's attention. Elected officials responded to what they heard from their districts, both for and against freeway construction. As one elected official pulled into such a dispute noted, “This was always a battle for my constituents.”<sup>3</sup> Citizens learned how to use the legal and political tools available to them. Transportation professionals not only developed technological solutions to traffic problems, but also learned to adapt to the changing environment in which they worked. When disputes arose, they tended to be viewed as battles. Parties on all sides were prone to view disputes in terms of who wins and who loses. The determination of who won and who lost varies among past participants, but the disagreements have generally been seen in those terms.

Freeways are not only inherently political, but also inherently historical. The cases reviewed in this report clearly show that history had a powerful effect on the dynamics of the projects and policy debates that followed. The way in which issues were framed in later disputes clearly reflected a sharp awareness of previous episodes. Those who wished to get freeway construction completed as quickly as possible summoned the delays of I-35E, and the phrase “We don't want another 35E” became a part of the local lexicon. Freeway opponents called upon the memories of displacement and splitting of neighborhoods, often stating the view that “we have suffered enough.” This historical dynamic does not stop. Now, actions we do or do not take and words we do or do not speak also will work their way into how transportation problems are understood. As geographer John Borchert once noted, “[A highway] is both the prod-

1. Lewis, *Divided Highways*, xiv.

2. Lewis Mumford, “The Freeway in the City,” in *The Highway and the City* (New York: Harcourt, Brace and World, 1968), 18.

3. Anonymous interviewee, personal interview with author, July 2004.

uct of a given economic environment and a creative force shaping that environment.”<sup>4</sup> Thus, it is useful to consider what history has to teach us so far.

## **Federal Government**

It is difficult to overstate the importance of federal legislation and policy to local political dynamics involving interstates. Given that, strictly speaking, only states and local governments actually build highways, this is an interesting dynamic. Federal policy shapes expectations for all parties, which in turn affect the politics that affect future policy. Beginning with the national vision of urban renewal and a vast, modern national interstate system, to the unprecedented 90/10 funding formula of the interstate program, the expansion of participation and consideration of alternatives created by NEPA, and the opportunity of substitution funds with the Federal-Aid Highway Act of 1973, the federal government played a major role in shaping local politics by setting the terms in which it would take place.

The Federal-Aid Highway Act of 1956 launched a unique period in the development of urban infrastructure. The confluence of public support, economic growth, and rapid suburban development led to a remarkable pace of construction. In the 10 years following the 1956 highway act, the Minnesota Highway Department built more than 40% of the existing interstate miles in the Twin Cities.

The National Environmental Policy Act had an enormous effect on the development of freeways. It signalled a broadening of how freeway planning should proceed. It had significant practical impact in the Twin Cities. In the case of I-94 east of St. Paul, Commissioner Lappegaard halted the project practically on the eve of beginning construction to conduct an environmental impact study requested by citizens. This resulted in the freeway location being moved from an alignment that had already been purchased by MHD to an existing highway corridor, something the interstate program discouraged in its earlier period. Members of RIP 35E used the environmental review process as a means to try to force consideration of other possible alignments for I-35E. Having to consider alternate plans, however, brings with it complications. There are often different expectations between citizens and transportation professionals about what are reasonable alternatives to include. Because of costs in both time and money, it is not possible to conduct as comprehensive an evaluation of alternatives as everyone would like, so the list of alternatives to consider must be narrowed. This process itself is often a source of major conflict. The recent practice of increasing citizen participation in the scoping process is a way to reduce this area of tension and potential misunderstanding.

The Federal-Aid Highway Act of 1973 was key to the decision that I-335 not be built, because it allowed state officials to drop a segment of the interstate and retain the significant federal allocation for transportation-related improvements in the area. The citizen mobilization was effective, but decision makers were clearly concerned about the financial consequences of dropping I-335; the ability to retain funds was a significant factor in the decision not to build.

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4. John Borchert, Donald D. Carroll, James Schwinden, Philip M. Raup, “The Economic Impact of Highway Development Upon Land Use and Value,” Report submitted to the Bureau of Public Roads and U.S. Department of Commerce, September 1958.

## State and Local Government

During the mega-project era, elected officials viewed the expertise of those in the highway department as appropriate to making most decisions about the interstate program. The state was fortunate to have a highway department that was held in high esteem nationally. As the political climate changed, due to both local experience with highways and the more general attitude of increasing distrust for government nationwide, the state legislature became involved at a new, more detailed level in the 1970s. Elected officials, some of whom were not previously involved in transportation issues, responded to their constituents. Citizens turned to their elected officials when they perceived that interacting directly with MHD was not likely to result in significant changes to proposed plans. Legislation that was introduced to place I-94 east of St. Paul on the existing U.S. Highway 12 alignment marked the first time a bill came close to determining where a freeway would be built. This bill was not enacted into law only because Commissioner Marzitelli selected the legislature's preferred alignment. In the case of I-394, the legislature limited the freeway to six lanes, and then in 1975, the moratorium bill stopped all construction and study on three urban freeway segments. Given the legislature's role in the Crosstown Commons reconstruction, it appears it will remain involved in a significant way. This is not surprising considering that Minnesota has a relatively strong and active legislature.<sup>5</sup>

Regional governance developed earlier in the Twin Cities than in other metropolitan areas. In 1957, the Minnesota State Legislature created the Twin Cities Metropolitan Planning Commission to serve the five-county metropolitan area. In the mid 1960s, the Joint Program contributed to the development of collaborative regional planning in the Twin Cities. Then, in 1967, the legislature created the Metropolitan Council, even though federal law did not require a metropolitan planning organization until 1973 (see Appendix 5 for a brief history of the council). In 1969, *Harper's Magazine* called the council "an invention which will prove as significant to American cities as the Wright brothers' first plane was to aviation."<sup>6</sup> The Metropolitan Council played an important role in the selection of the U.S. Highway 12 alignment for constructing I-94 east of St. Paul. The commissioner was persuaded that selecting a route that supported the council's regional plan for the area was important. In the I-394 dispute, citizens requested that the EIS process be shifted to the Metropolitan Council's control; the commissioner granted the request. In this case, it seems the citizens preferred the Metropolitan Council, because the council appeared to these citizens to be a more neutral body. The Metropolitan Council was not as large of a player, with regard to building the interstate, as some may have expected. This might have been because the interstate program was well under way by the time the council was created and because of the multiple functions, other than transportation, it was designed to serve.

City governments have been and remain deeply involved in freeway planning. Their formal role has changed via the development of municipal consent law (see Appendix 2). Regardless of the legal structure, however, the ability of elected city officials to influence members of the legislature remains a powerful political tool. Conflict over freeway construction often includes tension between central cities and suburbs and, perhaps increasingly, exurbs. These disputes focus on the questions of who bears the

5. Daniel J. Elazar, Virginia Gray, and Wyman Spano, *Minnesota Politics and Government* (Lincoln, NE: University of Nebraska Press, 1999), 89–90.

6. Elazar et al., *Minnesota Politics and Government*, 197.

costs and who benefits; how does society balance a diffuse, small benefit of many commuters gaining several minutes in their travel time against the concentrated costs borne by some neighborhoods? This is a tradeoff that has become increasingly difficult to make. At the beginning of the interstate program, the benefits were being allocated to everyone, because the need for improved highways was great and the costs to specific neighborhoods was not yet well understood. In addition, the approach to dealing with run-down neighborhoods at that time was slum clearance, so razing poor neighborhoods to build freeways was not viewed negatively, except, of course, by those who lost their neighborhoods. In recent decades, neighborhood revitalization and small-scale economic development initiatives have taken the place of slum clearance, which creates a conflict with freeway construction where previously there was no conflict. As the freeway system and its political environment matured, the concentrated costs were sharply felt and more clearly understood, whereas the benefits tended to stay diffuse. As congestion worsens, this balance may shift again.

### **Business Community**

One type of participant that became less engaged in the decision-making process over the eras investigated in this report was the business community. Representatives from both downtown St. Paul and downtown Minneapolis were heavily involved in highway planning before the interstate program, and they remained so for many years. Minneapolis business interests were involved in the layout for the entrance of I-94 into the CBD and the proposal for I-335 as part of the ring route. The Richfield Chamber of Commerce was deeply involved in the Crosstown Commons planning. The St. Paul Chamber of Commerce was actively involved in the dispute about I-35E for the entire duration of the dispute. By the time we get to the controversy about the I-35W expansion in the 1980s, however, organized business interests were notably muted. This is especially noteworthy considering the section in dispute gave direct access to downtown Minneapolis. This absence of a business voice is most likely a reflection of the change in business structure and activity in the late 20th century.

Through the 1960s, many major firms were headquartered in the Twin Cities. In the 1970s, businesses began looking increasingly to Washington, D.C., for decisions that were favorable to their interests. This, combined with the reduction of public affairs budgets as companies increasingly focused on their line units, reduced the involvement of business in transportation planning. As firms grew larger, headquarters either moved from the area or their headquarter cities became less important to their overall operations.<sup>7</sup> Minnesota's leading corporations have changed dramatically, and even when these corporations remain technically locally owned, "they are managed by people who do not have earlier generations' commitment to the state. This change is showing up both in the level of corporate contributions, and even more important, in the amount of time corporate leaders devote to civic affairs."<sup>8</sup> In addition, as problems became more complex, it became more difficult for business to stay involved. In the 1970s, Twin Cities business groups were deeply involved in interstate disputes as is shown in the I-35E and I-335 cases in particular. These were some of their last major efforts in transportation.

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7. Kolderie, "Cold Sunbelt: Maintaining Minnesota's Institutions of Public Policy."

8. Elazar et al., *Minnesota Politics and Government*, 13.

There are indications that businesses are developing a new, still emerging role in transportation issues. Local influential business leaders, organized as the Itasca Group, have worked to promote awareness of the need to invest in transportation in the Twin Cities. The proposal for the Central Corridor LRT between the two downtowns has the strong backing of the St. Paul and Minneapolis Chambers of Commerce, as well as many other business groups. Business leaders are an important part of the current effort to get a state constitutional amendment, which would dedicate all the revenue from the motor vehicle sales tax to transportation and transit. Although still less than the level of involvement in previous eras, these developments may be a sign of increasing interest on the part of business leaders.

## **Citizens**

Although citizens expressed concern about projects from the beginning of the interstate program, their ability to influence projects increased dramatically over time. The leaders of the Rondo neighborhood were able to secure a depressed design along the length of the freeway, but only because they won the support of the St. Paul city engineer who then argued on their behalf. The citizens of Merriam Park were able to persuade MHD to move the interchange from Prior to Cretin Avenue and get the depressed design, but without the support of the archdiocese, they may not have had as much success. It was NEPA, along with a changing attitude about the relationship of citizens and their government, that ushered in significant changes in citizen influence.

Research across urban areas nationally shows that citizen revolts against freeway construction that have resulted in a major effect on the outcome tend to have four characteristics: (1) neighborhood activists form coalitions, which in turn garner support from local leaders, (2) strong support from at least some local officials, (3) a strong city planning tradition, and (4) legal action.<sup>9</sup> This is borne out in the cases in the Twin Cities. Through their experiences, activists from Prospect Park learned the importance of forming neighborhood coalitions. In the dispute concerning the I-35W expansion, the Neighborhood Transportation Network included all Minneapolis neighborhood organizations in the area affected by the proposed construction. In Minnesota, the political culture includes an expectation that elected representatives will be responsive to their constituents. This clearly has been the case with the conflicts around the urban portions of the interstate—whether it was the mayor of Burnsville advocating for quick action, for example, or members of the Minneapolis City Council calling for LRT. As already discussed, the Twin Cities has a well-established tradition of regional planning, and the lawsuit regarding I-35E was crucial to the final design of that corridor.

The history of the interstates in the Twin Cities also illustrates the complexity of direct citizen participation in the policy process and the development of infrastructure. It became apparent in the I-35W expansion case, for instance, that political participation is not simply collecting and measuring preferences and then attaching these results to projects. People wanted to be involved in the design process, and they were allowed to do so. In our political culture, nationally and perhaps especially in Minnesota, the legitimacy of our political institutions depends on the ability of citizens to engage in meaningful participation and affect the course of events. Minnesota

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9. Mohl, "Stop the Road," 676.

stands out among other states not only for its effective state involvement in many policy areas, but also because of its tradition of civic participation.<sup>10</sup> Regardless of one's position concerning the construction of the interstate system, it cannot be denied that citizens involved in the disputes in these cases displayed unusual levels of civic engagement, and in some cases extraordinary commitment. Although this created stress in specific situations, from the broad perspective of how our system of governance is supposed to work, such participation is desirable. This is not to say the process necessarily captured that effort in the most constructive way, but figuring out how to do that has been one of the things everyone involved has been working out over the course of several decades. The lack of financial resources has removed the urgency behind the development of the processes; nevertheless, it is ongoing.

In many instances, the experiences of citizens who disagreed with MnDOT resulted in frustration and a loss of a sense of legitimacy for the agency in some communities. The following statements reflect the perceptions of those who opposed MnDOT plans and experienced the conflict:

MnDOT behaved really badly. If they would just treat people decently and be honest it would help a lot.<sup>11</sup>

The thing that was so offensive was how government ignored us. We had prominent citizens who couldn't even get to first base. It was terrible to see how government closed ranks to shut out citizens.<sup>12</sup>

What they were really saying to us was we aren't interested in even considering it. They did not consider adequate alternatives. They eliminated alternatives before the EIS.<sup>13</sup>

The leeriness that was experienced here could be found across the nation as the pressure of conflicting needs and expanding participants worked its way through our political system. Yet, this mistrust became a political factor in its own right and thus needs to be acknowledged.

Context sensitive design offers an interesting opportunity to engage citizens in the development of transportation projects. It moves beyond citizens merely providing input to decisions made by professionals. "When [citizens] possess sufficient information, resources, time and space for deliberation, and power to transform input into action, then the planning, the implementation, and the results can be more insightful, more legitimate, and more effective than anything that officials and planners could have devised on their own."<sup>14</sup> Although the end result might not be the absolutely best engineering solution, viewed in the light of scarce resources and broad social values, the result may be innovative and more suitable to a given community.

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10. Elazar et al., *Minnesota Politics and Government*, 46.

11. Anonymous interviewee, personal interview with author, July 2004.

12. Anonymous interviewee, personal interview with author, July 2004.

13. Anonymous interviewee, personal interview with author, April 2004.

14. Stephen Macedo et al., *Democracy at Risk: How Political Choices Undermine Citizen Participation and What We Can Do About It* (Washington, D.C: Brookings Institution Press, 2005), 4.

This can be seen in the I-394 and I-35E cases. The designs were shaped by a more conflictual process than context sensitive design proposes, but they illustrate the point that designs that undergo modification as a result of citizen views can become national models. The I-35W plan selected by Commissioner Denn included LRT as a way to respond to the voices of those who advocated a commitment to mass transit in the corridor. If there had been resources to get it built, this also would have been an innovative system.

These cases indicate that debate has the potential to bring out relevant information needed to make the best decision within a given set of constraints. For citizen engagement to be legitimate and meaningful, there must be an ability to affect the agenda rather than simply respond to choices offered by professionals. People accept policies and laws when there is some plausible, albeit remote, connection to popular consent. There are problems with participation, however. Huge transportation projects may be difficult for people to understand in detail. If citizens believe they are shut out of the process, they may take an adversarial approach. Public hearings have been contentious and perhaps verging on uncivil at times. A tremendous amount of learning occurred in the decades under study, however. As Stephen Macedo observes in *Democracy at Risk*, “Democracy depends on citizens being willing to make an effort, no doubt, but the nature and consequences of much popular political activity are deeply influenced by the context in which citizens must act.”<sup>15</sup>

## Professionals

Since the beginning of federal roads programs in the early 20th century, both construction and policy have been guided primarily by what were formerly called highway engineers.<sup>16</sup> They were in the fortunate position of having revenue, authorization, plans, and users. As the cases show, there always has been controversy, but political and social changes have made it harder to build highways. The expansion of participants in the 1970s caused a strain on the traditional arrangements and expectations in the transportation professional establishment.

Now in the present era [1974] of concern for the social, economic, and environmental considerations, the professional engineer must adapt to new challenges . . . Why is this? Perhaps because the engineer is trained to deal in exactitudes where only one “right” or “best” solution exists and can be proven. Logic and reason are his watchwords. Compromise and “second best” solutions are simply not in his vocabulary.<sup>17</sup>

As explained by Professor Michael Meyer, in the 1960s and 1970s there was a modal bias toward highways. To fulfill goals of safety and efficiency in building the freeway system, engineers are trained in efficiency and a rational approach to problem solving. Yet experiences in the 1970s and since have underscored the reality that under-

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15. Macedo et al., *Democracy at Risk*, 14.

16. Bruce E. Seely, *Building the American Highway System: Engineers as Policy Makers* (Philadelphia: Temple University Press, 1987), 226.

17. Jim Newland, Administrative Engineer, MnDOT, Office memorandum to MnDOT Commissioner Ray Lappegaard, 8 October 1974.

standing politics is necessary to implement projects. Decision makers care about public acceptance and fairness, both in terms of benefits and sharing of burdens. Because of this, fairness and other social values must be considered up front. Distributional effects—that is, which group will have to pay the external costs of which design—must be figured out early on. Transportation problems are intertwined with many other systems, and these relationships must be considered. Professor Meyer goes on to point out that since society pays for transportation, and since there are significant external costs, like pollution, noise, etc., compromise between the best possible engineering solution and other social and political considerations is crucial. And although design standards are absolutely crucial to safety, they are too often used as a crutch. Context is important, and the advent of context sensitive design is a good thing.<sup>18</sup>

The words of transportation professionals who were involved in some of the disputes detailed here capture both the strain felt by those who lived through this transformation of the profession and the new perspectives as they adapted. Reflecting upon how the process changed throughout his career, a retired civil engineer admitted things were difficult at times but concluded, “There is a tension between a public works project and the environment through which it passes, and this is good because it gets people involved, which is good. Obstacles in the planning stage make it better.”<sup>19</sup> Or, consider this statement from a civil engineer offering a vision of how the process should work: “We have to talk to the people who are affected and figure out what’s in it for them. We have to do more than build a road. We have to accompany it with some development. We can’t look just fence to fence; we have to look beyond that. People are tuned in to the impact of these facilities.”<sup>20</sup>

Public safety depends on the civil engineers’ skill at creating designs for infrastructure that will solve a particular problem or set of problems. The development process becomes difficult when new participants enter and change the definition of the problem after a solution has been articulated. For example, when citizens objected to air pollution they thought was likely to result from a proposed project, a MnDOT engineer stated, “You can’t take on air pollution with this project.” The civil engineer’s responsibility is to design a structure that solves a problem and provides something the area needs, and to do it at the highest standards that ensure the safety of the public. When transportation professionals have arrived at a design and then new voices enter the discussion and object because the design does not address some other newly defined problem, they are in an unworkable position. Citizen participation only late in the planning process not only makes poor use of citizens’ time and energy, but also does not make the best use of engineers’ technical expertise. The changes that occurred in the second half of the 20th century moved in the direction of finding a way to avoid this dynamic and make the best use of technical expertise.

The State of Minnesota has transportation professionals who are highly regarded nationally, and this has been the case since early in the 20th century. Clayton Christensen, in *The Innovator’s Dilemma*, raises the question of what is the best means for innovation. He notes that in business it often has been the case that in good, highly respected companies, reasonable and competent decisions by very good managers

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18. Michael Meyer, “Is Efficiency Fair? Why Transportation Solutions Are Often Rejected,” Sehlin Lecture, University of Minnesota, Department of Civil Engineering, 29 April 2005.

19. Anonymous interviewee, personal interview with author, May 2004.

20. Anonymous interviewee, personal interview with author, April 2004.



have led to a failure to adapt to changing circumstances. Christensen asserts that when an organization is faced with a technological change that does not perform as well as previous technology, it has difficulty adapting. As applied to freeways, this may mean that inner-city freeways, which came with a much larger set of problems than previously experienced, were more difficult technologies than the tremendously successful highways outside urban areas. Christensen found that in business success, adapting to more difficult situations is greatest when an organization's leadership recognizes that previous capabilities, practices, and cultures may not be the right fit for the new situation despite the fact that they performed superbly previously.<sup>21</sup> Although his insights do not point to a specific solution or even direction, in our current period of uncertainty regarding our regional transportation system, it does offer food for thought about what might be the best way to move forward. What kind of organizational adaptation would best encourage transportation professionals to foster their creativity and vision?

### **The Role of Experts in a Representative Democratic Government**

It is difficult to think of a policy arena that more clearly illustrates the difficulties inherent in figuring out the role of experts in a democratic system of governance than transportation. As Bruce Seely noted in *Building the American Highway System*, "At issue here is the place of experts in an American society that has faced the occasionally contradictory demands of democratic traditions and technological change."<sup>22</sup> Democracy was devised to avoid tyranny, not to find solutions to increasingly complex societal and technical problems. Yet, modern life requires that we find a way to meet both our need for technical expertise and government responsiveness and representation. As society has become more complex and required more from government, it also has grown more skeptical. In *The Politics of Bureaucracy*, Guy Peters observes that "The sheer size of government and the associated taxation, combined with the publicity given to its failures, have reduced the faith and possibly even the allegiance of citizens."<sup>23</sup> And as noted in *Public Roads*, a magazine published by FHWA, "Earning public trust and confidence is basic to any public agency's purpose and existence."<sup>24</sup> Political systems must be able to allocate resources according to societal values and do this in a manner that most members of society accept as binding.<sup>25</sup> Legitimacy comes from the presence of multiple ways for citizens to participate and that actually lead to an effect on decisions, albeit indirect. At the same time, building safe, workable transportation systems depends on the expertise of engineers, planners, and other professionals.

In the cases considered here, it often was not clear what the purpose of the citizen participation was, especially in the 1970s when NEPA was relatively new and its implications were being clarified through practice. Participants differed on what the possible results of participation might be and entered the process with widely varying expectations. What range and depth of participation is expected by professionals? By elected officials? And what do citizens expect their participation to accomplish? When

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21. Clayton Christensen, *The Innovator's Dilemma: When New Technologies Cause Great Firms to Fail* (Boston: Harvard Business School Press, 1997).

22. Seely, *Building the American Highway System*, 4.

23. B. Guy Peters, *The Politics of Bureaucracy*, 3rd ed (New York: Longman, 1989), 1.

24. J. Richard Capka, "Megaprojects—They Are a Different Breed," *Public Roads* (July/August 2004): 1, 9.

25. David Easton, *A Systems Analysis of Political Life* (New York: Wiley, 1965), 21–24.

the scoping document included the NTN plan as one of the alternates to be studied for the I-35W corridor, it created expectations on the part of activists and their elected representatives that it was considered a serious option, yet it is unclear that to professionals it ever had that status. This difference in expectation added heat to the conflict.

There are means other than the EIS process for citizens to interact with professionals in government. One of the great lessons of the civil rights movement is that going to court can be a powerful tool for citizens. This is one way for citizens to affect professionals working in government. How does the threat of a lawsuit change the dynamic in a particular situation? There is a well-known story about Bill Crawford, MnDOT district engineer, and “the legendary I-394 napkin.” As a vow of determination to keep lawsuits from stopping the project, Crawford one day wrote on a lunchroom napkin: “I-394—NO LAWSUITS!”<sup>26</sup> This is an example of the strong desire on the part of engineers to keep projects moving. In addition, protesting is an acceptable form of political participation in the traditions of the United States, yet few professionals working in the government welcome protests when it comes to the issues they work on. Public hearings, long the mainstay of public works projects, did not serve particularly effective roles in any of the cases in this study. Different kinds of participation have different consequences. In all of them, the potential for frustration for all concerned is high. To the extent it is possible, understanding these various possibilities may be helpful for figuring out ways to structure public participation in a specific situation.

The current attitude of citizens toward government makes a complex task even more difficult. Jonathan Gifford observes that “Americans today are far more skeptical about the value of new roads, bridges, and sewage treatment plants—especially when they are located in their own backyard. Their faith that decisions about public works can be safely left in the hands of public officials, engineers, and other technical experts is gone.”<sup>27</sup> The confidence prevalent in the mega-project era has waned, as is borne out in the cases. Gifford goes on to say, however, that the changes wrought by this transformation can be viewed as beneficial to society because the awareness of the human, social, and environmental costs has been incorporated into the decision-making process.<sup>28</sup> As the cases show, however, scarce funds since the 1990s have reduced the opportunity for continuing the process of adaptation and learning.

Gifford suggests a shift in emphasis from using models of prediction to models of learning.<sup>29</sup> Public participation, even when not technically sophisticated, can bring attention to design features that are highly desirable by some groups but have been overlooked, are unnecessary, or are unacceptable for a wide range of reasons that are not technical. It is an opportunity to learn about a community’s values and broad social priorities. Perhaps the shift from mega-projects to the more incremental changes we currently have will facilitate the political process as it makes the plans easier to understand and reduces the number of viewpoints included. Gifford concludes that it is a mistake to focus too much on getting society to behave in a way that makes infrastructure work successfully. Rather, the focus should be on making sure that the infrastructure supports an efficient society.<sup>30</sup>

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26. Laurie Blake, “His Life’s an Open Map; Top Freeway Engineer on the Road to Retirement,” *Star Tribune*, 24 May 1993, section B, 3.

27. Gifford, “Toward the 21st Century,” 40.

28. Gifford, “Toward the 21st Century,” 40.

29. Jonathan Gifford, “Increasing the Social Acceptability of Urban Transport Projects,” *Transportation Quarterly* (Fall 1999): 4, 59.

30. Gifford, “Increasing the Social Acceptability of Urban Transport Projects,” 61.

Clearly, expertise on a wide range of matters is crucial to managing the functions of modern life, but it does not necessarily follow that citizen participation should be relegated simply to a late stamp of approval. By the mid-1980s, transportation professionals in the case of the I-35W expansion chose to include a design offered by a neighborhood group. This created stress for all parties, but it moved the process of citizen participation toward a meaningful interaction with the design process. Context sensitive design further develops this into a way of doing business. Engaged, informed citizens do their part to promote the public good by holding experts accountable. The tension between technical expertise and a growing public policy debate as these changes were being played out in freeway disputes resulted in a loss of confidence in and distrust of MnDOT by some members of the public, but it was also a process of societal learning and adaptation. Policy making and implementation can be viewed as an attempt to reconcile the potential of government with what it actually produces.<sup>31</sup> In the case of transportation, there has been dramatic change not only in what society has wanted government to produce, but also in the way it wants government to produce it.

## Leadership

Leadership at the federal level has waned since the mega-project era. Commenting on the 2005 surface transportation legislation, Neal Peirce observes that although transportation policy was “crystal clear” during the building of the interstate program, it has “lost its compass,” and although it has the positive effect of encouraging metropolitan planning, it has “become an ordinary federal handout, devoid of clear purpose or strategy.” In 1981, there were fewer than 10 earmarks in the transportation bill, although recent bills have had several thousand, according to a Heritage Foundation study.<sup>32</sup> Often, these earmarks are not a part of an area’s plan and are a result of the growing practice of passing agencies and going right to Congress to fund the desired project.

It is possible that there is a dynamic between vision and the flow of money; although, the direction of the causal relationship is unclear and perhaps circular. There was a vision of the interstate program long before funds were allocated, but the availability of the money also stirred the vision. The 90/10 funding was a remarkable formula that made interstate projects a priority. When interstate substitution funds became available, the vision of the system was affected. Consider the following statements by those who have worked in the transportation field for many years:

The vision has been lost. There is no big funding pot and that drove the vision in the first place.<sup>33</sup>

We have not thought beyond the era we are in.<sup>34</sup>

You can’t have first-class transportation without paying for it.<sup>35</sup>

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31. Lawrence Mead, “Public Policy: Vision, Potential, Limits,” *Policy Currents: Newsletter of the Public Policy Section of the American Political Science Association* (February 1995): 1–4.

32. Neal Peirce, “New Federal Transportation Bill Bloated, Full of Earmarks, No National Strategy,” *Washington Post*, 12 June 2005.

33. Anonymous interviewee, personal interview with author, March 2004.

34. Anonymous interviewee, personal interview with author, April 2004.

35. Anonymous interviewee, personal interview with author, April 2004.

What are the ramifications of this for our current situation? If there was a big vision, would there be more impetus to provide money? Or is it the other way around? Jonathan Gifford claims that if the right kind of facility is supplied, the public will be willing to pay for it.

The institutions that supply urban transportation infrastructure have failed to deliver facilities that meet the test of public acceptability. . . . To be sure, the public is more than willing to use what suppliers have provided. What alternatives do they have? Staying home? The problem is a failure of infrastructure suppliers to conceptualize and design facilities that command widespread support. The remedy must be to discover what kinds of facilities the public will support.<sup>36</sup>

On the other hand, transportation now competes with rapidly rising healthcare costs, concern about school funding, and uncertainty about retirement benefits. In addition, anti-tax sentiments remain strong.

If we agree with Gifford that the transportation policy arena is ripe for an infusion of new ideas and investment, where does that leave us as a society? New means of transporting people and goods are continuously being developed, so how do these new ideas get onto the national or state agenda? At any given time, there are multiple solutions being circulated through any given policy community. A vision or idea takes hold when several factors come together, including public opinion, anticipation of future needs, recognition of a condition as a problem, and technical innovation. This is the elusive moment when the policy community and politics fuse to provide a taking-off point. When these factors coalesce, it creates a window of opportunity. Leadership is crucial to both creating the conditions that foster this coalescence and being ready to take advantage of the opportunity when it presents itself.<sup>37</sup>

The politics of transportation policy likely will remain difficult in the absence of a new consensus that coalesces around a new vision. The interstate program was a breakthrough policy change, which has 50 years later settled into the normal incrementalism of governance. Whether or not this incremental approach is adequate is yet to be determined. Perhaps circumstances will present a new challenge, such as permanently high gas prices, that focuses attention on transportation once again.

## **Tensions and Mismatches**

There are three areas of tension or mismatches that are apparent in the cases studied here: time frame, geographic space, and problem definition. Major transportation infrastructure projects take decades from conception to execution. An institution, like a department of transportation, can and must stay with a project for these extended periods of time. Citizens and the elected officials who represent them, on the other hand, tend to operate on a much shorter time frame. As this relates to particular projects, it often has been the case that residents of an area do not learn of a construction

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36. Gifford, "Increasing the Social Acceptability of Urban Transport Projects," 51–52.

37. John Kingdon, *Agendas, Alternatives, and Public Policies*, 2nd ed. (New York: Harper Collins, 1995).

project until it is fairly far along in its development. When are decisions and commitment to a design made by the agency? How far out should projections be made when planning a transportation system? How do citizens figure in given this timing? These are questions that have been and are currently undergoing examination, but the basic problem of difference in time frame between departments of transportation and politicians and their constituents is to some a degree a continuing and unavoidable tension. In the broader perspective of transportation policy in general, by the time the public has transportation issues in their frame of reference, the possible solutions are a decade or more off. As noted 40 years ago in a paper published by the Joint Program, the public does not develop a sense of urgency about congestion and investment in transportation infrastructure until congestion is very heavy and travel times get extremely long for some drivers.<sup>38</sup> As John Adams points out, “The people who came before us paid for what we now enjoy. The lack of investment in transportation infrastructure is an issue of intergenerational justice.”<sup>39</sup>

Differences in geographic frame of reference are also apparent in the cases. The Minnesota Department of Transportation is a statewide agency that must have a broad view of transportation needs. Cities and neighborhoods attend to the concerns in their local area. Both of these perspectives are appropriate, and it is unavoidable that they will sometimes lead to conflict. The situation is especially complicated when cities do not agree among themselves, as happened in the case I-394, I-94 east of St. Paul, and the I-35W expansion. The Metropolitan Council ameliorates this somewhat through its development of regional plans. As is clear in the case of I-94, the presence of these plans undoubtedly makes a difference. Some argue that the regional government should be strengthened to develop and enforce policy that is essentially regional, such as transportation and sewer lines. This may be a case in which it is better not to fix what is not really broken. The difference in geographic perspective is one of many fundamentally different perspectives that operate in American politics. It is built into our federalist system. Since the change in the municipal consent law in 1959 (see Appendix 2), there has been a means to refer municipal decisions to a process that leads to resolution. It is true that in the I-35W expansion case, the difference in opinion between the southern suburbs and Minneapolis could not be overcome despite the best efforts of elected officials and support staff. Such differences occur around many issues as a matter of course in American politics. When parties cannot agree, nothing gets done. When conflict between interests is intractable, it is hard to judge what should be done, so perhaps doing nothing is not such a bad option. In any case, it was a lack of funds that resulted in cancellation of a forward-looking plan for the I-35W corridor. In the I-394 corridor, lack of coordination in funding for roads, transit, and enforcement was a big problem in bringing all the pieces together. This reflects different levels of commitment to these different facets of transportation via funding mechanisms determined by the legislative process. Although differences in the geographic frame of reference between different bodies in our existing political structure—combined with the scale of the projects—sometimes adds to conflict, it is not at all clear that focusing on this as what ails our transportation system is the correct diagnosis.

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38. The Joint Program, “Alternatives Paper 6,” April 1966, 1.

39. John Adams, “The Transportation Choices Driving Minnesota,” Panel Discussion at the Minnesota History Center, St. Paul, Minnesota, 11 May 2004.

Politics is especially difficult when there is not agreement on what the problem is. This can differ among experts in different professions as well as between experts and the public, and again with elected officials. Among professionals, problems tend to be defined in terms of their expertise. Citizens may define problems in terms of a broad social movement, such as the environmental movement, or narrower concerns focused on their neighborhoods, or both. Elected officials tend to be subject to multiple pressures and have resources they can use to gather information, so they are at least in a position to have a broad perspective. When an issue becomes highly salient to their constituents, however, they respond to that. With so many perspectives, it is not surprising that urban freeway disputes have been caught in the situation of disagreement over problem definition. In the I-35W expansion dispute, the citizens along the corridor who were opposed to the freeway viewed the problem as one of social justice or environmental protection, whereas transportation professionals, and many others, viewed the problem as one of alleviating congestion. In our current ambiguous state of transportation policy, it is not necessarily clear when congestion is a condition of urban life and when it is a problem. The Center for Transportation Studies “Access to Destinations” research currently under way examines whether measures of accessibility are more meaningful than traditional measures of congestion based on speed of travel.<sup>40</sup> As Anthony Downs points out, congestion, which he defines as “first-come, first-served access to limited road space,” is a global problem in large or growing cities.<sup>41</sup> Maybe it is simply a characteristic of a successful urban area. Perhaps Yogi Berra best captured the tension inherent in congestion when he said, “Nobody goes there anymore. It’s too crowded.”<sup>42</sup>

Of the three tensions or mismatches that emerge from the cases, problem definition is probably the one that can be alleviated most effectively by political or procedural adaptation. This is, in fact, part of what occurred during the second half of the 20th century via the conflict and learning by those involved in building urban freeways.

## Conclusions

The mega-projects era was unique in the development of urban areas. The multiplicity of factors poised to support this effort was impressive, including postwar suburban growth, a growing economy, business support for investment in transportation, urban renewal programs, and the widespread political appeal of high-speed highways. Federal legislation had already established the present federal–state relationship, so when the money was available, Minnesota went to work. During the era of expanding the debate, citizens had new tools provided by NEPA and had learned much about organizing as opposition to government grew across many issues. In addition, the legislature, which always had been involved, expanded its role dramatically when it demonstrated its willingness to stop freeway construction or to legislate route selection and number of lanes. The political process became more visible and complex, and this is how it will most certainly stay.

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40. Center for Transportation Studies (CTS), University of Minnesota, “Access to Destinations Study,” CTS website, [www.cts.umn.edu/access-study/index.html](http://www.cts.umn.edu/access-study/index.html), accessed May 2006.

41. Anthony Downs, *Still Stuck in Traffic: Coping With Peak-Hour Traffic Congestion* (Washington, D.C.: Brookings Institution Press, 2004), 323–329.

42. Yogi Berra, *The Yogi Book* (New York: Workman Publishing, 1998), 16.

Our current situation presents challenges and many questions. To the local community, the interstate program's 90/10 funding formula made financing projects "appear costless, or nearly so."<sup>43</sup> As this relatively painless way to fund freeways has ended and increasingly expensive transportation systems have become the new standard, finding the political will to make necessary investments is a tall order, especially in an anti-tax political climate. Whether Minnesotans will find user fees acceptable on a widespread basis remains to be seen. In addition, the tensions in geographic and temporal frames of reference, as well as problem definition, play across agencies, whose actions may or may not be coordinated. Are there ways to more directly link decision making for land-use and transportation investments? Similarly, multimodal projects such as I-394 require coordination between transit, enforcement, and freeways. Citizen participation is now a permanent part of transportation projects. Should some aspects of context sensitive design or other innovations be institutionalized to ensure that citizen participation occurs from the time the problem is being defined and continues in a meaningful way? And, keeping the challenges of innovation in mind, we might ask whether some new place in our current organizational structure would invite creativity and new vision.

One important contribution of citizen involvement in freeway decisions was the introduction of new criteria for evaluating and assessing the consequences of highway construction through built-up areas. Citizen activists argued that a broader, community-wide perspective was required and that traditional engineering criteria such as safety, speed, and cost-per-mile had to be weighed against the costs of neighborhood disruption and destruction, increased travel time for local drivers having to cross freeways, and the environmental costs of noise, air, and water pollution. They, and others, argued that freeways are only one part of an overall transportation system.<sup>44</sup>

Perhaps one of the reasons the era we are in is one of ambiguity is that we are still defining our current problem. What is congestion? What levels are tolerable, and how much are we willing to pay to provide relief? Minnesotans, like many Americans, are strongly attached to their cars and expect unlimited mobility. Is that a reasonable expectation? Despite our tradition of providing access to transportation as a public good, is the region better served by requiring people to pay for the use of certain facilities? Are there land-use patterns that have potential for reducing the need to drive? What factors would have a significant effect on decisions about location and transportation for business and households? What mix of transit and roads would fit our region? How do we balance transportation needs against other social goods, such as education and healthcare, when resources are scarce? If there is no money, will there be innovation, or does the innovation have to come first? The interstate program was an initiative that provided something, and the same thing, to every state. Maybe one of the lessons we have learned is that transportation systems must be tailored to the geography, land use, history, and political culture of a particular region.<sup>45</sup>

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43. Altshuler and Luberoff, *Mega-Projects: the Changing Politics of Urban Public Investment*.

44. My thanks to Barbara Lukermann and Tom Scott for their contributions to this discussion.

45. My thanks to Ken Buckeye, MnDOT, for this insight.

Minnesota moves into the twenty-first century with a nationwide reputation as the exemplar of a state that has succeeded in providing a high “quality of life.” Its people are, on one hand, proud and confident of their future, principally because of their polity and its political system, and on the other hand, worried about a perceived deterioration in Minnesota’s quality of life.<sup>46</sup>

Through the difficult times of the 1970s and 1980s, the mix of various political pressures combined with changing financial resources to result in some innovative designs, such as I-35E and I-394. We do have a functional urban interstate system, and a tremendous amount of learning occurred for all involved. Minnesota’s quality of life, or at least the transportation facet of it, appears to be in a period of uncertainty, with many possibilities circulating. This reflection on our history is an effort to marshal our collective learning so that we may move toward the sustainability of Minnesota’s quality of life with more surety and knowledge.

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46. Elazar, *Minnesota Politics and Government*, 3.



# Appendices

## APPENDIX 1:

### Minnesota Governors, Highway/Transportation Commissioners, and Metropolitan Council Chairs, 1955–2005

	Governor	Commissioner of Minnesota Highway Department (1917–1975) or Minnesota Department of Transportation (1976–present)	Metropolitan Council Chair
1955	Orville Freeman (DFL)	M.J. Hoffman	
1956			
1957		L.P. Zimmerman	
1958			
1959			
1960			
1961	Elmer L. Anderson (R)	James C. Marshall	
1962			
1963	Karl Rolvaag (DFL)		
1964			
1965		John R. Jamieson	
1966			
1967	Harold LeVander (R)		James Hetland (August)
1968		N.T. Waldor	
1969			
1970			
1971	Wendell Anderson (DFL)		Albert Hofstedt (April)
1972		Ray Lappegaard	
1973			John Boland (August)
1974			
1975		Frank Marzitelli	
1976	Rudy Perpich (DFL)	Jim Harrington	
1977			
1978		Richard P. Braun	
1979	Al Quie (R)		Charles Weaver (February)
1980			
1981			
1982			Gerald Isaacs (January)
1983	Rudy Perpich (DFL)		
1984			Sandra Gardebring (May)
1985			
1986			Steve Keefe (December)
1987		Leonard Levine	
1988			
1989			
1990		John Riley	
1991	Arne Carlson (R)	Jim Denn	Mary Anderson (January)

1992			Dottie Rietow (November)
1993			
1994			
1995			Curtis Johnson (January)
1996			
1997			
1998		Elwyn Tinklenberg	
1999	Jesse Ventura (Reform)		Ted Mondale (February)
2000			
2001			
2002			
2003	Tim Pawlenty (R)	Carol Molnau	Peter Bell
2004			
2005			
2006			

**Sources:** Minnesota Legislative Reference Library, Metropolitan Council, Minnesota Department of Transportation

## APPENDIX 2: Municipal Consent Laws

At the time the Federal-Aid Highway Act of 1956 was passed, the municipal consent law regarding highways was Minnesota Statute, §160.702, Subd. 2.

**MS 160.702 Subd. 2.** No such highway shall be constructed or improved within the corporate limits of any city, village or borough unless the plans therefore shall first be approved by the governing body of such city, village, or borough.

In 1959, an approval process specific to interstates was passed, as stated in MS §161.17 Subd. 2.

**MS 161.17 Subd. 2. Interstate system.** It is hereby declared that construction of the interstate system of highways will vitally affect the future development of the cities, villages, and boroughs through which these routes pass and such municipalities should have an important role in the development of this highway system; that on the other hand the future planning and programming of construction projects over a period of years is necessary to take maximum advantage of federal aid and to build a unified and coordinated interstate system; that excessive delay in local approval of plans for construction of one segment may seriously impede completion of the entire system and adversely affect other municipalities along the interstate routes; that the mutual exchange of information and close cooperation between the department and local governing bodies should be encouraged by improved administrative processes for securing orderly review of plans and the resolution of differences over interstate routes and projects; and that the provisions of subdivision 1 for local approval of trunk highway plans must be modified for the interstate highway system in the light of these various considerations. Before the commissioner proceeds with the preparation of the final plans for the construction, reconstruction, or improvement of any route on the interstate system lying within any city, village, or borough, he shall submit to its governing body preliminary plans covering the route location. The preliminary plans shall be submitted as part of a report containing such supporting data that the commissioner deems helpful to the governing body in appraising the plans submitted.

Any public hearing on location of an interstate route held in compliance with federal requirements shall be held at least one month after submission to the governing body of the report provided for in this subdivision. After the public hearing, when the commissioner has prepared final plans, he shall submit the final plans to the governing body for approval. If the governing body does not approve the final plans within three months after submitted, the commissioner may refer the plans to (1) the Twin Cities Metropolitan Area Planning Commission, if the project is within the area of its jurisdiction, or (2) the municipal advisory committee on state-aid rules and regulations established under Article III, Sec. 9, Subd. 2, if the project is elsewhere in the state. If a member of the advisory committee is from the municipality concerned he shall be excused. If the plans are so referred, the commission or committee shall give the commissioner and the governing body ample

opportunity to present the case for or against approval of the plans so referred. Not later than three months after such hearings and independent study as it deems desirable, it shall approve or disapprove such plans, making such additional recommendations consistent with state and federal requirements as it deems appropriate, and it shall submit a written report containing its findings and recommendations to the commissioner and the governing body. The commissioner shall not proceed with the proposed construction, reconstruction, or improvement except in accordance with plans approved by the governing body or, if referred to the commission or committee, until after the commission or committee has made its report, and then only after the governing body has had an additional 90 days within which to consider the plans originally submitted or such modified plans as may be submitted to it by the commissioner following the report of the commission or committee. If within such 90 day period, the governing body does not approve the plans submitted to it, and if the commissioner then wishes to proceed with the project according to plans differing substantially from the plans recommended by the commission or committee in its report, he shall, before proceeding with the project, file a written report with the commission or committee and the governing body stating his reasons for doing so. Whenever plans are referred to the Twin Cities Metropolitan Area Planning commission, the commission shall be reimbursed from the trunk highway fund for actual and necessary expenses incurred by the commission in staff work incident to consideration of plans and action thereon by the commission. Whenever plans are referred to the advisory committee on rules and regulations, members of the committee shall be paid their necessary expenses to the same extent and in the same manner as for its duties in considering the commissioner's rules and regulations.

In 2001 the law was changed to create an appeals process.

**MS 161.165 Commissioner action; interstate highways.**

**Subdivision 1. Applicability.** This section applies to interstate highways.

**Subd. 2. Action on approved final layout.** (a) If the appeal board recommends approval of the final layout or does not submit its findings and recommendations within 60 days of the hearing, in which case the final layout is deemed approved, the commissioner may prepare substantially similar final construction plans and proceed with the project.

(b) If the final construction plans change access, traffic capacity, or acquisition of permanent right-of-way from the final layout approved by the appeal board, the commissioner shall submit the portion of the final construction plans that shows the changes, to the governing body for its approval or disapproval under section 161.164, subdivision 2.

**Subd. 3. Action on final layout approved with changes.** (a) If, within 60 days, the appeal board recommends approval of the final layout with modifications, the commissioner may:

(1) prepare final construction plans with the recommended modifications, notify the governing body, and proceed with the project;

(2) decide not to proceed with the project; or

(3) prepare final construction plans substantially similar to the final layout referred to the appeal board, and proceed with the project. The commissioner shall, before proceeding with the project, file a written report with the governing body and the appeal board stating fully the reasons for doing so.

(b) If the final construction plans contain changes in access or traffic capacity or require additional acquisition of permanent right-of-way from the final layout reviewed by the appeal board or the governing body, the commissioner shall resubmit the portion of the final construction plans that shows the changes, to the governing body for its approval or disapproval under section 161.164, subdivision 2.

**Subd. 4. Action on disapproved final layout.** (a) If, within 60 days, the appeal board recommends disapproval of the final layout, the commissioner may either:

(1) decide not to proceed with the project; or

(2) prepare final construction plans substantially similar to the final layout referred to the appeal board, notify the governing body and the appeal board, and proceed with the project. Before proceeding with the project, the commissioner shall file a written report with the governing body and the appeal board stating fully the reasons for doing so.

(b) If the final construction plans contain changes in access or traffic capacity or require additional acquisition of permanent right-of-way from the final layout reviewed by the appeal board or the governing body, the commissioner shall resubmit the portion of the final construction plans that shows the changes, to the governing body for its approval or disapproval under section 161.164, subdivision 2.

**Subd. 5. Final construction plans issued.** The commissioner shall send a complete set of final construction plans to the municipality at least 45 days before the bid opening for informational purposes.

**161.164 Subd. 2. Governing body action.** (a) Within 15 days of receiving a final layout from the commissioner, the governing body shall schedule a public hearing on the final layout. The governing body shall, within 60 days of receiving a final layout from the commissioner, conduct a public hearing at which the Department of Transportation shall present the final layout for the project. The governing body shall give at least 30 days' notice of the public hearing.

(b) Within 90 days from the date of the public hearing, the governing body shall approve or disapprove the final layout in writing, as follows:

(1) If the governing body approves the final layout or does not disapprove the final layout in writing within 90 days, in which case the final layout is deemed to be approved, the commissioner may continue the project development.

(2) If the final construction plans contain changes in access, traffic capacity, or acquisition of permanent right-of-way from the final layout approved by the governing body, the commissioner shall resubmit the portion of the final construction plans where changes were made to the governing body. The governing body must approve or disapprove the changes, in writing, within 60 days from the date the commissioner submits them.

(3) If the governing body disapproves the final layout, the commissioner may make modifications requested by the municipality, decide not to proceed with the project, or refer the final layout to an appeal board. The appeal board shall consist of one member appointed by the commissioner, one member appointed by the governing body, and a third member agreed upon by both the commissioner and the governing body. If the commissioner and the governing body cannot agree upon the third member, the chief justice of the Supreme Court shall appoint a third member within 14 days of the request of the commissioner to appoint the third member.

## APPENDIX 3: Important Dates in Minnesota Highway History

- 1898 Legislature authorizes creation of the State Highway Commission
- 1905 Legislature creates the State Highway Commission; first state aid road tax passed
- 1917 State Highway Commission abolished and office of Commissioner of Highways created; Charles Babcock appointed commissioner
- 1920 Trunk highway plan as 16th Constitutional Amendment passes (Also known as the “Babcock Amendment”)
- 1924 Adoption of gas tax amendment
- 1929 County state-aid highway (CSAH) system established; state patrol established
- 1953 Legislature established the Minnesota Highway Study Committee to analyze highway needs and problems
- 1956 Constitutional amendment establishes new aid formula (62% state, 29% county, 9% municipal)
- 1958 First stretch of interstate in Minnesota opens: I-35 near Owatonna; Twin Cities Area Transportation Study (TCATS) organized by Minnesota Highway Department and U.S. Bureau of Public Roads
- 1976 Minnesota Department of Transportation created and assumes responsibilities of the Highway Department, the Department of Aeronautics, and the transportation-related sections of the State Planning Agency and the Public Service Department

**Source:** Office of Public Information, Minnesota Department of Highways, *1921–1971: 50th Anniversary* (St. Paul, MN: MnDOT, April 1971). Available online at [www.dot.state.mn.us/information/historydates.html](http://www.dot.state.mn.us/information/historydates.html).





## APPENDIX 4:

### Significant Federal Legislation Related to Highways

**Federal-Aid Highway Act of 1934**—created the cooperative relationship between the Bureau of Public Roads and state highway departments.

**Federal Aid Highway Act of 1944**—authorized a “National System of Interstate Highways” of 40,000 miles.

**Federal-Aid Highway Act of 1956**—combined with the Highway Revenue Act, this act provided for the construction of the national interstate system with a federal financial contribution of 90%.

**Federal-Aid Highway Act of 1962**—the first piece of federal legislation to mandate urban transportation planning as a condition for receiving federal funds in urbanized areas, it called for regional planning and cooperation with local communities.

**Urban Mass Transportation Act of 1964**—authorized federal capital grants for up to two-thirds of the net mass transportation project cost of construction, reconstruction, or acquisition of facilities and equipment.

**Highway and Motor Vehicle Safety Acts of 1966**—required the establishment of minimum safety standards for motor vehicles and equipment, authorized research and development, and expanded the National Driver Register of individuals whose licenses had been denied, terminated, or withdrawn.

**National Environmental Policy Act of 1969**—stated it was the national policy to “encourage productive and enjoyable harmony between man and his environment.” NEPA required a comprehensive environmental impact statement (EIS) for all legislation and major federal actions that would affect the environment significantly. It required federal agencies to seek comments on the action and its impacts from affected areas.

**Federal-Aid Highway Act of 1973**—increased the flexibility in the use of highway funds for urban mass transportation. Federal-aid Urban system funds could be used for capital expenditures on urban mass transportation projects, and funds for interstate highway projects could be relinquished and replaced by an equivalent amount from the general fund and spent on mass transportation projects in a particular state. The relinquished funds reverted back to the Highway Trust Fund.

**Federal-Aid Highway Act of 1976**—broadened the use of funds from trade-ins of nonessential interstate routes, increasing the flexibility of the 1973 act.

**Surface Transportation Assistance Act of 1978**—combined highway, public transportation, and highway safety authorizations in one piece of legislation.

**Surface Transportation Assistance Act of 1982**—addressed the problem of the aging interstate infrastructure by raising the federal gas tax by five cents a gallon effective April 1, 1983. Other taxes were increased including a substantial increase in the truck user fees.

**Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA)**—authorized \$151 billion over six years for highways, mass transit, and safety programs. The act created a surface transportation program with flexible funding that opened the door to new opportunities to address statewide and urban transportation problems.

**Transportation Equity Act for the 21st Century (TEA-21)**—enacted in 1998, the federal surface transportation programs for highways, highway safety, and transit for the six-year period, 1998 to 2003.

**Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)**—enacted in 2005, it reauthorizes the provisions established in ISTEA and TEA-21.

**Sources:** Edward Weiner, *Urban Transportation Planning in the United States: An Historical Overview*, 5th ed. (Washington, D.C.: U.S. Department of Transportation, 1997); U.S. Department of Transportation website, [www.dot.gov](http://www.dot.gov), accessed April 2006.

## **APPENDIX 5:**

### **Development of the Metropolitan Council**

In 1957 the Legislature created the Twin Cities Metropolitan Planning Commission to serve the five-county metropolitan area. The commission's function was to research and plan regional issues in an advisory capacity as a service to local governments.

In the mid-1960s, a collaborative planning effort called the Joint Program contributed to the development of regional planning in the Twin Cities. In addition to the Metropolitan Planning Commission, the Joint Program included the Minnesota Highway Department, the City of Minneapolis and City of St. Paul planning departments, representatives from the highway departments of the seven metropolitan counties, and the federal Bureau of Public Roads, Housing, and Home Finance Agency. In 1966, the Joint Program published a comprehensive metropolitan plan.

In 1967, the Minnesota Legislature created the Metropolitan Council "to coordinate the planning and development of the metropolitan area" (Minnesota Session Laws 1967, Section 1). Minnesota was unique in creating a metropolitan agency at this time. Federal law did not require a metropolitan planning organization until 1973. The Metropolitan Council was established to deal with issues and create solutions that transcended the boundaries of local jurisdictions. Its 16 members and chair are appointed by the governor.

In 1974, the legislature passed the Metropolitan Reorganization Act, which strengthened the Metropolitan Council's policy role over regional commissions, such as the Metropolitan Transit Commission and the Metropolitan Sewer Board. This act established the requirement that before a controlled-access highway could be built or land acquired, the plan had to be submitted for approval of its consistency with the regional plan and development guide. In 1974, the legislature also created the Transportation Advisory Board (TAB). The purpose of the TAB is to fulfill the responsibilities designated by state and federal law and regulation with regard to transportation planning and programming for the Twin Cities metropolitan area. The TAB, along with the Metropolitan Council and Technical Advisory Committee, serves as the certified metropolitan planning organization in compliance with federal law and rules, and thereby qualifies the region for federal transportation planning, operating, and construction funds. Therefore, the TAB is a key participant in the region's transportation planning process.

In the Metropolitan Land Planning Act of 1976, "the legislature finds and declares that the local governmental units within the metropolitan area are interdependent . . . [and that the] problems of urbanization and development transcend local governmental boundaries" (MS §473.851). Under the act, local governments prepare comprehensive plans and the Metropolitan Council reviews them for consistency with plans for regional systems. The act gave the council the authority to require modifications to the plan if it would potentially have a substantial impact on or substantially depart from metropolitan system plans.

The Metropolitan Reorganization Act of 1994 further strengthened the coordination of regional policy with operational and capital decisions. The act merged the func-

tions of three agencies (the Metropolitan Transit Commission, the Regional Transit Board, and the Metropolitan Waste Control Commission) into one—the Metropolitan Council. The merger meant that the regional services and investments that are key to the region’s growth and development—especially wastewater treatment and regular-route transit—would now be carried out consistent with the Metropolitan Council’s overall policies and plans for the region.

**Sources:** “Twin Cities Metropolitan Planning Commission,” brochure, February 1958; Metropolitan Council website, [www.metrocouncil.org/about/history.htm](http://www.metrocouncil.org/about/history.htm), accessed April 2006.

## APPENDIX 6: 1975 Moratorium Bill

The moratorium bill was first introduced in March 1973 by Representative John Salchert (DFL–Minneapolis). In May 1973, the bill passed in the House with a vote of 89 to 17 and was sent to the Senate but did not pass. In 1975, a bill was introduced in the Senate by Allan Spear (DFL–Minneapolis) and in the House by Wes Skogland (DFL–Minneapolis). The moratorium passed and applied to all work on I-335, I-394, the Dartmouth Interchange, Hiawatha Avenue, and I-35E, including preliminary engineering and environmental studies (see Figure 11 for freeways blocked by the Moratorium Bill). Metro-area legislators refused to approve a two-cent gas tax increase unless the moratorium was included in the bill. The St. Paul Chamber of Commerce filed a lawsuit claiming the legislation was unconstitutional because only the federal government could stop a federal project. The legislation was upheld by Ramsey County Judge John Graf, indicating the legislature has the power to prevent the highway department from building interstates. He noted that participation in the program does not deprive states of their traditional right to conduct their own highway programs and that the federal role is primarily financial.<sup>1</sup>

### M.S. 161.123 1975

Following the effective date of this act the department of highways shall not cause any construction on, nor shall any lands be acquired for, any of the trunk highways designated as I-335, that portion of I-35E in Ramsey county described in section 19, clause (3), nor for the proposed I-394 between I-494 and the Hawthorne interchange, nor for any extension or connector of the Dartmouth interchange of the interstate route designated as I-94; nor shall the department construct or improve Legislative Route No. 116, marked trunk highway route No. 55, within the city of Minneapolis, to freeway or expressway standards; provided, that nothing in this section shall be construed to prohibit the department from taking the following actions:

(1) Construction of a parkway facility of not more than four lanes of traffic in the corridor previously designated for I-335 in the city of Minneapolis.

(2) Construction of not more than six lanes of travel on Legislative Routes No. 10 and No. 107 marked TH12 between I-494 and the Hawthorne interchange in the city of Minneapolis, provided that no additional lands shall be acquired for any such purpose except which is necessary for construction of six lanes on said highway.

(3) Construction of, on the route designated in section 19, clause (3), a four lane parkway facility with limited access, provided that such a parkway shall not be physically connected with Legislative Route No. 392.

(4) Generally utilizing and widening present lanes of travel, increasing the number of lanes of travel up to but not exceeding six lanes, and upgrading Legislative Route No. 116 within the city of Minneapolis generally along its present traveled corridor.

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1. "Panel hears sides on road-limiting," *Minneapolis Star*, 9 March 1973, sec. B, 12; "House votes to halt 3 area freeways," *Minneapolis Star*, 11 May 1973; *Final EIS and Final Section 4[f] Evaluation US-12/I-394*, 1982; Dean Rebuffoni, "Judge upholds halt in highways," *Minneapolis Tribune*, 28 May 1976; Bob Anderson, "Area lawmakers ask freeway moratorium," *Minnesota Daily*, 3 February 1975.

Any highway facility authorized by this section shall be compatible with the immediate residential areas through which it passes. Upon the completion of any highway facility authorized herein, any right of way previously acquired within the utilized corridor and not needed for the construction and maintenance of such facility, shall be transferred to the city within which such excess right of way is located, for public purposes, or sold for utilization in a manner compatible with the immediate residential area through which it passes, such excess right of way being determined by order of the commissioner. The transfer shall be evidenced by a quit claim deed, in such form as the attorney general approves, executed by the governor in the name of the state of Minnesota to such city.

The commissioner of highways shall consider a parkway or other alternatives for that portion of the trunk highway designated as I-35 or Route No. 390 in the city of Duluth.

Sec. 16. The metropolitan council with the transportation advisory board and the city councils of the affected cities shall review the uncompleted sections of the interstate system in the seven county metropolitan area. Such review shall include an analysis of the financial and social impact as to alternative interstate route designations or transit substitutes while maintaining the integrity of the interstate system.

The metropolitan council shall report the findings of such study to the state legislature not later than February 1, 1976.

Sec. 17. There is hereby appropriated to the metropolitan council from the general fund the sum of \$25,000 for the purpose of section 16.

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