

# Freedom Matters

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Dane County, Wisconsin

Preserving Property Rights

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*Our republic limits government to securing individual unalienable rights to life, liberty, and property. These rights are eroded by legislatures, and by courts complicit with them. To encourage wise jurists and journalists to help, Freedom Matters dedicates itself to the fight to restore that republic.*

## Falk's "Attain Dane": Part 6 Whither "Attain Dane"? Will It Wither?

by Bob Bowman

What is the future of "Attain Dane?" Because of its fallacies, and because of the political world of Dane County, it seems no more viable than its predecessor plans. To see why, we have to review its nature.

First, what is it? It is a central command and control land use plan which proposes to eliminate all future residential development outside of urban areas. Shortly, there will be no new homes in the country. That is the essence of "smart growth" in the eyes of the central planners. It is the Oregon model of a metro government which imposes urban growth boundaries, thus forcing urban high density growth in the name of "efficiency."

The elements of that system are all on the drawing board in Dane County, being actively pursued by Falk. The prior five parts of this series reviewed Falk's latest publicity campaign to garner public support, or at least the illusion of public support, for restraining all new growth to the urban areas or their fringes.

Even so, Falk has criticized the extent by which Dane County's urban areas have plans to grow out into the countryside. It was her major issue at her Sun Prairie "Attain Dane" meeting. The residents of cities and villages, including Madison, should be aware that the plans of the "Attain Dane" backers are for tight urban bounds, thus greatly increasing density in their urban world.

Another major element of this overall plan is commuter rail, being pushed by the Transport 2020 planning group, which against all common sense, continues an obstinate effort to bring commuter rail to Madison, with build out plans for later links east, west and south to the other major satellite urban centers in Dane County. Lesser urban centers, particularly unincorporated ones, may be on the way to planned oblivion.

Commuter rail requires urban densities at least triple, or quadruple, that of Madison at present. Hence, when one sees stubborn pursuit of plans to bring commuter trains to Madison, you can know that the parallel intent of those plans is to force very high population densities onto Madison and the other major urban areas. In hand with this rail obsession is an anti-automobile agenda that opposes all increases in highway capacity.

How about the metro government part? That also is on the county drawing board, in the form of a so-called "Council of Governments" or COG. A semi-formal COG work group is currently meeting every Thursday afternoon from 1 - 2:30 in the office suite of the County Executive, Kathleen Falk. Even in the face of almost insuperable odds, she is pushing for a COG.

What will the COG be used for? Ostensibly, it is merely a "local water quality agency" required by an agreement between Wisconsin and the federal EPA, via the designation of Dane County as a "sensitive" water quality area. However, the environmentalists and other leftist groups negotiating for a COG insist that it have planning powers well beyond water quality issues. For them, it is to be a dictatorial agency forcing the density of growth they want on all the urban areas despite each community's "local" comprehensive plan.

Falk's plans for the COG are barely hidden below the surface. She would use it as an instrument to force ever increasing density on urban development, and to deny all future residential development to rural towns. The main lever of power of COG would be its role in approval of expansions of urban service areas (USAs; isn't it ironic that this acronym also stands for United States of America, the American Dream?). Falk would condition expansions of USAs on the urban government agreeing to densify, and to do so by purchasing "development rights" from rural landowners. This "transfer of development rights" is a mainspring of "Attain Dane." It is the way Falk can buy out development rights still held by rural landowners, **and likely at pennies on the dollar**, and thus insist righteously that she is not confiscating landowner rights to the use of their land.

Still, there's many a slip 'twixt the cup and the lip. If Dane County can never achieve even a million people, commuter rail is dead here. Falk also got partly undone by the Wisconsin Supreme Court, when it unwisely gave all cities and villages nearly total control of development in their extraterritorial jurisdictions. The court thus created political pariahs or "colonists" out of the residents of those unincorporated extraterritorial areas. So much for one-person, one-vote, in Wisconsin's elitist-minded Supreme Court. So, unless Falk can get a toe-hold via getting some version of the COG created, she will have no way to force the county's cities and villages to do her will. There is some evidence that the cities and villages of the county are waking up to this. Those in the towns have already seen the tyranny she wields.

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