

NORTHWESTERN INDIANA REGIONAL PLANNING COMMISSION
FULL COMMISSION/EXECUTIVE BOARD MEETING
Thursday, May 16, 2019, 9:00 A.M.
NIRPC Lake Michigan Room, 6100 Southport Road, Portage, IN
Annotated Agenda

- 1.0 Call to Order and Pledge of Allegiance – Diane Noll, Chair
- 2.0 Public Comment
Members of the audience who have signed up to comment on agenda items will be recognized by the Chair. Time is limited to 3 minutes per commenter. Commenters must sign up on the blue form prior to the start of the meeting.
- 3.0 Approval of the Minutes of the April 18, 2019 Executive Board Meeting (pp. 1-4)
ACTION REQUESTED: Approval
- 4.0 Report of the Chair – Diane Noll
- 5.0 Report of the Executive Director – Ty Warner
- 6.0 Finance & Personnel Committee – Justin Kiel (pp. 5-22)
 - 6.1 South Shore Clean Cities Contract (pp.8-22)
Staff will present on the contract for the air quality education program
ACTION REQUESTED: Approval
- 7.0 Technical Planning Committee – Kevin Breitzke (pp. 23-82)
 - 7.1 Air Quality Conformity Determination for NWI 2050 Plan, 2020-2024 Transportation Improvement Program
 - 7.11 Public Comment Report on Air Quality Conformity Determination (p. 29)
Staff will present on public comments received for the Air Quality Conformity Determination
INFORMATIONAL (No Action Required)
 - 7.12 Resolution 19-18, Air Quality Conformity Determination for NWI 2050 Plan, 2020-2024 Transportation Improvement Program (pp. 30-52)
Staff will present on Air Quality Conformity Determination for NWI 2050 Plan, 2020-2024 Transportation Improvement Program
ACTION REQUESTED: Approval
 - 7.2 NWI 2050 Plan
 - 7.21 Public Comment Report on NWI 2050 Plan (pp. 53-68)
Staff will present on public comments received for the NWI 2050 Plan
INFORMATIONAL (No Action Required)
 - 7.22 Resolution 19-19, NWI 2050 Plan Adoption (pp. 69-70)
Staff will present the NWI 2050 Plan (Handout)
ACTION REQUESTED: Adoption
 - 7.3 FY 2020-2024 Transportation Improvement Program
 - 7.31 Public Comment Report on FY 2020-2024 Transportation Improvement Program (pp. 71-79)
Staff will present the public comment report on FY 2020-2024 Transportation Improvement Program
INFORMATIONAL (No Action Required)

7.32 Resolution 19-20, FY 2018-2021 Transportation Improvement Program (pp. 680-81)
Staff will present Resolution 19-20, FY 2020-2024 Transportation Improvement Program
to incorporate federally required performance-based planning targets. (Handout)

ACTION REQUESTED: Approval

7.4 Volkswagen Mitigation

7.41 Resolution 19-21, Support for Volkswagen Mitigation (p. 82)

8.0 INDOT, Rick Powers, La Porte District Deputy Commissioner

9.0 Other Business

10.0 Announcements

11.0 Adjournment

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NIRPC Executive Board Meeting
6100 Southport Road, Portage, IN
April 18, 2019
Minutes

Call to Order - Chairperson Diane Noll called the meeting to order at 9:09 a.m. with the Pledge of Allegiance and self-introductions. The meeting was streamed live on YouTube.

Executive Board Members present included Geof Benson, Justin Kiel, Mark Krentz, Diane Noll, Greg Stinson, James Ton and George Topoll.

Other Commissioners present included Kyle Allen, Sr., Kevin Breitzke, Robert Carnahan, Will Farrellbegg, Tom Schmitt, Dave Shafer and Brian Snedecor.

Guests present included Mary Brown, Carl Lisek, Tim Werner, AJ Monroe, Lauren Varga, Ismail Attallah, Rick Powers, Matt Deitchley, Christopher Murphy, David Wright, Kayanna Kilosa, Gorgon Ferguson, Tim Zorn and Andrew Steele.

Staff present included Dave Hollenbeck, Ty Warner, Daria Sztaba, Kathy Luther, Trey Wadsworth, Talaya Jones, Mitch Barloga, Lisa Todd, Dominique Edwards, Charles Bradsky, and Candice Eklund.

Public Comments –

There were no comments from the public.

Minutes – The minutes of the March 21, 2019 Executive Board meeting were approved on a motion by Greg Stinson and a second by George Topoll.

Report of the Chair – Diane Noll

Diane Noll reported that Nick Meyer, Commissioner from Long Beach, will be replaced by Mark Krentz, Mayor of the City of La Porte, on the Technical Planning Committee.

Report of the Executive Director – Ty Warner

Ty Warner introduced Carl Lisek, of South Shore Clean Cities, who spoke on the VW mitigation settlement process. \$41 million is available to Indiana to reduce emissions. Any diesel-powered vehicle can be replaced with another diesel vehicle or an alternative fuel vehicle. South Shore Clean Cities will file applications with the communities and with NIRPC. \$9.8 million is currently being solicited for Indiana with IDEM for on-road and non-road vehicles. A minimum of three applications will be placed for this round and communities can apply for electric charging stations or electric vehicles. The settlement money is not considered federal money and an award can be leveraged with federal money. The grant applications close on June 17. The goal is to have every NIRPC community be a part of the Green Fleet Program.

Ty Warner said the draft *NWI 2050 Plan* is currently out for public comment and one of the sections discusses possible futures and references alternative fuels and reduced emissions. Mr. Warner read the handout dates, times and locations of the Open Houses and public hearings. The locations are

transit accessible. The comment period continues throughout April. Comments can be taken at the hearings, online and on NIRPC's website. The plan continues NIRPC's commitment to environmental issues, transportation and economic development.

Kathy Luther announced that NIRPC and the Northwest Indiana Forum are hosting a workshop Thursday, May 2 at 1 pm in the Lake Michigan Room to discuss wetland permitting changes, waterway permits and habitat issues. There is a new tool to move permitting and mitigation along more quickly which will be explained by the Department of Natural Resources. An informal conversation will take place with DNR at 9 a.m. on Monday, May 2, which will replace the more formal Environmental Management Policy Committee meeting.

Diane Noll announced a change in the order of the agenda. The report from the Technical Planning Committee will take place first with the report of the Finance & Personnel Committee to follow.

Kevin Breitzke reported that the regular Technical Planning Committee meeting took place on April 9 and a special meeting was held on April 16 to resolve outstanding matters relating to projects in the draft FY 2020-2024 Transportation Improvement Program. The first action is on Resolution 19-14, Amendment #2 to the FY 2019-2020 Unified Planning Work Program. Trey Wadsworth summarized the 30-day public comment period and explained the action, which was recommended favorably by the Technical Planning Committee. On a motion by George Topoll and a second by Jim Ton, the Executive Board voted to adopt Resolution 19-14, Amendment #2 to the FY 2019-2020 Unified Planning Work Program.

The second action is on Resolution 19-15, Amendment #21 to the FY 2018-2021 Transportation Improvement Program. Charles Bradsky said no public comments were received during the 30-day public comment period. However, after a review by Federal Highways Administration and the Interagency Consultation Group, it was found that several projects were inadvertently left off. They were added in and the TIP went out for a 9-day public comment period during which no public comments were received. Technical comments were submitted by the Federal Highway Administration on the R-TIP, asking for more specific location data, whether the project is exempt or non-exempt from air quality conformity, the project route and whether the project adds capacity to the roadway. These changes were outlined in the materials. The action was recommended favorably by the Technical Planning Committee. On a motion by Jim Ton and a second by Greg Stinson, the Executive Board voted to adopt Resolution 19-15, Amendment #21 to the FY 2018-2021 Transportation Improvement Program.

Kevin Brietzke said the Draft *NWI 2050 Plan* is out for a 30-day public comment period. The open houses and public hearings will take place next week. Mitch Barloga presented an overview of the *NWI 2050 Plan* which is out for public comment through April 30. The Plan examines trends and influences of the future including economy and place, environment, mobility, and people and leaders. It identifies strategies to pursue, investments to make, and progress to measure to achieve the vision for the region. This plan provides sixteen critical paths of action to be prepared for Northwestern Indiana's future. The Plan is online at <https://www.nirpc.org/2040-plan/transportation/2050-plan/>. Information includes the Plan Storybook, the Plan in PDF format, a link for comments and information on the open houses and

public hearings which will be held during the last full week of April in all three counties. Schedules were available.

Also out for public comment through April 30 is the FY 2020-2024 Transportation Improvement Program. It is on the NIRPC website at under the Transportation/2020-2024 TIP dropdown. All input from the public and the topical committees will be presented in a public comment report.

The Transportation Conformity Determination for the *NWI 2050 Plan* and 2020-2024 Transportation Improvement Program can be found on the NIRPC website under the Environmental - Air Quality drop down. It is also open for public comment through April 30. Mr. Warner added that adoption of the Plan, TIP and Air Quality Conformity will be sought at the Full Commission meeting on May 16. Mr. Breitzke said he asked staff to review the process and determine the “lessons learned” to prepare for the next NOFA. He also welcomed Mayor Krentz as a new member of the TPC. The next Technical Planning Committee meeting will take place on May 14 at 10 a.m. at NIRPC.

Finance & Personnel Committee – Justin Kiel

Justin Kiel said the committee met this morning to review the financial status, reconciliation of expenses, and approve the claims register. There were two actions recommended by the Finance & Personnel Committee and requested of the Board today.

Lisa Todd explained Resolution 19-16, NIRPC’s Purchasing and Procurement Policy which has been changed due to the receipt of technical comments from INDOT. The new policy additions are highlighted on the handout and will allow for more efficient guidelines. On a motion by Jim Ton and a second by George Topoll, the Executive Board voted to adopt Resolution 19-16, NIRPC’s Purchasing and Procurement Policy as presented.

Dave Hollenbeck asked for a motion to amend the agenda to add Resolution 19-17 an update to the adopted FTA Procurement Procedure Manual. On a motion by Jim Ton and a second by Greg Stinson, the Executive Board voted to amend the agenda to include Resolution 19-17.

Mr. Hollenbeck explained Resolution 19-17, an update to the adopted FTA Procurement Procedure Manual. The need for the update was brought up at this morning’s Finance & Personnel Committee. Section 3 of the manual explains that the subrecipients pay 20% of the cost of a new bus with a federal share of 80%. The buses are ordered once the subrecipient pays the 20% share and delivery of the bus can take up to a year. East Chicago would like to order a couple of buses and their match would be paid out of a grant they believe they will receive from the VW Settlement for diesel vehicles, which they won’t hear about until August. If the buses are not ordered by the end of April, we will see a significant price increase on May 1 which will be the responsibility of East Chicago to pay. The new language basically provides that a subrecipient may petition for an exception upon adequately showing that the monies are available and are encumbered. It also provides for staff to add additional verification standards as they deem necessary to preserve the integrity of the process and also delegates to the F&P Committee the following of this procedure and the ability to grant the exception without having to seek Board approval. There will be no out of pocket expense to NIRPC as the buses are paid for when they are delivered. If East Chicago does not get the settlement award, they would proceed with the purchase order to NIRPC and they have encumbered the funds in their

budget to be paid out of other funds. Upon a favorable vote today, the F&P Committee is recommending to grant the exception to East Chicago and order their buses. On a motion by Jim Ton and a second by George Topoll, the Executive Board voted to adopt Resolution 19-17 amending the FTA Procurement Procedures Manual as presented.

Indiana Department of Transportation - Rick Powers

Rick Powers reported that INDOT is launching Indiana's vision of being known as a leader of innovation. He reported on projects and Road School, and said we need to start thinking about what our infrastructure will look like in the future with the onset of autonomous vehicles, and issues of leadership, safety, planning and compliance as INDOT turns 100.

Other Business -

- Bob Carnahan discussed the upcoming census and said communities should be forming a Complete Count Committee.

Announcements –

- Dave Shafer said the Town of Munster received an award for a grade separation project for 45th Avenue and the Canadian National railroad tracks. On behalf of Munster, Mr. Shafer thanked NIRPC and INDOT for their assistance during the process.
- Bob Carnahan announced the Cedar Lake Chamber of Commerce luncheon is today at noon and the topic is on cyber security.
- Justin Kiel said HB 1270 is going through the legislature to restructure the Kankakee River Basin Commission. It creates a requirement to have a special assessment to help fund the KRBC.
- Carl Lisek said South Shore Clean Cities will hold their 20-year Anniversary on June 18 at Avalon Manor. Also, a 47 mile stretch of I-94 has been classified by Federal Highways as the nation's first Alternative Fuel Corridor and they are working with INDOT on getting signage. A ribbon cutting ceremony is being planned.

Adjournment –

Hearing no other business, Diane Noll adjourned the meeting at 10:17 a.m. The Executive Board will meet on May 16, 2019 at 9:00 a.m. at NIRPC.

A Digital MP3 of this meeting is filed. Contact Mary Thorne at the phone or email below should you wish to receive a copy of it. DVD recordings will be available once they are received by NIRPC from the videographer.

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NORTHWESTERN INDIANA REGIONAL PLANNING COMMISSION

FINANCE AND PERSONNEL COMMITTEE

March 21, 2019

NIRPC Dune Room, Portage, Indiana

Commissioners: Justin Kiel, Diane Noll, Jan Bapst, Robert Carnahan, George Topoll and Karen Freeman-Wilson.

NIRPC staff and others: Ty Warner, Dave Hollenbeck, Daria Sztaba, Kathy Luther, Talaya Jones, Glen Wells, Lisa Todd.

Call to Order and Pledge of Allegiance

Chairman Justin Kiel called the meeting to order at 8:07 a.m. with the Pledge of Allegiance.

Approval of Minutes

The minutes of the February 21, 2019 meeting were approved, without exception, on motion by Robert Carnahan and second by Jan Bapst.

Review of Financial Status – February 2019

- a. Daria Sztaba presented the February bank account reconciliations for the NIRPC general fund, the LaPorte County Revolving Loan Fund (RLF) and the Sequestered Revolving Loan Fund. The majority of the deposits in the general fund account was due to pass through FDA money for subrecipients. Activity in the Revolving Loan Fund account included deposits of five loan payments and account interest. The activity in the Sequestered Revolving Loan Fund account amounted to interest earned. The Sequestered Revolving Loan Fund account is no longer required. The account will be closed and the total balance of \$84,917.83 will be deposited into the Revolving Loan Fund account. A letter to be signed by the treasurer and chairperson will be sent to the bank to start this process.
- b. Daria Sztaba presented the Budget to Actual Expenditures Report and the YTD February Expenses by Category, January through February 2019. The General Fund categories of Salaries, Fringe Benefits, Occupancy, Departmental, Contractual and Capital Outlays were in budget. In Fringe Benefits the Staff Development line item is over budget \$1,008 due to training in the beginning of the year, but this will average itself out through the course of the year. The Maintenance category was over budget by \$1,991. This relates to the computer and service maintenance line item. NIRPC is looking for a new I.T. provider and was required to pay for two audits/assessments of the NIRPC I.T. environment. One audit was required by each of the (2) I.T. companies before they could submit a comprehensive proposal. The last audit cost \$2,500. We also paid \$200 for security for our website which was not in our budget. Total general fund expenditures are under budget by \$114,272 (20%).
- c. Daria Sztaba presented a graph representing the Expenses - Actual vs Budget information as a stacked column chart comparing the amounts per category. A pie chart was presented to visualize the breakdown of how each category contributed to expenses by percentage of total expense. A snapshot of our revenue was presented related to funds we received. Because our billing is quarterly, we will send our bills to INDOT and FDA and record the revenue for the quarter. Robert Carnahan questioned why the amounts under the expected revenue are in red. Daria Sztaba explained this is because it shows a shortage in revenue that we are expecting once we are able to bill for it.

- d. Daria Sztaba presented summaries of Revenue and Expenditures for FY 2018. These numbers were presented in January after a soft close, but financials are now closed for FY 2018. Budgeted Revenue was \$3,727,611 and actual revenue was \$3,542,606.31, which created a variance of -\$185,000 or -5%. This is because of federal grants that had expired and the Burns Harbor Waterway Project was underspent. Expenditures were budgeted at \$3,727,611 and actual expenditures were 3,500,026.75, creating a variance of \$227,584.25 or 7%. In the salary line item, we had resignations and unfilled positions. This caused the salary and fringe benefits line items to be lower. We received \$70,000 in capital expenditures due to an insurance claim for a bus that was totaled. It was clarified that NIRPC does not pay the insurance premiums for the subrecipients, but NIRPC retains ownership of the buses.

Approval of Claims Register – February 2019

Daria Sztaba presented the February 2019 claims register. Claims paid in February totaled \$1,069,155.41. RC questioned why claim numbers 2743 and 2744 show Lisa Todd and Talaya Jones seemingly went to the same place using the ChicagoGo Dash, but the amount of each claim differed. Lisa Todd explained that she had an unused pre-purchased ticket with punches available while Talaya had to pay for the entire trip. This answer satisfied the question. The committee approved the claims register for February 2019, without exception, on motion by Robert Carnahan and second by Jan Bapst.

Ty Warner explained that NIRPC uses the Calendar Year as the Fiscal year, but the state and federal fiscal years are both different; therefore, NIRPC has to be aware of three different fiscal years. He also stated that the KRBC contract should be billed monthly.

Proposed Changes to Draft Procurement Policy

Lisa Todd explained that NIRPC is looking to adopt a policy that more accurately reflects how it spends funds under the state policy rules as opposed to the federal transit procurement rules. Out micro-purchase would be changed to anything less than \$3,000. In the past NIRPC was required to get 3 quotes for any purchases. The state requires any purchase over \$50,000 to have 3 quotes, and the FTA requires 3 quotes on any purchases over \$10,000. Small purchases are considered anything over \$3,000 or and less than \$50,000 will require NIRPC to get quotes or use the proper procurement methods to obtain those quotes. For \$50,000 to \$150,000 purchases, NIRPC would look to get competitive quotes as the procurement rules require. Anything over \$150,000 would require advertising in newspaper, competitive quotes and more stringent rules. Jan Bapst asked if a product has to be bid if we are buying off of the state QPA. Kathy Luther explained that a lot of this depends on the specific grant source, but we don't have to bid if we buy off of the state qpa. Lisa Todd explained that NIRPC has to follow the more stringent rules depending on the funding source. In the past any procurement over \$25,000 was brought before the F&P committee and the board for approval. This change would increase that number to \$50,000. This will keep us in line with the SBOA rules and follow all other procurement rules. Feedback from Jan Bapst is the wording could be clearer that when the state QPA is used, no other bidding process is required. The procurement policy changes are still in the draft stage and just informational at this time.

Information Technology Contract – Procurement #18-26

Lisa Todd explains that NIRPC is in the process of securing a contract for I.T. services. We are seeking approval to enter into a contract for an amount not to exceed \$60,000. This will allow us to bundle our I.T. network and help desk, phone services, and copier lease and print services.

Currently we have single contracts for each of those services. This would allow the vendor to do monitoring of our software licenses and keeping them updated as well as track our copier and printer usage. Justin Keil asked how close to \$60,000 we expect it to be. Lisa stated we expect it to come in just about at \$60,000, which is what we pay now for a lesser quality of service. We will receive all new printers, copiers, and telephones. We will change network hardware as required using grant funds. Jan Bapst inquired how many vendors offer the bundled services. There are two companies that offer the bundles. Our plan is to have the contract signed by the end of March after it is approved and vetted by Mr. Hollenbeck. The committee approves Procurement #18-26, without exception, on motion by Jan Bapst and second by Robert Carnahan.

Resolution 19-13

Daria Sztaba explains that we are seeking a recommendation to take Resolution 19-13 to the executive board. NIRPC was granted \$115,252.21 for the household travel survey project from a P.O. during state fiscal year 2017. We signed a contract with Westat to complete this project. Although we had an open purchase order for this project, due to new rules and regulations, we have to do a formal resolution. Once approved we can pay this. Robert Carnahan asked who is doing the local match. Kathy Luther responds that the NIRPC has a grant from the RDA to cover Lake and Porter counties' portion, and we only have to cover the LaPorte county portion. The committee approves Resolution 19-13, without exception, on motion by Robert Carnahan and second by Jan Bapst.

Request to close Sequestered Revolving Loan Fund Account Ending in 4415

This is informational only. According to federal regulation, the signatures of the chairperson and treasurer are required to close this account. Kathy Luther explains this is from a change in the rules of the Economic Development Association which no longer requires us to keep this money in a separate account.

Adjournment

There being no further business, the meeting adjourned at 8:41a.m.

The next meeting is scheduled for April 18, 2019 .

**AGREEMENT BETWEEN THE NORTHWESTERN INDIANA REGIONAL
PLANNING COMMISSION AND SOUTH SHORE CLEAN CITIES, INC., FOR THE
PROVISION OF PROFESSIONAL EDUCATION AND TRAINING SERVICES
SERVICES JULY 1, 2019 –JUNE 30, 2020**

WHEREAS, the Commission submitted a request to fund a Congestion Mitigation and Air Quality air quality education program targeting the general public and fleet operators; and

WHEREAS, the request specifically included South Shore Clean Cities as the sub-grantee to conduct education, outreach, and training to vehicle fleet operators within Lake, Porter, and LaPorte Counties; and

WHEREAS, the project was found eligible by the CMAQ Eligibility Committee; and

WHEREAS, the Commission has determined that public education in the form of training about the project and its air quality benefits would be highly beneficial; and

WHEREAS, Sub-Grantee has represented that it possesses the capability and expertise to provide these services in a timely manner; and

WHEREAS, the total dollars allocated for this Public Private Partnership activity within the Current Unified Planning Work Program Air Quality Public Education Work Plan is federal funding to be reimbursed to SSCC for \$302,080. \$ 75, 520 is to be provided by South Shore Clean Cities as non-federal matching fund.

WHEREAS, the entire Air Quality Public Education project has been included in and approved by the Commission in the TIP;

NOW, THEREFORE, IT IS HEREBY AGREED AND UNDERSTOOD that the parties to this Agreement do mutually agree as follows:

1. **Scope of Work:** South Shore Clean Cities shall perform the services and provide the products to the satisfaction of the Commission as described in the scope of work (Attachment A to this Agreement) which is hereby made a part of this Agreement. The Commission requires prior approval of the procurement and use of any Sub-Grantees for this agreement and a copy of the executed agreement between the Sub-Grantee.
2. **Schedule:** All work described in Attachment A shall be conducted within the time frame beginning July 1, 2019 and shall be completed in total no later than June 30, 2020.
3. **Compensation:** The maximum total amount, which may be paid to the Sub-Grantee for services performed in conjunction with this Agreement, is not to exceed **\$ 302,080** with Sub-Grantee to document payment of an additional **\$ 75,520** toward activities in Attachment A. **Total of \$ 377,600 In documented services must be performed to receive the reimbursement of \$302,080.**
4. **Payment Provisions:** The Commission shall reimburse the Sub-Grantee for services rendered in Attachment A upon submission and review by the Commission of claim vouchers for work accomplished during designated period on a quarterly basis in accordance with the following procedures:
 - (A) The Sub-Grantee shall submit invoices with progress reports to the Commission no less than quarterly and no more than monthly.

- (B) The Sub-Grantee shall attach supporting documentation of time charges and copies of receipts for all other types of charges to its invoice. The Sub-Grantee shall attach copies of invoices with similar supporting documentation from pre-approved Sub-Grantee's utilized in conjunction with this Agreement.
- (C) The Sub-Grantee shall include documentation of payment of expenses included in the 20% non-federal reimbursable dollars toward work reported in the Monthly Invoice Activity Report Summary.
5. The Invoice shall be accompanied by a documentation of activities included in the Activity Report Summary portion of the invoice for which reimbursement is being claimed. Quarterly/Monthly Invoices are due on the dates specified in Attachment A. Otherwise the operator will wait till the next quarter/month for payment. The Sub-Grantee may be required to provide documentation of Non-Federally reimbursed expenses included as match similar to reimbursed expense.
- (A) Following its approval of the invoice and related materials submitted the Commission shall make payment. Payment will be made within thirty days after said approval, unless issues arise with South Shore Clean Cities and or NIRPC which has the effect of delaying the Commission's receipt of funds.
- (B) All invoices shall be mailed to:
- Ms. Daria Sztaba –Chief Financial Officer
Northwestern Indiana Regional Planning Commission
6100 Southport Road
Portage, IN 46368
6. Modifications: This agreement shall not be modified except in writing, signed by both parties to this agreement. The parties agree that the Commission may modify ATTACHMENT A – SCOPE OF SERVICES by adding, deleting, or modifying tasks, subtasks, and schedules or the content or quantity of products to be produced by the Sub-Grantee to the extent that such modifications have no upward or downward adjustment in the total cost of this agreement. Any adjustment in total cost for the services described in this agreement shall be negotiated between the Commission and the Sub-Grantee, shall be in writing, signed by both parties, and appended to this agreement.
7. Sub-Grantee: Nothing in this agreement shall be construed as creating an employer/employee relationship between the Commission and the Sub-Grantee. The Sub-Grantee understands and agrees that any and all tax liability that might be assessed on fees paid by the Commission to the Sub-Grantee is its sole responsibility.
8. Insurance: The Sub-Grantee agrees to maintain comprehensive insurance including, but not limited to, Federal, State, or Local employers' liability, workers' compensation, social security unemployment compensation, comprehensive general liability insurance and automobile liability insurance with respect to its own employees in amounts customarily maintained in its industry and agrees that any liability arising out of the services rendered hereunder shall not be limited to the Sub-Grantee insurance coverage.
9. Indemnity: The Sub-Grantee shall defend, indemnify, protect and hold harmless the Commission, its officers, directors, employees, and independent Sub-Grantee's from any and all liability occasioned wholly or in part by any negligent act, failure to exercise the care customary in the profession, or errors or omission of the Sub-Grantee; including liability resulting from willful or intentional violation by the Sub-Grantee of proprietary rights, copyrights, or rights of privacy, arising out of the publication, translation, quotation, reproduction, delivery, use, performance, or disposition of data furnished by the Sub-Grantee, its independent Sub-Grantee, agents or employees; including any and all

expenses, legal or otherwise, incurred by the Commission in defense of any claim or suit arising out of services provided under this agreement.

10. Delays: The Sub-Grantee shall perform its services with due diligence upon receipt of a written notice to proceed from the Commission. Neither party shall be responsible for delays nor failure in performance due to causes beyond the reasonable control of either party. The Sub-Grantee will notify the Commission immediately of any event that will delay deliverables and provide the Commission with a written notice thereof specifying the reasons for the delay and actions planned to compensate for the delay in performance. The Commission will not unreasonably withhold an extension to the term of this agreement.
11. Termination: This agreement may be terminated, in whole, or in part, if the Commission shall determine that such termination is in its best interests. Upon receipt of written notice of termination from the Commission, thirty (30) days thereafter, the Sub-Grantee shall discontinue performance and refrain from incurring further costs unless otherwise directed; and within thirty (30) days deliver to the Commission all data, graphics, summaries, reports, and other information and materials the Sub-Grantee has accumulated in the performance of services under the agreement, whether completed or in process.

If termination is for convenience, the Sub-Grantee shall be compensated for all services performed and reasonable costs incurred up to the effective date of termination subject to the elements of *Compensation* and *Terms of Payment* reference in other sections of this agreement.

12. Access to records: The Sub-Grantee hereby agrees to submit to the Commission, such annual or special financial and operating reports as the Commission may reasonably request. The Sub-Grantee also agrees to make available for the inspection, by any duly authorized agent of the Commission, any records, documents, leases, operation and use agreements and other instruments which affect the Operator and are pertinent to the project funded, in part, through this Agreement.

The Sub-Grantee also agrees to permit the Commission, the Indiana State Board of Accounts, U.S. Secretary of Transportation, and the Comptroller General of the United States, or their authorized representatives, to inspect all work, materials, payrolls, and other data, and to audit the books, records, and accounts of the Sub-Grantee pertaining to the project funded, in part, through this Agreement.

13. Covenant Against Contingent Fees: The Sub-Grantee warrants that it has not:
 - Employed or retained for a commission, percentage, brokerage, contingent fee, or other consideration, any firm or person to solicit or secure this agreement, other than a bona fide employee of the firm;
 - Agreed, as an expressed or implied condition for obtaining this agreement, to employ or retain the services of any firm or person in connection with carrying out the agreement; or
 - Paid, or agreed to pay, to any firm, organization or person (other than a bona fide employee of the firm) any fee, contribution, donation, or consideration of any kind for, or in connection with, procuring or carrying out the agreement.
14. Successors and Assigns: This agreement shall be binding upon the Sub-Grantee and the Commission, their successors and assigns. The Sub-Grantee shall not assign, subcontract, transfer, or otherwise dispose of any interest in this agreement without the prior written approval of the Commission.
15. Confidentiality and Data Rights: The Sub-Grantee agrees to treat as confidential all proprietary or confidential information provided by the Commission and not divulge such

information to their parties, or the Sub-Grantee's employees except on a "need to know" basis.

16. Severability: Should any provision of this agreement at any time, be in conflict with any statute, administrative ruling, or regulation, or be unenforceable for any reason, then the provision shall continue in effect only to the extent that it remains valid. If any provision of this agreement becomes unenforceable, the remaining provisions of this agreement shall nevertheless remain in full force and effect.
17. Waiver and Interpretation: The failure of the Commission or the Sub-Grantee to insist upon strict adherence to any term of this agreement at any time shall not be considered a waiver. Any waiver of any term of this agreement must be in writing and signed by both parties. The Commission's determination as to the true meaning and intent of any ambiguities in the agreement shall be final and conclusive.
18. Civil Rights: The Sub-Grantee agrees that it will not discriminate against any employee or applicant for employment on the basis of race, color, creed, sex, disability, age, or national origin. The Sub-Grantee agrees to take affirmative action to ensure that applicants are employed and that employees are treated during employment, without regard to their race, color, creed, sex, disability, age or national origin. Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation; and selection for training, including apprenticeship.
19. No Federal Obligations to Third Parties: Absent the federal government's express written consent, the federal government shall not be subject to any obligations or liabilities to any sub-recipient, third party Sub-Grantee, or any other person not a party to the grant agreement in connection with the performance of activities for the project. Notwithstanding, any concurrence provided by the federal government in or approval of any solicitation or sub-agreement, the federal government continues to have no obligation or liabilities to any party, including the sub-recipient and third party Sub-Grantee's.
20. Applicability of federal requirements: The Sub-Grantee agrees that it will abide by and fulfill all requirements of the federal government that are applicable to this agreement.
21. Authorized Representatives: The Commission's authorized, administrative representative for these services is Ms. Daria Sztaba Chief Financial Officer. The authorized technical project manager is Ms. Katherine Luther, Chief of Staff and Environmental Director.

All notices required or permitted under this agreement shall be in writing and shall be deemed sufficiently served by first class mail addressed:

TO:

Northwestern Indiana Regional
Planning Commission
6100 Southport Road
Portage, Indiana 46368
(219) 763-6060
luther@nirpc.org

TO:

South Shore Clean Cities, Inc.
123 Main Street Suite 202
Crown Point, IN 46307
(219)-644-3690
clisek@southshorecleancities.org

22. Applicable Law: This agreement shall be governed by and construed in accordance with the laws of the State of Indiana.
23. Entire Agreement: This agreement and all attachments hereto, together with any documents incorporated by reference, constitute the entire agreement between the parties. The Sub-Grantee hereby certifies that it shall comply with all provisions of this agreement. This agreement supersedes all other written or verbal agreements between the Commission and the Sub-Grantee actor with respect to the matters covered herein.

IN WITNESS WHEREOF, the duly authorized officers of the respective parties hereto have executed the Agreement as of this _____ day of _____ 2019.

South Shore Clean Cities, Inc.

**NORTHWESTERN INDIANA REGIONAL
PLANNING COMMISSION**

BY: _____
Carl Lisek, Executive Director

BY: _____
Tyson Warner, Executive Director

ATTEST:

ATTEST:

Thomas Navarre
SSCC Treasurer

Daria Sztaba,
Chief Financial Officer

PENDING INDOT APPROVAL

ATTACHMENT A

SCOPE OF WORK 2019 July 1, 2019 –June 30, 2020

South Shore Clean Cities Air Quality Public Education and Outreach Program

The Northwestern Indiana Regional Planning Commission (NIRPC) is entering an Agreement with South Shore Clean Cities, Inc. to implement aspects of the Northwest Indiana Air Quality Public Education and Outreach program focusing on diesel vehicles and fleets.

The NIRPC and SSCC relationship represents a public-private partnership project, which is an eligible activity under CMAQ. NIRPC has included the fleet education, outreach, and training activities performed by SSCC in the 2019-2020 UPWP. The Sub-Grantee has an established relationship with many private and public sector vehicle fleet operators in Northwest Indiana. They have successfully participated in a competitive CMAQ grant application process, and this activity of the partnership has been found eligible and approved by state and federal agencies responsible for these funds.

Agreement Responsibilities:

NWI Clean Air

The NWI Clean Air program is a “Region Air Leaders” effort. South Shore Clean Cities will initiate a Region Air Leaders program which would reward businesses and other organizations for taking steps to reduce their emissions with an emphasis on employee commuting and public transit along the most heavily traveled corridors in Northwest Indiana. This would also include education to major employers on workplace electric vehicle charging, ride sharing and opportunities to reduce vehicle usage. Region Leaders would also educate and encourage youth and families through a number of programs to access their community by biking, walking and using transit, riding school buses and utilizing ride sharing options. It appears many organizations are eager to participate in programs to increase awareness and the use of healthy, active forms of transportation and to reduce congestion, idling and accidents on trips to school.

The Region brand and education and outreach campaign is focused specifically on coordination/leverage of area resources and efforts to raise awareness of the importance of air quality forecasts, provide education on the effects of pollutants including ozone and particulate matter and encourage voluntary actions to reduce air pollution from transportation sources and promote moving toward cleaner air.

NWI Clean Air - Media and Marketing, South Shore Clean Cities and NIRPC

South Shore Clean Cities will strive to integrate all Region clean air campaigns into one solid message carried across multiple platforms. Messaging would include the air quality benefits of walking, biking, public transit, shared mobility, sustainable fuels, idle reduction, electric vehicles, etc., with a focus on those transportation sources creating the greatest amount of air pollution in Northwest Indiana. This will include information on the air quality benefits of buying local. Information would be geared toward the audience of public, private and nonprofit organizations as well as individual Region residents.

As a result of NIRPC’s CMAQ 2017 Air Quality Survey, part of the effort will be a return to utilization of the “It All Adds Up to Cleaner Air” toolkits supported by EPA and FHWA, with enhancements for local audiences and newer technology.

Mediums for carrying the message would include the NWI Clean Air Website, weekly Green Fleet Radio show on Lakeshore Public Radio with monthly appearance by NIRPC staff member,

monthly column in The Times of Northwest Indiana, newspaper/digital media public service announcement campaigns, radio advertising campaigns, billboards, NWI Clean Air monthly newsletter (sent via e-blast) and social media sites including Facebook, Twitter and LinkedIn.

NWI Clean Air Website

The website will be a comprehensive resource for citizens, schools, businesses and government agencies. In addition to providing a calendar of events, the Website will be the medium for all Partners for Clean Air messaging. The website will provide information on Air Quality Action Day as well as the link for subscribing to Air Quality Action Day alerts. Tips for reducing air pollution every day as well as actions to take on Air Quality Action Days will be included.

NWI Clean Air Mobility

Enhance existing and create new outreach focused on multi-modal mobility, including cycling, walking, bike/scooter sharing programs, car sharing and emerging sustainable technologies that support NIRPC's 2050 plan, reduce congestion, and improve community air quality and health. Focus area includes:

1. Promoting ride sharing programs with company-provided incentives for Region employers of all types and sizes (public, private and nonprofit).
2. Partner with the South Shore commuter rail line on promoting the use of riding the South Shore as a means of reducing carbon footprint. Encourage last mile programs that promote ride sharing, bike/scooter sharing programs with locations near South Shore stations, carpooling, EV charging stations at the South Shore lots, etc. to ensure entire ride to and from destination is as air-friendly as possible.
3. Work with communities on maximizing benefits of FHWA designated clean fuels corridors in NWI.
4. Update, reprint, and distribute 75,000 Greenways + Blueways 2020 bike maps, 2,000 bike pins and 1,000 walker pins to encourage and promote active/non-motorized transportation.
5. Public Exchange of 2,400 non-vapor emitting gas cans with older models.

NWI Clean Air Schools

SSCC will work with region schools to provide information to young drivers, parents, teachers/staff and transportation directors/fleet managers on idle/emissions reductions and safe driving for pedestrians/cyclists, including:

1. Working with Region schools to educate teachers/staff, transportation directors/fleet managers, students of driving age and parents on the air quality and cost saving benefits of using school bus fleets vs driving to school.
2. Encourage those who do drive to carpool whenever possible.
3. Encourage school fleets to adopt anti-idling policies and procedures and to convert to sustainable fuels whenever possible.
4. Educate young drivers on how to reduce emissions, including not using drive-through windows, not leaving cars idling, how to use a roundabout and why they help with emissions, how/why we have emissions testing in the Region, etc. Also include driving safety regarding walkers/cyclists.
5. Enhance Safe Routes to School programs within the NIRPC three-county Region by promoting and hosting Walk/Bike to School days, developing Walking School Bus plans with PTA groups, etc. Work with a minimum of three schools in each of the NIRPC counties annually.

NWI Clean Air: Port, Freight, and Logistics

The Port of Indiana-Burns Harbor is an essential transportation hub in the Region, yet is largely out of sight and therefore out of mind for residents and leaders alike. This program aims to work with the Port of Indiana-Burns Harbor and its clients as well as other related industrial partners intermodal facilities such as Buffington Harbor to:

1. Create and implement idle/emission reduction programs.
2. Conduct workshops on truck marshalling, including demonstrations on technologies and sustainable fuels that reduce emissions and operating costs
3. Investigate and share best practices for last mile technologies for the goods movement sector
4. Consider partnership with Indiana Dunes National Lakeshore and/or Indiana Dunes Learning Center for promoting clean air at the Port of Indiana-Burns Harbor with programs supporting same for trucks traveling in and out of the Port & through key sections of Indiana Dunes National Lakeshore.
5. Green Drayage- work with local steel haulers, freight and logistics organizations to reduce emissions from drayage vehicles.

NWI Partners for Clean Air

1. Annually register as a Gold member and report on commitments.
2. Distribute at minimum of 2,000 promotional lunch totes to promote anti-idling efforts and reduce lunchtime driving.
3. Manage Partners for Clean Air Facebook page.
4. Co-sponsor minimum of two NWI Partners for Clean Air outreach events and activities at the Gary Railcats, Valparaiso University, and other regional venues and attractions.

NWI Green Fleets

1. South Shore Clean Cities will continue to operate the NWI Green Fleets Program
2. Provide individualized fleet emission assessments and emission reduction planning for up to 50 fleets.
3. Implement transformational local projects that reduce diesel on-road, non-road emissions
4. Work with transit and community operators to reduce emissions from their fleets.
5. Provide a series of workshops/Webinars and training related to clean air, clean fuels and emission reduction technology.
6. Report on Green Fleets at the Technical Planning Committee, Environmental Management and Policy Committee, Transit Operators Roundtable, Full Commission, Legislative Committee or other NIRPC committees as needed
7. Operate annual Green Fleets Award and recognition program

Targeted Training Outreach

Future Mechanics Education: This is a targeted audience due to their heavy influence on adoption of new technologies at the fleet level. South Shore Clean Cities will work with local colleges and high school automotive programs on diesel emission reduction education and deployment practices. Programs include job shadowing a mechanic, local internships with unions, repair and maintenance of older diesel engines, accreditation with job training including best management practices with the Automotive Service Excellence (ASE).

1. South Shore Clean Cities will continue to partner with Purdue University's Environmental & Ecological Engineering Program for future student and class led projects and analysis of data to support NIRPC 2050 plans and public outreach.

2. Collaborative Indiana LTAP workshops for the public, private and nonprofit sectors on the implementation of sustainable technologies including on-road/non-road equipment. Include local trades, colleges and high school automotive programs as audiences.
3. South Shore Clean Cities will create multiple workshop opportunities for a variety of audiences, including Train the Trainer workshops for local law enforcement and first responders; local trades; businesses and industries on planning for emergencies; strategic energy resiliency for local governments and lawmakers; autonomous vehicles for businesses and governments/lawmakers; Smart Cities initiatives for local governments; area alternative fuel and alternative vehicle station locations and options (see NWI Green Fleets section).

Public outreach:

All of the Air Quality and Public Education Program initiatives are inclusive of all of the Region’s residents. All Title VI, Environmental Justice and ADA protected communities have access and opportunities to be a part of the programs and events.

Task deliverables:

- Increase knowledge and perception change of air quality among Northwest Indiana residents, leaders, decision makers and businesses. (Surveyed on a 5-year recurring cycle. Next survey should be planned for 2021-22 by NIRPC)
- 2,400 Gas Cans exchanged-(NIRPC and SSCC)
- 50 diesel fleet emission and vehicle inventories. (SSCC)
- NWI Clean Air Website (SSCC)
- 4 Targeted Audience Workshops (SSCC)
- Presence at a minimum of 5 regional events (SSCC)
- Increased social media metrics (SSCC)

2019 Data Reporting and Deliverables Plan

Key Deliverables	Due Date	Description
<i>Provide data for U.S. Department of Energy Annual Survey</i>	<i>March 2020</i>	<i>Solicit input from Lake, Porter, and LaPorte Stakeholders on vehicle counts and Petroleum reduction efforts for SSCC Annual Survey. This information will be shared with NIRPC</i>
<i>Update Partners Website</i>	<i>Monthly -12 times</i>	<i>New events, new grants etc.</i>
<i>Newsletter</i>	<i>Monthly-12 times</i>	<i>Updates on emission reduction & regional projects</i>
<i>Alt Fuel Price Report</i>	<i>4 times annually</i>	<i>Provide price updates on All alternative fuels in NWI</i>
<i>Operators Roundtable</i>	<i>4 times -Minimum</i>	<i>Verbal Green Fleets Program Updates at Operators Roundtable</i>
<i>SSCC Radio Show</i>	<i>Minimum of 24 shows Annually</i>	<i>Green Radio Network –Lake Shore Public Radio</i>
<i>Fleet Operator Contacts</i>	<i>Dec 31, 2019 July 10, 2020</i>	<i>Comprehensive list of contacts operating municipal and private fleets in NWI. Focus on Diesel equipment.</i>

<i>Annual NWI Clean Air Report to TPC and/or EMPC</i>	<i>July 10th, 2020</i>	<i>Final report and final invoice will be submitted for period ending 6/30/20.</i>

Agreement Period: July 1, 2019 through June 30, 2020

PENDING INDOT APPROVAL

ATTACHMENT B

NON-COLLUSION AFFIDAVIT

The undersigned Proposer, being duly sworn on oath, says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person from Proposing not to induce anyone to refrain from Proposing, and that this Proposal is made without reference to any other Proposal and without any agreement, understanding or combination with any other person in reference to such Proposing. He further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale.

South Shore Clean Cities, Inc.
Proposer

By: Carl Lisek, Executive Director

Date

PENDING INDOT APPROVAL

ATTACHMENT C

CERTIFICATION REGARDING LOBBYING

49 CFR Part 20 - Appendix A

Certification For Contracts, Grants, Loans, And Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Signature of Sub-Grantee's Authorized Official

Carl Lisek, Executive Director, South Shore Clean Cities, Inc.

Name and Title of Sub-Grantee's Authorized Official

Date

ATTACHMENT D
**CERTIFICATION OF COMPLIANCE WITH GOVERNMENT-WIDE DEBARMENT,
SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION PROVISIONS –
LOWER TIER COVERED TRANSACTIONS**

In regard to 49 CFR Part 29 and Executive Order 12549

By signing and submitting this bid or proposal, the prospective lower tier participant is providing the signed certification set out below in accordance with the following instructions:

1. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, NIRPC may pursue available remedies, including suspension and/or debarment.
2. The prospective lower tier participant shall provide immediate written notice to NIRPC if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
3. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "persons," "lower tier covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549 [49 CFR Part 29]. You may contact NIRPC for assistance in obtaining a copy of those regulations.
4. The prospective lower tier participant agrees by submitting this proposal that should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized in writing by NIRPC.
5. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transaction", without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
6. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List issued by U.S. General Service Administration.
7. Nothing contained in the foregoing shall be construed to require establishment of system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
8. Except for transactions authorized under Paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to all remedies available to the Federal Government, NIRPC may pursue available remedies including suspension and/or debarment.

Pursuant to the above instructions:

- (1) The prospective lower tier participant certifies, by submission of this bid or proposal, that neither it nor its "principals" [as defined at 49 C.F.R. § 29.105(p)] is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- (2) When the prospective lower tier participant is unable to certify to the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Signature of Sub-Grantee's Authorized Official

Carl Lisek, Executive Director, South Shore Clean Cities, Inc.
Name and Title of Sub-Grantee's Authorized Official

Date _____

ATTACHMENT E
EMPLOYMENT ELIGIBILITY VERIFICATION

South Shore Clean Cities, Inc. affirms under the penalties of perjury that it does not knowingly employ an unauthorized alien.

South Shore Clean Cities, Inc. shall enroll in and verify the work eligibility status of all its newly hired employees through the Federal E-Verify program as defined in IC 22-5-1.7-3. South Shore Clean Cities, Inc. is not required to participate should the Federal E-Verify program cease to exist. South Shore Clean Cities, Inc. shall not knowingly employ or contract with an unauthorized alien. South Shore Clean Cities, Inc. shall not retain an employee or contract with a person that South Shore Clean Cities, Inc. subsequently learns is an unauthorized alien.

South Shore Clean Cities, Inc. shall require its subcontractors, who perform work under this contract, to certify to NIRPC that the subcontractor does not knowingly employ or contract with an unauthorized alien and that the subcontractor has enrolled and is participating in the Federal E-Verify program. South Shore Clean Cities, Inc. agrees to maintain this certification throughout the duration of the term of this agreement with the NIRPC and during the term of any subsequent contract with a subcontractor performing work under this agreement.

The NIRPC may terminate for default if South Shore Clean Cities, Inc. fails to cure a breach of this provision no later than thirty (30) days after being notified by the NIRPC.

South Shore Clean Cities, Inc.

Northwestern Indiana Regional
Planning Commission

Signed: _____

Signed: _____

Printed Name: Carl Lisek

Printed Name: Tyson Warner

Title: Executive Director

Title: Executive Director

Date: _____

Date: _____

ATTACHMENT F

CERTIFICATION IN NO INVESTMENT IN IRAN

As required by IC 5-22-16.5, South Shore Clean Cities, Inc. certified that the it is not engaged in investment activities in Iran. Providing false certification may result in the consequences listed in IC 5-22-16.5-14, including termination of this Agreement and denial of future state agreements, as well as imposition of a civil penalty.

South Shore Clean Cities, Inc.

Northwestern Indiana Regional Planning
Commission

Signed: _____

Signed: _____

Printed Name: Carl Lisek

Printed Name: Tyson Warner

Title: Executive Director

Title: Executive Director

Date: _____

Date: _____

PENDING INDOT APPROVAL

Technical Planning Committee
NIRPC Lake Michigan Room, Portage, IN
April 9, 2019
Minutes

Kevin Breitzke called the meeting to order at 10:05 a.m. with the Pledge of Allegiance and self-introductions. Committee members present were Kevin Breitzke, Will Farrellbegg, George Topoll, Marino Solario, Kay Nelson, Mark O'Dell, Dean Button, David Wright, Tyler Kent, Tom MacLennan, Kelly Wenger, Margot Sabato, Stephen Stofko and Jessica Miller.

Others present were Doug Ferguson, Jeff Huet, Jerry Siska, Bruce Lindner, Claudia Taylor, Don Oliphant, Chris Moore, Ron Wiedeman, Ismail Attallah, Jake Dammarell and Denny Cobb.

Staff present were Trey Wadsworth, Mitch Barloga, Charles Bradsky, Dominique Edwards, Scott Weber, Peter Kimball, Eman Ibrahim, Gabrielle Biciunas and Mary Thorne.

The INDOT participation survey was available in the lobby.

The minutes of the March 12, 2019 meeting were approved on a motion by Will Farrellbegg and a second by Dean Button.

Public comment requests were made by Dean Button and Dennis Cobb and were discussed under the Programming portion of the agenda.

Trey Wadsworth reported on Resolution 19-14, Amendment #2 to the FY 2019-2020 Unified Planning Work Program. The amendment was released for a 7-day public comment period from March 4 to March 10, 2019. One public comment was received regarding working to achieve transit across the three counties. The Indiana Department of Transportation provided technical comments to clarify language and modify the Air Quality Public Education task. Comments were addressed and reflected in the final draft of the UPWP. Changes are minor in nature. An overview of the regional planning activities included in the amendment was provided. Mark O'Dell identified a correction on page 11, which will be made and taken to the Executive Board for final approval at their meeting next week. On a motion by Kay Nelson and a second by Will Farrellbegg, the Technical Planning Committee recommended Resolution 19-14, Amendment #2 to the FY 2019-2020 Unified Planning Work Program as corrected.

Mitch Barloga presented an overview of the *NWI 2050 Plan* presented the draft *NWI 2050 Plan* which is out for public comment through April 30. The Plan examines trends and influences of the future including economy and place, environment, mobility, and people and leaders. It identifies strategies to pursue, investments to make, and progress to measure to achieve the vision for the region. This plan provides sixteen critical paths of action to be prepared for Northwestern Indiana's future. The Plan is online at <https://www.nirpc.org/2040-plan/transportation/2050-plan/>. Information includes the Plan Storybook, the Plan in PDF format, a link for comments and information on the open houses and public hearings which will be held during the last full week of April in all three counties. Schedules were available.

Also out for public comment through April 30 is the 2020-2024 Transportation Improvement Program. It is on the NIRPC website at under the Transportation/2020-2024 TIP dropdown. All input from the public and the topical committees will be presented in a public comment report.

The Transportation Conformity Determination for the *NWI 2050 Plan* and 2020-2024 Transportation Improvement Program can be found on the NIRPC website under the Environmental - Air Quality drop down. It is also open for public comment through April 30.

Charles Bradsky reported on Resolution 19-15, Amendment #21 to the FY 2018-2021 Transportation Improvement Program. The amendment was released for public comment from February 28 through March 27 with no comments received. During a review with Federal highways, it was found that several projects were inadvertently left off of the amendment due to the new reporting style generated from the new RTIP or the new web-based TIP. The revised list went out for a revised 9 day comment period from March 29 through April 7. No public comments were received. Federal Highways' technical comments were for a better listed location, a project's air quality conformity being exempt or non-exempt, whether the project would add capacity and a better description of the work being done on a project. These were all included in the description portion of each project prior to the second release. They will also be included in future reports. Charles Bradsky overviewed the projects and changes in the amendment. Dean Button asked for language to be included of what is being added in the amendment. On a motion by Dean Button and a second by Will Farrellbegg, the Technical Planning Committee recommended Resolution 19-15, Amendment #21 to the FY 2018-2021 Transportation Improvement Program.

The topical committees' meeting schedule was discussed. Budgetary concerns were cited as a reason for holding less frequent meetings as well as the fact that attendance at topical committee meetings has dropped significantly and achieving a quorum was difficult. A quarterly amendment cycle was another issue. It was noted that the Transportation Resource and Oversight Committee reacts to INDOT lettings which are on a monthly cycle and the committee feels they should meet regularly. Several other committees have also expressed concern about going to quarterly meetings. It was the consensus of the Technical Planning Committee that topical committee Chairs and staff leads should determine frequency and content of topical committee meetings. There is also a possibility of combining some of the committees to make the process more efficient. It is better practice to cancel a meeting than try to plan to attend an unscheduled meeting.

Discussion was also held on issues with the TIP as requested by Dean Button in the Public Comment portion of the agenda. The TPC met on February 12 to make project selections for the 2020-2024 TIP within the bounds of the funding that was available. We were subsequently notified at the March 12 meeting that we were unprepared to review a TIP and that we would review it in concept in advance of the publication of the TIP, the *NWI 2050 Plan* and the air quality conformity. The Transportation Resource and Oversight Committee then met and were informed that we received about \$1 million and the 2020-2024 TIP was amended to include at least 9 projects without review by the TPC. Mr. Button said he believed this committee should review those 9 projects as he felt there are issues with those projects that need clarification as they may affect a future TIP. Hammond received funding for two projects, and there were two other projects that had significant influence over the NOFA following this current published TIP: a Valparaiso project and a Gary project which would both affect a future TIP. There were also two projects from Lake County Parks that were not included in the current TIP that

need to be shown on the TIP. This committee should be allowed to review and recommend those projects and Mr. Button asked for a special meeting to be held by this committee. Kevin Breitzke commented that since TROC had many members of this committee that there was no issue or problem. Mr. Button said TROC never vetted those projects. Trey Wadsworth expressed concerns about missing a window with getting the new TIP to INDOT and Federal Highways with all the other MPOs in Indiana and adopted by the Governor in mid-May for implementation July 1st. Projects with a July letting would have to wait for those approvals. Staff will review the Public Participation Plan as to whether a modification is deemed significant or non-significant. The process and the deficit in the previous TIP was briefly overviewed by Mr. Wadsworth. He got the appropriations the day after the March TPC meeting. Transit operators are still waiting on their numbers from FTA. It was the consensus of the committee to hold a special TPC meeting on April 16 at 10 a.m. at NIRPC to discuss these issues and projects and make its recommendation to the Commission.

Topical committees reported out.

- Kay Nelson said the Environmental Management Policy Committee will meet on May 2 at 9 a.m. which will feature Carl Woodrich from DNR on the wetland fee in lieu of mitigation program. A workshop is scheduled for 1 p.m.
- Mitch Barloga said the Ped, Pedal & Paddle Committee heard presentations on a bike conference in Arkansas and the NWI 2050 Plan at their meeting last week. The next meeting is Thursday, June 6 at 1:30 p.m.
- Eman Ibrahim said the Land Use Committee heard presentations at their meeting last week on an update on the Creating Livable Communities and the *NWI 2050 Plan*. The next meeting is Thursday, June 6 at 10:30 a.m.
- Scott Weber said the Surface Transportation Committee heard presentations at their meeting last week on the *NWI 2050 Plan*, the 2020-2024 TIP and the Air Quality Conformity document. The next meeting is Tuesday, June 4 at 9 a.m.
- Charles Bradsky said the Transportation Resource & Oversight Committee meeting was scheduled for May; however, he will discuss the next meeting with the Committee Chair, Jim Biggs. A meeting announcement will be forthcoming.

Kelly Wenger reported that the West Lake Corridor received a medium high rating from the feds. No rating was received yet on the double tracking project. On April 17, NICTD will hold a vendor open house at 10 a.m. at the Hammond Sportsplex Community Center for the West Lake, Double Tracking and other capital projects for the next three years.

Other upcoming meetings at NIRPC include:

- The Finance & Personnel Committee will meet on April 18 at 8:00 a.m.
- The Executive Board will meet on April 18 at 9 a.m.
- The Outreach Committee will meet on Wednesday, May 8 at 10 a.m. at NIRPC.

The special Technical Planning Committee meeting will be on April 16 at 10 a.m. The next regular meeting will be held on May 14 at 10 a.m. at NIRPC.

Hearing no other business, Kevin Breitzke adjourned the meeting at 11:35 a.m.

Technical Planning Committee
NIRPC Lake Michigan Room, Portage, IN
April 16, 2019
Minutes

Kevin Breitzke called the meeting to order at 10:07 a.m. with the Pledge of Allegiance and self-introductions. Committee members present were Kevin Breitzke, Will Farrellbegg, George Topoll, Michael Griffin, Kay Nelson, Marino Solario, Mark O'Dell, Dean Button, Tyler Kent, Stephen Stofko, Sarah Kobetis and Jessica Miller.

Others present were Brian Snedecor, John Cannon, Sandy Kolb, Phil Gralik, Jeff Huet, Mark Gordish, Doug Ferguson, Bruce Spires, Adam McAlpine, Nick Bellar, Bill Oeding, Greg Falkowski, Jill Murr, Beth Shrader, Claudia Taylor, Chris Murphy, Dave Shilling, Jake Dammarell and Denny Cobb.

Staff present were Trey Wadsworth, Mitch Barloga, Charles Bradsky, James Winters, Gabrielle Biciunas and Candice Eklund.

Charles Bradsky began the discussion on the 2020-2024 Transportation Improvement Program project lists. After the March Technical Planning Committee meeting, NIRPC received a letter from INDOT stating that the NIRPC region received approximately \$1 million more for the Chicago Urbanized Area. The funding would start in 2020. Group 2 and the transit operators are not impacted. As it was about a week before the public comment period was to begin, staff programmed those extra funds, as it was better to have a fully-funded TIP than to have unobligated funds. A lot of the projects were not vetted before the TPC and so this special meeting was called to discuss those additional projects. Going forward, any projects that are removed, but a new project being added must go through a public comment period and amended in July. INDOT's STIP public comment runs concurrent with ours. Everything out for public comment was approved in the NOFA.

The Highland project's original ask was \$280,000. They were granted \$130,000. They would now be given the full \$280,000 in 2023. Hobart asked for \$2,992,400. They scored fourth highest after Hammond, Merrillville and Gary. They received \$1,600,000 and would be given the full ask of \$2,992,400 in 2024. Some projects will be funded earlier and some got pushed back a year to free up some funds. The Porter County project was awarded the full amount of right-of-way which was \$324,000 for 2024. Projects with PE or ROW in 2024 will be considered a legacy project and will be applied to the next NOFA somewhere in 2025-2030.

Trey added that if projects were removed from the TIP, it would be considered a significant modification and would not go to the full Commission until August and would not be submitted to INDOT until after August. A July or August letting would not occur. Once the new TIP is approved, projects to be removed can then be decided on by amendment and go out for 30 day public comment.

On a motion by Dean Button and a second by Will Farrellbegg, the Technical Planning Committee voted to recommend fully funding the Highland project to the Commission for adoption.

Phase I of the Willowcreek project will be added to the 2025-2030 TIP. They received \$324,000 in 2024 in February. Hammond's Marquette Greenway Trail project was added. Legacy projects for Hammond,

Schererville, the Veterans Trail and Lake Station were discussed briefly. The Hammond Chicago Avenue project is fully funded. There is also Kennedy Avenue in Schererville will get some funding. The Veterans Trail amended score was 62 and 53. The Phase I request was \$2.6 million and the Phase II request was \$4.6 million. Dean Button said it seemed appropriate to remove Hammond's trail project from the TIP. The Next Level Trails application awards will be announced in a couple of weeks. During the process, if we remove projects, the \$1.2 million will go to the Veterans Trail Phase 1.

For air quality, we were able to move Lake Station's CNG from 2021 to 2020, which freed up \$360,000 in CMAQ funds for air quality education for NIRPC. The remaining projects in that group were approved at the February TPC meeting.

For Complete Streets, the onroad Gary trail on 5th Avenue was the highest scoring and they were given \$300,000 for PE in 2024. Sarah Kobetis described the project which would convert 5th Avenue into a two-way street diverting all truck traffic onto 4th Avenue. Dean Button objected to adding the project if Gary did not have clearance from INDOT since the project was added by staff and was not voted on by the committee. Mitch Barloga added that there are many projects throughout the TIP that don't have concurrence with the state. Hammond sought positive concurrence from INDOT to do their project on a state highway. Michael Griffin said clearer application metrics should be sought for the next NOFA. Projects which are already approved should not be penalized if the metric was not clear up front. There is a burden on the applicant to demonstrate funding for the life of that project and getting concurrence in writing is a goal. The committee structure was such that the purpose was to inform policy makers and not make the policies. The timing is critical at this point. Changes are needed but the TIP must be approved today and amendments can be made later. Charles Bradsky continued that 2024 is technically an illustrative year and the city is committing to complete the project sometime within the 2025 to 2030 timeframe. The next NOFA will be planned in the fall of 2020. Dennis Cobb thought it might be good to have some reserve funding for LPAs in the out years.

Charles Bradsky discussed the roundabout at 61st Avenue and Marcella. Mayor Snedecor previously agreed to fund at 40-50% local match. NIRPC fully funded the project at 80%, from \$1.6 million to the \$2.9 million ask since Hobart gave a large overmatch. Discussion followed. There were three other projects that scored higher and those should have been given consideration. Michael Griffin said projects with a larger local match should be given higher consideration, but a determination was needed as to whether the additional \$1.3 million should be considered for one or more of the higher scoring projects. Hammond was tied for the high score and can phase that project.

Beth Shrader moved to affirm the TIP as presented by staff with discussion on amendments to be made in the future. Kevin Breitzke said there was an issue with her being a member on the committee for 2019. (NOTE: Beth was an alternative for Blair Milo from the City of La Porte. It was determined at the Board meeting on April 18 to add Mayor Krentz to the Committee with Beth Shrader as alternate, replacing Nick Meyer). Michael Griffin made the motion with a rider affirming the work of the staff with the added advisory that when the timetable permits, that we make that reallocation to Hammond what would be recovered from the additional amount given to Hobart; second made by Will Farrellbegg. Mark O'Dell objected saying that the motion should not be made until all the amendments have been reviewed. On a voice vote, the motion passed with three voting against - Mark O'Dell, Dean Button and Marino Solario.

Charles Bradsky said Valpariaos had \$1.4 million for ROW and PE. The limit was set at 7.5%. This would be over funded. The ask was \$700,000 for the first phase of the project, which includes a roundabout, a tunnel and a street. Mark O'Dell said a legacy project and the Veterans Trail scored higher. Charles Bradsky said the Vet Trail was a lower scoring project and it was unintentionally overlooked at the February TPC meeting that it was a legacy project. Although there was no vote taken, the committee agreed with Dean Button to remove the Hammond project and put that money towards the Vet Trail. That would free up \$1.3 million to go towards at least Phase 1 which is \$2.6 million. The Phase II was \$4.6 million. This could be brought back to committee for discussion in June.

Michael Griffin volunteered to be on a proposed task force to be used for making a formal presentation to the full TPC for honing future NOFA criteria. Dean Button, Mark O'Dell and Charles Bradsky also volunteered for this task force.

Kevin Breitzke added that this was an extreme circumstance of a perfect storm with a new NOFA, TIP and *NWI 2050 Plan* all with the same April 1 submission deadline. The Chicago Street Hammond project is scheduled to be let in July or August. Approximately \$5 million was being distributed over a five year TIP. Nick Bellar said the Winfield Town Council is looking for a decision on their sidewalks on Randolph construction project which connects an elementary school to a large 15-acre park and Phase 2 connects further to a major residential area. The town is self-funding other parts of the project. Charles said the project scored 63 with a \$391,000 ask. This project and others added by staff are at risk. The Vet Trail scored very low but it's a legacy project. On a motion by Dean Button, seconded by Mark O'Dell, the committee voted to recommend to the NIRPC Board/Commission for adoption the 2020-2024 Transportation Improvement Program subject to any projects added by staff subsequent to the February TPC meeting be subject to repurposing of the funds with opposing votes by Sarah Kobetis and Tyler Kent.

Charles Bradsky was tasked in June to start the new NOFA process to work toward a better process which is fair for everyone and suggested using the time scheduled for the TROC meeting to work on the TPC issues like INDOT's concurrence on a state road. Every community in the region is a member of TROC.

The next meeting of the Technical Planning Committee will be held on May 14, 2019 at 10 a.m.

Hearing no other business, on a motion by George Topoll and a second by Will Farrellbegg, Kevin Breitzke adjourned the meeting at 12:05 p.m.

#

Public Comment Report

Air Quality Conformity Determination Report for the NWI 2050 Plan and the 2020 to 2024 Transportation Improvement Program

Northwestern Indiana Regional Planning Commission

May 16, 2019

The Air Quality Conformity Determination Report for the NWI 2050 Plan and 2020 to 2024 Transportation Improvement Program was released for a 30-day public comment period which began on April 1, 2019 and ended April 30, 2019. The Air Quality Conformity Determination Report was made available at www.nirpc.org. There were no comments received.

RESOLUTION 19-18

A RESOLUTION OF THE NORTHWESTERN INDIANA REGIONAL PLANNING COMMISSION MAKING THE AIR QUALITY CONFORMITY DETERMINATION FOR THE NWI 2050 PLAN AND THE 2020 TO 2024 TRANSPORTATION IMPROVEMENT PROGRAM WITH RESPECT TO OZONE

May 16, 2019

WHEREAS, Northwest Indiana’s citizens require a safe, efficient, resource-conserving regional transportation system that maintains and enhances regional mobility and contributes to improving the quality of life in Northwest Indiana; and

WHEREAS, the Northwestern Indiana Regional Planning Commission, hereafter referred to as “the Commission”, being designated the Metropolitan Planning (MPO) for the Lake, Porter, and LaPorte County area, has established a regional, comprehensive, cooperative, and continuing (3-C) transportation planning process to develop the unified planning work program, a transportation plan, and a transportation improvement program to facilitate federal funding for communities, counties, and transit operators, and to provide technical assistance and expertise to regional transportation interests; and

WHEREAS, the Commission performs the above activities to satisfy requirements of the Fixing America’s Surface Transportation (FAST) Act of 2015 (PL 114-94), applicable portions of all prior federal transportation program authorizing legislation, as well as other federal, state, and local laws mandating or authorizing transportation planning activities; and

WHEREAS, the implementation of the Clean Air Act Amendments of 1990 has established National Ambient Air Quality Standards for ozone; and

WHEREAS, Lake and Porter Counties have been designated as a nonattainment area with respect to the 2008 “8-hour” standard for ozone; and LaPorte County has been designated as a maintenance area with respect to the 1997 “8-hour” standard for ozone; and

WHEREAS, the United States Environmental Protection Agency's Transportation Conformity Rule in 40 CFR Parts 51 and 93 requires all Transportation Conformity non-exempt and regionally significant projects included in a Metropolitan Planning Organization's transportation improvement program to be referenced to that Metropolitan Planning Organization's transportation plan; and

WHEREAS, the NWI 2050 Plan is the Metropolitan Planning Organization's transportation plan and the 2020 to 2024 Transportation Improvement Program is the Metropolitan Planning Organization's transportation improvement program; and

WHEREAS, the Commission's Interagency Consultation Group on Air Quality comprised of the Commission, the Federal Highway Administration, the Federal Transit Administration, the Environmental Protection Agency, the Indiana Department of Environmental Management, and the Indiana Department of Transportation reviewed the Air Quality Conformity Determination Report and recommended its adoption by the Commission; and

WHEREAS, the Commission has solicited public comment on the Air Quality Conformity Determination Report between April 1, 2019 and April 30, 2019; and

WHEREAS, the Commission's Technical Planning Committee recommended Resolution 19-18 to the Commission for adoption;

NOW, THEREFORE, BE IT RESOLVED that the Northwestern Indiana Regional Planning Commission hereby adopts the Air Quality Conformity Determination for the *NWI 2050 Plan* and the 2020 to 2024 Transportation Improvement Program with respect to ozone.

Duly adopted by the Northwestern Indiana Regional Planning Commission this sixteenth day of May, 2019.

Diane Noll
Chairperson

ATTEST:

George Topoll
Secretary

Air Quality Conformity Determination Report

Between

**The Northwestern Indiana 2050 Plan (NWI 2050 Plan) and
The 2020 to 2024 Transportation Improvement Program (2020-2024 TIP)**

and

The Indiana State Implementation Plan (SIP)

May 16, 2019

Northwestern Indiana Regional Planning Commission

www.nirpc.org

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Acknowledgements

This *Air Quality Conformity Determination Report* between the Northwestern Indiana 2050 Plan (NWI 2050 Plan), the 2020 to 2024 Transportation Improvement Program (2020-2024 TIP) and the Indiana State Implementation Plan (SIP) was prepared by the Northwestern Indiana Regional Planning Commission (NIRPC). Individuals from the following agencies (hereafter collectively referred to as the Interagency Consultation Group on Air Quality or ICG) contributed their efforts towards the completion of the *Air Quality Conformity Determination Report*. They include:

- Northwestern Indiana Regional Planning Commission (NIRPC)
- Indiana Department of Transportation (INDOT)
- Indiana Department of Environment Management (IDEM)
- Federal Highway Administration (FHWA)
- Federal Transit Administration (FTA)
- United States Environmental Protection Agency (EPA)

Executive Summary

As part of its transportation planning process as a Metropolitan Planning Organization, NIRPC at least every 4 years is required to develop both a Metropolitan Transportation Plan, a plan of the Northwestern Indiana Region's priorities for the next few decades, as well as a Transportation Improvement Program, a listing of transportation projects that are consistent with the Metropolitan Transportation Plan. Because NIRPC administers these transportation planning requirements in at least one area designated by the United States Environmental Protection Agency (EPA) as nonattainment or maintenance for one or more criteria pollutants in the Clean Air Act (CAA), NIRPC is also subjected to air quality conformity requirements.

The Clean Air Act (CAA) section 176(c) (42 U.S.C. 7506(c)) requires that federally funded or approved highway and transit activities are consistent with ("conform to") the purpose of the State Implementation Plan (SIP). Conformity to the purpose of the SIP means that transportation activities will not cause or contribute to new air quality violations, worsen existing violations, or delay timely attainment of the relevant NAAQS or any interim milestones (42 U.S.C. 7506(c)(1)). EPA's air quality conformity rules establish the criteria and procedures for determining whether metropolitan transportation plans (MTPs), transportation improvement programs (TIPs), and federally supported highway and transit projects conform to the SIP (40 CFR Parts 51.390 and 93).

Of the six criteria pollutants regulated by the CAA (Ozone, Particulate Matter, Carbon Monoxide, Lead, Sulfur Dioxide, and Nitrogen Dioxide), only Ozone applies for this *Air Quality Conformity Determination Report* because it is the only one of the pollutants for which EPA has designated portions of the NIRPC planning area (Lake, Porter, and LaPorte Counties) nonattainment or maintenance that the ICG has found to have transportation-related emissions contributing to the nonattainment or maintenance designation. The EPA has made area designations for Ozone for the 1997, 2008, and 2015 National Ambient Air Quality Standards (NAAQSs). Air quality conformity must be demonstrated for the area designated under each NAAQS, unless an area for a newer designation is completely within the area from an older designation, in which case demonstrating conformity for the larger area is considered adequate for meeting the air quality conformity determination requirements. Lake and Porter Counties are designated as maintenance for the 1997 Ozone NAAQS and nonattainment for the 2008 Ozone NAAQS. Portions of northern Lake County are designated as nonattainment for the 2015 Ozone NAAQS, but since this area is completely within the area designated by the 2008 NAAQS, an air quality conformity determination for the 2008 Ozone NAAQS is adequate for the 2015 NAAQS. LaPorte County is designated maintenance for the 1997 Ozone NAAQS. Per the *South Coast Air Quality Management District v. EPA* decision and EPA's *Transportation Conformity Guidance for the South Coast II Court Decision*, LaPorte County is subjected to less stringent air quality conformity determination requirements.

This *Air Quality Conformity Determination Report* was completed consistent with CAA requirements, existing associated regulations at 40 CFR Parts 51.390 and 93, and the *South Coast II* decision, according to EPA's *Transportation Conformity Guidance for the South Coast II Court Decision* issued on November 29, 2018.

1.0 Background

1.1 Air Quality Conformity Process

The concept of air quality conformity was introduced in the Clean Air Act (CAA) of 1970, which included a provision to ensure that transportation investments conform to a State implementation plan (SIP) for meeting the Federal air quality standards. Conformity requirements were made substantially more rigorous in the CAA Amendments of 1990. The air quality conformity regulations that detail implementation of the CAA requirements were first issued in November 1993, and have been amended several times. The regulations establish the criteria and procedures for transportation agencies to demonstrate that air pollutant emissions from MTPs, TIPs and projects are consistent with (“conform to”) the State’s air quality goals in the SIP. This document has been prepared for State and local officials who are involved in decision making on transportation investments.

Air quality conformity is required under CAA Section 176(c) to ensure that Federally-supported (though not necessarily federally funded) transportation activities are consistent with (“conform to”) the purpose of a State’s SIP. Air quality conformity establishes the framework for improving air quality to protect public health and the environment. Conformity to the purpose of the SIP means Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) funding and approvals are given to highway and transit activities that will not cause new air quality violations, worsen existing air quality violations, or delay timely attainment of the relevant air quality standard, or any interim milestone.

Lake, Porter, and LaPorte Counties were designated as nonattainment for the 1997 Ozone NAAQS effective June 15, 2004 according to 69 FR 23857. On July 19, 2007, LaPorte County was reclassified to attainment with a maintenance plan (became a maintenance area) according to 72 FR 39574. On May 11, 2010, Lake and Porter Counties were reclassified to attainment with a maintenance plan (became a maintenance area) according to 75 FR 26113.

Lake and Porter Counties were designated as nonattainment for the 2008 Ozone NAAQS effective July 20, 2012 according to 77 FR 34221. EPA denied IDEM’s redesignation request for Lake and Porter Counties for attainment on January 9, 2015, so Lake and Porter Counties remain a nonattainment area for the 2008 Ozone NAAQS.

Portions of Lake County (Calumet, Hobart, North, Ross, and St. John Townships) were designated as nonattainment for the 2015 Ozone NAAQS effective August 3, 2018 according to 83 FR 25776. Since these townships are all completely within the 2008 Ozone NAAQS nonattainment area that spans all of Lake and Porter Counties, demonstrating air quality conformity for all of Lake and Porter Counties with respect to the 2008 Ozone NAAQS satisfies the requirement for demonstrating air quality conformity for the Lake County portion of the 2015 Ozone NAAQS.

2.0 Metropolitan Transportation Plan (MTP)

Metropolitan Planning Organizations (MPOs) operating fully or in part in NAAQS nonattainment or maintenance areas such as NIRPC are required to develop a metropolitan transportation plan (MTP) at least every 4 years that looks out to a horizon at least 20 years in the future according to 23 CFR Part 450.324.

2.1 Northwestern Indiana 2050 Plan (NWI 2050 Plan)

The NWI 2050 Plan is scheduled to be adopted by the NIRPC Full Commission on May 16, 2019.¹ This plan satisfies the requirements mentioned in section 2.0 above and upon adoption will be the MTP for the Northwestern Indiana Region that includes all of Lake, Porter, and LaPorte Counties in Indiana.

The NWI 2050 Plan includes the following regionally significant, non-exempt transportation projects completed since the 2017 baseline year subject to the air quality conformity requirements (see Appendix A-2 for Regional Significance Guidance):

¹ Available at: <http://bit.ly/NWI2050Plan>

Table 2.1.1 Air Quality Conformity-Required Projects Included in NWI 2050 Plan

Projects Complete by 2020	Beginning Point	End Point	Sponsor	Federal Estimated Cost (YOE)	Non-Federal Estimated Cost (YOE)
I 65 Added Travel Lanes	US 30	SR 2	INDOT	2018: \$55,800,000	2018: \$6,200,000
Cline Ave Bridge	Riley Rd Interchange	Michigan Ave Interchange	East Chicago	\$0	2019: \$150,000,000
45th Ave Added Center Turn Lane	Chase St	Grant St	Lake County	2016: \$184,780	2016: \$46,195
101st Ave Added Travel Lanes	Georgia St	Mississippi St	Merrillville	2019: \$2,423,000	2019: \$643,546
Parrish Ave Added Center Turn Lane	Joliet St	US 231	St. John	\$0	2018: \$1,950,000
Broadway Metro Express	Gary Metro Center	Methodist Southlake Hospital	Gary Public Transportation Corporation	2017: \$7,600,000	2017: \$1,900,000
US 20 Added Center Turn Lane	US 421	US 35/SR 212	INDOT	2018: \$8,961,600	2018: \$2,240,400
US 20 Interchange Modification at US-35/SR 212	Meer Rd	US 35/SR 212 Interchange	INDOT	2018: \$517,600	2018: \$129,400
US 20 New Interchange at SR 2	1,590 feet from US 20/SR 2 Interchange	1,590 feet from US-20/SR-2 Interchange	INDOT	2019: \$9,398,400	2019: \$2,349,600

Projects Complete by 2025	Beginning Point	End Point	Sponsor	Federal Estimated Cost (YOE)	Non-Federal Estimated Cost (YOE)
US 41 Added Center Turn Lane	Standard Ave	US 231	INDOT	2019: \$3,991,200	2019: \$997,800
SR 49 Consecutive Intersection Improvements	Porter Ave	Gateway Blvd	INDOT	2023: \$10,856,317	2023: \$2,714,079
US 20 Added Center Turn Lane	SR 39	Fail Rd	INDOT	2023: \$14,460,108	2023: \$3,615,027
109th Ave Consecutive Intersection Improvements	SR 53	Iowa St	Crown Point/INDOT	2021: \$2,643,125	2021: \$7,576,875
Gostlin St/Sheffield Ave/Chicago St Added Travel Lanes	Illinois State Line	US 41	Hammond	2020: \$9,400,000	2020: \$2,350,000
45th St Added Center Turn Lane	Whitcomb St	Chase St	Lake County	2020: \$2,255,000	2020: \$563,750
Mississippi St Added Travel Lanes	93rd Ave	101st Ave	Merrillville	2020: \$3,612,000	2020: \$903,250
45th St Grade Separation and Realignment	0.3 miles West of Calumet Ave	Southwood Dr	Munster	2019: \$16,800,000	2019: \$4,843,293
93rd Ave Added Center Turn Lane	White Oak Ave	US 41	St. John	\$0	2024: \$3,487,347
109th Ave Added Center Turn Lane	Calumet Ave	US 41	St. John	\$0	2024: \$3,812,928
Calumet Ave Added Center Turn Lane	101st Ave	109th Ave	St. John	\$0	2024: \$3,398,710
Kennedy Ave Expansion	Oak St	US 30	Schererville	2024: \$12,465,179	2024: \$3,116,295
Vale Park Rd Extension	Winter Park Dr	Windsor Tr	Valparaiso	\$0	2020: \$4,480,000
South Shore Line Double Track	Tennessee St	Michigan Blvd	NICTD	\$0	2022: \$388,603,154
West Lake Corridor commuter rail service	Hammond Gateway Station	Main St - Munster/Dyer	NICTD	\$0	2022: \$768,335,733

Projects Complete by 2030	Beginning Point	End Point	Sponsor	Federal Estimated Cost (YOE)	Non-Federal Estimated Cost (YOE)
US 41 Added Center Turn Lane	US 231	SR 2	INDOT	2028: \$36,877,815	2028: \$9,219,454
Main St Extension	Burnham Ave (Illinois)	Columbia Ave/Sheffield Ave	Munster	2028: \$2,631,548	2028: \$657,887
Willowcreek Rd Extension	700 N	SR 130	Porter County	2025: \$4,617,000	2025: \$1,188,000
85th Ave Added Center Turn Lane	US 41	Parrish Ave	St. John	\$0	2028: \$5,828,139
93rd Ave Added Travel Lanes	Calumet Ave	Cline Ave	St. John	\$0	2028: \$36,217,098
109th Ave Added Travel Lanes	Calumet Ave	US 41	St. John	\$0	2028: \$10,220,018
Blaine Ave Added Center Turn Lane	93rd Ave	101st Ave	St. John	\$0	2028: \$5,438,393
Calumet Ave Added Travel Lanes	101st Ave	109th Ave	St. John	\$0	2028: \$9,906,218
Cline Ave Added Travel Lanes	101st Ave	109th Ave	St. John	\$0	2028: \$4,513,833
White Oak Ave Added Center Turn Lane	93rd Ave	101st Ave	St. John	\$0	2028: \$7,051,199
Kennedy Ave Added Travel Lanes	Main St	Oak St	Schererville	2025: \$4,936,400	2025: \$1,234,100
Vale Park Rd Added Center Turn Lane	Calumet Ave	Silhavy Rd	Valparaiso	2027: \$3,423,275	2027: \$855,819

Projects Complete by 2040	Beginning Point	End Point	Sponsor	Federal Estimated Cost (YOE)	Non-Federal Estimated Cost (YOE)
Division Rd Added Center Turn Lane	Sturdy Rd	375 E	Valparaiso	2038: \$2,868,640	2040: \$717,160
LaPorte County North-South Connector	SR 39	US 35	LaPorte County	2035: \$104,000,000	2035: \$26,000,000

Projects Complete by 2050	Beginning Point	End Point	Sponsor	Federal Estimated Cost (YOE)	Non-Federal Estimated Cost (YOE)
Division Rd Added Center Turn Lane	SR 2	Sturdy Rd	Valparaiso/Porter County	2048: \$6,151,100	2048: \$1,537,775

3.0 Transportation Improvement Program (TIP)

Metropolitan Planning Organizations (MPOs) such as NIRPC are required to develop a Transportation Improvement Program (TIP), which is a listing of FHWA and FTA funded transportation projects, covering a period of at least 4 years and in cooperation with the state and public transit providers according to 23 CFR Part 450.326. MPOs in Indiana produce TIPs covering 5 years.

3.1 2020 to 2024 Transportation Improvement Program (TIP)

The 2020 to 2024 Transportation Improvement Program (2020-2024 TIP) is scheduled to be adopted by the NIRPC Full Commission on May 16, 2019.² The 2020-2024 TIP satisfies the requirements mentioned in section 3.0 above and upon adoption will be the TIP for the Northwestern Indiana Region that includes all of Lake, Porter, and LaPorte Counties in Indiana.

The 2020-2024 TIP includes all federally funded projects in the State Fiscal Years 2020 to 2024 (July 1, 2019 through June 30, 2024) but does not include all of the projects listed in Table 2.1.1 above, namely those beyond the year 2024 or those that are not federally funded.

² Available at <http://bit.ly/20-24TIP>

4.0 Air Quality Conformity Determination: General Process

Generally, demonstrating air quality conformity between an MTP/TIP and a SIP means showing that regionally significant, non-exempt highway and transit projects will not cause new air quality violations, worsen existing air quality violations, or delay timely attainment of the relevant air quality standard, or any interim milestone. The State of Indiana developed a Regional Significance Guidance document included in Appendix A-2 that satisfies the 40 CFR Part 93.101 definition of regionally significant project. A non-exempt project is any project not included as an exempt project type in 40 CFR Part 93.126. Thus, demonstrating air quality conformity is required for any transportation project that meets the Regional Significance Guidance and that is not on the list of exempt projects.

In nonattainment or maintenance areas for transportation-related criteria pollutants, demonstrating air quality conformity is required for all newly adopted MTPs and TIPs, and for any amendments to MTPs or TIPs that include regionally significant, non-exempt projects. Since the NWI 2050 Plan is a newly adopted MTP and the 2020-2024 TIP is a newly adopted TIP, it is necessary to demonstrate air quality conformity to the SIP with respect to the applicable criteria pollutants and their associated precursors. In this case the only applicable criteria pollutant is Ozone, which includes Nitrous Oxides (NO_x) and Volatile Organic Compounds (VOC) as precursors.

5.0 Requirements

5.1 Overview

The air quality conformity regulation at 40 CFR 93.109 sets forth the criteria and procedures for demonstrating air quality conformity. The air quality conformity criteria for MTPs and TIPs include: latest planning assumptions (93.110), latest emissions model (93.111), consultation (93.112), transportation control measures (93.113(b) and (c)), fiscal constraint, consistency with motor vehicle emissions budgets in the SIP, and regional emissions analysis or interim emissions test (93.118 and/or 93.119).

For the 1997 Ozone NAAQS areas that are not designated nonattainment or maintenance for either the 2008 Ozone NAAQS or 2015 Ozone NAAQS (i.e. LaPorte County), air quality conformity can be demonstrated with only the latest planning assumptions, consultation, transportation control measures, and fiscal constraint requirements per 40 CFR 93.109(c) and the EPA Transportation Conformity Guidance for the South Coast II Court Decision.³ Thus, all of the additional requirements in the previous paragraph only are applied to demonstrating air quality conformity with respect to Lake and Porter Counties in this *Air Quality Conformity Determination Report*.

5.2 Latest Planning Assumptions

Use of the latest planning assumptions in demonstrating air quality conformity is required per 40 CFR 93.110 of the Transportation Conformity Rule. Use of the latest planning assumptions ensures that the underlying assumptions and data that are inputted into the regional emissions analysis accurately reflect the planning assumptions of the region demonstrating air quality conformity. As part of the NWI 2050 Plan and 2020 to 2024 TIP development, the Northwestern Indiana Region developed demographic forecasts for population and employment growth as shown on Table 5.2.1.

Table 5.2.1 Demographic Baseline and Forecasts for Lake, Porter, and LaPorte Counties

Year	Population	Households	Employment
2017	766,924	291,750	286,970
2020	773,689	294,313	292,121
2025	784,974	298,567	300,688
2030	796,251	302,838	309,281
2040	818,813	311,378	326,436
2050	841,382	319,903	343,604

Population forecasts are based on the baseline 2017 year as found in the US Census Bureau's American Community Survey, 2013-2017 Estimates Table B01003. The 2050 horizon year population forecast is based on an average of 5 different sources that have already conducted population forecasts for the NWI Region: INDOT Statewide Travel Demand Model, INDOT REMI PI+ 2.0 Model, Woods & Poole Economics, Inc., Louis Berger Group (for the Chicago Metropolitan Agency for Planning), and the Indiana Business Research Center.⁴ The interim years between the 2017 baseline year and the 2050 horizon

³ Available from <https://www.epa.gov/sites/production/files/2018-11/documents/420b18050.pdf>

⁴ INDOT Statewide Travel Demand Model, INDOT REMI PI+ 2.0 Model, and Woods & Poole Economics, Inc. population forecasts were emailed to NIRPC by INDOT on October 11, 2017 and have privacy restrictions—these forecasts are technically for a 2045 horizon year that is extrapolated out to 2050 based on a linear trend model of fit; Louis Berger Group forecasts are available at <https://datahub.cmap.illinois.gov/dataset/89f66569-5f51-4c14-8b02-5ecc1ca00909/resource/a812de2f-d465-47f2-87df->

year are extrapolated from a simple linear trend model of fit. Household forecasts are based on the baseline 2017 year as found in the US Census Bureau's American Community Survey, 2013-2017 Estimates Table S1101. All other years are based on the number of persons per household for each county found by dividing the county's population by its number of households. Employment forecasts are based on the baseline 2017 year as found in the US Bureau of Labor Statistics' Quarterly Census of Employment and Wages (QCEW) State and County Wages series annual average employment. The 2050 horizon year employment forecast is based on an average of 4 different sources that have already conducted employment forecasts for the NWI Region: INDOT Statewide Travel Demand Model, INDOT REMI PI+ 2.0 Model, Woods & Poole Economics, Inc., and Louis Berger Group (for the Chicago Metropolitan Agency for Planning).⁵ The interim years between the 2017 baseline year and the 2050 horizon year are extrapolated from a simple linear trend model of fit.

The Highway Performance Monitoring System (HPMS) data provides the basis or an analysis of the growth in Vehicle-Miles of Travel as shown on Table 5.2.2.

0427e81da2cf/download/CMAPSocioeconomicForecastFinal-Report04Nov2016.pdf; Indiana Business Research Center forecasts available at http://www.stats.indiana.edu/pop_proj/

⁵ INDOT Statewide Travel Demand Model, INDOT REMI PI+ 2.0 Model, and Woods & Poole Economics, Inc. forecasts were emailed to NIRPC by INDOT on October 11, 2017 and have privacy restrictions- these forecasts are technically for a 2045 horizon year that is extrapolated out to 2050 based on a linear trend model of fit; Louis Berger Group forecasts are available at <https://datahub.cmap.illinois.gov/dataset/89f66569-5f51-4c14-8b02-5ecc1ca00909/resource/a812de2f-d465-47f2-87df-0427e81da2cf/download/CMAPSocioeconomicForecastFinal-Report04Nov2016.pdf>

Table 5.2.2 Growth in Vehicle Miles Traveled (VMT) in Lake, Porter, and LaPorte Counties

Year	Daily VMT Estimate (HPMS)	Annual Rate of Growth
1992	17,722,061	
1993	18,160,891	2.48%
1994	18,663,552	2.77%
1995	19,847,112	6.34%
1996	19,842,716	-0.02%
1997	21,058,741	6.13%
1998	21,638,065	2.75%
1999	21,249,847	-1.79%
2000	21,527,000	1.33%
2001	21,987,000	2.11%
2002	22,147,635	0.73%
2003	22,201,000	0.24%
2004	22,154,000	-0.21%
2005	22,216,000	0.28%
2006	22,305,000	0.40%
2007	22,397,000	13.95%
2008	21,792,000	-13.96%
2009	26,507,120	21.21%
2010	20,359,000	-23.19%
2011	26,545,000	30.38%
2012	25,461,000	-4.08%
2013	26,066,000	2.37%
2014	26,797,850	2.81%
2015	29,805,800	11.22%
2016	30,858,000	3.53%
2017	31,044,000	0.60%

Based on this data, the actual annual rate of growth of travel can be determined. For the three-county area as shown in Table 5.2.2, the rates range from -23.19% to 30.38% between 1992 and 2017. Over this period, the annual rate of daily VMT growth is 2.27%.

Vehicle registration data have been received from the Indiana Bureau of Motor Vehicles. These data are split by vehicle type, and have an associated date of approximately December 31, 2014. The Indiana Department of Environmental Management provided vehicle age information for cars and light trucks, from the application of a vehicle identification number (VIN) decoder as well as registrations by vehicle type directly from the Bureau of Motor Vehicles. This vehicle registration data have been used in MOVES, reflecting vehicle fleet age by vehicle type for smaller vehicles. For larger vehicle types, default data have been determined to be the best available fleet age information.

The methods and assumptions for the transportation network model in the regional emissions analysis are included in the NIRPC Travel Demand Model Documentation Report.⁶

⁶ Available at <https://www.nirpc.org/wp-content/uploads/2019/03/NIRPC-Travel-Demand-Model.pdf>

5.3 Latest Emissions Model

For demonstrating air quality conformity for the Lake and Porter Counties 2008 Ozone NAAQS, the MOVES2014a model has been used for this *Air Quality Conformity Determination Report*. Although technically the MOVES2014b is the latest emissions model, EPA allows MOVES2014a to satisfy the latest emissions model requirements for air quality conformity purposes.⁷ The latest emissions model requirement does not apply to demonstrating air quality conformity for the 1997 Ozone NAAQS with respect to LaPorte County as mentioned in the EPA *Transportation Conformity Guidance for the South Coast II Court Decision*. The Motor Vehicles Emissions Budgets (MVEB) for 2008 Ozone NAAQS with respect to Lake and Porter Counties are based on the INDOT Air Quality Post-Processor (AQPP), which combines inputs from the NIRPC Travel Demand Model and MOVES2014a.

5.4 Consultation Requirements

The consultation requirements in 40 CFR 93.112 were addressed both for interagency consultation and public consultation.

Interagency consultation was conducted with NIRPC, INDOT, IDEM, FHWA, FTA, and EPA. NIRPC sent an email to representatives from each of these agencies with a draft copy of this *Air Quality Conformity Determination Report* on March 22, 2019. Representatives from each of these agencies offered feedback and recommended edits as appropriate and during a teleconference call on March 29, 2019, and these are reflected in this *Air Quality Conformity Determination Report*. Interagency consultation was conducted consistent with the Indiana Conformity SIP. See section 7.1 for details of the interagency consultation correspondence.

Public consultation was conducted consistent with planning rule requirements in 23 CFR 450. NIRPC followed its 2014 Public Participation Plan.⁸ The *Air Quality Conformity Determination Report* was made available to public comment on the NIRPC website from April 1, 2019 to April 30, 2019, fulfilling the 30-day public comment period that the 2014 Public Participation Requires for Conformity Determinations. No comments were received.

5.5 Timely Implementation of TCMs

The Indiana SIP with respect to Lake, Porter, and LaPorte Counties does not include any TCMs.

5.6 Fiscal Constraint

Air quality conformity requirements in 40 CFR 93.108 state that transportation plans and TIPs must be fiscally constrained consistent with DOT's metropolitan planning regulations at 23 CFR part 450. The NWI 2050 Plan and 2020-2024 TIP are fiscally constrained, as demonstrated in the Action Plan section of the NWI 2050 Plan⁹ and section Fiscal Constraint section of the 2020-2024 TIP.¹⁰

⁷ See <https://www.epa.gov/moves/latest-version-motor-vehicle-emission-simulator-moves>

⁸ Available at https://nirpc.org/media/48081/nirpc_2014_ppp_final_adopted_12.11.2014.pdf

⁹ Available at <http://bit.ly/NWI2050Plan>

¹⁰ Available at <http://bit.ly/20-24TIP>

5.7 Consistency with the Motor vehicle emissions budgets in the SIP

This *Air Quality Conformity Determination Report* is prepared consistent with the applicable EPA-approved Motor vehicle emissions budgets (MVEB) for the Ozone precursors of NO_x and VOC. The MVEB are based on prior consultation between members of the Interagency Consultation Group on Air Quality (see Acknowledgments section) and are formulated using the latest emissions model and the NIRPC Travel Demand Model. Table 5.9.1 shows the MVEB for the applicable analysis years in the Regional Emissions Analysis. The consistency with the Motor vehicle emissions budgets requirement does not apply to demonstrating air quality conformity for the 1997 Ozone NAAQS with respect to LaPorte County as mentioned in the EPA *Transportation Conformity Guidance for the South Coast II Court Decision*.

5.8 Regional Emissions Analysis Methodology

The regional emissions analysis applicable to Lake and Porter Counties has estimated emissions of VOC and NO_x as ozone precursors. The regional emissions analysis includes estimates of emissions from the entire transportation system, including all regionally significant, non-exempt projects contained in the NWI 2050 Plan (see Table 2.1.1) and all other regionally significant, non-exempt highway and transit projects expected in the nonattainment area in the time frame of the transportation plan. Table 5.9.1 shows that regional emissions for the ozone precursors fall at or below the budgets in the State Implementation Plan for the 2008 Ozone NAAQS with respect to Lake and Porter Counties.

The emissions analysis methodology meets the requirements of 40 CFR 93.122(b) of the Transportation Conformity Rule, for air quality conformity determinations based on estimates of regional transportation-related emissions completed after January 1, 1997.

Implementation of the Lake and Porter County projects in the NWI 2050 Plan and 2020-2024 TIP results in motor vehicle emissions that are at or below the levels of the applicable Motor vehicle emissions budgets, as shown in Table 5.9.1.

The regional emissions analysis for the transportation projects includes calculations of vehicle emissions at the aggregate level for the entire transportation system, including all regionally significant, non-exempt projects expected in the nonattainment area. The analysis includes FHWA/FTA-funded projects proposed in the NWI 2050 Plan, all Indiana Toll Road projects and all other regionally significant, non-exempt projects which are disclosed to NIRPC (see Table 2.1.1 for the complete list). Vehicle miles traveled (VMT) from projects which are not regionally significant and non-exempt are estimated in accordance with reasonable professional practice, using the NIRPC Travel Demand Model.

The regional emissions analysis does not include any TCM. The regional emissions analysis does not include emissions reduction credit from projects, programs, activities, or control measures which require a regulatory action in order to be implemented.

Ambient temperatures used for the regional emissions analysis are consistent with those used to estimate the emissions in 2017. All other factors, for example the fraction of travel in a hot stabilized engine mode, are consistently applied.

Reasonable methods have been used to estimate nonattainment area VMT on off-network roadways within the urban transportation planning area, and on roadways outside the urban transportation planning area. For 2017, 2020, 2025, 2030, 2040, and 2050, estimates of regional transportation-related emissions used to support the conformity determination have been made using the MOVES2014a post-processor updated with the latest vehicle registration data. Regional transportation-related emissions estimates are included for 2011

since 2011 appears in the Lake and Porter Counties 2008 Ozone NAAQS attainment demonstration.

Land use, population, employment, and other network-based travel model assumptions have been documented based on the best available information (see Section 5.3). The distribution of population, households, and employment is based on prior 5-year moving averages of those trends in each of the 380 Travel Analysis Zones (TAZs) in Lake and Porter Counties and is a reasonable state of the practice.

A capacity-sensitive assignment methodology has been used, and emissions estimates are based on a methodology, which differentiates between peak and off-peak link volumes and speeds, and uses speeds based on final assigned volumes, post-processed in the database. TAZ-to-TAZ travel impedances used to distribute trips between origin and destination pairs are in reasonable agreement with the travel times that are estimated from final assigned traffic volumes, using a feedback procedure iterated five times. These times have also been used for modeling mode splits. The network-based travel model is reasonably sensitive to changes in the time(s), cost(s), and other factors affecting travel choices. Reasonable methods in accordance with good practice have been used to estimate traffic speeds and delays in a manner that is sensitive to the estimated volume of travel on each roadway segment represented in the network-based travel model. Highway Performance Monitoring System (HPMS) estimates of vehicle miles traveled (VMT) are considered the primary measure of VMT within the portion of the nonattainment area and for the functional classes of roadways included in the nonattainment area.

The regional emissions analysis requirement does not apply to demonstrating air quality conformity for the 1997 Ozone NAAQS with respect to LaPorte County as mentioned in the EPA *Transportation Conformity Guidance for the South Coast II Court Decision*.

5.9 Regional Emissions Analysis Results

Table 5.9.1 shows the Regional Emissions Analysis Results for demonstrating air quality conformity between the NWI 2050 Plan and 2020 to 2024 TIP and the Indiana SIP for the 2008 Ozone NAAQS with respect to Lake and Porter Counties.

Table 5.9.1 Regional Emissions Analysis for Lake and Porter Counties - 2008 Ozone NAAQS

Year:	2011	2017	2020	2025	2030	2040	2050
NOx Budget	28.41	16.68	16.68	16.68	16.68	16.68	16.68
NOx Emissions	24.70	12.85	13.01	8.53	6.62	5.23	5.34
VOC Budget	11.02	6.85	6.85	6.85	6.85	6.85	6.85
VOC Emission	9.58	6.07	6.18	4.91	3.77	2.59	2.57

As shown in Table 5.9.1, baseline and forecasted emissions for the Ozone precursors of NOx and VOC are at or below the motor vehicle emissions budgets (MVEBs) in the Indiana SIP. Therefore, air quality conformity is demonstrated for the NWI 2050 Plan and 2020-2024 TIP for the 2008 Ozone NAAQS with respect to Lake and Porter Counties. Per the EPA *Transportation Conformity Guidance for the South Coast II Court Decision*, air quality conformity is demonstrated for the NWI 2050 Plan and 2020-2024 TIP for the 1997 Ozone NAAQS with respect to LaPorte County without a regional emissions analysis. Only the latest planning assumptions, consultation, transportation control measures, and fiscal constraint are required to demonstrate air quality conformity with respect to LaPorte County.

6.0 Conclusion

The air quality conformity determination process completed for the Northwestern Indiana 2050 Plan (NWI 2050 Plan) and the 2020 to 2024 Transportation Improvement Program (2020-2024 TIP) demonstrates that these planning documents meet the Clean Air Act and Transportation Conformity Rule requirements for the applicable National Ambient Air Quality Standards (NAAQS).

7.0 Appendices

7.1 Appendix A-1: Interagency Consultation Group Correspondence

NIRPC staff emailed members of the Interagency Consultation Group on Air Quality, comprised of NIRPC, INDOT, IDEM, FHWA, FTA, and EPA, a draft of this *Air Quality Conformity Determination Report* on March 22, 2019.

On March 26, 2019, Anthony Maietta of EPA, and Shawn Seals of IDEM, notified Scott Weber of NIRPC, that the motor vehicle emissions budgets developed for the 2008 Ozone NAAQS with respect to Lake and Porter Counties supersede the Motor vehicle emissions budgets developed for the 1997 Ozone NAAQS with respect to Lake and Porter Counties. Anthony Maeitta and Shawn Seals also notified Scott Weber that demonstrating Air quality conformity to the 2008 Ozone NAAQS with respect to all of Lake and Porter Counties fulfills the requirement to demonstrate Air quality conformity to the 2015 Ozone NAAQS with respect to 5 townships in Lake County since those townships are completely within the Lake and Porter Counties geography for the 2008 Ozone NAAQS and since there are no motor vehicle emissions budgets yet for the 2015 Ozone NAAQS geography.

On March 29, 2019, there was an Interagency Consultation Group on Air Quality teleconference call. Scott Weber and Trey Wadsworth of NIRPC, Frank Baukert and Stephanie Belch of INDOT, Shawn Seals of IDEM, Joyce Newland of FHWA, and Anthony Maietta of EPA participated. All parties agreed with the project list in Table 2.1.1 upon hearing NIRPC's explanation that it included all of the draft STIP INDOT projects as well as Local Public Agency projects that NIRPC staff had heard about from reaching out to the Employees in Responsible Charge (ERCs). All parties agreed with the draft report in terms of the Requirements in Section 5. Scott Weber thanked Anthony Maeitta and Shawn Seals for their correspondence on March 26, 2019 in regards to clarifying which motor vehicle emissions budgets apply to this air quality conformity determination. Joyce Newland asked that all members of the ICG receive the link to the Federal Register and the motor vehicle emissions budgets for Lake and Porter Counties for the 2008 Ozone NAAQS. Shawn Seals responded that he would email the link out to the members of the ICG. Scott Weber thanked Frank Baukert for providing the updated INDOT HPMS Adjustment Fractions and asked that since he had only recently received them from INDOT and did not yet have all of the Air Quality Modeling results using them, that the ICG grant him additional time to revise the emissions in Table 5.9.1 using these latest HPMS Adjustment Fractions. The ICG agreed with Scott Weber's request given information from Scott that when he modeled the 2020 emissions based on the updated HPMS Adjustment Fractions, the emissions only changed by a few hundredths of a ton per summer day. The ICG agreed with NIRPC's planned public comment period and upcoming adoption schedule for this Air Quality Conformity Determination Report as well as the NWI 2050 Plan and 2020-2024 TIP.

NIRPC staff posted this *Air Quality Conformity Determination Report* document to the NIRPC website for public comment on April 1, 2019 through April 30, 2019. No comments were received.

7.2 Appendix A-2: Regional Significance Guidance

Regional Significance Guidance

This document is being provided as a guidance resource for local municipalities and project implementers to:

1. Help define what is meant by the term "regionally significant project"
2. Provide information on the regional air quality conformity process
3. Provide guidance on expected project-level informational requirements of local municipalities.

This document does not in any way change, modify, or supersede any regulatory or statutory requirements of the Clean Air Act, Clean Air Act Amendments, or other related federal and state legislation. The final determination on whether a project can be considered regionally significant is reserved by the air quality consultation committee.

NIRPC provides the conformity process as a service to local governments. By excluding regionally significant projects from the regional emissions analysis, project implementers may risk a violation of the Clean Air Act, and non-conformity for the regional transportation plan and transportation improvement program. The applicable federal regulations are included at the end of this document.

NIRPC's transportation network model includes all roads functionally classified a collector and higher and all interchange ramps. The collectors and some local roads are included to accurately load traffic onto the higher classification roads, including the minor arterials, principal arterials, expressways and interstates. All roads functionally classified as Minor Arterial or above should be considered as regionally significant. This includes all freeways, expressways, interchange ramps, principal arterials and minor arterials. All fixed guide-way transit services, including commuter rail are regionally significant. Fixed route bus services can also be regionally significant when they offer a significant alternative to regional highway travel.

Transportation projects, whether single or multi-jurisdictional, that modify these facilities can be regionally significant. Individually, projects can be considered as regionally significant when they are above certain thresholds. Collectively, when a series of smaller projects on a regionally significant facility are completed, the overall improvements can be regionally significant.

Thresholds of regional significance for the anticipated overall improvement projects are listed:

Interstates, Expressways, Toll Roads	
<u>Expansion Type</u>	<u>Threshold</u>
New Segment	No Minimum
Added Through Lanes	No Minimum
Continuous Auxiliary Lanes	> ¼ mile
New Interchanges	No Minimum
Modification of Existing Interchanges	AQ Consultation Required

Principal Arterials	
<u>Expansion Type</u>	<u>Threshold</u>
New Segment	No Minimum
Added Through Lanes	No Minimum
Continuous Auxiliary Lanes	> 1 mile
New Interchanges	No Minimum
Modification of Existing Interchanges	AQ Consultation Required
Separation of existing railroad grade crossings	Not regionally significant

Minor Arterials	
<u>Expansion Type</u>	<u>Threshold</u>
New Segment	¾ to 1 mile - AQ Consultation Required
New Segment	> 1 mile
Added Through Lanes	¾ to 1 mile - AQ Consultation Required
Added Through Lanes	> 1 mile
Continuous Auxiliary Lanes	> 1 mile
Separation of existing railroad grade crossings	Not regionally significant

Rail and Fixed Guide-way Transit	
Expansion Type	Threshold
New Route or Service	No Minimum
Route Extension with Station	> 1 mile from current terminus
Added track or guide-way capacity	> 1 mile
New Intermediate Station	AQ Consultation Required

Bus and Demand Response Transit	
Expansion Type	Threshold
New Fixed Route	AQ Consultation Required
New Demand Response Service	Not Regionally Significant
Added Service to existing	Not Regionally Significant

New segments or added through lanes on arterials that are also associated with large land development projects may need AQ consultation even if the project is below the threshold in the table. Land development projects can be regionally significant when they have the potential to generate many trips or vehicle-miles of travel. Such developments are incorporated into the regional model during the update of socioeconomic forecasts, at the beginning of the update cycle for a new regional transportation plan. Local agencies shall provide their comprehensive plans to NIRPC as they're updated, which reflect the known development projects.

Local agencies should proactively include anticipated developments in their comprehensive plans without specific reference to potential high profile private sector developments.

Implementation

Conceptual "place-holder" projects can be included in the conformity determination long before commitments are made for their implementation. For plan milestone years, anticipated projects should be included. Local agencies shall submit to NIRPC thoroughfare plans that use the functional classification system as they're adopted. Functional classification changes shall be done in the context of the Regional Transportation Plan.

At the start of each conformity cycle, NIRPC will solicit new project and related development information from all local agencies, so that the analysis will use the latest planning assumptions. Local agencies that wish to proceed with transportation improvement projects, regardless of funding sources, must respond to the solicitation to be sure that their projects are included in the regional emissions analysis. Projects that are excluded from the analysis may be delayed until the next conformity cycle (a minimum of six months), when they will be included in the regional emissions analysis. In addition, at the start of each plan update cycle NIRPC will request an update of land development that local agencies anticipate, for inclusion in the regional emissions analysis, by including updated population, household and employment data.

This guidance is intended to help NIRPC and project sponsors to comply with the following federal regulation: **40 CFR Part 93** (Transportation Conformity Rule Amendments: Flexibility and Streamlining; Final Rule) **§93.101** (Definitions) Regionally significant project means a transportation project (other than an exempt project) that is on a facility which serves regional transportation needs (such as access to and from the area outside the region, major activity centers in the region, major planned developments such as new retail malls, sports complexes, etc., or transportation terminals as well as most terminals themselves) and would normally be included in the modeling of a metropolitan area's transportation network, including at a minimum all principal arterial highways and all fixed guideway transit facilities that offer an alternative to regional highway travel.; **§93.105** (Consultation) (c) (Interagency Consultation Procedures: Specific Processes) Interagency consultation procedures shall also include the following specific processes: (ii) Determining which minor arterials and other transportation projects should be considered "regionally significant" for the purposes of regional emissions analysis (in addition to those functionally classified as principal arterial or higher or fixed guideway systems or extensions that offer an alternative to regional highway travel), and which projects should be considered to have a significant change in design concept and scope from the transportation plan or TIP.; **§93.121** (Requirements for adoption or approval of projects by other recipients of funds designated under title 23 U.S.C. or the Federal Transit Laws.) (a) Except as provided in paragraph (b) of this section, no recipient of Federal funds designated under title 23 U.S.C. or the Federal Transit Laws shall adopt or approve a regionally significant highway or transit project, regardless of funding source, unless the recipient finds that the requirements of one of the following are met: (1) The project was included in the first three years of the most recently conforming transportation plan and TIP (or the conformity determination's regional emissions analysis), even if conformity status is currently lapsed; and the project's design concept and scope have not changed significantly from those analyses; or (2) There is a currently conforming transportation plan and TIP, and a new regional emissions analysis including the project and the currently conforming plan and TIP demonstrates that the transportation plan and TIP would still conform if the project were implemented (consistent with the requirements of §93.118 and/or 93.119 for a project not from a conforming transportation plan and TIP). (b) In isolated rural nonattainment areas and maintenance areas subject to §93.109(g), no recipient...

Public Comment Report

NWI 2050 Plan | April 1, 2019

The draft of the NWI 2050 Plan was released for a 30-day public comment period beginning April 1, 2019. A draft of the document was made available at www.nirpc.org and emailed to stakeholders. There were four public hearings: Hammond (4/22), Gary (4/23), Michigan City (4/24), and Valparaiso (4/25).

The comments and responses to the draft are listed below. An update will also be provided at the NIRPC Commission meeting on May 16, 2019.

NWI 2050 Plan Draft Comments & Responses

Commenter: Thomas Fath

Comment: Is the Westville Correctional Facility is included in the population of Westville?

Response: Yes, these numbers come from the U.S. Census Bureau which takes into account correctional facilities. See the attached documentation for further reference:

<https://www2.census.gov/programs-surveys/popest/technical-documentation/methodology/2010-2017/2017-su-meth.pdf>

Significant Comment? No

Need to Modify? No

Commenter: Tyson Lagoni

Comment: I strongly encourage the plan to prioritize preserving open green space as that is incredibly important to our unique sense of place and quality of life in the region.

Response: Thanks for your feedback. The Action Plan chapter includes several recommendations and strategies that support the preservation of green space.

Significant Comment? No

Need to Modify? No

Commenter: Betsy Tracy

Comment: I would like to be added to your contact list.

Response: Thank you for reaching out to us. You have been added to our mailing list.

Significant Comment? No

Need to Modify? No

Commenter: Regina Ruddell

Comment: I am on the Westville Town Council and I support the action plan of the NWI 2050 Plan. It brings home the need, once again, that LaPorte County should have been a part of the RDA initially.

Response: Thank you for your support for the Action Plan.

Significant Comment? No

Need to Modify? No

Commenter: Labrada Dunham

Comment: I support the plan. I wonder what will Gary become? 1. Will the city of Gary become a large electrical panel Grid for Northwest Indiana's Transportation plan? 2. Since most of the redevelopment has already began South and South West of Gary what will the citizens of Gary have in return? 3. What is the Transportation plan for the seniors in Gary? *Please note that Mayor Karen Freeman - Wilson cannot speak for every citizen in Gary and say they are satisfied walking to a corner and getting on a bus. 4. I would like to see a Senior Center for the Senior Citizens in Gary similar to the one in Hobart but larger. 5. I would like to see a facility with programs for teenagers that include a roller rink, baseball field, Volley ball area, and bowling alley for the youth. 6. The facility should be centrally located like at Roosevelt High School. I would like to see a community center that includes the children and has after school programs. *Please note there is still a lot of money in the pockets of the citizens of Gary. Asking for recreation facilities for seniors and youth is nothing when all of our hard earned money will be going South and Southwest. Give Gary something besides a big boat!! I have been to the Hartsfield village in Munster. I have been to Hobart's Senior facility at the school. Gary will lose a lot and buses don't come to your house and they do not run forever. Seattle Washington has a program for seniors with disabilities. This program called Sound Generations has free transportation through Medicare for seniors with disabilities. They use a company called Hyde Shuttles. Hyde Shuttles will pick up seniors from their house at no out of pocket cost. At the age of 85 years with no drivers license, many Senior Citizens in Gary will not be able to walk to a corner and stand on a bus stop in the rain and snow to go to a grocery store. What is your transportation plan for the senior citizens in Gary?

Response: Thank you for your support and comments. The following are the answers to your questions: 1. Will the city of Gary become a large electrical panel Grid for Northwest Indiana's Transportation plan? Answer: As discussed in the NWI 2050 Plan, there will be an increase in the number of electric vehicles on our region's roads. Regardless of how our region's key stakeholders view electric vehicles, many of the world's largest automakers have pledged either fully or largely electrified vehicle fleets in the not so distant future. In order to accommodate the increase in demand for electric vehicles, all of our cities and towns will need to expand their charging infrastructure. The City of Gary would not be uniquely burdened with this responsibility, and there are still opportunities for grants and attracting private investment toward expanding electric vehicle charging infrastructure." 2. What is the Transportation plan for the seniors in Gary? *Please note that Mayor Karen Freeman - Wilson cannot speak for every citizen in Gary and say they are satisfied walking to a corner and getting on a bus. Answers: NIRPC developed a Coordinated Public Transit-Human Services Transportation Plan in 2018. The purpose of the plan is to improve the accessibility of the overall transit system in Northwestern Indiana to individuals with disabilities, people who are low income, and people who are elderly. The plan has to be coordinated and written in order to receive Enhanced Mobility for Seniors and Individuals with Disabilities funding from the FTA. The 2050 plan Action Plan includes number of strategies that are driven from the above plan and here is the link of this plan:

<https://www.nirpc.org/wp-content/uploads/2018/11/Coordinated-transit-plan-for-NWI.pdf> Answer to Comments 2, 4, 5, and 6: Currently, the City of Gary is working on developing a new

comprehensive plan for the city. It is a good timing now to provide feedbacks to the City staff regarding the future of Gary.

Significant Comment? No

Need to Modify? No

Commenter: Michigan City Public Hearing Participant – Comment Made by Form

Comment: Pg. 97 - "Preservation of a traditional community" - Traditionally people with disabilities have been excluded and institutionalized, not accepted in community... How will NIRPC encourage, promote, inclusivity, integration, acceptance of all?

Response: Thank you for your feedback. The entire strategy in question reads: "Develop form-based code rezoning to allow higher densities and mixed-uses to create more livable communities and maintain more human scale environment and spaces with the preservation of a traditional community character." In this context, the strategy is referring to the "traditional character" of communities - not the outdated nature of traditional building practices in infrastructure. The "traditional character" in question, is primarily referring to the "look and feel" of a community's downtown with pedestrian-scaled storefronts, lighting, sidewalks, and other essential components to create a welcoming environment for individuals regardless of their physical abilities. However, in the spirit of your comments we have revised the language to respect the nature of the word "traditional" in regards to individuals with disabilities. The passage will now read: "Develop form-based code rezoning to allow higher densities and mixed-uses to create more livable communities and maintain more human scale environment and spaces that create an inclusive, accessible, and pedestrian-focused community character." In regards to the rest of your question, the NWI 2050 Plan addresses furthering the inclusion of individuals with disabilities, both in broad conceptual terms as well as through specific strategies to be implemented. The guiding framework for NWI 2050 Plan were four vision statements established through extensive public outreach: Connected, Renewed, United, and Vibrant. These four vision statements became the backbone of plan goals, strategies, and even scoring criteria for projects that may receive federal funding. The vision statement for "Connected," is the most related to accessibility for people with disabilities: "NWI's people have accessible, safe, and equal opportunities, for working, playing, living, and learning." This is a vision statement that guides the direction of the plan from today through 2050. Further, these four vision statements were matched with the four planning focus areas: Economy and Place, Environment, Mobility, and People and Leaders. Together, the vision statements and plan focus areas create sixteen unique critical paths that are a guiding source for the plan. The critical paths that are directly related to accessibility for people with disabilities are:

- Update land development policies and strategies to emphasize accessibility between people and opportunities
- Complete roadway, bicycle, sidewalk, and transit networks across municipal and county lines to enhance safe and efficient access to opportunities for all.
- Commit to removing barriers and obstacles to guarantee equal and accessible opportunities

In terms of individual strategies, several of the strategies identified in NWI 2050 Plan address accessibility. The following is a list of all strategies that directly reference the needs of individuals with disabilities, however several other strategies also address the needs of people with disabilities, albeit indirectly.

- Promote importance of natural area protection, connectivity and accessibility with local governments and agencies to encourage local implementation.
- Improve the accessibility of transit by using universal design standards when developing new transit infrastructure like bus stops and other signage.

- Increase the accessibility and overall ridership of the transit network by implementing the ADA transition plans and improving its transparency so transit operators can coordinate with their goals, and region residents are aware of the plan.
- Improve accessibility to the transportation system for all users by expanding shared mobility awareness and opportunities regionally.
- Incorporate when feasible universal designs standards for non-motorized access.
- Work with local entities on the development of a sidewalk maintenance plan which inventories facilities in need of repair or missing segments.
- Prioritize transit investments that connect communities in environmental justice areas, people who are elderly, low-income, people with disabilities, and veterans.
- Improve the accessibility of regional pedestrian and transit infrastructure by allocating funding for the implementation of locally-developed ADA transition plans, and incorporating universal design standards so all public infrastructure meets or exceeds ADA standards.
- Monitor and update ADA transition plans by LPAs with NIRPC assistance on a routine basis.
- Hold annual workshops training for local officials on benefits of universal design and Complete Streets, including policy development.
- Improve safety through street design standards and traffic calming treatments to accommodate the movement of pedestrian, bicyclists, elderly people, and other vulnerable users.
- Improve economic opportunity for prosperity particularly for EJ residents and people with disabilities to ensure that NWI is a destination for business and diverse human capital.

Lastly, the NWI 2050 Plan also has already taken steps for the further inclusion of individuals with disabilities. One method of evaluating possible transportation projects to invest in was to use available data on where individuals with disabilities live to contribute to NIRPC's Environmental Justice analysis. Now, a project that is eligible for federal funding can receive a higher priority if it is located where it may have a higher chance of benefiting individuals with disabilities. Likewise, nearly every project seeking federal funds has to describe how the project will utilize universal design standards, or advance ADA transition plans to also get additional points in its evaluation. The NWI 2050 Plan also added a new project type to the TIP with a dedicated funding source. "Transportation Projects for ADA compliance with Universal Design," is a project type nestled within the Complete Streets program. This project type targets federal funds specifically for the implementation of strategies defined in a municipality's federally-required ADA transition plan.

Significant Comment? No

Need to Modify? Yes: Page 97. Instead of reading: "Develop form-based code rezoning to allow higher densities and mixed-uses to create more livable communities and maintain more human scale environment and spaces with the preservation of a traditional community character." Please revise to: "Develop form-based code rezoning to allow higher densities and mixed-uses to create more livable communities and maintain more human scale environment and spaces that create an inclusive, accessible, and pedestrian-focused community character."

Commenter: Michigan City Public Hearing Participant – Comment Made by Form

Comment: Include affordable and accessible housing - want to see an increase of accessible housing.

Response: Thank you for your comment. The word "accessible" will be added where affordable housing is referenced and recommended.

Significant Comment? No

Need to Modify? Accessible added where affordable housing is referenced.

Commenter: Clarence Hulse

Comment: Improve: state and county road snow removal technology; roadway reflectors / lines non-existent; signage to communities.

Response: Thank you for your comment. The Plan prioritizes federal transportation funds for use throughout the region for eligible activities. Snow removal, as an activity, is not eligible for federal funding, however purchasing new vehicles replacing older models, like snow plows, that improve air quality can be eligible under certain funding programs, specifically Congestion Mitigation Air Quality. The rest of the activities mentioned primarily relate to the "Roadway Improvements" category of funding within the 2020-2024 Transportation Improvement Program. In the next five years, the Region is expected to spend over \$48 million on roadway improvement projects, similar to what you described. By 2050, the region is expected to commit over \$550 million on roadway improvements.

Significant Comment? No

Need to Modify? No

Commenter: Zully JF Alvarado

Comment: Some comments were given during public session, I will add to those. pg. 97. #2 High Schools need to be included as not all students pursue higher education, vocational training as part of transition plan for students with disabilities; #8 housing besides being affordable needs to be accessible and integrated/inclusive; Pg. 103 #9 Vocational Rehabilitation Centers; Pg. 106 #6 at best where readily achievable that it comply with ADA Standards; #7 sidewalks and curb cuts/ramps functional auditory signaling; Pg. 110 #6 based on accessibility; see page 111 #7 is repeated; Pg. 130 #1 to increase affordable, accessible housing #2 to promote an inclusive, healthy environment ...; #3 by promoting universally designed placemaking in addition to local artists include accessibility specialists; Pg. 131 #1 include the words: people with disabilities, avoid language such as : vulnerable populations. Who creates the vulnerable populations but society?; Pg. 138 encourage businesses to apply universal design principles when establishing new businesses, to comply and go beyond minimum ADA Standards in existing businesses; Support Employment First Coalition and Self-Employment of persons with disabilities; Pg 139 # 10. allows for sufficient, accessible...; #13. include as a place to find the most qualified and dedicated employees; Pg. 141 paragraph next to Project Evaluation Criteria, instead of ...their is best? should read theirs is best?

Response: Thank you for your comments and support. Your suggestions and comments have been edited into the Plan where they were noted. Additional language and strategies have been included based on your comments: (see page 111 #7 is repeated) – Thank you for identifying the repeat error, the change has been made and now the language under People and Leaders Pg.111 #7 states: Provide technical assistance for TOD. New strategy added to Connected/Plan for smart land uses and quality of place/People and Leaders pg. 98 #23 - Encourage businesses to apply universal design principles when establishing new businesses, to comply and go beyond minimum ADA Standards in existing businesses. New strategy added to Renewed/Plan for Main Centers & Transit-Oriented Development/People and Leaders pg.111 #8 - Support Employment First Coalition and Self-Employment of persons with disabilities.

Significant Comment? No

Need to Modify? Yes: pg.97. #2 - Add “high schools, vocational schools,” universities... to strategy; Pg.97 #8 – Add to this strategy: Provide incentives to developers to include affordable, “accessible, integrated and inclusive” housing as part of the development of market-rate housing.; Pg. 103 #9 – Add “vocational rehabilitation centers” to list of destinations.; Pg. 106 #6 – Add to this strategy: Incorporate when feasible Universal Designs standards for non-motorized access “that comply with ADA standards.”; Pg. 106 #7 – Add to this strategy: Work with local entities on the development of a sidewalk maintenance plan which inventories facilities in need of repair or missing segments, “sidewalks and curb cuts/ramps and functional auditory signaling.”; Pg. 110 #6 - Add “accessibility” to list; **Pg.111 #7 under People and Leaders – Change strategy language to say “Provide technical assistance for TOD.”; Pg. 130 #1 – Add affordable, “accessible” housing near job centers...; Pg. 130 #2 – Add green infrastructure to promote “an inclusive”, healthy environment...; Pg. 130 #3 – Rewrite strategy to say: Improve quality of life by promoting universally designed placemaking that creates a vibrant environment through architecture design, public art, local artists, accessibility specialists and historic preservation.; Pg. 131 #1 – Change vulnerable uses to “people with disabilities.”; **Create new strategy under Connected/Plan for smart land uses and quality of place/People and Leaders pg. 98 #23 - Encourage businesses to apply universal design principles when establishing new businesses, to comply and go beyond minimum ADA Standards in existing businesses.; **Create new strategy under Renewed/Plan for Main Centers & Transit-Oriented Development/People and Leaders pg.111 #8 - Support Employment First Coalition and Self-Employment of persons with disabilities.; Pg. 139 # 10 – Add efficient, reliable, “accessible,” and environmentally...; Pg. 139 # 13 – Add language to strategy - Support regional efforts to maintain NWI's economic and business competitiveness and raise the profile of the region for a good place to do business “and to find the most qualified and dedicated employees.”; Pg. 141 – Correct language to theirs is best.

Commenter: Cflan [sic]

Comment: This plans focus is centered too highly on environmental and inner city/urban initiatives and does not address our regions roadway infrastructure repair, replacement and expansion needs. A closer look at how the region's population travels to and from our jobs and family lives is warranted in our long range plan. The critical pathways matrix has been criticized by the full commission at public commission meetings in regard to the aforementioned shortcomings yet NIRPC staff has not acknowledged or acted upon said deficiencies.

Response: Thank you for your comment. The NWI 2050 Plan and the corresponding FY 2020-2024 Transportation Improvement Program (TIP) have allocated a significant level of funding towards roadway infrastructure. Through the “Roadway Improvements” investment program of the TIP, over \$48 million has been committed to roadway infrastructure. This category is expected to receive over \$550 million by 2050. The \$550 million of investment over the 30-year period covered by the NWI 2050 Plan is the second-largest funding category in the plan. In regards to over-the-road travel to-and-from work; this topic was explored in the “Connected” section of the document. This section discusses commuter data and population flows at length and provides data on commuter traffic in, out, and throughout the region. The section also indicates that while commuting data is important, it only accounts for two daily trips of the working population. The number of overall road trips taken in NWI, is far more significant, and must be explored holistically, rather than only through the lens of commuter needs. Every major section of the document addressed road-related issues. The Connected, Renewed, United, and Vibrant sections of the document all had a “mobility” section to explore issues of connectivity that relate to road traffic. Land use, transit, bike/ped trails, freight all have an impact on the road network and congestion. As such, each of these topics need to be explored in tandem with roadway improvements. Additionally, roadway improvements were indicated by the public as

being important to the region as well as many other transportation-related topics. The NWI 2050 Plan is a balance of priorities from all people in the Region, and as such explores all transportation-related topics. The Critical Paths were preliminarily adopted by the Commission on July 19, 2018. Since then, no public discussion or criticism by a commissioner is on record for any of eight Commission meetings that have been held, nor any of the public meeting related to NWI 2050 Plan.

Significant Comment? No

Need to Modify? No

Commenter: Jeff Huet

Comment: This plan does not address the roadway infrastructure needs of the region adequately.

Response: Thank you for your comment. The NWI 2050 Plan and the corresponding FY 2020-2024 Transportation Improvement Program (TIP) have allocated a significant level of funding towards roadway infrastructure. In the "Roadway Improvements" investment program of the TIP, over \$48 million to roadway infrastructure has been committed. This investment program is expected to receive over \$550 million by 2050. The \$550 million of investment over the 30-year period covered by the NWI 2050 Plan is the second-largest funding category in the plan. In terms of funding, the only funding category receiving more funding than roadway improvements is "Transit Asset Management," which includes the significant investment in the South Shore's Double Track and West Lake Extension projects. Additionally, many other funding categories, namely "Complete Streets," "Quality of Place," and "New Roadways;" all support project types that help contribute to the roadway infrastructure needs in the Region.

Significant Comment? No

Need to Modify? No

Commenter: Mary Ellen Slazyk

Comment: I've been a lifelong Hammond resident. I'm in the school zone. High school here (indicating), train track over there (indicating). Edgars is a big mess. My concern is for the safety with this plan and also the people who will be affected. Safety-wise, well, I have grandchildren. I have four grandchildren who are across the alley from me. I've also got all my children here. My youngest lives with me. My oldest is disabled. She lives in Park Place. And my middle one is across the alley with four grandkids, and I'm worried about their safety. And I'm worried about the quality of life for all of us. The quality of place is not quality of life. I'm worried about children getting hit by a train. I'm worried about what they're going to do with the area. Will it make the grandchildren stay when they are looking for work. I have a lot of concerns. This train especially, I'm very worried about. I see how stupid the high school kids can be, and the middle school kids are worse. They'll cross the tracks, and I'm worried a kid is going to get killed. I'm also worried about the people being disgraced. Where my daughter lives at The South Shore comes through. I'm worried about the quality of life for everybody living in the affected areas. I know some things have to be done. The single track of the South Shore is ridiculous. But some consideration needs to be given to the people impacted by all of this here. And Chicago is not where it's at when it comes to jobs most of the time, as I can attest to that. I was offered a job in Chicago years ago. By the time I subtracted my transportation costs, I was making a few dollars more a year. So I stayed. Same thing with my youngest. My youngest daughter does not have any disability. She's a financial analyst and a recruiter for ArcelorMittal, and she drives to work from here in Hammond. She was offered a job in Chicago. The transportation was horrible. It was a long South Shore ride. And then after she got done riding the South Shore -- this is just the interview. She didn't take the job -- it was a brisk 15-minute walk. Like I say, she's an accountant and financial analyst and recruiter for ArcelorMittal. This was not ArcelorMittal

that she was working in Chicago. She's very happy where she's at, and I can tell you she'll never go to Chicago. She found out how rough the commute was. After a long train ride, a brisk 15-minute walk, and you throw in the transportation costs, it wasn't worth it. Plus, the starting pay was \$20,000 less than she was getting from ArcelorMittal. She would have been a fool if she took that job. I also did not take the job in Chicago because of transportation cost. Who wants to go that far when there are opportunities here. That's something that needs to be marketed. There are opportunities in the area. My youngest daughter has a fantastic job. My middle daughter is a manager of a local grocery store here. She's happy. The oldest one has her disabilities but she's independent. Because of the South Shore extension, my grandchildren are in jeopardy. It might affect transportation for my youngest daughter going all the way to Burns Harbor, by Chesterton over there, for her job. I don't know. But it will impact everybody. I'm also worried about not just my child that's disabled, my adult child that's disabled, I'm worried about seniors. I don't see anything addressing senior citizens. I'm a senior. I hate to admit it but I am. I'm worried about, for me, the impact all this is going to have on me. I'm worried about taxes. I know this is federal money, but, still, where does the government get the money from? Us. How will this impact us? The quality of life issues, the road construction, possible jobs, the gaming jobs lost. Just the whole picture. I don't see that here. I don't want anybody left behind; not a senior, not somebody like my daughter that is working or my daughter that is disabled. And everything needs to be in consideration here.

Is there any kind of special program for anybody that's low income or disabled? My daughter is not a homeowner. She is renting. I know if she was a homeowner and the South Shore was going to take her house, she would get compensated. Maybe not fairly, because people I know that have had their houses taken for South Shore, they're not getting that much. Where is the safety net for these people? I don't see any. If all these grand plans are using our tax dollars, where is the safety net? The people that are the most vulnerable deserve no less than a safety net but a solid one and all the backup they can get when they're affected by projects like this. Thank you.

Response: Thank you for your comment. The NWI 2050 Plan supports the South Shore Line project as a Transformative Investment, see Strategy on pg. 118 in the Action Plan. Modern rail projects such as South Shore have several safety regulations they need to follow such as Positive Train Control. Your safety comment will be shared with the South Shore Line.

Significant Comment? No

Need to Modify? No

Commenter: Lorrell Kilpatrick

Comment: Are we all employees back here? So we're four of us in an area that is going to be very heavily affected by whatever it is that's going to be talked about tonight, because it's disappointing that we decided to follow the trend of having public comment before anything has actually been said. I know a lot of people do that, but they do it because they usually don't want to deal with what people say after they present what they present. So maybe take that into consideration for next time. I work for Everybody Counts, Inc. I'm the director of advocacy there. My office is located right around the corner at Everybody Counts North. There are four people here, and that's a problem that continues to be an issue. It continues to be an issue that we haven't seen any substantial report back from the 2020 plan, the 2030 plan, the 2040 plan, in terms of not just the review of what was said, but how these things have been implemented. It's almost 2020. What has happened in that 2020 plan? Who had a part in it? Who gave feedback? And what's coming into fruition? I can't really think of anything else to say that hasn't been said in many other meetings, but it needs to be said again: This does not seem like a venue where you want people who are most affected by what it is that NIRPC does to provide a voice. This has to be one of the most inaccessible locations in Hammond, yet we are surrounded by senior living communities in this area. We're flanked on all sides by them. They all have community

spaces. They can definitely come from -- and fit the four people that came from the public here tonight, easily. So, you know, perhaps think about that. I know we're also going to be at IUN, right? And I'm intimately acquainted with IUN. Intimately acquainted with the access issues there. They've gotten better, right? But also just on the cusp of a community that has ample space where you can actually meet with people where they are. Ample, right, that people would actually be able to wander into; right? But it's not pleasurable to once again sit in this meeting where so much is being determined and so few people are able to give a voice. And for people who are here, the voice gets shrouded by the acoustics in this building. So that's it, I suppose. Thank you.

Response: Thank you for your comment. In regard to the tasks that have been completed since the 2020, 2030, and 2040 Plans. You can refer to the implementation matrices of these plans on the NIRPC website at nirpc.org. In regard to utilizing the Hammond Civic Center over smaller community spaces, we wanted to make sure we had the ability to accommodate a large audience, as Hammond is one of our largest cities in the region via population. As we continue to improve and utilize various methods for outreach and engagement, we want to make sure that space is not an issue when it comes to meetings. In the future, we will continue to explore and adapt our methods to meet the needs of the communities.

Significant Comment? No.

Need to Modify? No.

Commenter: David Wright

Comment: I am the planning and marketing manager for Gary Public Transportation and I am a Gary resident. A couple of comments. First, I have taken a look at the plans and one thing I did notice, there is the employment heat maps -- and it's something that I think I mentioned in the past, via e-mail -- that still seems to be missing a good deal of some of the employment that is out there. Just a couple of examples -- the reason why I'm asking and advising this is because these maps are going to become justification for criteria for future projects in different modes. I was sitting here looking at the heat maps and I was punching numbers for areas that were showing moderate employment that should be much higher. It was missing 5,000 people that work at USX north of downtown Gary. It was missing over 500 people, possibly 700 people, working here at University Park. I found 500 employees for IUN, and didn't get the data for Ivy Tech. So if you add the data, you're probably hitting a new level of employment for there. There are 2500 people total working in the Methodist Hospital system between Southlake and Northlake; so if you allocate half of that for Northlake campus, you're also missing a higher level of employment at that location. And then there's Buffington Harbor. I'm guessing maybe with the casinos that's 2,000 employees right there. So those are areas that we know we take employees to and from on our transit system and they're not being -- at least from the numbers I see -- aren't being adequately reflected in the heat map. Secondly, we have been having this conversation with a couple of the transit partners and mobility partners and access partners about finding a way of grading the progress and the performance of the 2040 plan as part of this plan here. It may be something I haven't seen in the current document yet, but from everything that I've seen in the various meetings and presentations during the public comment period, I've not seen it and it is not there. If I'm wrong, tell me. But we would like to see point-for-point analysis of how the 2040 plan did; and how, if at all, 2050 is going to be addressing some of the inefficiencies and goals that weren't touched in the 2040 plan. More than likely, this won't be the end of my comments. I'll probably put them online. So far in my review of the 2050 plan, those are the items I would like to see addressed in the public comment portion. Thank you.

Response: Thank you for your comment. Accurate, geolocated, employment data is a difficult data-source to keep and maintain. NIRPC is dependent on its partners to maintain this data, namely Indiana-state related data centers, economic development agencies, and local municipalities. Employment data is difficult because it is often not standardized from survey to

survey, so different survey takers will often yield different results. And the figures are almost-always self-reported from the employer directly and hard to verify. Currently, this data set is the most accurate data available related to the location of employment in NWI.

A long-range transportation plan has a required planning horizon of 20+ years. It is not expected to have a 100% successfully-executed 30-year plan every four years. Rather, the long-range plan serves to shape the current transportation network with gradual incremental changes across a long period of time. From the beginning of the development of the NWI 2050 Plan, goals and vision statements from 2040 were honed and sharpened to become more measurable and actionable as required by the FAST Act. One specific way the NWI 2050 Plan accomplishes this is to be more-clear on what can be accomplished in the short-term. The plan objectives are more closely related to what is measurable and actionable than previous planning efforts that may have tried to address many various concerns simultaneously. Even concerns that are not within the actionable purview of an MPO or Council of Governments. In the NWI 2050 Plan each of the 300+ strategies were tied to a specific initiative that will be undertaken in the next few years – before the next plan update. The best guide to what was accomplished through the 2040 plan is the 2040 Implementation Matrix, available on NIRPC's website.

Significant Comment? No.

Need to Modify? Yes: revised employment map.

Commenter: Jodi Hawn

Comment: I'm Jodi Hawn with Everybody Counts. Most of you are familiar with me. I did take a look at everything and I'm actually not going to comment right now on the 2050. I'm going to stick with the comment now on the public hearing. This was for the public. And if you look around the room, you don't see a lot of public here. Yesterday's meeting, no public as well. My biggest concern as we're addressing paratransit, demand/response to regional transportation is that the public is not getting to these meetings, not being informed of these meetings, or can't get to these meetings for their voices to be heard. I think that it is a tragedy for us to continue with the 2050 plan, finalizing it without actually hearing the voices of the people whose lives depend on public transportation and a lot of what the 2050 plan stands for. And I would ask that somebody at NIRPC please somehow contact or get ahold of somebody to learn how to get word out to these people and get people whose lives are depending on this plan and who need to use that transportation for their voices to be heard and stop making decisions without them. That's all.

Response: Thank you for your comment. As stated previously in this report, NIRPC is adapting and evolving their methods of outreach and engagement. NIRPC advertised the public meetings over a month in advance, sent out public meeting information via direct mail, utilized radio, public access television, legal ads, display ads, social media, and went to businesses, community meetings, met with various community and municipal groups and attended community events across the region to get the word out as well as put flyers on seats of buses in the City of Gary. The importance of public participation is understood but it is also the public's choice and autonomy to participate and not participate. NIRPC aggressively reached out to the public, trying to get the word out for these meetings.

Significant Comment? No.

Need to Modify? No.

Commenter: Jim Pratt

Comment: My name is Jim Pratt. I'm retired. I worked in government -- two Ts – and I've been active and I am still on a number of community organizations. It was interesting talking about transit, I was talking to a friend of mine today about some event. He lives in the Hegewisch area of Chicago's southeast side, and he plays chess at the Hammond library. I said, "I'm going to

this hearing on transit." He said, "You know, it's a shame that a city the size of Hammond doesn't have public transit." We used to have a shoreline system years ago. It kind of died, one of the resources for buses for downtown Hammond. And if you were coming from one of the mills at midnight you had to sit down there for ten minutes; so it wasn't the most efficient system. But I wish Hammond could get a public bus system going. The other suggestion I got, it's not a big suggestion, but I think one suggestion to improve traffic flow and air quality in this region is to get rid of the flood of four-way stop signs and unnecessary traffic lights. The two worst defenders are my City of Hammond and East Chicago. Hammond, every time somebody asks for a four-way stop sign, it goes up. It's been that way for probably the last 40 years, no matter who was mayor. They just can't say no. Legally, they are supposed to do a traffic study that it's needed. Somebody looked it up once. These traffic studies do not exist. I think there are standards that I believe the EPA and Indiana IDEM asks for I think they should make them justify these signs, and if it's not there, they should be made to take them down and they should sign a consent decree not to put up more four-way stop signs. Some of them are even three-way stop signs like you have in Hammond at 172nd and Tapper. 172 ends there; there's a three-way stop. Hardly anybody is going out onto Tapper there, and they know that's where you stop because Tapper is a continuous street. The same thing exists at 145th and Homerlee in East Chicago. And I see so often traffic is backed up because of four-way stop signs or stoplights. There's one at River Drive and Calumet Avenue, coming off the Borman Expressway. It creates terrible traffic buildups. It was put there because some councilman thought they needed one. And all these stops, they add to air pollution and traffic congestion. The pollution, obviously the gas that's wasted idling. And also every time you hit the brake, there's some fibers from the brake line that wears away. I think taking out any future four-way stop sign and traffic light would be maybe not a major improvement but it would certainly help improve traffic flow and the air pollution problem. Go down Calumet Avenue from south Hammond to Munster during rush hour and the backups are just terrible. There are too many stoplights.

Response: Thank you for your comment. Currently, the City of Hammond is provided fixed route bus service and complementary paratransit by the Gary Public Bus Corporation. The North Township Dial-A-Ride also provides demand response transit to some portions of Hammond. In July of 2018, the City of Hammond contributed \$50,000 and Lake County contributed \$150,000 to allow GPTC's Lakeshore South bus line in Hammond to maintain its operations. Funds from local communities like Hammond and Lake County are essential to expanding and maintaining transit operations in NWI. In regards to four-way stops can assist communities with developing priorities for projects that may receive federal funds. Currently, many federally-aided roadways in Hammond and Northwestern Indiana are eligible for funding that includes four-way stops. However, many alternatives can also be funded, including: roundabouts, traffic lights, grade separations, yielded intersections, and a number of stop sign configurations besides the "four-way." Ultimately, it is up to local decision-makers and members of the public to determine what projects are submitted to request federal funds.

Significant Comment? No.

Need to Modify? No.

Commenter: Nancy Moldenhauer

Comment: So I'll have to say that I do love the four planned focus areas. I think you've done a great job of identifying the key areas. I'm especially drawn to the environmental one, because that's my area of interest. And I think you're on the mark with that also. My grave concern is enrolling the mayoral and city council and town council leadership in what's down here as far as plans go. Brings back to me nightmares of the Illiana, and how NIRPC at that point in time had a very strong vision of keeping development in the northern municipalities, towns, and cities. And that particular highway would have taken away from those northern areas and certainly, I think, would have contributed to a suburban sprawl. So I'm hoping this time around that somehow

we're able to really enroll our elected officials that will work with NIRPC and will also take these areas of focus and the vision back to their communities and really institute it. I noticed quite a bit about diversity, and what I'll have to say is I hope it's not in name only and that we're really reaching out to those communities and finding out from them what type of programming is going to work for them, and that we're involving not only the leadership from those communities but also the individual people that live in those communities' opinion. I do have a question about ADA access. I may have missed something but I don't think I saw it on any of the big boards, and I know there are federal regulations that demand that access be in place. And not only just access but also we're talking quality of life activities. So that's a question I'm going to leave with you. To what extent is our differently abled community included in this plan?

Response: Thank you for your comment and support. Each community has a representative on the Commissioners. The Action Plan has a number of strategies that address how local governments, stakeholders and partners can help implement the 2050 Plan. Under the United strategies starting on pg. 124, a number of initiatives are identified for an engaged public and shared best practices. The NWI 2050 Plan addresses furthering the inclusion of individuals with disabilities, both in broad conceptual terms as well as through specific strategies to be implemented. The guiding framework for the NWI 2050 Plan were four vision statements established through extensive public outreach: Connected, Renewed, United, and Vibrant. These four vision statements became the backbone of plan goals, strategies, and even scoring criteria for projects that may receive federal funding. The vision statement for "Connected," is the most related to accessibility for people with disabilities: "NWI's people have accessible, safe, and equal opportunities, for working, playing, living, and learning." This is essentially a mission statement that guides the direction of the plan from today through 2050. Further, these four vision statements were matched with the four planning focus areas: Economy and Place, Environment, Mobility, and People and Leaders. Together, the vision statements and plan focus areas create sixteen unique critical paths that are a guiding source for the plan. The critical paths that are directly related to accessibility for people with disabilities are:

- Update land development policies and strategies to emphasize accessibility between people and opportunities
- Complete roadway, bicycle, sidewalk, and transit networks across municipal and county lines to enhance safe and efficient access to opportunities for all.
- Commit to removing barriers and obstacles to guarantee equal and accessible opportunities

In terms of individual strategies, several of the strategies identified in the NWI 2050 Plan address accessibility. The following is a list of all strategies that directly reference the needs of individuals with disabilities, however several other strategies also address the needs of people with disabilities, albeit indirectly.

- Promote importance of natural area protection, connectivity and accessibility with local governments and agencies to encourage local implementation.
- Improve the accessibility of transit by using universal design standards when developing new transit infrastructure like bus stops and other signage.
- Increase the accessibility and overall ridership of the transit network by implementing the ADA transition plans and improving its transparency so transit operators can coordinate with their goals, and region residents are aware of the plan.
- Improve accessibility to the transportation system for all users by expanding shared mobility awareness and opportunities regionally.
- Incorporate when feasible universal designs standards for non-motorized access.
- Work with local entities on the development of a sidewalk maintenance plan which inventories facilities in need of repair or missing segments.

- Prioritize transit investments that connect communities in environmental justice areas, people who are elderly, low-income, people with disabilities, and veterans.
- Improve the accessibility of regional pedestrian and transit infrastructure by allocating funding for the implementation of locally-developed ADA transition plans, and incorporating universal design standards so all public infrastructure meets or exceeds ADA standards.
- Monitor and update ADA transition plans by LPAs with NIRPC assistance on a routine basis.
- Hold annual workshops training for local officials on benefits of universal design and Complete Streets, including policy development.
- Improve safety through street design standards and traffic calming treatments to accommodate the movement of pedestrian, bicyclists, elderly people, and other vulnerable users.
- Improve economic opportunity for prosperity particularly for EJ residents and people with disabilities to ensure that NWI is a destination for business and diverse human capital.

Lastly, the NWI 2050 Plan also has already taken steps for the further inclusion of individuals with disabilities. One method of evaluating possible transportation projects to invest in was to use available data on where individuals with disabilities live to contribute to NIRPC's Environmental Justice analysis. Now, a project that is eligible for federal funding can receive a higher priority if it is located where it may have a higher chance of benefiting individuals with disabilities. Likewise, nearly every project seeking federal funds has to describe how the project will utilize universal design standards, or advance ADA transition plans to also get additional points in its evaluation. The NWI 2050 Plan also added a new project type to the TIP with a dedicated funding source. "Transportation Projects for ADA compliance with Universal Design," is a project type nestled within the Complete Streets program. This project type targets federal funds specifically for the implementation of strategies defined in a municipality's federally-required ADA transition plan.

Significant Comment? No.

Need to Modify? No.

Commenter: Dalia Zygas

Comment: I have a couple comments, first of all, about transportation access. I was just wondering if some of the funding might be usable for not as much as transportation planning but analysis of what is needed in the community. Like, what are the needs? Where are we not meeting the needs? And possibly adjusting -- in my case, Michigan City -- to make sure we get everybody involved in public transit. So I'm interested in that. The second point I have is anything you can do to foster bike trails, as well as walking trails, of course will help people's health and make the community more desirable. And I think the more separated paths we have the better, but I know those are expensive. So I think we need that more in Michigan City, and I know we've applied for some grants, and I'm going to look into how to get a little bit more federal money or grant money for that. And my third point is, I don't know if you can spend your money on marketing. But I think marketing is an important tool because it will take a cultural shift to have more people ride the bus. It takes a cultural shift for people to abandon their cars and take bike paths and see that as a viable way of transportation. We probably need some infrastructure to help with bicycling. Like maybe a bike shop that will pick you up or change your tire or help you out if you're stuck somewhere. But I think a cultural shift is necessary. And I'm not sure you can use marketing dollars, but I think that would be nice. Thank you.

Response: Thank you for your comment. Transportation studies are encouraged and implemented in several ways. The NWI 2050 Plan and the corresponding FY 2020–2024 Transportation Improvement Program (TIP) has allocated approximately \$3 million in the next

five years to planning projects that will examine one aspect of transportation planning and analysis. By 2050, the NWI 2050 Plan targets approximately \$31 million on planning, studies, and other analyses. These funds are targeted for local communities to take advantage of to prepare for and understand transportation challenges and identify solutions. In addition to making these funds available, NIRPC routinely releases transportation studies related to regional connectivity through its Unified Planning Work Program. For instance, in 2018 NIRPC released the Coordinated Transit Plan. This document explored the needs of individuals reliant on transit, and how to improve the overall accessibility of the transit network. Other similar planning documents and studies include: Creating Livable Communities, Smart Growth Handbook, NWI Corridor Study, Greenways + Blueways, and many others. These documents are available on NIRPC's website (www.nirpc.org). Additionally, regional plans such as the NWI 2050 Plan, provide an inclusive catch-all platform to take the data from these smaller, individual plans and apply them region-wide. Trails are an important component of a multi-modal transportation system. Since 1990 Northwestern Indiana has grown from 13 miles of dedicated bike-ped trails, to 168 miles of trail today. This investment in trails was possible because of local commitments from communities like Michigan City that were able to leverage federal grants through NIRPC. The NWI 2050 Plan also addresses the need to expand the trail network and working in conjunction with the FY 2020 – 2024 TIP, \$23 million in trail funding is approved in the next five years, and \$146 million is targeted by 2050. Marketing is an eligible activity under some of the funding sources provided by the Federal Transit Administration. However, NWI transit operators that seek to use federal funds on marketing often have to choose between using those funds for marketing or for essential transit operations. Unfortunately, the amount of federal funding available in NWI is often stretched very thin.

Significant Comment? No.

Need to Modify? No.

Commenter: Laurel Izard

Comment: I live in Michigan City. And I think my comment is kind of a global one. Is how do we get both local government involved in seeing this vision and really, you know, to the level of getting people in the neighborhoods to buy into this, because I think that's really key, because if the stakeholders don't even know you have all of these great ideas and wonderful plans for them, it's not going to -- you know, it's going to stop or stifle the movement. I mean, for like the educational aspects of this, you know, I'm interested in seeing that that is part of the plan, analysis, and stuff.

Response: Thank you for your comment. Each community has a representative on the Commission. The Action Plan has a number of strategies that address how local governments, stakeholders and partners can help implement the 2050 Plan. Under the United strategies starting on pg. 124, a number of initiatives are identified for an engaged public and shared best practices.

Significant Comment? No.

Need to Modify? No.

Commenter: Zully JF Alvarado

Comment: I have several comments. Number one, just looking through, to start with a few pages, at page 97 of the plan, when I read the words ""preservation of traditional community."" That, for me, is a concern because for me ""traditional"" means the status quo and what the community has always been as such. So when we look at disability, people with disabilities are typically being excluded, institutionalized. And just now, I would say not even in the past 30 years of ADA, we continue to be marginalized. So the word ""traditional"" for me is problematic. Starting with that. Number two, when we talk about economic development, we talk about housing in particular to make it include affordable, and I would say to make sure that it's also

accessible. Housing is a major problem for people with disabilities. As you know, if we do not have developers or construction companies to ensure that accessibility is part of that, otherwise again we go into nursing homes, institutionalization. So I would encourage you to include the word "accessible" and "housing" as part of the economic development plan, and not just being affordable. Other items on some of the pages -- and of course I have to read more in depth -- is ecommerce. Referring to ecommerce, we know that a lot of the businesses are closing, and we're looking at universities being typically the ones that will be involved in the educational process. Particularly when it comes to people with disabilities, children that are in the educational system again, typically, are casted aside or not provided the right type of education. So when we look at the companies with ecommerce, I would say a lot of people with disabilities are very savvy when it comes to technology, using computers. So I would say to go to the high school career vocational p

Response: Thank you for your support and comments. The intent of preservation of traditional community is to preserve the character and the identity of a community. It is written in the report as "the preservation of a traditional community character." However, the strategy will be reworded to include universal design. Strategy # 3, under Plan for smart land uses and quality of place- Economy and place, will be changed to: 3. Develop form-based code rezoning to allow higher densities and mixed-uses to create more livable communities, maintain more human scale environment and spaces that are modernized to include universal design with the preservation of a community character and identity. The word "accessible" will be added to the affordable housing. Regarding e-commerce and education, that is addressed in strategies # 5 in the Action Plan under "Plan for E-commerce Landscape" "5. Establish partnerships between educational institutions, e-commerce leaders, and workforce development, to explore job training to meet the future skill demands that includes IT expertise, call centers, distribution centers, warehouses, packaging, online web content writers, photographers, designers, telecommuting, home-based business, freight drivers, etc." The action plan is the next step to implement the NWI 2050 Plan and seize opportunities along the way. the Action Plan identifies stakeholders and partners who hold the responsibility to advance these concerns that are beyond NIRPC's domains.

Significant Comment? No

Need to Modify? Modified language in strategy.

Commenter: Marek Vojtala

Comment: I was excited as I read through the plan. The focus on transportation, and this is really an awesome focus for NIRPC, as well as all the municipalities that participate. And I'm excited to see it included in the plan and also really hopeful that as the plans come along that we see increased involvement in active transportation. Especially bicycling and kind of as it relates to making our region more accessible to more folks. I was excited to see that and hope to see more of that in the future."

Response: Thank you for your comment. If you are interested in learning more about how NIRPC is involved in active transportation, please visit our website (www.nirpc.org) and navigate to the "Transportation" tab, and select "Greenways + Blueways." You can also use NIRPC's website to sign up for information, alerts, and updates by subscribing to updates from the "Ped, Pedal, and Paddle Committee."

Significant Comment? No.

Need to Modify? No.

Commenter: Labrada Dunham

Comment: I had some concerns after speaking with Mr. Weber and finding a little bit more about it. I was listening to him as he spoke with some of -- and I also spoke with Dominique -- about the transportation plan and how even now we're thinking forward about not only the

seniors but about electrical cars. So he wants to keep it -- well, we'll keep in the plan or keep in mind that a lot of people will be driving these electrical cars. And I realize this has nothing to do with the plan that you have, and I think it is great that -- because I hadn't even thought about that, electrical cars. But my nephew called me up and told me he's working on the project for the ones they're building. What I was going to say is I'm concerned about the actual residents, and being a citizen how will this effect us for the electrical cars, although this has nothing to do with you, it's still a concern of mine, is it going to be set up like parking meters where they'll just park their cars and have to pay for having them recharged for a certain amount of time? Or will that cost be pushed back on the residents? That also goes for the transportation that's being done. And I know at this moment it hasn't even been voted on, but those are some things I'm concerned about. I think it's a great idea. And I know that 23 years from now, I won't have a driver's license if I'm still alive. I'll be 90. But I am concerned about how that's going to effect us financially. I understand the Gary residents are supposed to have more transportation bus-wise to help us, and I'm wondering how is that going to affect us financially. All of this has nothing to do with you. But I'm just saying I'm laying it on the table, how will that affect us financially? So I'm just getting it on the books, that's all, as far as property taxes and everything. But I think it's a great idea, and I'm glad that you guys are taking the time to th

Response: Thank you for your comment. While we are still unsure what the future may hold for the future of electric vehicles, there are some current trends that are relevant to your comment. Currently, most electric vehicles are charged at the residence of the individual that owns the vehicle. The cost to charge the vehicle is paid through the owner's electric bill. Third-party charging is becoming more common. This is where a business, a municipality, or some other organization will have a publicly-available charging station for anyone's use. The third-party that sponsors the charging station is ultimately responsible for how the cost of the electricity is compensated. Some third-parties are trying to incentivize the use of electric vehicles, so they will provide electricity free of charge. Others will charge the driver at the cost of the electricity consumed, or may even turn a profit. In some instances, if a municipality chooses to install a charging station, and decides to provide the charging for free, the local taxpayer may be paying for the cost of electric vehicles. However, in most instances, municipal-sponsored charging stations charge for their use.

In regards to the bus service: local funds are required to qualify for most federal grants. This means that transit funding is a great way for the City of Gary to multiply the funding available for transportation. For every dollar the City of Gary spends on its bus service the federal government puts in four dollars for capital projects like buying or maintaining buses. For operating the buses, the federal government will match the City of Gary dollar for dollar. So, while maintaining the Gary bus service does cost the residents of Gary, the cost comes with an immediate net-gain for its residents.

Significant Comment? No.

Need to Modify? No.

RESOLUTION 19-19

A RESOLUTION OF THE NORTHWESTERN INDIANA REGIONAL PLANNING COMMISSION TO ADOPT THE *NWI 2050 PLAN* FOR LAKE, PORTER, AND LAPORTE COUNTIES, INDIANA

May 16, 2019

WHEREAS, the Northwestern Indiana Regional Planning Commission, hereafter referred to as “The Commission,” being designated the Council of Governments, representing all local governments in the region has established a comprehensive planning process including the three domains of environmental, economic development and transportation planning; and

WHEREAS, the Commission, being designated the Metropolitan Planning Organization for the Lake, Porter and La Porte County Region, has established a regional, cooperative and comprehensive planning program to develop the unified planning work program, long-range transportation plan, and transportation improvement program; to annually endorse the plans and programs; to facilitate federal transportation funding for the Indiana Department of Transportation, regional communities and transit operators, and to provide technical assistance and expertise to regional transportation interests; and

WHEREAS, the Commission, as a metropolitan area, is required to prepare a long-range regional transportation plan that provides for the development and implementation of the multimodal transportation system. This includes transit, highway, bicycle, pedestrian, and accessible transportation options over the next 20 years at a minimum. The *NWI 2050 Plan* responds to the transportation and air quality planning needs of Northwest Indiana and is in keeping with federal requirements found in the Clean Air Act Amendments of 1990 and the Fixing America's Surface Transportation (FAST) Act of 2015 and accompanying guidelines and regulations;

WHEREAS, the *NWI 2050 Plan* continues to emphasize the linkages between transportation, environment, land use, and economic development.

WHEREAS, Input from the public directly shaped the vision for the *NWI 2050 Plan*. A variety of outreach methods were used to solicit input across the three-county region. Activities included the Plan website, public meetings, pop-up events, surveys, newsletters, social media, emails, and committee meetings;

WHEREAS, the public engagement effort has resulted in updating the visions for a connected, renewed, united, and vibrant region, and helped to prepare for Northwestern Indiana's future sixteen critical paths of action and four essentials focuses, economy and place, environment, mobility, and people and leaders;

WHEREAS, the *NWI 2050 Plan* undertakes an innovative process to examine possible futures to give a glimpse at some of the influences that may shape NWI's future. A list of major influences and drivers of the future of NWI are identified in the areas of regional assets, environment, people, economy, and technology. These influences were weighed against the likelihood of occurring and the values that residents have in NWI to mitigate or encourage those impacts. The possible futures process resulted in the identification of three plausible futures for the region;

WHEREAS, the *NWI 2050 Plan* sets up a performance-based planning framework to track progress towards advancing the critical paths. The *NWI 2050 Plan* identifies strategies and investments to face possible challenges and seize opportunities along the way to improve the region as informed by a robust public participation effort. It also identifies stakeholders and partners to help the region move towards the year 2050.

WHEREAS, the *NWI 2050 Plan* is the product of a continuous, cooperative, and comprehensive planning process; and

WHEREAS, the Commission has determined that the *NWI 2050 Plan* conforms to the federal and state requirements for transportation and air quality; and

WHEREAS, the *NWI 2050 Plan* was subjected to public comment in the manner prescribed by the 2014 Public Participation Plan; and

NOW, THEREFORE, BE IT RESOLVED that the Commission adopts the *NWI 2050 Plan*.

Duly adopted by the Northwestern Indiana Regional Planning Commission on this sixteenth day of May, 2019.

Diane Noll
Chairperson

ATTEST:

George Topoll
Secretary

Public Comment Report

Adoption #1 of the 2020-2024 Transportation Improvement Program (TIP)

Northwestern Indiana Regional Planning Commission

May 16, 2019

Adoption #1 of the 2018-2021 Transportation Improvement Program was released for a 30-day public comment period which began on April 1st 2019, and ended April 30th 2019. Three comments were recorded. Below is a generalization of these comments:

Comment #	1 - Nicholas Vasil	2 - Donald Yarnell	3 - Dean Button, City of Hammond
Comment Received	Dependable, affordable, adequate public transportation that is connected to all areas is needed.	Pedestrian Signals along 93rd Ave between SR 53 & SR 55 do not work.	General comments about the 2019 NOFA process and about several of the projects selected.
Nature of Comment	General, Neutral	General, Support	General, Opposed
Comment response	Directed viewer to NIRPC's website for NWI Coordinated Transit Plan which addresses these needs.	Forwarded email to INDOT and Merrillville	Response to these comments about the NOFA Process, and reasoning behind the process and project selection.
Response preferred	email	email	None
Significant?	No	No	Yes
Need to Modify?	No	No	No

The last comment is significant but upon further discussion with INDOT, if the Commission choose not to approve the 2020-2024 TIP, all projects within the MPO, including INDOT's projects would be held up until the August Commission meeting. This was explained at the April TPC meeting. No projects could let, no projects could move forward. A better action is to approve the draft 2020-2024 TIP as presented to the public and discuss the process and projects selected in the upcoming TPC meetings and make recommendation for an amendment to the TIP to the commission in the August.

Dean D. Button, PE
City Engineer
City of Hammond
Engineering Department
5925 Calumet Avenue
Hammond, Indiana 46320

April 22, 2019

Mr. Ty Werner
Executive Director
Northwestern Indiana Regional Planning Commission
6100 Southport Road
Portage, IN 46368

Re: Draft NWI 2050 Plan

Dear Mr. Werner:

Thank you for the opportunity to comment on the draft NWI 2050 Plan prepared by NIRPC staff with the cooperation of the great number of elected officials and numerous committee meetings. Also, thanks to your staff for getting us to this point. I hope that my comments will make the NWI 2050 Plan more beneficial, for a better Northwestern Indiana.

THE PROCESS

While the process in formulating the NWI 2050 Plan has been quite extensive, with many working significant additional hours, I've noticed a push to rush to the deadline. However, due to unclear or hurried deadlines, Local Public Agencies (LPAs) have committed to actions without fully reviewing or considering the documents prior to publication. This is particularly true with the Notice of Funding Availability (NOFA) process, forcing the Technical Planning Committee to approve publication of the 2020-2024 Transportation Improvement Plan (TIP) without seeing a final draft.

NOFA entertained a project call for January 12, 2019 during the first week of December. One short month, with lack of NIRPC staff availability and over the holiday season, placed many LPAs in a rushed position to complete their project applications within the deadline. Additionally, Roadway Expansions and Bridge Rehabilitation projects were not given greater importance until late in the process of project type evaluations. Rushing forces LPAs to focus more on quality of life projects to the detriment of moving surface transportation (i.e. the motoring traffic). Multi-use paths and Complete Streets should not be ranked with greater importance than Roadway Improvements, Capacity Expansion and Bridge Reconstruction. Hammond, perhaps more than any other LPA in Northwest Indiana, focused a concentrated effort on pathways and quality of life initiatives. However, the MPO failed to give appropriate consideration to our

rapidly deteriorating roadway infrastructure. I urge NIRPC to focus on our failing roadways and bridges to focus on sustaining and bettering the Region.

At the March 12, 2019 Technical Planning Committee Meeting, the committee was told by staff that the TIP must be approved without the opportunity to review the completed plan. Distributing the TIP to the public without full consideration by the TPC or Full Commission would not be in the best interests of the Region. The TIPC and Full Commission exist, in part, to review and consider the TIP as part of the NWI 2050 Plan. I understand that NIRPC Staff was working on outstanding matters with certain LPAs regarding project adjustments to maintain the budget under the currently approved list of TIP projects. When the 2020-2024 TIP was presented to the Transportation Resource Oversight Committee, at least nine new projects were added to the TIP without review by the TPC or the Full Commission. The explanation for these unreviewed projects being included last minute was FHWA/INDOT provided about \$1,000,000 in additional TIP funding. These additional nine projects were not given the same committee discussions as the ones reviewed at the February 12, 2019 TPC meeting. Proper decisions are rarely made when rushing to meeting deadlines.

As a result, one of the nine added projects awarded \$15,525,000 in Federal funding for an intersection improvement project (City of Valparaiso – Campbell and Lincolnway Roundabout). This project was characterized under CMAQ funding, which only receives about \$3,800,000 in annual Federal funding. The
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balance of the project would have to be funded through the Surface Transportation Block Grant, thereby reducing the amount of money available for other important projects. Selecting this project is wrong on a number of levels. First, there are two Lake County Park projects currently under design utilizing Federal money for PE that are not included in the current TIP: Veteran's Trail Phases 1 and 2 with a total construction (CN) funding requirement of \$7,315,920. If these projects do not get funded, the LPA will be required to pay back the Federal portion of the PE spent by the LPA. Further, this is against what is allowed by FHWA. FHWA requires any project where Federal funds are allocated for PE (where construction is forthcoming) the MPO must also allocate the future funds for CN within the TIP, even if it is outside the TIP schedule.

Second, the Campbell and Lincolnway Roundabout also includes a tunnel that extends Campbell south toward US 30 under the Chicago, Fort Wayne and Eastern Railroad that is believed to be the majority of the cost of the project. The City of Valparaiso should be encouraged to divide the two clear separate-and-distinct portions of the work and have each project re-scored on their individual merit prior to the considered added to the TIP.

Additionally, the process for project scoring was far from transparent. The method for scoring projects enforced by staff under the current NOFA was wholly different than in previous NOFAs. NIRPC staff declared "we don't want to ill a forest" to provide the documentation for all the applications submitted so that the committee members could see all the applications. In the computer age, this makes little sense. Electronic documents can be readily available without need for wasting paper. Because of the NIPRC schedule for distribution of meeting materials prior to the topical committee meetings, LPAs were unable to view or review all applications prior to the meeting.

In the project scoring process, LPA applicants were allowed to apply and score themselves. Then, in most cases, the NIRPC staff member assigned to the respective topical committee reviewed the application and provided a NIRPC score. Then the topical committees met and only where the LPA disagreed with the NIPRC scoring was a discussion made to seek higher points. Never in the process wee the topical committees allowed to see the entire individual applications to determine project viability. In the Campbell and Lincolnway example, the Surface Transportation Committee never had the opportunity to review the application and could not determine whether or not the Intersection Improvement project type was appropriate for a tunnel construction. Facially, the City of Valparaiso scored higher for their tunnel project by disguising it as an intersection improvement project. The project didn't receive support at the February

12, 2019 TPC meeting. Then, without TP input, the Campbell and Lincolnway project gets added to the draft 2020-2024 TIP by NIPRC staff and is presented to the public for comment without TPC or full commission approval. This action does not lend itself to transparency by NIRPC.

Additionally, NIRPC Staff added a Complete Streets Project by the City of Gary (On-road Trail 5th Avenue) that was never reviewed by the 3PC topical committee or the TPC. It is unclear whether the Indiana Department of Transportation approved the conversion of eastbound US 12/US20/5th Avenue in Gary into a two-way roadway with bike lanes. This question has since been asked at the 3PC topical committee meeting on April 4, 2019 without response. Federal funding should not be approved for a project without the involvement of the roadway's owner. In addition, NIRPC staff criticized the City of Hammond in our application for an Off-Road Trail request alongside the very same roadway the City of Gary seeks to make into a bike lane using Federal funds. The City of Hammond was forced to amend our application to take a different path in order for NIRPC staff to agree to our scoring.

Finally, the process for project selection was inherently flawed. While every effort seemed to be fair according to a scoring criteria, the controlling factor for selecting projects was not by their scoring, but by the funds available. Additionally, while LPAs that did not seek Federal funding for PE and ROW were provided some nominal points for scoring purposes, an overwhelming reason for selecting Roadway Improvements was the seemingly lower cost to fund PE. Simply placing the project on the TIP and pushing the CN outside of the current TIP cycle, encumbers costs against the future TIP and the future NOFA. Lesser cost projects that scored higher because PE was not sought were passed by for lower scoring, more costly projects that requested Federal PE funds.

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2020-2024 TRANSPORTATION IMPROVEMENT PLAN

The following projects impact the Commission's ability to fund future NOFA's:

Table 1

LPA	Project	Amount
City of Gary	5 th Avenue Complete Streets	\$ 4,000,000
Town of Schererville	Kennedy Avenue	\$ 4,592,000
City of Valparaiso	Campbell and Lincolnway w/Tunnel	\$14,125,000
Porter County	Willowcreek Road P1	\$27,010,000

This table does not include the Federal amount obligated in the current TIP (i.e. PE/ROW for these projects). Using the 2020-2024 TIP to determine average Total Obligation Authority Available per fiscal year to be approximately \$21,000,000, the projects listed above effectively borrow 1.3 years of NOFA funding for the next NOFA cycle. Further, this does not include the \$7,315,920 needed to fund the Veterans Trail Phases 1 and 2 which increases the future borrowing to 1.6 years, effectively making the NOFA for transportation projects ineffective.

The following chart shows what will be funded if the draft 2020-2024 TIP is approved:

2019 NOFA Distribution by Project Type (number of projects)

- Valparaiso Project [R1] (1) 33%
- Roadway Improvement (7) 23%
- Trails/Complete Streets 19%
- Roadway Expansion (1) 11%
- New Roadway (1) 10%
- Other (5) 4%

The following chart shows the distribution of NOFA funding by LPA, their population (2010 Census) and the awarded cost per capita to illustrate the proposed project selectin contained in the draft 2020-2024 TIP:

	Population	2019 NOFA	NOFA \$ per capita
• NIRPC	n/a	n/a	\$ n/a
• Valparaiso	31,730	15,826,000	\$ 498.77
• Schererville	29,243	4,936,400	\$ 168.81
• Hobart	29,059	4,532,267	\$ 155.97
• Chesterton	13,068	1,209,375	\$ 92.54
• Winfield	4,383	391,200	\$ 89.25
• Portage	36,828	2,458,092	\$ 66.75
• Hammond	80,830	5,056,000	\$ 62.55
• Gary	80,294	4,668,501	\$ 58.14
• Cedar Lake	11,560	564,213	\$ 48.81
• Merrillville	35,246	1,561,820	\$ 44.31
• Crown Point	27,317	972,500	\$ 35.60
• Porter County	164,343	4,617,000	\$ 28.09
• Highland	23,727	280,000	\$ 11.80
• Burns Harbor	1,156	-	\$ -
• East Chicago	29,698	-	\$ -
• Lake County	496,005	-	\$ -
• Lake Station	12,572	-	\$ -
• Munster	23,603	-	\$ -
• Griffith	16,882	-	\$ -

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A comment was recently made by NIRPC staff that the MPO wishes to show INDOT that the TIP is fully funded. While that may make sense, the project listed in Table 1 too greatly burdens future NOFA's without regard to the projects listed in the draft Air Quality Conformity Report.

AIR QUALITY CONFORMITY REPORT

With regard to the Air Quality Conformity report, the Report lists 11 projects to be funded in the 2025-2030 TIP cycle. The report should include anticipated project costs in order that the MPO can be fiscally responsible for the future TIP. Projects in the AQQC must have a planned source of funding if they are to remain in the Report. Knowing the expected costs of the projects contained in the Report will provide NIRPC with a clear understanding of the funding available in future NOFAs.

A list of the 11 projects is shown in the following table:

• Munster	Main Street Extension
• Porter County	Willowcreek Road Balance of Phases
• St. John	85 th Added Center Turn Lane
	93 rd Added travel Lane
	109 th Added Travel Lane
	Blaine Added Center Lane
	Calumet Added Travel Lane
	Cline Added Travel Lane
	White Oak Added Center Lane
• Schererville	Kennedy Added Travel Lane

- Valparaiso Vale Park Added Center Lane

SUMMARY

In conclusion, I urge NIRPC to:

- 1) Add the missing Lake County Veterans Trail project phases as required by FHWA;
- 2) Remove the City of Valparaiso project from the 2020-2024 TIP, divide the intersection improvement project from the tunnel project and rescore each project to determine each project's viability;
- 3) Verify the City of Gary 5th Avenue On-road Trail project has concurrence with the right-of-way owner, INDOT to make significant changes to the roadway;
- 4) Provide project costs for those projects listed in the Air Quality Conformity Report, particularly those in the 2025-2030 TIP cycle;
- 5) Provide a greater focus on roadway and bridge rehabilitation project in future NOFAs;
- 6) determine a format where LPA's can participate more openly in the project selection by providing access to project applications in an off-line format; and
- 7) provide proper time to review actions and realistic timelines in order to meet deadlines.

Thank you again for the opportunity to prepare comments regarding the NWI 2050 Plan. Should you have any questions regarding the information contained in this comment, please contact me at your convenience at 219-853-6336.

Sincerely,



Dean Button, PE
Hammond City Engineer

RESPONSE

Mr. Button,

Thank you for taking to time to review and respond to our draft 2020-2024 Transportation Improvement Program (TIP). Staff spent countless hours putting together the NWI 2050 Plan, the 2020-2024 TIP and the 2019 Notice of Funding Availability (NOFA).

The NOFA process was as transparent as possible. There were approximately 60 hours of public Committee meetings throughout the entire process with six NIRPC Committees involved. The timelines were well publicized in advance, with everyone aware when it was approved by the Commission in November. None of the milestones were moved. Staff prioritized one-on-one meetings with LPAs to assist with writing applications. Every LPA that requested a one-on-one meeting to assist with their applications, got a meeting with staff. The draft TIP document acknowledged the tight timeline and laid out a longer timeframe for future TIP development. Staff also relayed to everyone the general amount of funding available for this NOFA round. For those LPAs active with NIRPC knew that a NOFA was in development well in advance of its official release and the opportunity to develop potential projects to make applications fort prior to the release the NOFA.

The priorities expressed through the NOFA were developed in conjunction with the NWI 2050 Plan process and from public participation starting in April 2018. Quality of Place, Complete Streets, Multi-Use Trails, compliance with the Americans with Disabilities Act, and Transit were resoundingly stated as

priority. Sustaining and bettering the region is much more than just expanding and or fixing our roadways and bridges. However, almost \$7 million dollars of the funds available for programming from FHWA were allocated to the Roadway Improvements program, almost 125% more than the next investment program. In fact, over \$7.3 million was allocated to Roadway Improvements. This is on top of all the funding committee to projects that were carried forward from the existing 2018-2021 TIP. Therefore, investments in roadway and bridge infrastructure remains strong, especially for core capital maintenance with a targeted transition in the NWI 2050 Plan from roadway expansions and towards projects more geared towards state of good-repair roadway projects.

After the deficit was resolved in FY 2022 and on March 13, 2019, the Indiana Department of Transportation provided staff final funding estimates for 2019 and preliminary numbers for 2020 (which were used as a baseline for 2021, 2022, 2023, and 2024), a final funding picture was available. This was after the March TPC meeting and therefore after the intended opportunity to iterate on programming. Staff, acting professionally and responsibly followed the same programming approach that was employed during in the February TPC meeting and the February LaPorte TROC meeting to finalize programming of projects in Lake and Porter Counties. It was well documented in a presentation to the Commission in November that a primary goal of the 2020-2024 TIP was to achieve a fully programmed TIP giving communities and the region full access to all federal funds made available by FHWA and FTA. Additionally, it would demonstrate need for greater opportunities to capture Federal and state funds (BUILD, Next Level Trails, Community Crossings, Local Trax, etc.) by showing a true need for infrastructure improvements needed in the region.

The projects referenced in the comment letter, Valparaiso's intersection improvement project was not given \$15,525,000 as you noted, it was given only \$1,400,000 in 2024. The city will have 10 years after they request these funds to begin construction. The city must come forward in future NOFAs to request funding for additional phases or segments of the project. But this project does work towards improving congestion at a busy intersection. Lake County Parks' Veteran Trail projects was unknown to staff as a legacy project until after the March TROC meeting. In fact, their application did not mention that it was a legacy project with a DES number, was not brought to the attention of the Ped, Pedal, & Paddle committee in early February, and was not mentioned at the February TPC meeting to staff. Had it been mentioned; it might have been chosen, but was still a lower scoring project in its investment program. The FHWA does not have a regulation stating when a project is to be built after federal funds have been expended, only that an LPA must pay back any federal funds spent if construction has not started. It does not state who must pay for construction. It does not state that the MPO must fund the project (by any percentage), only that construction must be started.

The NOFA has not proven to be perfect, rather a good attempt at making the TIP programming process better. One of the unforeseen imperfections was that a project as a whole scored higher than individual segments. This imperfection left a "loophole" that made it possible for smaller projects or pre-construction phases to be constructed by being small enough to utilize available funds. In any case, these were still most often high scoring projects. In the future all LPAs will be encouraged, if appropriate, to break their larger projects into more manageable segments when making applications. Also, since this was a new and more holistic process, staff included all of the relevant committees in the review and scoring process. The scoring was not enforced by staff, it was reviewed and accepted by each topical committee. Each topical committee was allowed to discuss the projects and the scores as needed. Some did, some perhaps did not. However, it was more time efficient and respectful of all involved by allowing self-scoring, staff scoring, and using the Committees to resolve major differences, rather than using the Committees to enforce a time-consuming peer review. Further, this scoring aspect of the NOFA process was far more transparent than other federal or state Call for Projects processes. The FHWA, INDOT, and many other

MPOs score, rank, and present results without public scrutiny or transparency into the inner process and provide no ability for appeal. Staff went out of their way to include all of the LPAs and Committees.

In the comment letter there is a statement concerning whether or not INDOT would approve the conversion of eastbound US 12/US20/5th Avenue in Gary into a two-way roadway with bike lanes. In reviewing all of the projects presented in the NOFA, there were seven LPAs that put forth projects that will need to get at least concurrence from INDOT. Of those seven, only Hammond sought out this concurrence on their own volition. It was not a requirement of the NOFA. Projects that were accepted by TPC include the communities of Gary, Merrillville, and Crown Point; all of which did not include this letter of concurrence from INDOT. To single out Gary to be required to bring forth evidence while ignoring others, is again unfair as addressed at the April TPC meeting. The City of Gary has almost five years to get this concurrence. If not, these funds will be added back to a future NOFA.

Again, the process was not perfect, and staff has been more than willing to publicly agree many times and has included two tasks in the next Unified Planning Work Program to specifically address many of the concerns reflecting upon everyone's experience with the NOFA. One issue is that of limited funds in this NOFA because there were several projects that were programmed (and not just partially programmed) in the prior TIP. This was not because the prior TIP was overextended through programming, rather from a lack of diligence on all parties to let projects in a timely manner, and more quickly adapt to a change in INDOT policy from carrying over unobligated federal funds, to a "use or lose" policy. This pushed over \$20 million of projects into the 2020-2024 TIP from the prior 2018-2021 TIP. As part of these UPWP efforts, the programming process will once again be examined, so that the process will be understood and hopefully accepted by all. One improvement to gain a better understanding and transparency is to release NOFA's on a more regular basis (bi-annually), rather than the periodic NOFAs of the past. Having projects with PE or ROW underway, funded with local, state or federal funds, will be important to get construction phases programmed within the next two-year window. The City of Valparaiso and Porter County understand that their projects will need to be broken into several phases, hopefully to receive funding in a timely manner over a decently long period of time. Transformative projects can be hard to complete, but everyone understands that to complete these projects, they must be completed in manageable phases. The Chicago Street corridor in Hammond or the Kennedy Avenue projects in Schererville are prime examples of this process at work. It is relevant to point out that the construction for Porter County's Willowcreek Phase 1 is currently estimated at \$5.4 million, not \$27 million. Funding the PE for any of these projects does not guarantee that these project or phases for these projects will be granted automatic inclusion into the next TIP. The projects will still have to compete. It does mean that as an MPO recognize that these projects should move forward if we are going to sustain, grow and make our region better for all.

Looking at only new funding awards by LPA gives an inaccurate representation of the funding that is being spent in our region. Only looking at these numbers ignores what has been carried over or recently let. Also, only looking through the lens of population is also not ideal. Lane miles and jobs should also ideally factor into the analysis. While this could be a future improvement to gauge equitable distribution of funds, it is important to also note that federal regulation does not allow any sort of formulaic award in our TIP. New funding awards were made by combination of those with the highest score, those that could be funded and still achieve fiscal constraint, and social and geographic equity in mind. However, the following chart shows the distribution of all funding by LPA for all non-transit projects in the draft 2020-2024 TIP.

LPA	Population (2010)	Total	\$ per Capita	# of Projects
Burns Harbor	1,156	\$ 997,934	\$ 863.27	1
Cedar Lake	11,560	\$ 564,213	\$ 48.81	1
Chesterton	13,068	\$ 1,209,375	\$ 92.54	1
Crown Point	27,317	\$ 3,209,000	\$ 117.47	3
East Chicago	29,698	\$ 828,000	\$ 27.88	1
Gary	80,294	\$ 8,055,301	\$ 100.32	7
Hammond	80,830	\$ 21,635,250	\$ 267.66	8
Highland	23,727	\$ 280,000	\$ 11.80	1
Hobart	29,059	\$ 12,837,797	\$ 441.78	8
Lake County	496,005	\$ 9,417,600	\$ 18.99	2
Lake Station	12,572	\$ 454,403	\$ 36.14	1
Munster	23,603	\$ 1,339,120	\$ 56.74	2
Merrillville	35,246	\$ 5,173,820	\$ 146.79	3
NIRPC	N/A	\$ 1,705,457	N/A	9
Portage	36,828	\$ 10,333,652	\$ 280.59	5
Porter County	164,343	\$ 3,786,274	\$ 23.04	3
Schererville	29,243	\$ 12,809,579	\$ 438.04	3
Valparaiso	31,730	\$ 5,259,760	\$ 165.77	3
Winfield	4,383	\$ 391,200	\$ 89.25	1

In regards to the comment about NIRPC needing to include project costs for the projects identified in the Air Quality Conformity Determination report, this change will be made for both the federal and non-federal anticipated costs of these projects. As stated earlier in this reply, there is no guarantee that any of these projects with anticipated federal funding *will* receive federal funding when future programming decisions beyond the scope of the 2020 to 2024 Transportation Improvement Program are made. Rather, the topical committees and ultimately the Technical Planning Committee will make these decisions on a case-by-case basis for the betterment of our entire region paramount.

RESOLUTION 19-20

A RESOLUTION OF THE NORTHWESTERN INDIANA REGIONAL PLANNING COMMISSION TO ADOPT THE 2020-2024 TRANSPORTATION IMPROVEMENT PROGRAM FOR LAKE, PORTER, AND LAPORTE COUNTIES, INDIANA May 16, 2019

WHEREAS, Northwest Indiana's citizens require a safe, efficient, effective, resource-conserving regional transportation system that maintains and enhances regional mobility and contributes to improving the quality of life in Northwest Indiana; and

WHEREAS, the Northwestern Indiana Regional Planning Commission, hereafter referred to as "the Commission", being designated the Metropolitan Planning Organization (MPO) for the Lake, Porter and LaPorte County area, has established a regional, comprehensive, cooperative, and continuing (3-C) transportation planning process to develop the unified planning work program, a transportation plan, and a transportation improvement program to facilitate federal funding for communities, counties, and transit operators, and to provide technical assistance and expertise to regional transportation interests; and

WHEREAS, the Commission performs the above activities to satisfy requirements of the Fixing America's Surface Transportation (FAST) Act of 2015 (PL 114-94), applicable portions of all prior federal transportation program authorizing legislation, as well as other federal, state, and local laws mandating or authorizing transportation planning activities; and

WHEREAS, the 2020-2024 Transportation Improvement Program is a product of a multi-modal, 3-C transportation planning process, compatible with regional goals and objectives and socio-economic and demographic factors used to form the *NWI 2050 Plan*, the federally required long-range plan, as adopted; and

WHEREAS, the 2020-2024 Transportation Improvement Program is an implementation of the *NWI 2050 Plan, as adopted*; is fiscally constrained, and is consistent with the State Implementation Plan for Air Quality; and

WHEREAS, the 2020-2024 Transportation Improvement Program is developed by the Commission in coordination and cooperation with local elected and appointed highway and transit officials, special interest and service organizations, including users of public transit, the Indiana Department of Transportation, the Indiana

Department of Environmental Management, the U.S. Federal Highway Administration, the U.S. Federal Transit Administration, and the U. S. Environmental Protection Agency; and

WHEREAS, the 2020-2024 Transportation Improvement Program was reviewed by the Air Quality Conformity Task Force's Interagency Consultation Group (ICG); and

WHEREAS, the 2020-2024 Transportation Improvement Program was subjected to public comment in the manner prescribed by the 2014 Public Participation Plan; and

WHEREAS, the Technical Policy Committee (TPC) has recommended that the Northwestern Indiana Regional Planning Commission make this adoption of the 2020-2024 Transportation Improvement Program.

NOW, THEREFORE, BE IT RESOLVED that the Northwestern Indiana Regional Planning Commission hereby adopts the 2020-2024 Transportation Improvement Program.

Duly adopted by the Northwestern Indiana Regional Planning Commission this sixteenth day of May, 2019

Diane Noll
Chairperson

ATTEST:

George Topoll
Secretary

RESOLUTION 19-21
A RESOLUTION IN SUPPORT OF APPLICATIONS TO THE
VOLKSWAGEN MITIGATION TRUST

May 16, 2019

WHEREAS, Northwest Indiana has a rich and growing transit network, including fixed route transit and demand-response services in all three counties; and

WHEREAS, the Northwestern Indiana Regional Planning Commission has made it an expressed goal to support the growth of transit in the region, to reduce congestion, provide modal choice to citizens, and improve air quality; and

WHEREAS, the state of Indiana has released a request for proposals for the Volkswagen Mitigation Trust, providing alternative funding potential for diesel transit vehicles operated by fixed-route systems, and promoting alternate fuel vehicles; and

WHEREAS, funding from the Volkswagen Mitigation Trust would, by providing alternative large-vehicle funding from traditional sources, allow all operators to fund more non-diesel vehicle and capital purchases.

NOW THEREFORE IT BE RESOLVED that the Northwestern Indiana Regional Planning Commission and its transit operators support efforts by fixed-route operators to pursue funding opportunities through the Volkswagen Mitigation Trust.

Duly adopted by the Northwestern Indiana Regional Planning Commission this sixteenth day of May, 2019.

Diane Noll
Chairperson

ATTEST:

George Topoll
Secretary