

Transportation Policy Committee Meeting

Woodland Park, Portage

December 3, 2013

MINUTES

Members Present

Shawn Pettit, Jim Polarek, Joyce Newland, Jerry Halperin, Kevin Breitzke, John Bayler, Art Biciunas, Stan Dobosz, Brian Snedecor, Bruce Lindner, Mark O'Dell, James Mandon, Tyler Kent, Ian Nicolini, David Wright, Kevin Crawford, Rob Strader, Jeff Huet, Stan Dostatni, Craig Earley, Edmond Soliday, Dwayne Williams, Mike Yacullo, Mary Jane Thomas, Thomas Vander Woude, Sandy O'Brien and Christopher Meyers.

Guests

Josh Klahn, Don Parker, William James, Ron Wasieleski, Craig Phillips, Jim Nowacki, Stacy Meyers, Donghong Li, Donna Slikas, Kevin Crawford, Shawn Kaczmarek, Michael Jabo, Chris Reynolds, Bob Thompson, Jeff Justice, Lucille Justice, Jim Sweeney, Ron Wiedeman, Carlton Glover, Jr., Chris Moore, Andrew Armstrong, Katie Kukielka, Mark McLaughlin, Andy Vasquez, Carole Carlson, Renetta DiBose, David Castellanos, Kay Nelson, Marc Poulos, Tom Frailey, Jason DeYoung, Steven Caepiga, Don Carnahan, Ted Gross, Juan Salinas, Marcia Blansett, Garry Campbell, Jr., Karl Berner, William Hathaway, Glen Campbell, Bob Alderman, Jim Wiseman, Nancy Adams, Teresa Torres, Matt Mikus, Butch Rose, Don Geith, Dewey Pearman, Jorge Ortiz, Nick Retting, Keward Taylor, Justin Mount, Pat Carlisle, Jeff Veach, Nicole Barker, Jake Dammarell, Philip Roth, Marci Kunstek, Jim Bartos, Dan Blankenship, Jean Hulse, D. Frank Hedrick, Shirley Hedrick, Keith Benman, Eldon Strong, Gerry Scheub, Rick Niemeyer, Ed Linden, Sandy Linden, Garry Grant, Ron Shimizu, Jeffrey Valles, Michael Johnson, Harold Mussman, Pat Mussman, Nick Sovich, Rodney Thornton, Josh Malachowski, Edward Olszewski, Lorraine Bank, David Fagan, Frank O'Reilly, Ed Maher, Frank Manzo, Robert Cook, Mitch Gall, Dave Murtaugh, Nick Dinga, Paul Botts.

NIRPC Staff

Ty Warner, Steve Strains, Mitch Barloga, Mary Thorne, Eman Ibrahim, Gary Evers, Jack Eskin, Kevin Garcia, Stephen Sostaric, Scott Weber, Sarah Geinosky, Gabrielle Biciunas, Kathy Luther and Belinda Petroskey.

1. Call to Order, Opening and Announcements

- a) Chairman Shawn Pettit called the meeting to order at 9:05 a.m. with the Pledge of Allegiance and self-introductions.
- b) The INDOT voluntary participation survey was available on the table.
- c) On a motion by Jim Polarek and a second by Stan Dobosz, the minutes of the November 19 meeting were approved as submitted.

2. Planning & Programming

- a) FY 2014-2017 TIP Amendment #5 – Gary Evers described the Local Public Agency air quality exempt projects for Lowell, Porter County and two for Lake County. On a motion by Stan Dobosz and a second by Don Parker, the amendment was approved.

Illiana Expressway & I-65 Added Travel Lanes

- b) Illiana Corridor Staff Analysis – Mitch Barloga described the criteria and process to put a major project such as this into the plan. He described the 12-mile Indiana portion of the Illiana and the I-65 widening projects and referred to a letter received from INDOT requesting the projects be included in the 2040 Comprehensive Regional Plan. Staff developed a white paper, analyzing the goals and objectives in the CRP and established categories of consistent, inconsistent, mixed, uncertain and neutral. Staff offered no recommendation to

approve or disapprove, but rather offered recommendations should the project be approved such as building a trail along the full length of the expressway, limiting greenfield development, incorporating environmental practices and maintaining water accessibility. Actions being sought today are the recommendation of the Air Quality Determination, amending the 2040 Plan for both the Illiana and I-65 widening and approving the amendment to the FY 2014-2017 Transportation Improvement Program. Upon recommendation from this committee, the full NIRPC Commission would then vote at their meeting on December 12 to be held at 9:00 a.m. here at Woodland Park.

- c) Air Quality Conformity Determination – Scott Weber said that whenever a major regionally significant project such as these are considered as an amendment to either the CRP or the TIP, it will trigger a conformity analysis. The Inter-Agency Consultation Group which includes NIRPC, Indiana Department of Environmental Management, INDOT, US Environmental Protection Agency, Federal Highway Administration and Federal Transit Administration compiled the determination which was available in the packet. The public comments were made available on the website. Differences between the base analysis and build analysis were shown and both projects are well within the State Implementation Plan budgets. NIRPC asked that the committee recommend the Air Quality Conformity Determination for approval by the NIRPC Commission and then final determination by the Federal Highway Administration.

Public comments were taken on the Air Quality Conformity Determination.

- Lake County Commissioner Gerry Scheub expressed his opposition to these projects and submitted a position statement. He read and submitted a resolution in opposition to the Illiana signed by Commissioners Scheub and Roosevelt Allen, Jr.
- Stacy Meyers of Openlands commented that in addition to gutting the transportation budget, an evaluation is necessary as to how the Illiana may restrict or preclude new construction because of the limitations on the emissions as well as financial transportation budgets.

AJ Monroe made a motion to recommend approval of the Air Quality Conformity Determination, seconded by Mary Jane Thomas. On a voice vote, the motion passed with 18 yeas, 4 nays.

- d) Presentation: Jim Earl of INDOT presented on their analysis report and fiscal constraint summary. INDOT's white paper analysis established categories of consistent, inconsistent, mixed, uncertain and neutral. More negative findings were concentrated in the environmental areas, with mostly consistent or neutral ratings on over half of the goals. The total investment of state highway funds and federal highway funds is \$80-\$110 million. For the period 2018-2053, net total revenues are projected to exceed the total project costs. Hearings on the projects will be held in January 2014.
- e) Summary of Public Comments – Stephen Sostaric referred to the summary report in the packet and reported that the 165 page report of 720 comments received as well as response from NIRPC is on the website. Four public meetings were held throughout the three-county NIRPC region, in Gary, Lowell, Portage and Michigan City.

Public comments were taken on the Illiana and I-65 added travel lanes projects.

- State Rep. Rick Niemeyer commented that economic growth will take place on a small scale on this 12-mile stretch of highway. On-I-65 between SR 10 and SR 231 is a very dangerous stretch of highway and the I-65 extension will make a bad situation worse. One of the 2040 Plan goals is a safe, secure transportation system and the Illiana does not fit the criteria. A rail line to Lowell will provide permanent jobs which will benefit Northwest Indiana. Vote for what is best for Northwest Indiana.
- Dwayne Williams, Gary asked about the effect of this project on local contractors, who are the local contractors being used and are there opportunities for local trade training and minorities?

- Dan Blankenship, Lowell voiced his opposition to the projects, and supports investment in the north and agriculture in the south.
- Lorraine Bank voiced her opposition to the Illiana citing a bill passed giving the Governor the authority to negotiate contracts with toll road operators.
- Paul Botts, Chicago read and submitted a statement in opposition to the Illiana citing the financial risk to taxpayers.
- Stacy Meyers, Openlands read a statement urging a recommendation against adding the Illiana to the 2040 Plan, citing various public-private partnership failures around the country.
- Kay Nelson read a letter from the Northwest Indiana Forum in support of the Illiana due to economic growth and job creation.
- Keward Taylor, Valparaiso spoke in favor of the Illiana as a much needed road.
- Sandy Linden read a statement opposing the Illiana citing reports in the Wall Street Journal and Bloomberg.
- Don Parker, South Shore Trails spoke against the Illiana citing too many uncertainties with the project.
- Eldon Strong, Lake County Council spoke against the Illiana, citing that he feels it favors Illinois.
- Sandy O'Brien, Duneland Sierra Club said they provided a resolution to NIRPC opposing the Illiana.
- Pat Mussman, West Creek Township spoke in opposition to the Illiana, saying more investment should be made in the northern core cities.
- Jim Sweeney, Izaak Walton League said while jobs may be created, they are not the kind of jobs on which to raise a family. The money is better spent in the northern core communities.
- Dewey Pearman, Construction Advancement Foundation spoke in favor of the Illiana, adding that local labor will be used in its construction.
- Shawn Kazmarek, Long Beach said high tech engineering opportunities to look at transport technology would be beneficial to NIRPC.
- Kevin Crawford, South Shore Trails spoke in opposition to the Illiana citing loss of farmland and other green opportunities.
- Andrew Armstrong, ELPC, Chicago, IL, spoke in opposition to the Illiana due to a lack of financial feasibility. Taxpayers would bear all the risk and investors would get the guarantees.
- Tom Frailey, IIIFFC spoke in favor of the Illiana, as it will relieve future congestion on 80/94.
- Andy Vasquez, Kouts said green space is important as is reinvestment in the northern core cities and asked the committee to think carefully what they are doing before they vote.
- Bill Hathaway, Lowell said 80/94 asked the committee to vote on the project itself, not politically. He said all outside analyses shows that this is a bad investment and the money would be better spent if it were invested in the north county.
- Michael Jordan, Lowell spoke in opposition to the Illiana.
- Marc Poulos, IIIFFC spoke in support of the Illiana to help with truck traffic congestion.
- Jean Hulsey, a long-time Lowell farm owner, said she wrote over 100 letters and received only 5 responses. She asked the committee to vote against the Illiana.
- Dave Fagan, Portage said there is a lot of support for the Illiana and asked the committee to vote for the Illiana.
- Frank Manzo cited financial facts in support of the Illiana.
- Ed Linden, Lowell spoke against the Illiana.

Shawn Pettit closed the public comment.

Jim Polarek motioned to recommend Amendment #3 to the Comprehensive Regional Plan adding the Illiana and I-65 added travel lanes; Ed Soliday seconded the motion. On a roll call of the members present, the motion to recommend passed with 18 yeas, 8 nays and 1 abstention.

Gary Evers briefly overviewed Amendment #4 to the FY 2014-2017 TIP adding the Illiana and I-65 added travel lanes. A J Monroe motioned to recommend Amendment #4 to the FY 2014-2017 TIP; Kevin Breitzke seconded the motion. On a roll call of the members present, the motion to recommend passed with 18 yeas, 8 nays and 1 abstention.

After a short break, Jim Polarek chaired the remainder of the meeting.

- 3. Public Participation Plan** – Steve Strains gave an overview of the procedures taken to update the 2007 version of NIRPC’s Public Participation Plan. Staff has been updated the plan from the initial meetings held in 2012 and public comment periods. In May 2013, this committee voted to recommend adoption of the plan. Chairman Dave Uran appointed an Ad Hoc Committee of Commissioners to meet with those who still had some concerns, primarily the Everybody Counts organization. Five meetings were held in the summer with representatives of Everybody Counts to work on making some refinements to the plan. In August, the Ad Hoc Committee reported its findings to Chairman Uran with their revisions which were shown at the November 19 meeting of this committee. Staff then received a couple of minor edits from INDOT and FHWA. This draft shows edits from the Ad Hoc Committee in red, Federal Highway’s comments in blue and INDOT’s comments in orange. Staff feels this is a very good plan, would like to implement it and we ask for your action on this plan today.

Jim Polarek allowed for public comment on the plan.

- Renae Jackson of Everybody Counts read a portion of Everybody Counts’ position paper saying that NIRPC failed to adequately address their concerns. Many disabled citizens could not get here due to transportation or other issues.
- Rudy Velasco of Everybody Counts said there are many changes to the draft plan. No one has listened to their concerns and they are going back to court.
- Teresa Torres of Everybody Counts said that while NIRPC has developed five versions of the plan Everybody Counts’ concerns have yet to be addressed. A list of observations was submitted. Teresa Torres asked that the committee delay action on the Public Participation Plan.
- Jim Nowacki, Gary said he is in favor of the Illiana. He said public participation is an important part of the process and public comment is an opportunity to speak on important projects like the Illiana and asked that the Commission errs in favor of having more opportunities for public comment.

In answer to a question posed by Brian Snedecor, Steve Strains read a paragraph of the memorandum from the Ad Hoc Committee Chair: “The Ad Hoc Committee met five times pursuant to its charge with representatives of Everybody Counts, Inc. The meetings were in some cases challenging but productive. The Committee presents its work product including a modestly but not significantly revised Public Participation Plan. While the Committee believes that the Plan is modified from its earlier iteration(s), the Committee prefers to make no formal recommendation regarding its readiness for adoption without some suggested additional measures, spelled out below.”

In answer to a question from Ed Soliday, Ty Warner responded that this draft Plan was in play for over a year and the committee felt the changes were not significant. Their report was to Mayor Dave Uran and he asked for it to come back to this committee to review the changes. Ty Warner said there is no pressing need for recommendation; adding that it has been out for two public comment periods. Brian Snedecor motioned to table recommendation on the plan; Jim Mandon seconded. Motion carried. David Wright then suggested taking the product from the Ad Hoc Committee and including the commentary from Everybody Counts and sending it out again for public comment. Ed Soliday commented that this committee is advisory only. Dave Hollenbeck said the motion was to recommend to the Commission that this committee go back to the chair for further discussion and deliberation and he would make that report to the Chairman. Brian Snedecor agreed and made a motion

that the full Ad Hoc Committee review the changes and have an opportunity to report back to the TPC as a Committee. AJ Monroe seconded; motion carried.

4. General Public Comment

- Andy Vasquez said this committee must make some tough decisions and this project will either stand alone on its own merit or it will fail. He suggested a lawsuit not be filed because it will only hurt the taxpayers.
- Teresa Torres commented on the presence of a police officer. She added that it was unfortunate to be held to a 3-minute limit on public comment. Ms. Torres asked that the commission be careful about their money.
- Jim Nowacki commented on the passionate comments made by others today about the urban core. If Illinois builds Peotone, Gary will be Chicago's fifth airport.

Jim Polarek closed the public comment period.

5. Upcoming Meetings at NIRPC

- *Pathway to 2040* Implementation Committee meeting – December 4, 9:00 a.m.
- Environmental Management Policy Committee – December 5, 9:00 a.m.
- Ped, Pedal and Paddle Committee meeting – December 5, 1:30 p.m.
- NIRPC Executive Board/Full Commission – December 12, 2013 at 9:00 a.m. at Woodland Park, 2100 Willowcreek Road, Portage.

The next Transportation Policy Committee meeting will be at 9:00 a.m. Tuesday, January 14, 2014 at NIRPC.

On a motion by Kevin Breitzke and a second by AJ Monroe, Jim Polarek adjourned the meeting at 11:45 a.m.

A Digital MP3 of this meeting is filed. Contact Mary Thorne at NIRPC should you wish to receive a copy of it.

For requests for alternate formats, please contact Mary Thorne at NIRPC at (219) 763-6060 extension 131 or at mthorne@nirpc.org. Individuals with hearing impairments may contact us through the Indiana Relay 711 service by calling 711 or (800) 743-3333.

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