



**NORTHWESTERN INDIANA
REGIONAL PLANNING COMMISSION**

Together We Make The Difference

6100 Southport Road Portage, Indiana 46368

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**NORTHWEST INDIANA REGIONAL
PLANNING COMMISSION'S
ACTIONS IN RESPONSE
TO THE
CORRECTIVE ACTIONS FROM THE
2009 CERTIFICATION REVIEW**

October 28, 2010



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Marisol R. Simon
Regional administrator
FTA Region V
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Chicago, IL 60606-5253

Robert F. Tally, Jr., P.E.
Division Administrator
FHWA Indiana Division
575 N Pennsylvania St, Room 254
Indianapolis, IN 46204-1576

Dear Ms. Simon and Mr. Tally,

The Northwestern Indiana Regional Planning Commission (NIRPC) hereby transmits documentation in support of our work in the past year in response to the two corrective actions identified in the 2009 Certification Review. In the review report of October 2, 2009, the Federal Highway Administration and the Federal Transit Administration found that the transportation planning process conducted by NIRPC was conditionally approved, subject to the completion of two corrective actions. They were: Implementation of a congestion management process (CMP); and Compliance with Environmental Justice (EJ) Executive Order 12898.

The federal review team recommended the following schedule for CMP implementation:

<i>Within two months of issuance of this review:</i>	<i>Identify CMP committee members and committee officially formed within MPO framework.</i>
<i>Within six months of issuance of this review:</i>	<i>Identify and report three to five performance measures, along with the data sources necessary for the regional CMP.</i>
<i>By November 1, 2010:</i>	<i>Complete a review of projects included in the current TIP.</i>

Substantial advancement has been made to implement a CMP, progress which is documented in an attached report. The CMP will be completed prior to the adoption of the NIRPC Comprehensive Regional Plan (CRP) for 2040, upon which we expect Commission action in April, 2011. Through the guidance of a Congestion Management Subcommittee, the various elements of a compliant CMP have been accomplished and continue.

Section 450.320(d) of the Final Rule on Statewide Transportation Planning and Metropolitan Transportation Planning requires Transportation Management Areas that are designated as nonattainment for ozone or carbon monoxide to address through a congestion management process any project that would result in a significant increase in the carrying capacity for single occupant vehicles (SOVs). Section 450.320(e) of the Final Rule requires TMAs that are designated as nonattainment for ozone or carbon monoxide to complete an analysis of reasonable travel demand management and operational management strategies as alternatives for such SOV projects. The Northwestern Indiana region is not currently designated as nonattainment for ozone or for carbon monoxide. These requirements of the Final Rule do not currently apply to the Northwestern Indiana region. We anticipate that within the next year, the nonattainment designation will apply to Northwestern Indiana, and we are committed to complete the required analysis for all SOV projects proposed for inclusion in the 2040 plan and TIP.

Regarding Environmental Justice, the FHWA/FTA Federal Review team stated:

Two workshops on EJ and Transportation Planning should be scheduled; one with affected stakeholders and one with NIRPC staff and planning partners. FHWA and FTA can be instrumental in working with NIRPC to plan these opportunities for training and dialogue. Also, work activities underway to update the Long Range Transportation Plan should be amended to add several analytical tasks to identify and document a fair distribution of benefits and burdens to all segments of the regional community through implementation of the Plan. These tasks can be developed as action items from the workshops and will occur prior to November 1, 2010.

Extensive progress has been made to bring NIRPC in compliance with the EJ Executive Order. EJ workshops were held with members of the public (affected stakeholders) and with NIRPC staff and planning partners. Based on that training, NIRPC has done a Benefits and Burdens analysis to see how various scenarios of development patterns perform. This analysis continues as the CRP advances toward completion. Given the considerable EJ training, in addition to the continuing dialogue, community outreach and public engagement in the CRP process, the consideration of EJ in the planning process has progressed and has been enriched.

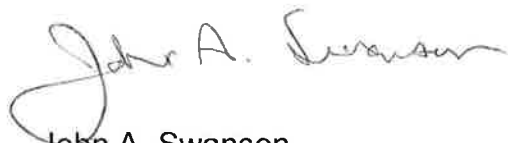
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I trust that you will find NIRPC in compliance with both the CMP and EJ Executive Order. We look forward to your review of the attached documents, and continuing discussions with your staffs that participated in the 2009 Certification Review. They and other members of the federal review team have been especially helpful during the past year through training and guidance. I understand that a meeting or conference call may follow to discuss the information that we are transmitting. Please contact Steve Strains, Deputy Director/ Director of Planning to arrange for that.

Sincerely yours,

A handwritten signature in black ink that reads "John A. Swanson". The signature is written in a cursive style with a large, looping initial "J".

John A. Swanson
Executive Director

Enclosure

Cc:

Joyce Newland, FHWA

Reggie Arkell, FTA

Mike McPhillips, INDOT

David Werner, FTA

Jerry Halperin, INDOT

**SUMMARY OF NIRPC'S ACTIONS IN RESPONSE
TO THE CORRECTIVE ACTIONS FROM THE
2009 CERTIFICATION REVIEW**

October 28, 2010

A. CONGESTION MANAGEMENT PROCESS (CMP)

In October 2009 NIRPC received a corrective action requiring the refining of the agencies' congestion management process. In the past 12 months, NIRPC has responded to these requests by completing the actions listed below.

Congestion Management Subcommittee

On May 1, 2009, the Congestion Management Subcommittee was formed. This subcommittee features many government officials and stakeholders from Northwest Indiana and meets on a monthly basis. The attendance typically averages 15 attendees per meeting. The subcommittee has guided the CMP.

Performance Measures

On June 8, 2010, the performance measures for the congestion management process were adopted by the congestion management subcommittee. A total of 11 performance measures were adopted and cover highway, transit, safety and mode neutral criteria. The criteria are instrumental in determining where congestion is located within the region and evaluating expansion projects in the TIP.

Data Sources

Many of NIRPC's data sources have already been identified. NIRPC receives real time travel time data from INDOT on I-80/94 and I-65. The traffic count data comes from both NIRPC and INDOT counts. Ridership data and other statistics for northwest Indiana's transit systems is available from the transit operating agencies such as NICTD, East Chicago, Gary, Valparaiso, Michigan City and the Regional Bus Authority. NIRPC's current modeled data monitors the transportation network between now and 2040 and is scenario based. A Travel Time data collection system began in April of 2010. The travel time data collection has been taking place along designated regional arterials and so far has identified some congested corridors. This has enabled NIRPC to use more performance measures to evaluate certain corridors. Data gathering is ongoing.

Regional Transportation Networks

NIRPC's geographic scope was defined early on in the implementation of the congestion management process. The geographic scope for NIRPC's congestion management process is Lake, Porter and La Porte Counties.

The system scope and congestion management network for NIRPC includes any roadways that are designated as arterials or expressways. The function class designation for these roadways varies based on the type on data available (Travel Time and V/C vs.

V/C ratio only) for each link. The rail and bus lines from local transit agencies including, East Chicago, Gary, Michigan City, La Porte, Valparaiso, and the Regional Bus Authority are also included in the system scope.

Workshops

Staff members attended several congestion management workshops over the past year including two FHWA sponsored workshops that was conducted by Brian Betlyon and Ben Williams. The first workshop was an all day workshop that took place at Indianapolis in November 2009. The second workshop was a webinar that regional stakeholders were allowed to listen in on as well. This webinar took place in March of 2010.

Corridors

We currently collect travel time data on 69 corridors within the region. Once these corridors are complete, NIRPC will have actual travel time data that will determine where congestion is located at within our region.

Link Between CRP and CMP

The congestion management performance measures will be used to determine the congestion roadways in relation to the CRP. Projects will be selected for the CRP based on the congestion management analysis for the projects that will be solicited. Projects that don't pass the congestion management evaluation will not appear in the CRP.

TIP Project Analysis

NIRPC has reviewed capacity expansion projects that are in the current 2009-2013 TIP. The thoroughness of the review of the expansion projects depends on the type of construction proposed. For example; a new interchange will be reviewed more thoroughly than a structure replacement project. There is a quantitative, subjective and alternative analysis section on the review forms for expansion projects, but minor projects may be exempt from some of these sections. Now that the review has been completed, the TIP evaluation will be considered a "dry run" or model for future TIP analysis will soon be used to evaluate new projects that will be solicited for the next 2014-2018 TIP. Documentation of the analysis of expansion projects in the current TIP has been finalized and sent by November 1.

TIP Project Analysis

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B. ENVIRONMENTAL JUSTICE (EJ)

NIRPC's approach to the corrective action was both strategic and deliberate. The agency's 2040 Comprehensive Regional Plan (2040 CRP) document will outline how to achieve the region's vision. The following provides strategic approaches to achieve the goals set out in the 2009 Certification Review. The core principles of environmental justice are embedded in the CRP Plan's vision statement, a set of goals and objectives to achieve the vision, and a preferred scenario that in-grains those principles in implementable strategies.

The deliberative approach looked at NIRPC's capacity and took steps to incorporate a deeper commitment to achieving these principles by:

- Programming Environmental Justice tasks into the Agency's 2011 Unified Planning Work Program
- Hiring a Public Participation & Outreach Coordinator with the responsibility to broaden outreach to the region and deepen the relationships needed to achieve that goal
- Improving the spatial tools within NIRPC and providing training for staff to improve the quantitative analysis of how investments impact minority and low-income communities
- Providing opportunities to partner with the community through workshops, deliberative town hall meetings that increases the community's capacity to engage with the planning that impacts their lives

The strategic approach focused on the 2040 Plan. This plan is characterized by two key principles:

1. An unprecedented level of public involvement – including innovative uses of technology to engage a diverse regional population
2. An expanded planning scope – integrating transportation, economic development, environmental management, land use and social equity.

Unprecedented Public Involvement

Major public participation milestones include:

Forum on the Future of Northwest Indiana, December 2008: A day long, 500-person, public visioning event held at the Radisson in Merrillville. Attendance was geographically and demographically representative of the region as a whole. Results were used to develop a vision statement, goals and objectives and priorities that have guided the development of the CRP.

"INvision" Northwest Indiana: a vibrant, revitalized, accessible and united region. Stretching from the treasured shores of Lake Michigan to the historic banks of the Kankakee River and committed to an ethic of sustainability

A united region – Celebrating our diversity, we work together as a community across racial, ethnic, political, and cultural lines for the good of the region

Goal Setting Workshops, May – June 2009: Six public workshops held throughout the region to validate the vision statement and generate ideas for plan goals and objectives.

2040 CRP Goals and Objectives are structured around Vision themes.

Examples of key priorities identified in the Goals and Objectives are:

Revitalization:

- revitalized core cities and downtowns
- clean air and water
- reduced flooding

Accessibility:

- improved transportation safety;
- greater transportation options
- reduced congestion
- improved mobility for people and freight
- reduced health impacts from transportation

Unity:

- working regionally
- promoting environmental justice
- efficient and coordinated local governments

Sub-regional Cluster Workshops, September – October 2009: Five public workshops held throughout the region. On table-sized maps of their counties, attendees mapped out a physical framework for the future using a palette of *Centers*, *Corridors* and *Green Areas*: regional population and employment growth centers, major transportation improvements, and natural resource conservation areas.

INDiscussions, Ongoing: Meetings with small groups of stakeholders around the region, e.g. city planners, urban core representatives, community and religious groups, town and city councils.

Regional Scenarios Stakeholder Workshop and Public Outreach Meetings, September – October 2010: Eight public meetings held throughout the region to garner feedback on the scenarios and to “select” a preferred scenario.

About Scenarios

A major component of the 2040 Comprehensive Regional Plan planning process is the development of alternative scenarios. In the CRP process, each scenario paints a different picture of Northwest Indiana by the year 2040. NIRPC developed four scenarios, each based on a different set of assumptions about the future that reflect existing policy and/or the vision, goals and priorities that were expressed by citizens during extensive public workshops.

Trends

The Trends scenario envisions a future where long-time and current regional development patterns continue unchanged into the future.

Local Plans

The Local Plans scenario envisions a future where the regional distribution of population and employment is consistent with the full build-out of local municipal and county land use plans.

Livable Centers

The Livable Centers scenario envisions a future where the majority of population and employment growth is concentrated within the Northwest Indiana's 41 cities and towns and less development has occurred in outlying unincorporated areas. This scenario intensifies growth within "livable center" locations, which are mixed-use (civic, commercial, residential, etc.) activity centers in each municipality that are served by existing utility infrastructure and the roadway network and have the potential to be well served by public transportation. This pattern is largely based upon the work completed at the five Sub-regional Cluster Workshops in the fall 2009.

Urban Core Regeneration / Infill

The Urban Core scenario envisions a future where a proportionately higher percentage of population and employment growth occurs in the urban core communities including Gary, Hammond, East Chicago and Michigan City. This scenario is a reversal of current trends: instead of expanding outward into rural areas, emphasis is placed on infill development and sustainable redevelopment of the northern urban communities, where there is multimodal transportation connectivity, existing infrastructure and vacant land. In general, development tends to be higher density and mixed-use in character.

Note: The Infill Scenario looks at revitalizing the core communities that are also Environmental Justice Communities.

Scenario Construction and Analysis

To build and evaluate each scenario, NIRPC staff and the HNTB consultant team used computer software called *CommunityViz*. By entering geographic data (maps) and assumptions about growth and development into *CommunityViz*, the user can calculate key "indicators," for each scenario. Indicators are a means of measuring how closely the scenarios line up with our goals and a standard by which to judge their relative merits. In addition to the *CommunityViz* analysis, each scenario was analyzed with NIRPC's transportation demand model to evaluate transportation and air quality impacts. This allows for a side-by-side comparison of alternatives to determine how well each scenario meets the CRP's goals for a vibrant, revitalized, accessible, and united region.

Selecting a Preferred Scenario

Throughout the months of September and October 2010, NIRPC held a series of eight outreach meetings in locations around the region to ask the public for feedback on the scenarios and to select the "preferred scenario" for Northwest Indiana. These meetings were held in Kouts, East Chicago*, Gary*, Cedar Lake, Portage, Michigan City*, Hammond* and La Porte. At each meeting, a brief overview of NIRPC was given, as well as the purpose in developing the 2040 Comprehensive Regional Plan, the planning process to date and the importance of the vision statement and goals and objectives. An explanation of the four scenarios was presented, followed by discussion and consensus of

a preferred scenario. Participants were then asked to identify projects, strategies and policies in order to implement the selected scenario.

Note: * The four identified are environmental justice communities, other communities to cover the region and any areas that have higher poverty populations

Results from the eight Outreach meetings:

Recommended Preferred Scenario were Hybrids of the four Scenarios

1. Combination of Livable Centers and Infill
2. Combination of Plans** and Infill*

Note: * Land Use Committee

** Plans with a population cap, employment cap, constraints on infrastructure development in unincorporated areas, and prohibiting development in environmentally sensitive areas.

The **deliberative approach** looked at the people we serve and how to forge a better relationship, partnership and community capacity.

Build Trust with Passionate and Committed Leaders and Increase Community Capacity

NIRPC has embarked on building on the existing relationships and developing new relationships with stakeholders from varying sectors: the business community, the civic community, the faith-based community, advocacy and activist groups, and communities that are not aware of NIRPC's mission.

Two Environmental Justice workshops were designed for community residents and NIRPC staff. Over the course of two days in April, more than 100 people joined NIRPC in downtown Gary to learn how to strengthen the connections between environmental justice (EJ) and regional planning. NIRPC and its partners developed the workshops in response to the corrective action identified in NIRPC's 2009 federal certification review.

NIRPC, in partnership with the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA), held a series of EJ workshops on April 16 and 17 at the Gary Buffet and Grill. Attendees included local students, residents and leaders, NIRPC Commissioners and staff from State and Federal Agencies. Sessions focused on clarifying the definition of EJ, identifying NIRPC's role in fulfilling the EJ Executive Order and enhancing NIRPC's capacity to conduct an open and inclusive planning process and to avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects on minority populations and low-income populations. Additional staff training via webinar, which included some INDOT staff, was held on June 9, 2010.

The EJ workshops were an opportunity to advance the 2040 CRP and Northwest Indiana to a new level. As an outcome from the workshops, an EJ working group was formed to provide ongoing assistance and stakeholder participation for the 2040 Comprehensive

Regional Plan. Co-chairs, from the workshop, were appointed to represent the African-American and Latino communities.

INdiscussions, a facilitated and participatory community-meeting format was started in spring of 2010. Community groups invited NIRPC staff to present and deliberate about any regional or local issue that interests them and how regional planning impacts community life.

Summer 2010 Public Involvement found NIRPC staff at county and community fairs, festivals, farmers markets and baseball games to share information about NIRPC's Mission. These opportunities allowed staff to handout thousands of informational flyers and NIRPC literature and talk to attendees that would not likely know or hear about the Agency and it's work. Environmental Justice and Rural Communities were the focus.

NIRPC has maximized its Public Information opportunities with interview spots both on radio and television. Several interviews have been done to share information, expand to a broader listening and viewing audience, and to recruit participants to attend 2040 CRP planning meetings, all targeted to the four EJ communities.. Interviews were also done in Spanish, hosted by Latin Media (attendees of the EJ workshop) with an audience of Gary, East Chicago, and Hammond.

A business and civic leader was appointed as co-chair of the EJ Working Group and was also appointed to the 2040 Comprehensive Regional Planning Steering Committee. The EJ Working Group now has co-chairs at the decision making table to bring issues to NIRPC and back to the community.

The Public's Influence in Outreach and Scenario selection:

- The EJ Working Group members provided assistance in Outreach, handed out and mailed hundreds of invitations on NIRPC's behalf to attend scenario selection meetings in the community
- The discussions and exercises at all eight workshops focused on the future of the entire region. Revitalizing the urban core communities was the predominant topic for participants (urban core communities are also EJ communities) but added that all communities should be livable and planned well. Community Workshops recommended combining scenarios to create a hybrid. Livable Centers and Infill (which gets to race and anyone living in poverty) was the recommended scenario from all workshops

NIRPC has done an initial Benefits and Burdens analysis to see how various indicators perform. This analysis will be refined as staff receives direction from the NIRPC Board regarding The Preferred Scenario.