



**I-69 Subcommittee Meeting Minutes**

**October 17, 2011 4:00pm**

**McCloskey Room (#135), City Hall, 401 N. Morton St. Ste. 135, Bloomington, IN 47404**

*I-69 Subcommittee minutes are transcribed in a summarized outline manner. Meetings are not recorded.*

**I-69 Subcommittee:** Jack Baker (Bloomington Plan Commission), Richard Martin (Monroe County Plan Commission), Kent McDaniel (Bloomington Public Transportation Corp.), Lynn Coyne (Indiana University), and Mark Stoops (Monroe County Commissioner).

**Others:** Larry Jacobs, Tom Tokarski, M. Williams, and D. Goldblatt.

**MPO Staff:** Josh Desmond, Tom Micuda, and Raymond Hess.

The meeting opened with 4 of 6 members present approving the minutes of the October 7, 2011 meeting.

Participants decided to review in sequence the responses provided by INDOT to the questions submitted. The following highlights discussion and participant comments to responses. Not all questions raised concerns or comment beyond acknowledgement of the response.

(1) Several responses, like this one, include rhetoric for which substantive evidence is not included and must therefore be considered to be speculative in nature rather than direct answers. For this question and others, INDOT is not required and therefore does not gather information pertinent to the question topic.

(2) Neither INDOT nor the Federal government is able to provide an "official document" linking Crane survivability as a resource with provision of I-69. This response is consistent with previous information.

(3) see (1)

(4) The determination of "poor performance on purpose and need" criteria remains a central issue because of the criteria measures considered and the subjective nature of their weighting.

(8) Mr. Desmond discussed the INDOT asset teams that score projects for State efforts. He does not know if the outputs of those team activities are available. Mr. Martin noted that the response states "In general, transportation planning and prioritization of projects affecting regional and statewide mobility are a responsibility of INDOT and local projects are planned by local planning agencies." This implies that there are specific situations in contrast to the general situation. As we have been informed by FHWA, one special situation is that the MPO shares responsibility (and decision authority) with INDOT for regional and statewide projects within its jurisdiction. And certainly we share with INDOT responsibility for local projects seeking state and federal funding opportunities.

(9) This response indicates a failure on the part of INDOT to recognize the responsibility of the BMCMPPO for determining the appropriateness of public fund expenditures in our jurisdiction as required by Federal law. In determining the implementation specifics of public policy, the MPO Policy



Committee is not constrained or limited in the information that it can consider pertinent and it can range as far as it deems purposeful in arriving at a decision. INDOT has spent millions of dollar and years of effort to examine those aspects of the I-69 project it believes pertinent to arrive at its recommendation to the BMCMPPO. Whether to build as recommended by INDOT is the question before the BMCMPPO and we will examine that question appropriately from our perspective as those most impacted by the decision.

(10) Mr. Martin remarked that the figure provided match those in the STIP with slightly different column labeling.

(13) Mr. Martin noted that the distribution of funding sources is difficult to determine but it seems clear the Federal Highway System funds plus the state match are insufficient to complete I-69 anytime soon.

(14) Mr. Hess noted that in addition to the estimate given must be added the cost of completing the I-69/SR27 interchange that is deferred from Section 4. The difference between the initial estimate for the BMCMPPO jurisdiction and the T-interchange version proposed temporarily is about \$30 million.

(16) Mr. Martin observed that INDOT did not seem to be aware of tax policy in Indiana. The \$350,000 now contributed by property in the I-69 ROW will be shifted to other property owners in Monroe County. About the only tax collect and dedicated to local use that might arise from construction of I-69 is whatever is collected in the Hotel/Motel tax and that would go to the Convention and Visitors Bureau. Construction workers that do not reside in Monroe County do not pay income or option taxes here and sales taxes are collected by the state, as are fuel taxes, and distributed by formula rather than source of revenue. Other claims for tax benefits and growth related benefits are speculative and diminished by tax policies that severely restrict the ability of local communities to respond to local needs and desires.

(17) and (18) see (9)

(19) Participants agreed that the INDOT reply to the question was a NON-Response and noted that the same reply occurs for 5 different questions. Staff suggested that the response does indicate that the "cut-off" of funds is tied to the expiration of the current 2010-2013 TIP in June of 2013. Mr. Martin noted that since INDOT could not build I-69 in the MPO jurisdiction without BMCMPPO including it in the TIP, INDOT could only respond that there is no budget line to use to fund that portion.

(20) see (19)

(21) Mr. Desmond stated that staff assumed the 3% number was based on funded projects, similar to the way the BMCMPPO has established such a fund. And like the BMCMPPO, major deviations from budgeted amounts must be separately considered as administrative amendments or reevaluations.

(22) Mr. Martin read an email he received from Bill Williams, Monroe County Highway Engineer, indicating that he was travelling to the weekly meetings when it appeared that discussions of interest to Monroe County were going to occur.



(23) Mr. Martin observed that the safety improvement projects were identified as both "separate project" and to "begin after the Section 5 ROD is issued". Such a response indicates that addressing elevated safety risk caused by Section 4 use are contingent upon State and FHWA approval of Section 5 activities. This situation could be the result of NEPA provisions and rules regarding Federal participation. Mr. Desmond identified the list of potential safety related improvements prior to completion of Section 5 for which a determination of exactly what would occur when is outstanding.

(24) and (25) see (19)

(26) Since INDOT references the FHWA response, we want to know if they agree with the FHWA response.

(34) Mr. McDaniel verified that BT has a signed agreement of fiscal year 2012 and that agreements with the State are for a one year term.

(36) Mr. McDaniel identified 309 Formula money received as the Governor's Apportionment. The BT budget could be cut about 60% after 2013 but only 30% if PMTF remained.

(37) Mr. Martin stated that it was important that INDOT had recognized the importance of addressing the Vernal Pike intersection concurrently with Section 4.

(38) Mr. Martin stated the information provided is consistent with previous information and noted that the \$205 million in NHS funds must serve needs across the state and not just I-69.

(39) Mr. Stoops asked if the BMCPMO vote last November required the county karst regulations be met. Mr. Martin identified the Karst MOU as the requirement established but stated that the other requirement related to informing the County Surveyor had not been met. Two annexes dealing with karst features are redacted from the FEIS. The County Plan Commission has two pending petitions in the Bolin Lane area and the karst information would be very helpful in considering those petitions.

(41) Mr. Martin asked if there were other interstates in Indiana that traversed the same kind of and extent of karst features? Certainly parts of SR37 may have encountered similar conditions and resulted in the Karst MOU. What standards were applied there?

(44) What is "quality assured data" and why is that distinction made. Question (50) raises the same concern. Mr. Martin observed that if air quality is not bad, then it is assumed to remain good if it cannot be shown that I-69 alone makes it bad. But air quality is the result of many factors, all of which contribute. Again INDOT did what was necessary to meet NEPA alone. Mr. Hess noted that a FEIS comment requesting more analysis was rejected.

(48) and (49) Mr. Martin observed that the 4% or 5% grade impact on emissions is recognized but not quantified. Without quantification it is not possible to determine the cumulative impact of I-69 on air quality.

(51) and (52) The claim of reduced emission "due to national efforts to produce cleaner vehicles and fuels" is plausible but may not apply in our specific situation. How can we validate this kind of claim?

Our understanding of the situation in Greene County is that a particular facility change resulted in the reduction rather than a general change in traffic emissions.

(57) Mr. Martin asked if staff was aware of any additional funding provided to local agencies to help defray the added cost of emergency response responsibilities for I-69. Mr. Desmond indicated that he was not aware of any additional funding but it is possible that reduced response requirements elsewhere are considered. Mr. Martin asked if consideration is given for special training or equipment for karst related spill mitigation. Mr. Desmond responded that no provisions of that kind have been discussed for any project. Mr. Martin stated he would ask Bill Williams if he was in contact with local emergency service providers about the access on Burch Road and if they had discussed associated funding opportunities.

(60) Mr. Hess observed that while the long-term solutions of increased safety risk are being discussed, they have not been involved in discussion with INDOT about short-term solutions. Also see (23).

(61) Mr. Martin observed that the INDOT response seem to indicate that getting agreements between local emergency response provider concerning a Burch Road access was now the responsibility of local officials.

(62) Mr. Desmond indicated that the Harmony/Garrison Chapel Road project was on-going. Mr. Martin asked if INDOT can reject a TIP amendment if we add a project deemed necessary. Mr. Desmond stated that INDOT has an administrative procedure to send TIP amendments to FHWA on a monthly cycle and that since it is an INDOT process, they can probably reject the TIP change.

(63) Mr. Martin asked if staff knew of the specific purpose ascribed to Section 4 that gave it independent utility. Mr. Desmond replied that it was probably related to the connection between Crane and Bloomington but did not know where it was stated in INDOT or FHWA documents.

(65) Mr. Hess observed that the "reevaluation process" was different with design build procedures because the obligations occur much earlier in the process than traditional project plans. He also stated that a 2013 TIP Construction authorization did not necessarily means a 2013 build – it could be several years out. For example the obligation for the transit terminal occurred 2 years ago and construction has not yet begun. Generally their experience is that construction begins about 6 weeks after obligation for highway projects.

(67) Mr. Martin agreed to ask Bill Williams about the ways lifecycle costs were calculated for asphalt and concrete surfaces to verify that the different event frequencies and intensity of effort were considered.

(69) Mr. Hess stated that intelligent traffic management was limited to discussion of things like Amber Alert messaging. Mr. Martin identified issues related to power and network communications as enablers to assure future capabilities.

(70) Mr. Martin noted that the response was more evidence for the distinction between policy planning decisions that the BMCMPPO needed to make and detailed design decisions INDOT was making. The question was broad and interpreted as specific.



(71) Mr. Hess stated that the comment process was also a mechanism for involvement. Mr. Martin noted that limited review time and vague answers made that opportunity of limited utility to MPO members. It appears that the way we get involved in the decision process is through our vote as a Policy Committee.

(72) Is 4% really the maximum grade that will be in the final design or does INDOT expect to request a waiver or design exception from FHWA to use 5% in some locations?

(73) Mr. Martin expressed concern for specific maintenance provisions related to 1:2 side slopes. Experience has shown they are unstable over time and require special construction methods and maintenance to sustain.

(75) Mr. Martin indicated he was not aware of a roundabout option but did know such a configuration was considered in Greene County. This is another opportunity for input via vote of the MPO.

(76) see (72)

(77) see (73)

(78) Mr. Hess stated that about \$30 million seems to have been shifted to Section 5 but it may be less because of other design changes.

The review of responses was ended for the day to resume on Wednesday. Mr. Micuda stated that on Wednesday the participants needed to determine a strategy for a face-to-face meeting with INODT and FHWA. Mr. Baker stated that we need to translate the questions and responses into negotiating points for further discussion.

The meeting adjourned at 6:00 PM.

Minutes prepared by Richard Martin.