



**POLICY COMMITTEE**

March 9, 2012; 1:30 – 3:00 p.m.  
Council Chambers (#115)

- I. Call to Order
- II. Communications from the Chair
- III. Reports from Officers and/or Committees
  - A. Policy Committee I-69 Subcommittee
- IV. Reports from the BMCMPPO Staff
- VII. Old Business – *Action Requested on all Old Business\**
  - A. FY 2010-2013 Transportation Improvement Program Amendment
    - a. I-69 Section 4 (Construction) (INDOT)
  - B. FY 2012-2015 Transportation Improvement Program Amendment
    - a. I-69 Section 4 (Project Addition) (INDOT)
- VIII. New Business
- IX. Communications from Committee Members (*non-agenda items*)
  - A. Topic Suggestions for Future Agendas
- X. Upcoming Meetings
  - A. Technical Advisory Committee – March 28, 2012 at 10:00 a.m. (McCloskey Room)
  - B. Citizens Advisory Committee – March 28, 2012 at 6:30 p.m. (McCloskey Room)
  - C. Policy Committee – April 13, 2012 at 1:30 p.m. (Council Chambers)

Adjournment

*\*Public comment prior to vote (limited to five minutes per speaker)*

## **BMCMPO Expectations regarding a Cooperating Relationship with FHWA and INDOT**

**DRAFT of January 25, 2012**

### **I. BMCMPO expectations concerning Section 4 within MPO jurisdiction of Section 4**

- A. Intersection at SR 37 – of the three design proposals examined, the dual roundabout is not acceptable, the traffic light is acceptable for a very short duration of use (less than 24 months), and the free flow is acceptable for up to ten years provided safety improvements/mitigation on SR 37 is completed before free flow traffic begins.
- B. Noise mitigation – the assessment of noise impact must include the build-out of existing lots within the jurisdiction and must specify mitigation if there is an expectation for an increase in ambient noise of 25% or more. It is the difference that is important in suburban areas rather than the absolute level of noise.
- C. Karst treatment – the MOU is continuously followed with regular inspection to verify compliance.
- D. Storm water management – management features that meet or exceed local standards both during and post construction are evident in design documents, executed correctly during construction, and monitored to assure they perform as expected with immediate correction if that performance is found to be deficient.
- E. Schedule for completion – completion of Section 4 occurs in an agreed manner consistent with expectations of all parties.

### **II. BMCMPO expectations concerning Section 4 within MPO jurisdiction in Section 5**

- A. Objective: No 'dumping' of Interstate traffic onto state or local roadways, which results in a measurable increase in personal injury or property damage.
- B. SR 37 Safety plan

## **BMCMPO Expectations regarding a Cooperating Relationship with FHWA and INDOT**

1. Estimates of potential for additional harm at all BMCMPO jurisdiction intersections resulting from increase in traffic load conducted within 9 months (Annex QQ does not perform this analysis).
  2. Agreed improvement/mitigation plan to eliminate harm caused by 'dumping' of interstate traffic onto state and local roads:
    - a) Vernal Pike intersection
    - b) SR 45 intersection (2nd Street)
    - c) SR 43 intersection (3rd Street)
    - d) SR 46 intersection (north bypass)
    - e) Rockport Road, Fullerton Pike, Tapp Road, Kinser Pike, and North Walnut Street.
- C. Safety First
1. Section 4 intersection with SR37 does not open until safety equivalent to the existing situation is expected because the improvement/mitigation plan is agreed, completed, and performed.

### **III. BMCMPO expectations concerning Section 5 within MPO jurisdiction in Section 5**

- A. SR 37 FEIS Participating Agency status
1. Section 6002 clearly indicates the desirability of Participating Agency status for Bloomington and Monroe County.
  2. The BMCMPO has an obligation to see to it that this opportunity is extended to affected jurisdictions.
  3. The Participating Agency opportunity offer is made and executed within 30 days.
- B. Design consistent with existing:
1. Bloomington Growth Policy Plan,
  2. Bloomington Alternative Transportation Plan,
  3. Monroe County Comprehensive Plan,

## **BMCMPO Expectations regarding a Cooperating Relationship with FHWA and INDOT**

4. Monroe County Alternative Transportation Plan,
5. Monroe County Transportation Plan, and
6. Monroe County SR37/I69 Corridor Plan.

### **IV. Move forward as partners with a common set of objectives.**

- A. Link approval of INDOT project requests and BMCMPO expectations.
  1. TIP approval of Section 4 construction, linked to I, II, and III.A., is added to current BMCMPO TIP and proposed 2012 – 2015 TIP.
  2. 2012 – 2015 TIP included in STIP without Section 5.
  3. Monitor Section 5 Participating Agency activity.
  4. Complete BMCMPO Long-range Transportation Plan.
  5. Conduct formal review of Section 5 FEIS to determine compliance with BMCMPO Policy as expressed in LRTP and specific LPA expectations as expressed in III.B.
  6. Upon completion of review and satisfactory alignment of FEIS recommendation with BMCMPO policy, add Section 5 request components to 2012 – 2015 TIP to enable ROD.
  7. Monitor design/build process of Section 5.



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Room N758  
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PHONE: (317) 232-5525

**Mitchell E. Daniels, Jr., Governor**  
**Michael B. Cline, Commissioner**

February 15, 2012

Richard Martin  
501 N. Morton Street, Suite 224  
Bloomington IN 47404

Dear Mr. Martin:

Thank you for your recent letter regarding the Bloomington/Monroe County MPO's (BMCMPPO) relationship with INDOT and FHWA. Thank you for taking the time to think through these issues.

I've worked with my staff in an attempt to respond to your extensive list of questions. For clarity, I take the liberty of including the actual text from your document in **bold typeface** followed by INDOT's response.

It seems that we are closer to agreement on the matters you describe below than perhaps the general public or other interested parties think. We look at this correspondence as an opportunity to improve communication, and we look forward to meeting with you and working with the community.

- I. BMCMPPO expectations concerning Section 4 within MPO jurisdiction of Section 4**  
**A. Intersection at SR 37 – of the three design proposals examined, the dual roundabout is not acceptable, the traffic light is acceptable for a very short duration of use (less than 24 months), and the free flow is acceptable for up to ten years provided safety improvements/mitigation on SR 37 is completed before free flow traffic begins.**

Although I am unaware of who it is that thinks "the dual roundabout is not acceptable," INDOT is not irreversibly committed to the "dual roundabout" design. For something as significant as an interchange, we will attempt (within the safety constraints I describe below and some reasonable budget and right of way constraints) to develop a solution that meets the traffic and safety needs of the communities we serve and the travelling public. Please note:

- a. Although INDOT often seeks input from and cooperation with local communities, we legally are unable to delegate design and safety authority to any other entities. We not only carry the legal liability for the safety of our projects, I personally (as well as those other INDOT employees who work on our highway projects) feel a moral calling and a professional responsibility to make our transportation infrastructure as safe as we can for the travelling public. We monitor records of crashes, injuries and fatalities on Indiana roadways and work daily to make our roads safe.

b. We have some safety concerns with respect to changing the design of the SR 37/I-69 interchange. In general, intersections controlled by roundabouts experience 67% fewer crashes and 90% fewer fatal crashes than intersections controlled by traffic signals, and therefore are typically an attractive design option to consider. We appreciate the discussions we have had to date with the Monroe County Engineer and others locally and feel we ought to be able to resolve this matter.

**B. Noise mitigation – the assessment of noise impact must include the build-out of existing lots within the jurisdiction and must specify mitigation if there is an expectation for an increase in ambient noise of 25% or more. It is the difference that is important in suburban areas rather than the absolute level of noise.**

In addition to any noise abatement INDOT has done or will do attendant to this project, and assuming a community consensus, INDOT will commit to a review of zoning and residential/apartment building permits and to community engagement on noise abatement at those locations where there is a reasonable certainty of lots being built out that would have qualified for sound wall, had those buildings existed when the project is initially constructed.

Our experience has been that typically sound walls are not uniformly accepted by all entities in communities. Some businesses object to sight and visibility barriers. Some communities object to being “walled in.” It will be especially critical for success here that we all work with the impacted community members to get to consensus.

**C. Karst treatment – the MOU is continuously followed with regular inspection to verify compliance.**

INDOT, the United States Fish and Wildlife Service (USFWS), the Indiana Department of Natural Resources (IDNR) and the Indiana Department of Environmental Management (IDEM) entered in to the Karst MOU of 1993 and the Section 4 Karst Agreement for the very purpose of protecting the karst resources you note.

The Karst MOU of 1993 creates a special status for and compels the signatory agencies (INDOT, IDNR, IDEM, USFWS) to attend field checks and other meetings for the purposes of being informed about and monitoring karst features.

The agencies conducted a field check in preparation for the December 2011 construction contract letting (Segments 4, 5 and 6A of Section 4). INDOT has planned

several additional field reviews for the MOU agencies in the remaining Section 4 contracts. In addition any of those agencies could request further analysis.

Professionals from these agencies (INDOT, USFWS, IDNR and IDEM) have and continue to review the design of the protections and treatments of Karst features and fully intend to continue their work to protect the water quality and habitat associated with Karst areas.

In addition to the procedure for proper treatment of the resources, the 1993 MOU and the Section 4 Agreement (noted above) establish procedures for the agencies to follow for any unexpected conditions in the construction process.

**D. Storm water management – management features that meet or exceed local standards both during and post construction are evident in design documents, executed correctly during construction, and monitored to assure they perform as expected with immediate correction if that performance is found to be deficient.**

We plan for, monitor and require compliance with storm water runoff and erosion control procedures from our contractors during construction and as part of the final project delivery on every single project in the State.

We are willing to meet with appropriate representatives from the local government and community to incorporate new and useful strategies, to the extent practicable.

**E. Schedule for completion – completion of Section 4 occurs in an agreed manner consistent with expectations of all parties.**

As we have said in public several times, our goal is to let all the contracts for Section 4 in 2012. In the first item in this letter, we discuss the interchange with I-69 and SR 37.

We are not sure how to identify the “expectations of all parties;” however, and as consistent with our schedule as is reasonably possible, we are certainly willing to try to arrive at community consensus with respect to that portion of Section 4 in Monroe County.

Some projects are more complex than others, but minimizing traffic disruption and diversion is always a critical element of our coordination with local communities and businesses.

**II. BMCMPO expectations concerning Section 4 within MPO jurisdiction in Section 5**

**A. Objective: No 'dumping' of Interstate traffic onto state or local roadways, which results in a measurable increase in personal injury or property damage.**

Safety of drivers, passengers, pedestrian and other members of the public is the first standard for design and construction of INDOT projects. We have been able to work with communities all over Indiana to arrive at traffic and safety solutions when our projects either change the status quo or present additional opportunities for improvement.

We look forward to gathering workable ideas from the Bloomington/Monroe County communities with respect to Section 4. I would suggest that although the MPO provides a structure to coordinate with local planners, leaders and engineers, we will be open to all input as we move forward.

**B. SR 37 Safety plan**

**1. Estimates of potential for additional harm at all BMCMPO jurisdiction intersections resulting from increase in traffic load conducted within 9 months (Annex QQ does not perform this analysis).**

As I noted in the previous response, we will be pleased to set up a structure to discuss and review the safety of intersections within the jurisdiction of the BMCMPO in Section 4 as well as in Section 5. The Technical Committee of the BMCMPO with the participation of local highway and street department engineers might be well suited for these traffic and safety discussions with INDOT.

**2. Agreed improvement/mitigation plan to eliminate harm caused by 'dumping' of interstate traffic onto state and local roads:**

- a) Vernal Pike intersection
- b) SR 45 intersection (2nd Street)
- c) SR 43 intersection (3rd Street)
- d) SR 46 intersection (north bypass)

**e) Rockport Road, Fullerton Pike, Tapp Road, Kinser Pike, and North Walnut Street.**

We agree the local community and INDOT should review potential impacts. Each of the intersections you reference is already identified as areas for analysis in the Section 5 environmental studies. We would be pleased to extend the impact analysis to include the community's safety concerns and work to a community consensus in these areas.

**C. Safety First**

**1. Section 4 intersection with SR37 does not open until safety equivalent to the existing situation is expected because the improvement/mitigation plan is agreed, completed, and performed.**

INDOT does not intend to build an interchange that decreases safety. We will commit to work with the MPO and the community so that all parties can come to a common understanding and hopefully agreement with respect to safety of the SR 37 interchange in Section 4.

**III. BMCMPPO expectations concerning Section 5 within MPO jurisdiction in Section 5****A. SR 37 FEIS Participating Agency status**

**1. Section 6002 clearly indicates the desirability of Participating Agency status for Bloomington and Monroe County.**

**2. The BMCMPPO has an obligation to see to it that this opportunity is extended to affected jurisdictions.**

**3. The Participating Agency opportunity offer is made and executed within 30 days.**

As you know, we sent Section 5 Participating Agency invitation letters to the City of Bloomington, Monroe County, the Town of Ellettsville, Morgan County and the City of Martinsville on February 6, 2012. We look forward to working with each community and FHWA, as our joint lead agency, on Section 5 very shortly.

**B. Design consistent with existing:**

- 1. Bloomington Growth Policy Plan,**
- 2. Bloomington Alternative Transportation Plan,**
- 3. Monroe County Comprehensive Plan,**
- 4. Monroe County Alternative Transportation Plan,**

5. **Monroe County Transportation Plan, and**
6. **Monroe County SR37/I69 Corridor Plan.**

All of these would be relevant to inform design decisions. INDOT staff and its consultants will cooperate in considering each as well as other community input.

- IV. **Move forward as partners with a common set of objectives.**
- A. **Link approval of INDOT project requests and BMCMPPO expectations.**
1. **TIP approval of Section 4 construction, linked to I, II, and III.A., is added to current BMCMPPO TIP and proposed 2012 – 2015 TIP.**

I make the commitments and qualifications in the preceding relevant sections of this letter on INDOT's behalf as an ongoing commitment to engage the local community in good faith on all elements in this letter, and in all elements of designing, building and maintaining the project.

I have no objections to linking the commitments subject to relevant qualifications I make in Sections I, II and IIIA of this letter to TIP approval of Section 4 construction in the current BMCMPPO TIP and proposed 2012 – 2015 TIP, provided, however, such approval occurs at the February 24, 2012 meeting of the BMCMPPO Policy Committee.

2. **2012 – 2015 TIP included in STIP without Section 5.**

We do expect a commitment that when Indiana, FHWA, the BMCMPPO and the participating agencies come to agreement on the material elements of Section 5, Section 5 would be included in the TIP.

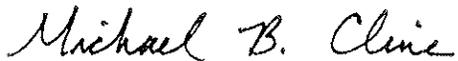
3. **Monitor Section 5 Participating Agency activity.**
4. **Complete BMCMPPO Long-range Transportation Plan.**
5. **Conduct formal review of Section 5 FEIS to determine compliance with BMCMPPO Policy as expressed in LRTP and specific LPA expectations as expressed in III.B.**

As I noted in the response to IIIB, we will be attentive to local planning desires. I cannot commit to you that the State will substitute local plans and ordinances for INDOT (and FHWA) specifications and laws, but the very reason we look forward to working with Morgan and Monroe County local governments as Participating Agencies is to give light, discussion and resolution to these matters.

6. **Upon completion of review and satisfactory alignment of FEIS recommendation with BMCMPPO policy, add Section 5 request components to 2012 – 2015 TIP to enable ROD.**
7. **Monitor design/build process of Section 5.**

With respect to Items #3-#7 (above), assuming each remains relevant (for example Section 5 may not be totally a "design/build" project) each of these items is a legitimate concern and topic in development of the Section 5 FEIS and ROD. We will work with the Participating Agencies, the BMCMPPO, FHWA and citizens in general toward a project that meets our mutual goals.

Sincerely,



Michael B. Cline  
Commissioner

Cc: Robert Tally  
Mayor Kruzan  
President of Monroe County Commissioners

# MEMORANDUM



To: BMCMPO Policy Committee  
 From: Raymond Hess, Sr. Transportation Planner  
 Date: October 28, 2011  
 Re: FY2010-2013 Transportation Improvement Program (TIP) Amendments.

This request by INDOT to add the construction phase of I-69 to the current FY2010-2013 Transportation Improvement Program was postponed at the September 9<sup>th</sup> Policy Committee meeting (additional material about the TIP amendment request can be found in the [9/9/11 Policy Committee packet](#)). INDOT requests the MPO to amend the TIP to reflect the following:

**Amendments to INDOT Projects:**

State of Indiana Projects	Funding Source	Fiscal Year			
		2010	2011	2012	2013
<b>Project:</b> I-69 Section 4 segment					
<b>Location:</b> Boundary of Planning Area (creek s. of Rolling Glen Estates) to SR 37 (s. of Bloomington) (~1.75 miles long)	PE NHS State		\$ 2,200,000 \$ 550,000		
<b>Description:</b> New Interstate highway road construction with conditions added concerning karst terrain (preservation and reporting requirements) and road access (Harmony Rd., That Rd., Bolin Rd., & other locations) (NOTE: refer to Resolution FY2011-06 in Appendix VIII)	ROW NHS State			\$ 2,496,000 \$ 624,000	
<b>DES#:</b> TBD	CON NHS State				\$ 25,600,000
<b>Support:</b> LRTP					\$ 6,400,000
<b>Allied Projects:</b>	<b>TOTAL</b>		\$ 2,750,000	\$ 3,120,000	\$ 32,000,000

Changes: Added construction costs in FY2013.

**Committee Recommendations**

As a reminder, the Technical Advisory Committee recommended approval of the amendment at their August 24, 2011 meeting. The Citizens Advisory Committee recommended denial of the amendment at their August 24, 2011 meeting

**Action Requested**

The Policy Committee is requested to take action on the proposed amendment to the FY2010-2013 Transportation Improvement Program to add the construction phase of I-69 Section 4.

# MEMORANDUM



To: BMCMPO Policy Committee  
 From: Raymond Hess, Sr. Transportation Planner  
 Date: October 28, 2011  
 Re: FY2012-2015 Transportation Improvement Program Amendment

Though the FY2012-2015 Transportation Improvement Program has not been accepted by INDOT, amendments need to be processed to reflect recent changes to projects. This request by INDOT to add the right-of-way and construction phases of I-69 to the FY2012-2015 Transportation Improvement Program was postponed at the September 9<sup>th</sup> Policy Committee meeting (additional material about the TIP amendment request can be found in the [9/9/11 Policy Committee packet](#)). INDOT requests the MPO to amend the TIP to reflect the following:

**Amendments to INDOT Projects:**

State of Indiana Projects	Funding Source	Fiscal Year			
		2012	2013	2014	2015
<b>Project:</b> I-69 Section 4 segment <b>Location:</b> Boundary of Planning Area (creek near Rolling Glen Estates) to SR 37 (s. of Bloomington) (~1.75 miles long)	NHS State				
<b>Description:</b> New Interstate highway road construction with conditions added concerning karst terrain (preservation and reporting requirements) and road access (Harmony Rd., That Rd., Bolin Rd., & other locations) (NOTE: refer to Resolution FY2011-06)	NHS State	\$ 2,496,000			
	NHS State	\$ 624,000			
<b>DES#:</b> TBD <b>Support:</b> LRTP	NHS State		\$ 25,600,000		
	NHS State		\$ 6,400,000		
<b>Allied Projects:</b>	<b>TOTAL</b>	\$ 3,120,000	\$ 32,000,000	\$ -	\$ -

Changes: This is a new project to the FY2012-2015 TIP; Added right-of-way in FY2012; Added construction in FY2013.

**Committee Recommendations**

The Technical Advisory Committee recommended approval of the proposed amendment at their meeting on August 24, 2011. The Citizens Advisory Committee recommended denial of the amendment at their meeting on August 24, 2011.

**Action Requested**

The Policy Committee is requested to take action on the proposed amendment to the FY2012-2015 Transportation Improvement Program.

## **I-69 action schedule to coordinate Section 4 and critical Section 5 safety improvements**

Ideal schedule for I-69 deliverables and approvals to maximize opportunity for installation of Section 5 safety improvements identified in Section 4 FEIS Appendix QQ concurrent with opening of Section 4 to interstate traffic at junction with SR 37.

### **Section 4 Segment 9 (majority of BMCMPPO jurisdiction in Section 4) schedule:**

April, 2012	I-69 / SR 37 interchange re-evaluation submitted for public comment
April, 2012	Public comment deadline for re-evaluation
October, 2012	Bid letting for construction
February, 2013	Construction begins
October, 2014	Section 4 open to interstate traffic
Monthly	Updates with the BMCMPPO TAC
Bi-monthly	Updates to the BMCMPPO Policy Committee (every two months or as requested)

### **Section 5 (SR 37 conversion from State highway to Federal Interstate in Monroe County north of interchange):**

September, 2012	DEIS released with preferred alternative specified and open for public comment
November 1, 2012	Public comment for DEIS completed
March, 2013	FEIS released
May, 2013	ROD signed
June, 2013	Earliest Possible date for letting some targeted safety improvement project(s)
July, 2013	Earliest Possible date for safety improvement project(s) to begin construction
October, 2014	Possible date for safety improvement project(s) to be completed

### **BMCMPPO action schedule:**

March 9, 2012	Approve addition of Section 4 Construction funding into 2012 – 2015 TIP
September, 2012	Approve addition of Section 5 PE and ROW into 2012 – 2015 TIP
May, 2013	Approve addition of Section 5 Construction into 2012 – 2015 TIP