

RESOLUTION 16-14

A RESOLUTION OF THE NORTHWESTERN INDIANA REGIONAL PLANNING COMMISSION APPROVING THE ENVIRONMENTAL JUSTICE ANALYSIS FOR THE I-65 LANE WIDENING PROJECT SPONSORED BY INDOT

May 19, 2016

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 stakeholder interests; and


WHEREAS, the Commission performs the above activities to satisfy regional requirements under the Fixing American Surface Transportation Act (FAST Act, 2015), as well as other federal, state and local laws mandating transportation planning activities; and

WHEREAS, In accordance with Executive Order 12898 of February 11, 1994, which requires a detailed understanding of the potential benefits and burdens transportation projects can place on low-income and minority communities (environmental justice communities). NIRPC has performed an Environmental Justice (EJ) Benefits and Burdens Analysis for the widening of I-65 from SR 2 to SR 10 which concluded that the I-65 widening project between SR 2 and SR 10 will not negatively affect the environmental justice communities identified in Northwest Indiana. SR 2 to SR 10 is too far away from environmental justice communities to negatively impact them, however NIRPC advises that local planners and municipalities should consider adopting smart growth planning practices to curb urban sprawl and further disinvestment of environmental justice communities. These practices are not only highlighted as part of the Environmental

Justice Analysis, but also are an integral part of the 2040 Comprehensive Regional Plan. These planning concepts are specifically defined as values and goals in the 2040 Plan, including "Embrace constrained, planned growth and encourage sustainable development within existing communities whose population centers will be livable and vibrant," and "Managed growth that protects farmland, environmentally sensitive areas and important ecosystems." For a more detailed explanation, see the attached analysis.


NOW, THEREFORE, BE IT RESOLVED that the Northwestern Indiana Regional Planning Commission hereby approves the Environmental Justice Analysis for the I-65 Lane Widening Project sponsored by INDOT.

Duly adopted by the Northwestern Indiana Regional Planning Commission on this nineteenth day of May, 2016.



James G. Ton
Chairperson

ATTEST:



Geof R. Benson
Secretary

Environmental Justice Benefits and Burdens Analysis

for the SR-2 to SR-10 I-65 Lane Widening

Prepared by the Northwestern Indiana Regional Planning Commission

February 2016

Purpose and Background

On Feb. 11, 1994, President Bill Clinton issued an Executive Order on Federal actions to address environmental justice in minority and low income populations. It directed every federal agency to make environmental justice part of its mission by identifying and addressing the effects of all programs, policies, and activities on “minority populations and low income populations.” The order was designed to focus Federal attention on the environmental and human health conditions in minority communities and low income communities with the goal of achieving environmental justice. The order promotes nondiscrimination in Federal programs substantially affecting human health and the environment, and to provide minority communities and low income communities’ access to public information on, and an opportunity for public participation in, matters relating to human health or the environment.

The Northwestern Indiana Regional Planning Commission (NIRPC) is committed to addressing environmental justice in all of its work. As the Metropolitan Planning Organization (MPO) for Northwest Indiana, NIRPC is responsible for planning and programming transportation projects that use Federal funds to maintain and expand the transportation system in the region. Transportation projects have often caused undue burdens on environmental justice communities in the past, and NIRPC’s goal is to prevent such undue burdens from occurring in the future. The purpose of this document is to analyze the proposed lane widening from US-30 to SR-10 on I-65 to determine what benefits and/or burdens the project may have on environmental justice populations in Northwest Indiana.

The proposed lane widening would add an extra travel lane on Interstate 65 between US Highway 30 and Indiana State Road 10. The environmental justice analysis for the section of I-65 between US Highway 30 and State Road 2 has already been completed as part of the Illiana project in November 2013. This analysis will explore lane widening on the remaining portion of I-65 between State Road 2 and State Road 10. The extra travel lane will increase the lanes on I-65 from two lanes northbound and southbound to three lanes in both directions and six lanes total.

Approach

NIRPC defines the “minority” and “low-income” requirements of an environmental justice community in the following ways. “Minority” people are those who do not identify as “white, non-Hispanic,” when completing the Census. People who are considered, “low income” are defined as people who have lived in poverty, at any time, during the last 12 months. Sources used in extrapolating data for this population were taken from the most recent data sets from the Census and the American Community Survey.

Understanding how the proposed widening of I-65 may impact Northwest Indiana’s environmental justice population was divided into three distinct parts. First, NIRPC sought to understand how the proposed infrastructure changes may impact environmental justice communities in a very physical way. Would the proposed changes dislocate disadvantaged people? Would the proposed changes cause disadvantaged people to disproportionately absorb more environmental burden through pollution and other impacts of building roads? Second, NIRPC explored how the added travel lanes may impact the rest of the travel network by disproportionately harming environmental justice communities in terms of travel delays to key community resources. Third, NIRPC explored the relationship between local land use policies and the possible spread of suburban sprawl, leading to disenfranchisement in the environmental justice communities.

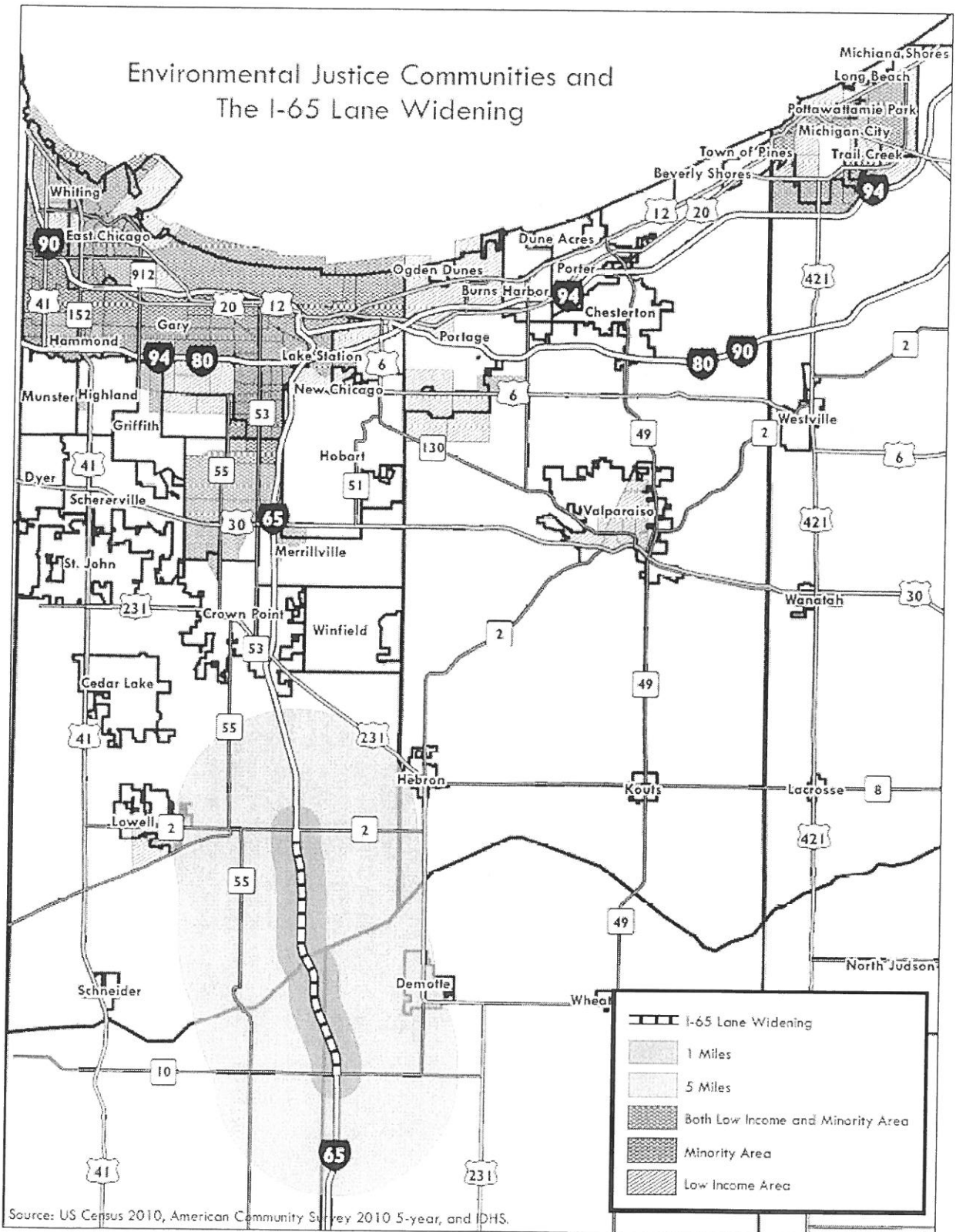
To understand the project's potential impact, environmental justice populations were identified, and concentrations of the populations were mapped. Two future scenarios, a "baseline" scenario and a "build" scenario developed and used to determine the effects of the I-65 lane widening project on environmental justice populations. The baseline scenario consisted of the entire 2040 road network that was adopted for the 2040 CRP. The build scenario added the extra travel lanes on I-65 to the baseline network. Each scenario was run through the NIRPC transportation model. The model results were used to analyze the effects of the added travel lanes on environmental justice populations using 11 performance measures developed to capture resources that are critical to a community's health. The performance measures are as follows:

- Average number of jobs within a 20 minute drive
- Average number of shopping destinations within a 20 minute drive
- Average number of other destinations within a 20 minute drive
- Average travel time for work trips
- Average travel time for shopping trips
- Average travel time for other trips
- Average travel time for all trips
- Percent of population within 20 minutes of a livable center
- Percent of population within 20 minutes of a retail center
- Percent of population within 20 minutes of a hospital

Lastly, NIRPC will examine the relationship between the I-65 lane widening and the potential impact the local growth pattern of communities that are near the project area. An underlying assumption of this portion of the analysis is that the increased efficiency of a corridor may incite development along the corridor, if the policies in place by local governments allow for rapid suburban growth. Suburban growth or sprawl can potentially impact environmental justice communities by attracting investment out of the urban core, where environmental justice communities are located, and pushing it out to the urban periphery. The spread of suburban investment can do more than negatively impact environmental justice communities, it can also negatively impact the entire transportation system. To understand these relationships, NIRPC examined the local policies in place concerning land use and development within all the governments contained by the NIRPC planning region near the project area; namely: Lowell, Hebron, and Lake County. Policies examined pertained to:

- Minimum lot sizes
- Minimum parking requirements
- Mixed-use developments
- Sidewalk ordinances
- Local annexation requirements

Figure 1: Map of the proposed I-65 lane widening project



Results

The first portion of NIRPC's analysis is starkly clear. As seen in Figure 1, the proposed project does not directly impact any concentration of an EJ population in Northwest Indiana. The portion of I-65 that will be widened is too far from existing EJ communities to make a direct impact, either from displacement or from added pollution.

The second conclusion of NIRPC's analysis is less obvious, however similarly benign. The following table, Table 1, indicates how the low income and minority populations of Northwest Indiana are affected in two distinct scenarios: building the proposed expansion of I-65 and not building the expansion of I-65.

Table 1: Performance Measures for the I-65 lane widening project

		Low Income Population		Minority Population		Impact
		Build	No Build	Build	No Build	
Within a 20 min drive:	Average number of jobs	48,127 (14% of total)	43,905 (12% of total)	44,341 (13% of total)	44,394 (13% of total)	Minimal
	Average number of shopping destinations	27,636 (11% of total)	26,074 (10 % of total)	27,679 (11% of total)	27,699 (11% of total)	Minimal
	Average number of "other" destinations	155,185 (12% of total)	150,700 (12% of total)	153,072 (12% of total)	153,340 (12% of total)	None
Average travel time for:	Work trips	20.1 min	20.1 min	20.4 min	20.4 min	None
	Shopping trips	13.5 min	13.5 min	14.6 min	14.6 min	None
	"Other" trips	13.7 min	13.7 min	14.1 min	14.1 min	None
	All trips	15.3 min	15.3 min	15.7 min	15.7 min	None
Percent of the population within 20 minutes of a:	Livable Center	99.9%	99.9%	99.1%	99.1%	None
	Retail Center	89.3%	89.3%	89.1%	89.1%	None
	Hospital	93.9%	93.9%	93.6%	93.6%	None
	University	83.8%	85.0%	80.1%	79.6%	Minimal

In every measure of how the potential lane widening project may impact environmental justice communities, the results are none to minimal. Where there is a minimal change, such as average number of jobs within a 20 minute drive, the change is only beneficial. By widening I-65 the average number of jobs within a 20 minute drive changes from 43,905 to 48,127, or a 2% increase. The same is true for every minimal change in the environmental justice community due to lane widening.

After completion of the environmental justice analysis it is clear the proposed changes to I-65 will have extremely limited negative impact on the environmental justice communities in Northwest Indiana. However, the widening of I-65 has the potential to incentivize growth in southern Lake County. NIRPC has traditionally emphasized the need to encourage development within the urban core of Northwestern Indiana. In NIRPC's 2040 Comprehensive Regional Plan, NIRPC specifically calls for "managed growth that

protects farmland, environmentally sensitive areas and important ecosystems,” as well as the “compact mixing of uses” within the urban core. This commitment to sustainable development and smart growth patterns is echoed in other NIRPC plans including the 2013 Creating Livable Communities Plan.

If transportation is made more efficient on the periphery of urban development, there is a risk that the gains in travel time may lead to further suburban development along the corridor. This kind of sprawling development can cause increased reliance on the regional highway system and can choke any gains made in travel times with further congestion.

One measure of the likelihood of sprawl is to examine the minimum lot size for the lowest density of housing development within a community. “R-1” developments in Lowell are required to have a minimum square footage of 10,000 square feet, no more than 15,000 square feet. Hebron has a minimum lot size of 12,000 square feet and no maximum. Unincorporated Lake County R-1 developments must be 7,500 square feet with no maximum. In terms of residential density, Lowell is the most likely to control the growth of their municipality, given they have capped the lot size of residences within their community, unlike Hebron and Lake County.

Table 2: Minimum R-1 Lot Sizes

Municipality	Minimum R-1 Lot Size
Lowell	10,000 – 15,000 sq ft
Hebron	12,000 sq ft (no maximum)
Lake County	7,5000 sq ft (no maximum)

Another method of determining the likelihood of sprawl is identifying if the community has parking minimums for commercial developments. Sprawling suburban developments often have large parking lots that remain unused for most of the year. If a community enforces parking minimums, it can arbitrarily inflate the amount of parking needed for a commercial development without considering (1) the pedestrian or multimodal needs of smart urban growth, or (2) the actual required parking necessary to sustain the business. Often the required parking needed is less than what is estimated by both the private market and local decision makers. A positive way to encourage smart parking strategies is to encourage mixed-use developments in downtown districts while providing street parking, or municipal parking lots close to, but not adjacent, to downtown attractions and shopping. Currently, Lowell does not have a minimum parking ordinance, however, both Hebron and Lake County do. An alternative to requiring a parking minimum for a type of store can be to require different types of parking based on a proposed store’s location to the urban framework of a community. Currently, none of the examined municipalities have this type of policy.

A mixed use development is a type of development pattern that can layer different uses for the community in the same location. Typically, this means that a mixed use development has a retail or commercial property on the first one or two floors of a building and residential units above. These types of development help keep communities dense near their urban core, increase pedestrian connectivity, and decrease the reliance on automobiles. Currently, Lowell is the only community that easily allows for this type of development within their zoning ordinances. Hebron has no such provision in their current zoning code, and Lake County only allows for mixed-use developments through the use of a “Planned Unit Development,” that requires special permissions.

Both Lowell and Hebron have a sidewalk ordinance requiring developers to build a sidewalk in a new development, however Lake County has no such provision.

Lastly, if a community can easily annex adjacent property, it may propagate sprawl as a community can potentially keep expanding outward into unincorporated land. Currently, Lowell and Hebron only allow annexation through approval of special committee and Lake County provides no immediate restrictions on how unincorporated county property is annexed.

Between the three governments included in the study, Lowell is the most prepared for smart growth and Hebron is the most at risk of sprawl. While examining the local policies of these communities is not strictly within the scope of environmental justice, the identification of potential problems now can prevent the rapid spread of urban sprawl and disinvestment of the environmental justice communities. Local decision makers from Lowell, Hebron, and Lake County should consider adopting tools for smart growth from NIRPC's 2007 Sensible Tools Handbook or other sources for smart growth.

Summary

As current conditions illustrate, the I-65 lane widening project will not negatively affect the environmental justice communities in Northwest Indiana. The proposed infrastructure is enough away from an environmental justice area to displace the population, and the proposed development does not increase travel times for disadvantaged people. The only feasible concern is the continuation of suburban sprawl and the continued disinvestment of the urban core. However, with some adjustments to policy, this too can be avoided.