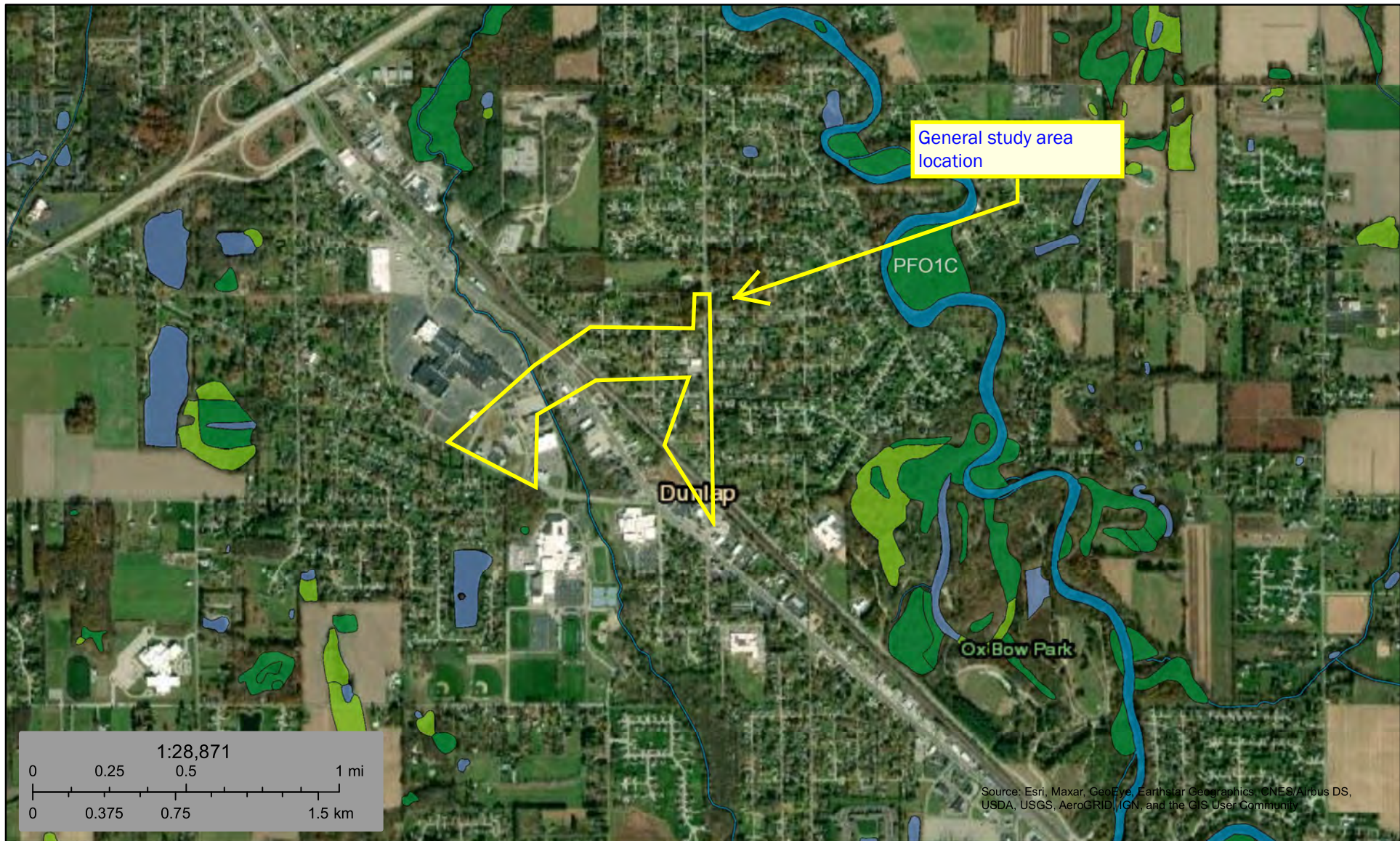


Appendix F

Water Resources



June 23, 2021

Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland

- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond

- Lake
- Other
- Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

Indiana Floodplain Information Portal



Indiana Department of
Natural Resources **DNR**

Find an address

Example: 300 Michigan Avenue, Auburn, IN, 46706

Go To Address

Jump to a county

Select your county from below

Elkhart

Want to use the [eFARA Wizard](#) to submit a floodplain information request to the State of

Indiana, IDNR, Division of Water?

[< Previous Tips](#)
[Next Tips >](#)

[Map](#)
[FEMA Flood Insurance Study](#)
[Floodplain Layers](#)
[Frequently Asked Questions](#)

Minimize

[Profile Charter](#)
[Layers](#)
[Legend](#)
[Options](#)
[Help](#)



Click on the map or enter an address to view Floodplain Information at that Point of Interest.
[Click to return to the instructions](#)

Below is the available floodplain information for your Point of Interest. If you would like to request a Floodplain Analysis / Regulatory Assessment (FARA) from the IDNR, Division of Water, click on "eFARA Wizard".

Point of Interest

Approximate Address:
103 CONCORD MALL DR, ELKHART, IN, 46517
Effective Flood Zone:
Effective Zone AE
Approximate Flooding Elevation:
762ft NAVD88
Source:
Zone AE Profile Delineation
Distance from click:
39 ft
Nearest Stream:
YELLOW CREEK

[eFARA Wizard](#)

Local Ordinance Information

Local floodplain regulations may be more restrictive than that of federal and state government. **ALL REGULATIONS MUST BE MET.** Please contact your local floodplain administrator for further information.

Floodplain Administrator:
Eric Trotter
Title:
Assistant Director for Planning
Phone Number: (574) 294-5471
E-Mail: eric.trotter@coei.org

Download Report

Flood Zone Type: [Best Available](#)

[Download Report](#)

Waters of the U.S. Report

Elkhart Local Trax Grade Separation

Des. 1801913 (Lead), 1900836, 2001723, & 2001724

Elkhart County, Indiana



Prepared for:
Indiana Department of Transportation and Federal Highway Administration

March 24, 2021



WATERS OF THE U.S. REPORT

ELKHART LOCAL TRAX GRADE SEPARATION

Elkhart County, Indiana

INDOT Designation (Des.) Numbers 1801913 (Lead), 1900836, 2001723, & 2001724

Prepared By: Benjamin K. Blocher, Environmental Planner, PWS

March 24, 2021

I. PROJECT INFORMATION

FIELDWORK DATES:

Fieldwork for this report was conducted on June 23-24, August 25, and October 21, 2020.

CONTRIBUTORS:

Greg Moushon, PWS, Senior Environmental Planner
Eric Jagger, Associate Environmental Planner
Keaton Veldkamp, Associate Environmental Planner

PROJECT LOCATION:

Elkhart Quadrangle
Sections 22, 23, and 26 of Township 37 North, Range 5 East
US 33 Reference Post (RP) 93+0.79 to 93+0.38
New construction on Sunnyside Avenue from County Road (CR) 20 (Mishawaka Road) to CR 13, and on Concord Mall Drive from CR 20 to US 33
Elkhart County, Indiana
Latitude/Longitude: 41.642508 North and 85.927749 West

PROJECT DESCRIPTION:

The Indiana Department of Transportation (INDOT), in coordination with Elkhart County, is proposing a Local Grade Separation project (hereinafter referred to as “Elkhart Local Trax Project”). This project is located in Dunlap, Elkhart County, Indiana. The northern project limits begin on US 33, approximately 0.5 mile south of US 20. The project (Des. Nos. 1801913 (Lead), 1900836, 2001723, & 2001724) encompasses US 33, County Road (CR) 20 (Mishawaka Road), CR 13, Concord Mall Drive, Sunnyside Avenue, Norfolk Southern Railroad, and multiple local streets. The two at-grade railroad crossings within the project limits are located at Sunnyside Avenue/Concord Mall Drive and CR 13. Specifically, this project is located in the Elkhart Quadrangle, in Sections 22, 23, and 26 of Township 37 North, Range 5 East.

The project eliminates the Sunnyside Avenue and CR 13 at-grade railroad crossings. The project provides a grade separation structure south of the existing Sunnyside Avenue crossing. A roundabout would be installed just south of the existing Concord Mall Drive and Center Road intersection. This roundabout will maintain access to Mishawaka Rd, Center Rd, and Concord Mall Drive for connectivity to US 33, while providing a new alignment to cross over the railroad tracks, and tie in to Sunnyside Avenue, east of CR 45.

The need for this project stems from safety and mobility issues for motorists, pedestrians, bicyclists, and trains at the two subject railroad crossings. The trains typically run through these crossings 80 to 90 times a day. Furthermore, the trains regularly stop on the tracks, restricting traffic for extended periods of time, and delaying emergency vehicle access to the communities north of the tracks. Existing crash data indicates a high rate of crashes for these types of crossings. The purpose of this project is to reduce the exposure of motorists and pedestrians to rail traffic and to increase mobility in this area of Elkhart County.

METHODOLOGY:

The study area was based on the design alternatives evaluated for the National Environmental Policy Act (NEPA) document. The study area was approximately 50.6 acres in size.

A desktop review of the study area was conducted to identify potential waterways (streams, wetlands, ponds, etc.). This included a review of historic and recent aerial photography for any areas with a water signature or a sharp change in vegetation. Any such areas were flagged for follow-up field reconnaissance. United States Geological Survey (USGS) topographic mapping, National Wetlands Inventory (NWI) mapping, National Hydrography Dataset (NHD) mapping, floodplain mapping, Natural Resources Conservation Service (NRCS) mapped soil units, and historic drainage mapping were also reviewed. Any noted items were flagged for follow-up field reconnaissance.

AERIAL PHOTOGRAPHY:

During review of current and historical aerial photography, several areas were identified within the study area that displayed potential wetland signatures associated with water ponding, darkened soils, and/or shifts in vegetation. Several areas were noted within or adjacent to the study area. Each flagged area was investigated during field reconnaissance.

USGS MAPPING:

During review of USGS 7.5-minute series topographic mapping (page 13), one perennial stream (blue-line stream) was noted within the study area. This corresponded to Yellow Creek flowing to the northwest through the study area.

NWI AND FLOODPLAIN MAPPING:

During review of NWI and floodplain mapping (pages 15 to 25), one wetland polygon and one wetland line were noted within or near the study area. One NWI-mapped stream, Yellow Creek, was noted within the study area. The 100-year floodplain associated with Yellow Creek is mapped within the study area.

MAPPED SOIL UNITS AND NHD MAPPING:

The NRCS classifies soil types as follows: hydric (100%), predominantly hydric (66-99%), partially hydric (33-65%), predominantly non-hydric (1-32%), and not-hydric (0%). According to the Soil Survey Geographic (SSURGO) Database for Elkhart County, Indiana, the study area is comprised of partially hydric and not hydric soil types (pages 26 to 36). The mapped soil unit within the study area is summarized in the Mapped Soil Units within the Study Area table (Table 1, page 10).

NHD was mapped on the soils background (pages 26 to 36). Ten potential drainage features were identified within the study area. Four roadside ditches (RSDs) were noted along County Road 45 within the study area. These areas were investigated during the field reconnaissance.

HISTORIC DRAINAGE:

The Elkhart County Soil Survey (USDA, 1974) was reviewed for historic drainage features within the study area. One drainage feature was identified within the study area. One perennial stream, Yellow Creek, was identified within the study area (pages 37 to 38).

WATERSHED:

The study area is located within two hydrologic unit code 12-digit (HUC 12) watersheds: Headwaters Yellow Creek (040500011903) and Goshen Dam Pond-Elkhart River (040500011904).

II. FIELD RECONNAISSANCE

METHODOLOGY:

Parsons conducted field investigations on June 23-24, August 25, and October 21, 2020 to determine the presence of waterways, including streams, wetlands, lakes, and ponds, within the study area. The entire study area was reviewed for resources via a walking survey. All areas flagged during desktop review were investigated and documented. A resource map showing all identified features is attached for reference (pages 39 to 49).

The ordinary high-water mark (OHWM) of each stream was determined using a measuring tape. A hand-held GPS unit (Trimble Geo 7 Series) was used to collect the location of each identified stream. The upstream drainage area for each stream was calculated using *StreamStats Version 4.3.0* (USGS, 2019), if available. Qualitative assessments of stream quality were done within the study area. Quantitative assessments were conducted based on each stream's drainage area using the guidelines for either the Headwater Habitat Evaluation Index (HHEI) (Ohio EPA, 2012) or Qualitative Habitat Evaluation Index (QHEI) (Ohio EPA, 2006). Mitigation is anticipated for this project; therefore, the QHEI form was included in this document.

Vegetation, soil, and hydrology data were collected using the methods described in the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region (Version 2.0)* (USACE, 2010). Wetland indicator statuses for plants were obtained from the National Wetland Plant List (Lichvar, 2016). A hand-held GPS unit (Trimble Geo 7 Series) was used to collect the boundary of each identified wetland, as well as all data points. Data forms for each data point are included in this report for reference (pages 113 to 146). The area for each wetland and its length (measured along its centerline) were calculated. A qualitative assessment of each wetland's quality was conducted, which included grading them (poor, average, or excellent) based on ecological function, size, species diversity, invasive species prevalence, and amount of disturbance.

Photographs were taken throughout the study area. This included photographs of each feature identified within the study area (pages 62 to 112). A photograph orientation map is included for additional reference (pages 51 to 61).

STREAMS:

Field investigations resulted in the identification of one likely jurisdictional stream (Yellow Creek) totaling 564 linear feet within the study area. These features are summarized in the Stream Summary Table (Table 2, page 10). No other features exhibiting an OHWM were observed within the study area. Yellow Creek is not listed as a Federal *Wild and Scenic River*, a *State Natural, Scenic, and Recreational River*, or on the Indiana Register's listing of *Outstanding Rivers and Streams*, nor is it located within two miles of any such resources.

Yellow Creek

Concord Mall Drive passes over Yellow Creek within the study area. This stream originates southeast of the Concord Mall Drive bridge and flows to the northwest (pages 42 and 43). It exhibited a 30-foot wide and a 20-inch deep OHWM (page 43). Approximately 564 linear feet of this stream over 0.388 acre lies within the study area. USGS StreamStats lists its upstream drainage area as approximately 32.4 square miles.

Yellow Creek has a narrow riparian corridor width along the west bank and a moderate riparian corridor width along the east bank throughout the study area. It is forested along the east side of Yellow Creek, while the west side is predominantly urban or industrial. The substrate consisted of gravel and sand. Pools and riffles were observed. The stream exhibited high overhead canopy cover and minor erosion. Based on these observations, Yellow Creek was classified as an average-quality stream. This was supported by its QHEI score of 53.5 (pages 146 to 147).

Yellow Creek is shown on USGS 7.5-minute topographic mapping as a perennial stream (page 13). This was confirmed based on field observations. Yellow Creek is a tributary of the St. Joseph River, a traditionally navigable waterway, which flows to Lake Michigan. Because of this connectivity and the presence of an OHWM, this stream is likely a water of the US.

WETLANDS:

Sampling locations were determined by the presence or absence of hydrophytic vegetation and hydrology indicators. A total of two likely jurisdictional wetlands totaling 0.401 acre (517 linear feet) were identified within the study area. Wetland 2 was comprised of different vegetative communities (emergent and forested); and therefore, each community was recorded separately. The two wetlands identified are likely waters of the US because of their connectivity to Yellow Creek. The Wetland Summary Table (Table 4, page 11) and Data Point Summary Table (Table 5, page 11) summarize the data collected on these features. INDOT will seek concurrence on the jurisdiction of all wetlands from the US Army Corps of Engineers (USACE) and the Indiana Department of Environmental Management (IDEM). A Preliminary Jurisdictional Determination form is attached for reference (pages 148 to 151).

Wetland 1

Data Point 1 IN (DP-1-IN) was evaluated because it exhibited hydrophytic vegetation. The herbaceous stratum was dominated by *Phalaris arundinacea* (reed canary grass, FACW, 90%). This point met the hydrophytic vegetation criterion because it passed the rapid test, dominance test, and prevalence index. The soil profile met the hydric soil criterion because it exhibited the Redox Dark Surface (F6) indicator. Two primary indicators (Sediment Deposits [B2] and Drift Deposits [B3]) and four secondary indicators (Drainage Patterns [B10], Crayfish Burrows [C8], Geomorphic Position [D2], and FAC-Neutral Test [D5]) of hydrology were observed. Since all three wetland criteria were met at DP-1-IN, this area was identified as Wetland 1.

The area associated with Data Point 1 OUT (DP-1-OUT) was taken up-slope and northeast from DP-1-IN. The tree stratum was dominated by *Rhus typhina* (staghorn sumac, UPL, 5%). The sapling/shrub stratum was dominated by *Ulmus americana* (American elm, FACW, 5%). The herbaceous stratum was dominated by *Solidago altissima* (tall goldenrod, FACU, 50%) and *Phalaris arundinacea* (reed canary grass, FACW, 40%). The woody vine stratum was dominated by *Vitis riparia* (river-bank grape, FAC, 5%). DP-1-OUT met the hydrophytic vegetation criterion because it passed the dominance test. No hydric soil indicators were observed. No wetland hydrology indicators were observed. Since only one of the three wetland criteria was met at DP-1-OUT, this point was determined to be upland. This data point helped establish the boundary of Wetland 1, which was determined based on changes in vegetation and topography.

Wetland 1 is an emergent wetland that is approximately 0.007 acre (25 linear feet) in size. It is located along the northeast terrace of Yellow Creek along the north side of the Concord Mall Drive bridge, approximately 0.06 mile southwest of US 33 (page 42). Wetland 1 is a poor-quality wetland due to invasive hydrophytic vegetation (*Phalaris arundinacea*, reed canary grass) being the dominant vegetation. Wetland 1 lies adjacent to and is directly abutting Yellow Creek (a perennial stream). Therefore, it is likely a water of the US.

Wetland 2

Wetland 2 is comprised of contiguous, but different vegetative communities (emergent and forested) totaling 0.394 acre (492 linear feet). Therefore, during field investigations, each community was delineated separately to aide in the permitting process (Wetland 2A and Wetland 2B, respectively).

Wetland 2A

The area associated Data Point 2A IN (DP-2A-IN) was evaluated because it exhibited hydrophytic vegetation. The tree stratum was dominated by *Platanus occidentalis* (American sycamore, FACW, 5%), *Fraxinus pennsylvanica* (green ash, FACW, 5%), and *Acer negundo* (ash-leaf maple, FAC, 5%). The sapling/shrub stratum was dominated by *Fraxinus pennsylvanica* (green ash, FACW, 3%) and *Sambucus nigra* (black elder, FACW, 2%). The herbaceous stratum was dominated by *Rudbeckia laciniata* (green-head coneflower, FACW, 40%) and *Phalaris arundinacea* (reed canary grass, FACW, 30%). This point met the hydrophytic vegetation criterion because it passed the dominance test and prevalence index. The soil profile met the hydric soil criterion because it exhibited the Redox Dark Surface (F6) indicator. Two primary indicators (Sediment Deposits [B2] and Drift Deposits [B3]) and three secondary indicators (Crayfish Burrows [C8], Geomorphic Position [D2], and FAC-Neutral Test [D5]) of hydrology were observed. Since all three wetland criteria were met at DP-2A-IN, this area was identified as Wetland 2A.

Data Point 2A OUT (DP-2A-OUT) was taken up-slope and east from DP-2A-IN. The tree stratum was dominated by *Fraxinus pennsylvanica* (green ash, FACW, 5%) and *Ulmus americana* (American elm, FACW, 5%). The sapling/shrub stratum was dominated by *Sambucus nigra* (black elder, FACW, 15%) and *Rosa multiflora* (rambler rose, FACU, 5%). The herbaceous stratum was dominated by *Rudbeckia laciniata* (green-head coneflower, FACW, 35%) and *Solidago altissima* (tall goldenrod, FACU, 20%). The woody vine stratum was dominated by *Vitis riparia* (river-bank grape, FAC, 10%). This point met the hydrophytic vegetation criterion because it passed the dominance test. No hydric soil indicators were observed. No wetland hydrology indicators were observed. Since only one of the three wetland criteria was met at DP-2A-OUT, this point was determined to be upland. This data point helped establish the boundary of Wetland 2A, which was determined based on changes in vegetation and topography.

Wetland 2A is an emergent wetland that is approximately 0.023 acre (47 linear feet) in size. It is located on the southeast terrace of Yellow Creek along the south side of the Concord Mall Drive bridge, approximately 0.006 mile southwest of US 33 (page 42). Wetland 2A had high species diversity. Because of this, it was classified as an average-quality wetland. Wetland 2A lies adjacent to and is directly abutting Yellow Creek (a perennial stream). Therefore, it is likely a water of the US.

Wetland 2B

The area associated with Data Point 2B IN (DP-2B-IN) was evaluated because it exhibited hydrophytic vegetation. The tree stratum was dominated by *Populus deltoides* (eastern cottonwood, FAC, 50%), *Salix nigra* (black willow, OBL, 40%), and *Celtis occidentalis* (common hackberry, FAC, 5%). The sapling/shrub stratum was dominated by *Lonicera maackii* (Amur honeysuckle, UPL, 25%) and *Acer negundo* (ash-leaf maple, FAC, 20%). The herbaceous stratum was dominated by *Ageratina altissima* (white snakeroot, FACU, 5%), *Toxicodendron radicans* (eastern poison ivy, FAC, 5%), *Packera aurea* (golden groundsel, FACW, 5%), *Alliaria petiolata* (garlic-mustard, FACU, 5%), *Laportea canadensis* (Canadian wood-nettle, FACW, 5%), and *Fraxinus pennsylvanica* (green ash, FACW, 5%). The woody vine stratum was dominated by *Vitis riparia* (river-bank grape, FAC, 15%). This point met the hydrophytic vegetation criterion because it passed the dominance test and the prevalence index. The soil profile met the hydric soil criterion because it exhibited the Redox Dark Surface (F6) indicator. Two primary indicators (Sediment Deposits [B2] and Drift Deposits [B3]) and two secondary indicators (Geomorphic Position [D2] and FAC-Neutral Test [D5]) of hydrology were observed. Since all three wetland criteria were met at DP-2B-IN, this area was identified as Wetland 2B.

Data Point 2B OUT (DP-2B-OUT) was taken up-slope and east from DP-2B-IN. The tree stratum was dominated by *Populus deltoides* (eastern cottonwood, FAC, 30%) and *Salix nigra* (black willow, OBL, 10%). The herbaceous stratum was dominated by *Rubus idaeus* (common red raspberry, FAC, 20%). The woody vine stratum was dominated by *Vitis riparia* (river-bank

grape, FAC, 70%). This point met the hydrophytic vegetation criterion because it passed the dominance test. No hydric soil indicators were observed. One secondary indicator (FAC-Neutral Test [D5]) of hydrology was observed. Since only one of the three wetland criteria was met at DP-2B-OUT, this point was determined to be upland. This data point helped establish the boundary of Wetland 2B, which was determined based on changes in vegetation and topography.

Wetland 2B is a forested wetland that is approximately 0.371 acre (445 linear feet) in size. It is located along the east side of Yellow Creek south of the Concord Mall Drive bridge, approximately 0.06 mile southwest of US 33 (pages 42 and 43). Wetland 2B had high species diversity. Because of this, it was classified as an average-quality wetland. Wetland 2B lies adjacent to and is directly abutting Yellow Creek (a perennial stream). Therefore, it is likely a water of the US.

OTHER JURISDICTIONAL FEATURES:

Retention Pond-1

Retention Pond-1 (RP-1) was noted as likely being a manmade body of surface water created by excavating dry land to collect and retain water for or incidental to commercial, industrial, or aesthetic purposes. A review of historical (2011) aerial imagery shows that the basin did not exist in 2011 (page 50) and later. After additional development and expansion of the adjacent parking lot, it can be seen on aerial imagery from 2016 (page 49). The Other Jurisdictional Features Summary Table (Table 3, page 10) summarize the data collected on this feature. RP-1 is approximately 0.016 acre (38 linear feet) in size. It is located along the east side of CR 13, approximately 0.07 mile north of US 33 (page 49). RP-1 was created between 2011 and 2016, and it was approximately 4-foot deep at the time of the field visit. RP-1 is a manmade drainage control structure recently constructed in an upland area. INDOT acknowledges that this feature is likely a water of the State. However, we are requesting USACE take jurisdiction over it.

NON-JURISDICTIONAL FEATURES:

Drainage Features

Four RSDs, totaling approximately 1,301 linear feet within the study area, were investigated for potential water resources. Those that contained wetlands or UNTs were discussed earlier in this report. The remaining sections of the RSDs lacked either an OHWM or wetland characteristics. Therefore, they were considered to be non-jurisdictional features. RSD 1 is located on the northeast side of the Sunnyside Avenue/Concord Mall Drive and Norfolk Southern Railroad crossing and runs for approximately 213 linear feet. RSD 2 is located on the southeast side of the Sunnyside Avenue/Concord Mall Drive and Norfolk Southern Railroad crossing and runs for approximately 856 linear feet. RSD 3 is located on the northwest side of the CR 13 and Norfolk Southern Railroad crossing and runs for approximately 78 linear feet. RSD 4 is located on the northeast side of the CR 13 and Norfolk Southern Railroad crossing and runs for approximately 154 linear feet.

Additional Data Points

Five additional data points were investigated within the study area. The sample areas surrounding these data points were further investigated to confirm or deny the presence of hydrophytic vegetation, hydric soils, and/or wetland hydrology. Upland Data Point 1 (UPL-1) was taken within an undeveloped parcel south of the Concord Mall Drive and Center Drive intersection (page 41). The herbaceous stratum was dominated by *Poa pratensis* (Kentucky blue grass, FACU, 60%) and *Ambrosia artemisiifolia* (annual ragweed, FACU, 30%). This point did not meet the hydrophytic vegetation criterion. No hydric soil indicators were observed. No wetland hydrology indicators were observed. Since none of the three wetland criteria were met at UPL-1, this point was determined to be upland.

Upland Data Point 2 (UPL-2) was taken within RSD 2 on the southeast side of the Sunnyside Avenue/Concord Mall Drive and Norfolk Southern Railroad crossing (page 42). The tree stratum was dominated by *Acer saccharum* (sugar maple, FACU, 25%) and *Acer negundo* (ash-leaf maple, FAC, 20%). The sapling/shrub stratum was dominated by *Prunus serotina* (black cherry, FACU, 5%), *Fraxinus pennsylvanica* (green ash, FACW, 5%), *Celtis occidentalis* (common hackberry, FAC, 5%), *Lonicera maackii* (Amur honeysuckle, UPL, 5%), and *Rhus typhina* (staghorn sumac, UPL, 5%). This point did not meet the hydrophytic vegetation criterion. No hydric soil indicators were observed. One secondary indicator (Geomorphic Position

[D2]) of hydrology was observed. Since none of the three wetland criteria were met at UPL-2, this point was determined to be upland.

Upland Data Point 3 (UPL-3) was taken within RSD 2 between CR 45 and the Norfolk Southern Railroad, approximately 760 feet southeast of Sunnyside Avenue/Concord Mall Drive (page 45). The tree stratum was dominated by *Acer saccharum* (sugar maple, FACU, 60%), *Ulmus americana* (American elm, FACW, 20%), and *Acer negundo* (ash-leaf maple, FAC, 20%). The sapling/shrub stratum was dominated by *Acer negundo* (ash-leaf maple, FAC, 10%) and *Staphylea trifolia* (American bladdernut, FAC, 10%). The herbaceous stratum was dominated by *Parthenocissus quinquefolia* (Virginia-creeper, FACU, 10%) and *Toxicodendron radicans* (eastern poison ivy, FAC, 10%). This point met the hydrophytic vegetation criterion because it passed the dominance test. No hydric soil indicators were observed. One secondary indicator (Geomorphic Position [D2]) of hydrology was observed. Since only one of the three wetland criteria was met at UPL-3, this point was determined to be upland.

Upland Data Point 4 (UPL-4) was taken within RSD 3 between CR 45 and the Norfolk Southern Railroad, approximately 20 feet northwest of Sunnyside Avenue/CR 13 (page 48). The tree stratum was dominated by *Juglans nigra* (black walnut, FACU, 60%). The sapling/shrub stratum was dominated by *Rhus typhina* (staghorn sumac, UPL, 25%) and *Juglans nigra* (black walnut, FACU, 10%). The herbaceous stratum was dominated by *Parthenocissus quinquefolia* (Virginia-creeper, FACU, 45%) and *Solidago altissima* (tall goldenrod, FACU, 20%). This point did not meet the hydrophytic vegetation criterion. No hydric soil indicators were observed. No wetland hydrology indicators were observed. Since none of the three wetland criteria were met at UPL-4, this point was determined to be upland.

Upland Data Point 5 (UPL-5) was taken up-slope and south from a manmade, isolated wetland (Retention Pond-1) between CR 13 and the Norfolk Southern Railroad, approximately 405 feet north of US 33/CR 13. The sapling/shrub stratum was dominated by *Platanus occidentalis* (American sycamore, FACW, 2%). The herbaceous stratum was dominated by *Erigeron annuus* (eastern daisy fleabane, FACU, 20%), *Rumex crispus* (curly dock, FAC, 20%), and *Plantago lanceolata* (English plantain, FACU, 20%). This point did not meet the hydrophytic vegetation criterion. No hydric soil indicators were observed. No indicators of hydrology were observed. Since none of the three wetland criteria were met at UPL-5, this point was determined to be upland.

IV: CONCLUSIONS

Based on the field review, the study area has features that are likely waters of the US. A total of two likely jurisdictional wetlands totaling 0.401 acre (517 linear feet), one likely jurisdictional stream 0.388 acre (564 linear feet), and one likely jurisdictional retention pond 0.016 acre (38 linear feet) were identified within the study area. Wetland 2A and Wetland 2B were comprised of different vegetative communities (emergent and forested, respectively); and therefore, were recorded separately. The two wetlands identified are likely waters of the US because of their connectivity to Yellow Creek. INDOT acknowledges that the retention pond is likely a water of the State. However, INDOT is requesting USACE take jurisdiction over it.

All jurisdictional waters of the US are under the regulatory authority of USACE under Section 404 of the Clean Water Act. Every effort should be taken to avoid and minimize impacts to the resources outlined in this report. If impacts are necessary, then mitigation may be required. Impacts must be minimized before mitigation can be considered. The INDOT Environmental Services Division should be contacted immediately if impacts will occur. The final determination of jurisdictional waters is ultimately made by USACE and IDEM. This report is our best judgement based on the guidelines set forth by USACE.

A Preliminary Jurisdictional Determination form is attached to the end of this report (pages 148 to 151).

V. REFERENCES

- Cowardin, L.M, V. Carter, F.C. Golet, and E.T. LaRoe. 1979. *Classification of Wetlands and Deepwater Habitats of the United States*. US Department of the Interior, Fish and Wildlife Service, Washington DC.
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- Ohio EPA. 2012. Field Evaluation Manual for Ohio's Primary Headwater Habitat Streams. State of Ohio Environmental Protection Agency, Division of Surface Water.
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- United States Department of Agriculture, Soil Conservation Service. 1974. Soil Survey of Elkhart County, Indiana.
- United States Geological Service. March 2019. *StreamStats*, Version 4.3.0.

VI. ACKNOWLEDGEMENTS

This report has been prepared based on the best available information, interpreted in the light of the investigator's training, experience, and professional judgement in conformance with the 1987 Corps of Engineers Wetlands Delineation Manual, the appropriate regional supplement, the USACE Jurisdictional Determination Form Instructional Guidebook, and other appropriate agency guidelines.



3/24/2021

Benjamin K. Blocher
Environmental Planner, PWS
Parsons

Table 1: Mapped Soil Units within the Study Area

Soil Name	Soil Unit	Classification
Urban land-Gilford complex, 0 to 1 percent slopes	UeqA	Partially Hydric (33-65%)
Psamments	Pxo	Not Hydric (0%)
Urban land-Tyner complex, 1 to 5 percent slopes	UgvB	Not Hydric (0%)
Urban land-Bristol complex, 0 to 1 percent slopes	UdpA	Not Hydric (0%)
Urban land-Bristol complex, 1 to 5 percent slopes	UdpB	Not Hydric (0%)

Table 2: Stream Summary Table

Name	Photograph Number(s)	Latitude/ Longitude	OHWM Width (ft)	OHWM Depth (in)	Length (ft) and acres (ac.)	USGS Blue-Line (Y/N)	Riffles/ Pools (Y/N)	Typical Substrate	Quality*	Likely Water of the US (Y/N)
Yellow Creek	34, 41, 43, 45, 79, 86-87	41.611681 / -85.929337	30	20	564 0.388 (ac.)	Y	Y/Y	Gravel and Sand	Average	Y
Totals					564 ft 0.388 (ac.)					

*Quality was based on qualitative observations within and immediately adjacent to the study area.

Table 3: Other Jurisdictional Features Summary Table

Name	Photograph Number(s)	Latitude/ Longitude	Waters Type	Area (acre)	Length (linear feet)	Quality	Likely Water of the U.S. (Y/N)
Retention Pond-1	197-198	41.63717/-85.921225	Palustrine	0.016	38	Poor	Y
Totals				0.016	38		

Table 4: Wetland Summary Table

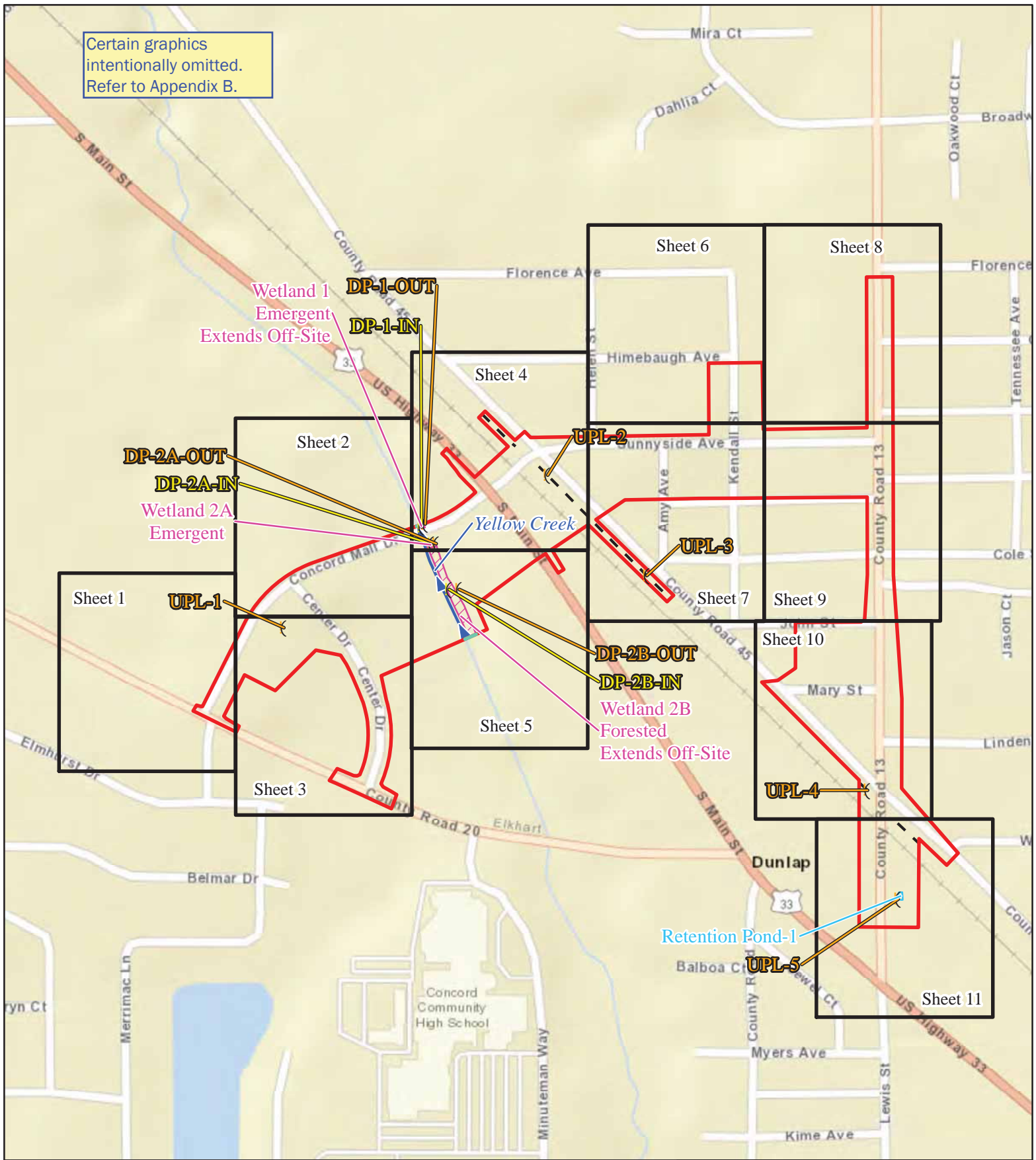
Name	Photograph Number(s)	Latitude/ Longitude	Wetland Type* (Palustrine)	Area (acre)	Length (linear feet)	Quality	Likely Water of the U.S. (Y/N)	Isolated (Y/N) and Class I, II or III	Likely Exempt Isolated Wetland (Y/N)
Wetland 1	41-42, 45-47	41.641796/-85.929269	Emergent	0.007	25	Poor	Y	N	N
Wetland 2A	33-38, 79	41.641566/-85.929119	Emergent	0.023	47	Average	Y	N	N
Wetland 2B	33, 79, 81-84, 86-87	41.640966/-85.928761	Forested	0.371	445	Average	Y	N	N
Totals				0.401	517				

*Quality was based on qualitative observations within the study area.

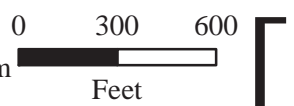
Table 5: Data Point Summary Table

Data Point Name	Hydrophytic Vegetation (Y/N)	Hydric Soils (Y/N)	Wetland Hydrology (Y/N)	Wetland (Y/N)
DP-1-IN	Y	Y	Y	Y
DP-1-OUT	Y	N	N	N
DP-2A-IN	Y	Y	Y	Y
DP-2A-OUT	Y	N	N	N
DP-2B-IN	Y	Y	Y	Y
DP-2B-OUT	Y	N	N	N
UPL-1	N	N	N	N
UPL-2	N	N	N	N
UPL-3	Y	N	N	N
UPL-4	N	N	N	N
UPL-5	N	N	N	N

Certain graphics intentionally omitted. Refer to Appendix B.



- Study Area
- Index Sheet
- (Data Point (IN)
- (Data Point (OUT)
- ~ Delineated Wetland
- ~ Retention Pond
- ~ Delineated Stream
- Roadside Ditch
- Feature Extends Off-Site



Sources:
 Non Orthophotography Data -
 Obtained from the State of Indiana Geographical
 Information Office Library
 Orthophotography -
 Obtained from Indiana Map
 Framework Data (www.indianamap.org)

Elkhart Local Trax Grade Separation Elkhart County, Indiana Index

Des. 1801913 (Lead)
 Date: 3/2/2021



PARSONS



- Study Area
- Data Point (IN)
- Data Point (OUT)
- ~ Delineated Wetland
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0 50 100
Feet



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Orthophotography -
Obtained from Indiana Map
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**Elkhart Local Trax
Grade Separation
Elkhart County, Indiana
Field-Identified Resources**

Des. 1801913 (Lead)

Date: 3/2/2021

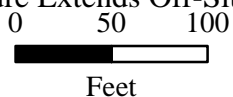


PARSONS

Sheet 1 of 11



- Study Area
- Data Point (IN)
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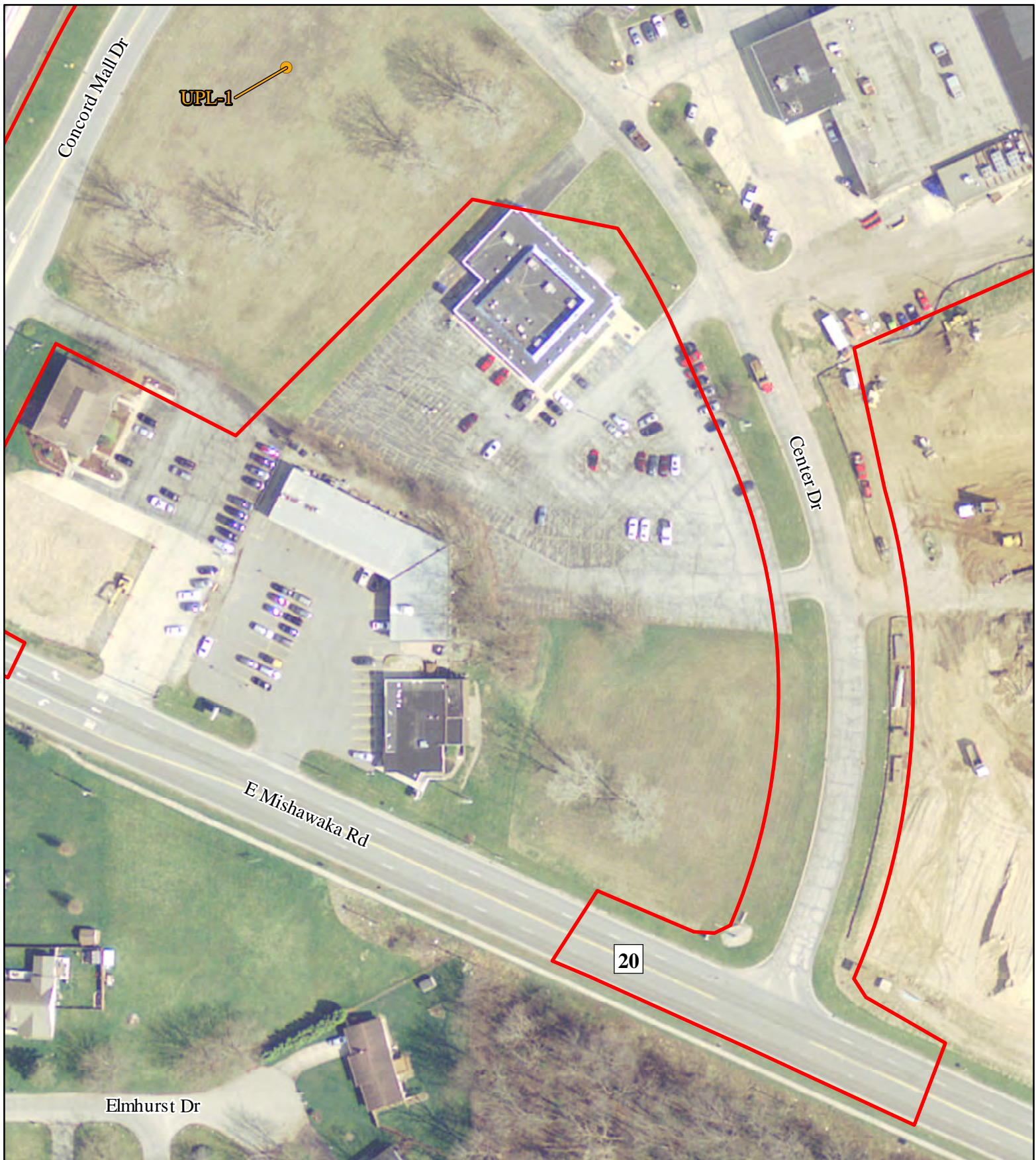
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 Elkhart County, Indiana
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Des. 1801913 (Lead)

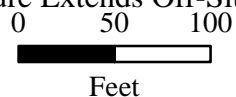
Date: 3/2/2021



PARSONS



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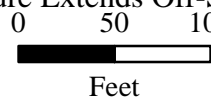
PARSONS

Des. 1801913 (Lead)

Date: 3/2/2021



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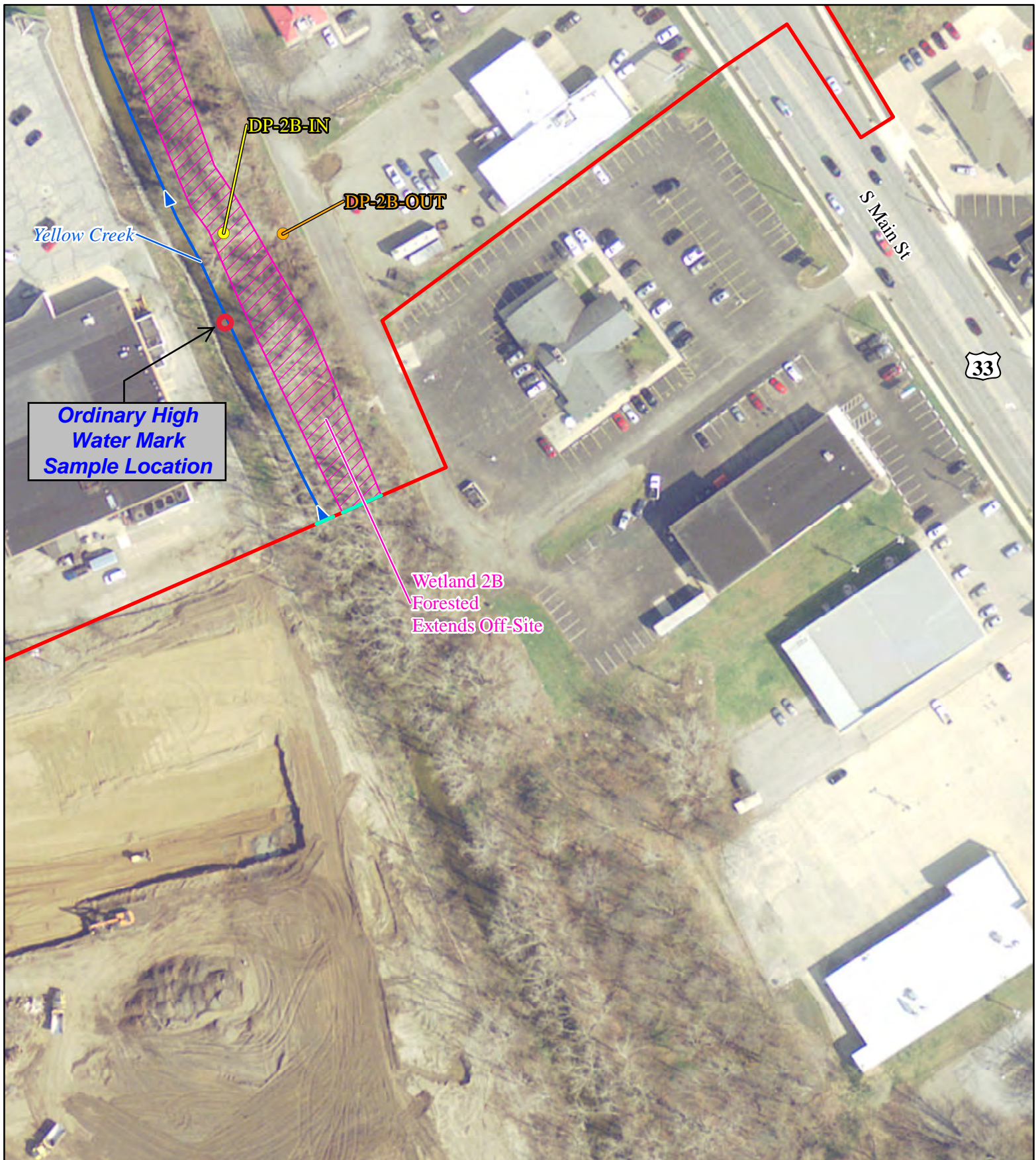
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Feet



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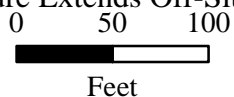
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PARSONS



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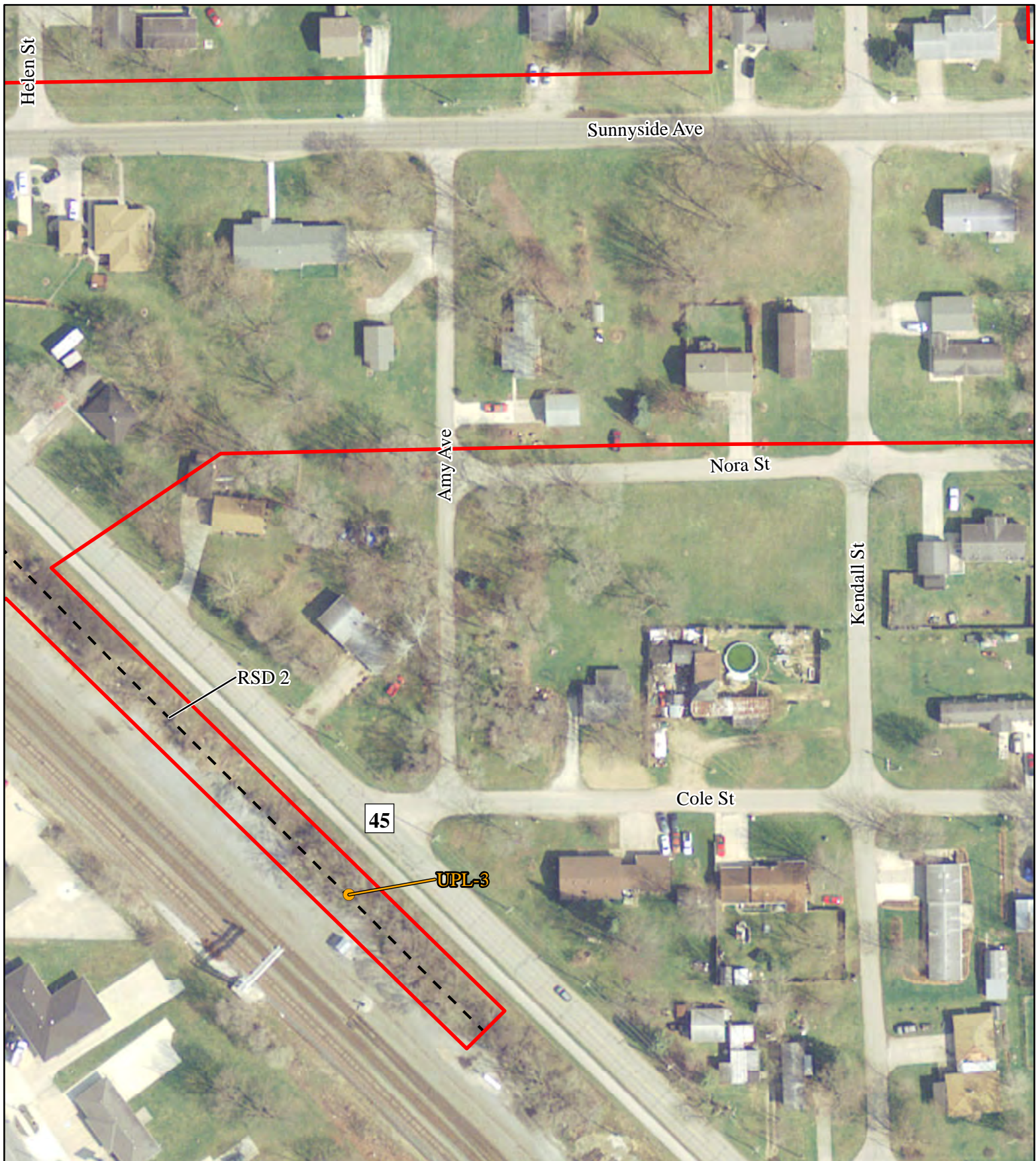
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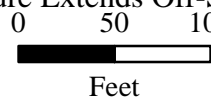
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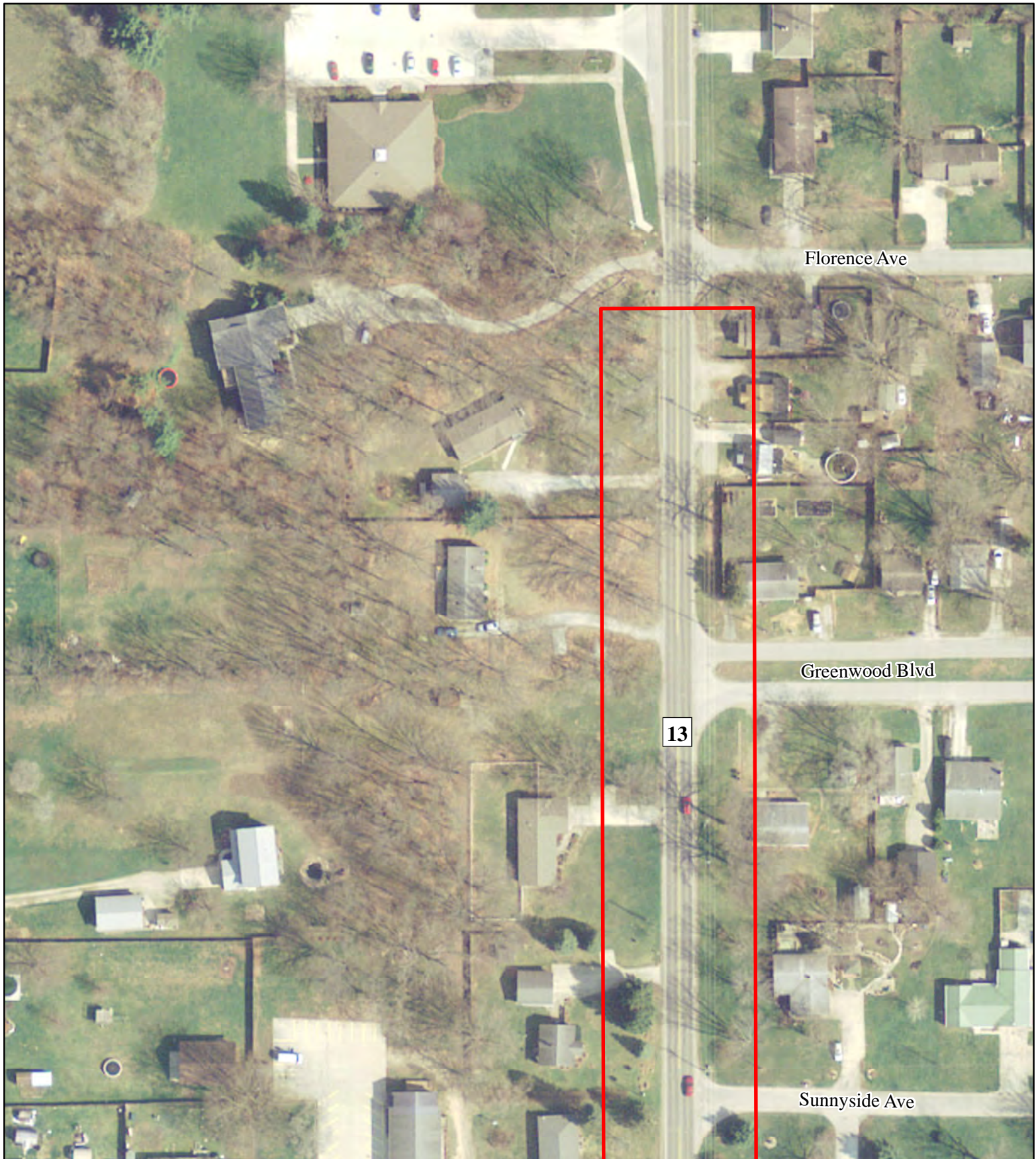
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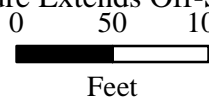
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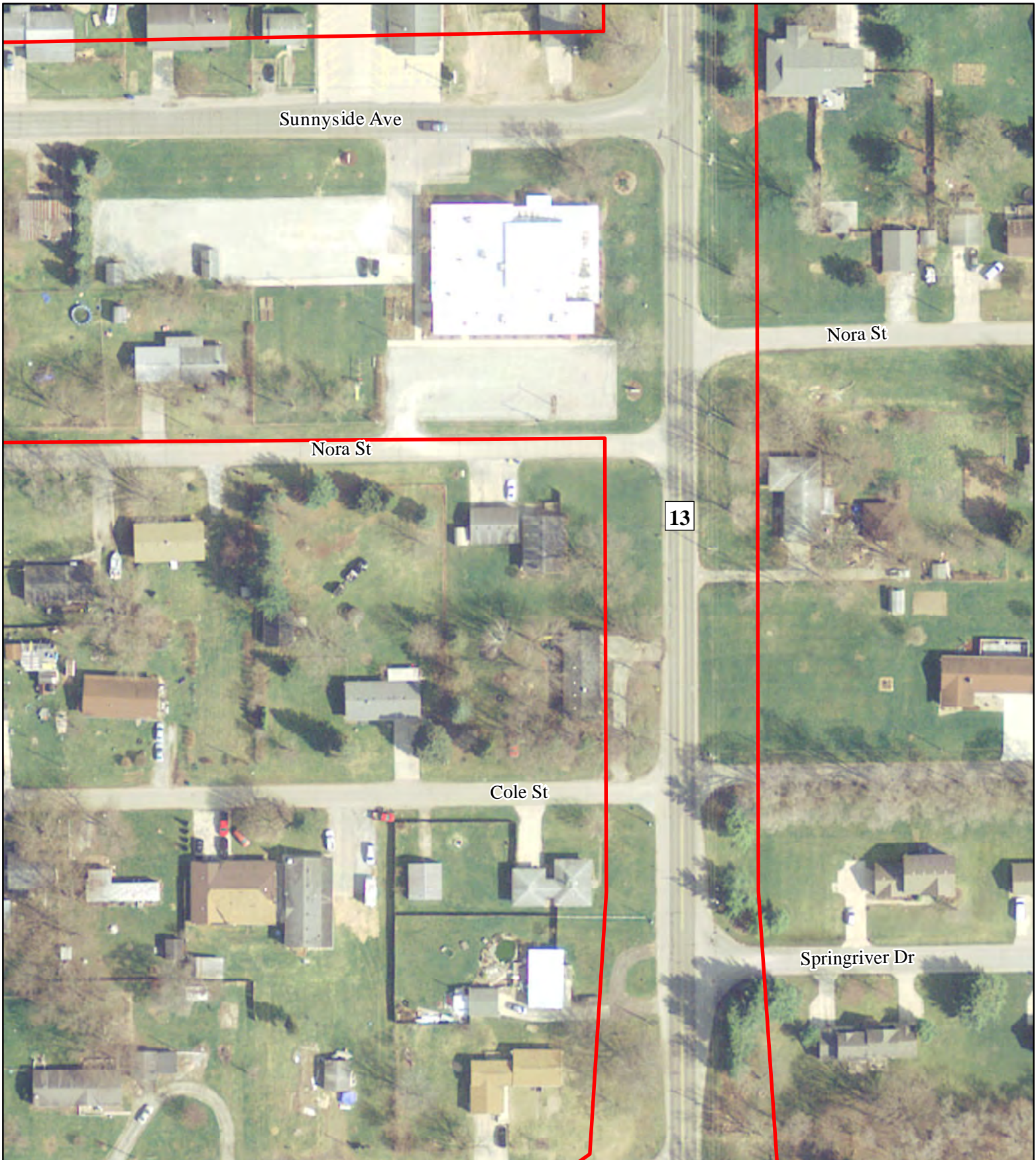
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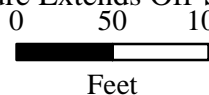
Date: 3/2/2021



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0 50 100

Feet



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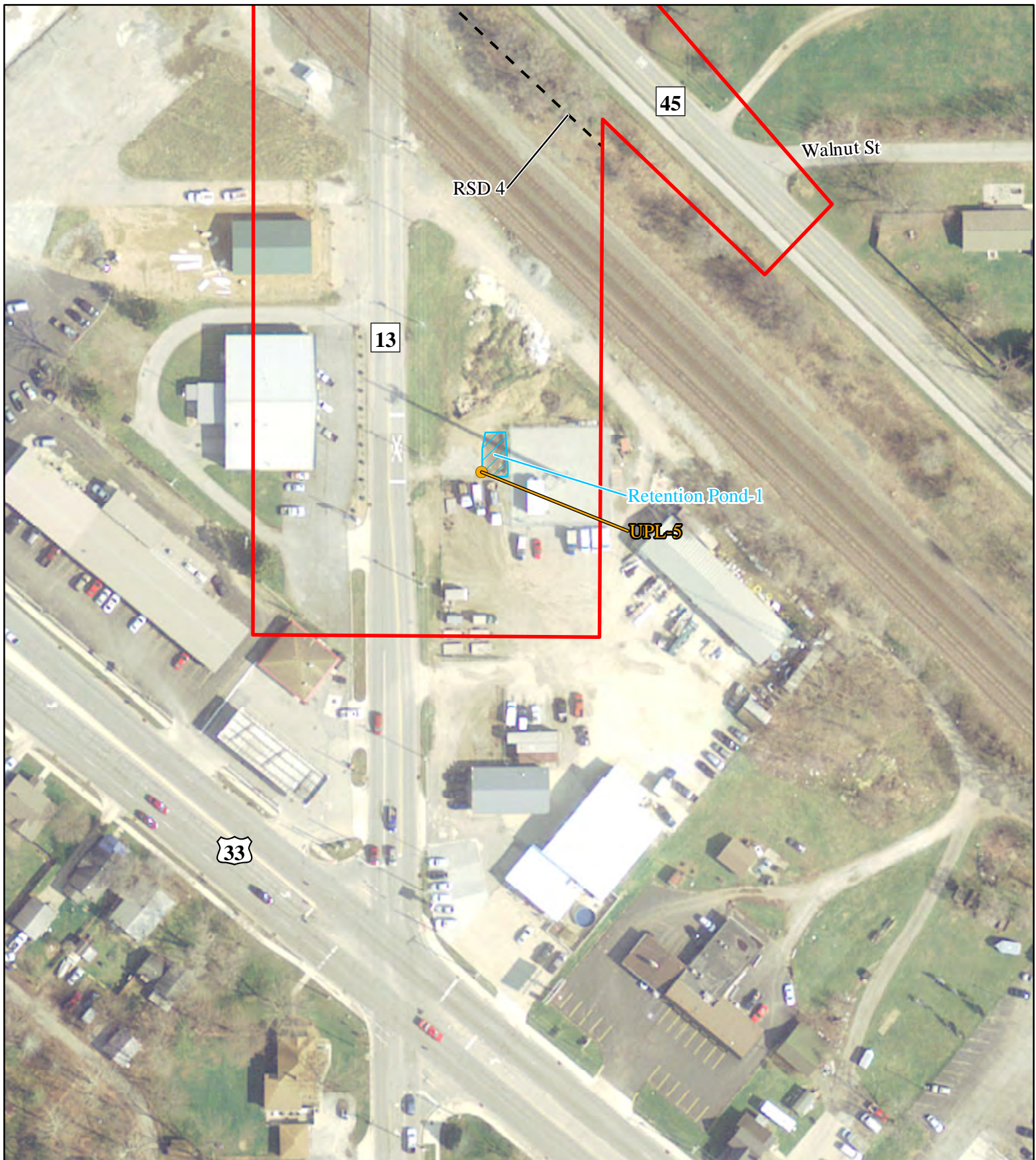
Des. 1801913 (Lead)

Date: 3/2/2021

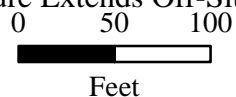


PARSONS

Sheet 10 of 11



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 Grade Separation
 Elkhart County, Indiana
 Field-Identified Resources**

Des. 1801913 (Lead)

Date: 3/2/2021



PARSONS

Sheet 11 of 11

Appendix 2 - PRELIMINARY JURISDICTIONAL DETERMINATION (PJD) FORM

BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR PJD: March 24, 2021

B. NAME AND ADDRESS OF PERSON REQUESTING PJD: Benjamin K. Blocher (Parsons), 101 West Ohio Street, Suite 2121, Indianapolis, IN 46204

C. DISTRICT OFFICE, FILE NAME, AND NUMBER:

D. PROJECT LOCATION(S) AND BACKGROUND INFORMATION:

The Indiana Department of Transportation (INDOT), in coordination with Elkhart County, is proposing a Local Grade Separation project (hereinafter referred to as "Elkhart Local Trax Project"). This project is located in Dunlap, Elkhart County, Indiana. The northern project limits begin on US 33, approximately 0.5 mile south of US 20. The project (Des. Nos. 1801913 (Lead), 1900836, 2001723, & 2001724) encompasses US 33, County Road (CR) 20 (Mishawaka Road), CR 13, Concord Mall Drive, Sunnyside Avenue, Norfolk Southern Railroad, and multiple local streets. The two at-grade railroad crossings within the project limits are located at Sunnyside Avenue/Concord Mall Drive and CR 13. Specifically, this project is located in the Elkhart Quadrangle, in Sections 22, 23, and 26 of Township 37 North, Range 5 East.

The project eliminates the Sunnyside Avenue and CR 13 at-grade railroad crossings. The project provides a grade separation structure south of the existing Sunnyside Avenue crossing. A roundabout would be installed just south of the existing Concord Mall Drive and Center Road intersection. This roundabout will maintain access to Mishawaka Rd, Center Rd, and Concord Mall Drive for connectivity to US 33, while providing a new alignment to cross over the railroad tracks, and tie in to Sunnyside Avenue, east of CR 45. The need for this project stems from safety and mobility issues for motorists, pedestrians, bicyclists, and trains at the two subject railroad crossings. The purpose of this project is to reduce the exposure of motorists and pedestrians to rail traffic and to increase mobility in this area of Elkhart County.

(USE THE TABLE BELOW TO DOCUMENT MULTIPLE AQUATIC RESOURCES AND/OR AQUATIC RESOURCES AT DIFFERENT SITES)

State: **IN** County/parish/borough: **Elkhart** City: **Dunlap**

Center coordinates of site (lat/long in degree decimal format):

Lat.: **41.641743 N** Long.: **85.926463 W**

Universal Transverse Mercator: **NAD 1983, 16T 589403.12 m E, 4610548.42 m N**

Name of nearest waterbody: **Yellow Creek**

E. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):

☐ Office (Desk) Determination. Date:

☐ Field Determination. Date(s):

**TABLE OF AQUATIC RESOURCES IN REVIEW AREA WHICH "MAY BE" SUBJECT TO
REGULATORY JURISDICTION.**

Site Number	Latitude (decimal degrees)	Longitude (decimal degrees)	Estimated amount of aquatic resource in review area (acreage and linear feet, if applicable)	Type of aquatic resource (i.e., wetland vs. non-wetland waters)	Geographic authority to which the aquatic resource "may be" subject (i.e., Section 404 or Section 10/404)
Yellow Creek	41.611681	-85.929337	0.388 acre (564 linear feet)	non-wetland waters	Section 404
Wetland 1	41.641796	-85.929269	0.007 acre (25 linear feet)	Wetland	Section 404
Wetland 2A	41.641566	-85.929119	0.023 acre (47 linear feet)	Wetland	Section 404
Wetland 2B	41.640966	-85.928761	0.371 acre (445 linear feet)	Wetland	Section 404
Retention Pond-1	41.63717	-85.921225	0.016 acre (38 linear feet)	Man-made Retention Pond	Section 404

- 1) The Corps of Engineers believes that there may be jurisdictional aquatic resources in the review area, and the requestor of this PJD is hereby advised of his or her option to request and obtain an approved JD (AJD) for that review area based on an informed decision after having discussed the various types of JDs and their characteristics and circumstances when they may be appropriate.
- 2) In any circumstance where a permit applicant obtains an individual permit, or a Nationwide General Permit (NWP) or other general permit verification requiring "pre-construction notification" (PCN), or requests verification for a non-reporting NWP or other general permit, and the permit applicant has not requested an AJD for the activity, the permit applicant is hereby made aware that: (1) the permit applicant has elected to seek a permit authorization based on a PJD, which does not make an official determination of jurisdictional aquatic resources; (2) the applicant has the option to request an AJD before accepting the terms and conditions of the permit authorization, and that basing a permit authorization on an AJD could possibly result in less compensatory mitigation being required or different special conditions; (3) the applicant has the right to request an individual permit rather than accepting the terms and conditions of the NWP or other general permit authorization; (4) the applicant can accept a permit authorization and thereby agree to comply with all the terms and conditions of that permit, including whatever mitigation requirements the Corps has determined to be necessary; (5) undertaking any activity in reliance upon the subject permit authorization without requesting an AJD constitutes the applicant's acceptance of the use of the PJD; (6) accepting a permit authorization (e.g., signing a proffered individual permit) or undertaking any activity in reliance on any form of Corps permit authorization based on a PJD constitutes agreement that all aquatic resources in the review area affected in any way by that activity will be treated as jurisdictional, and waives any challenge to such jurisdiction in any administrative or judicial compliance or enforcement action, or in any administrative appeal or in any Federal court; and (7) whether the applicant elects to use either an AJD or a PJD, the JD will be processed as soon as practicable. Further, an AJD, a proffered individual permit (and all terms and conditions contained therein), or individual permit denial can be administratively appealed pursuant to 33 C.F.R. Part 331. If, during an administrative appeal, it becomes appropriate to make an official determination whether geographic jurisdiction exists over aquatic resources in the review area, or to provide an official delineation of jurisdictional aquatic resources in the review area, the Corps will provide an AJD to accomplish that result, as soon as is practicable. This PJD finds that there "may be" waters of the U.S. and/or that there "may be" navigable waters of the U.S. on the subject review area, and identifies all aquatic features in the review area that could be affected by the proposed activity, based on the following information:

SUPPORTING DATA. Data reviewed for PJD (check all that apply)

Checked items should be included in subject file. Appropriately reference sources below where indicated for all checked items:

- ☒ Maps, plans, plots or plat submitted by or on behalf of the PJD requestor:
Map: All attached maps prepared by Parsons
- ☐ Data sheets prepared/submitted by or on behalf of the PJD requestor.
☐ Office concurs with data sheets/delineation report.
☐ Office does not concur with data sheets/delineation report. Rationale: _____
- ☐ Data sheets prepared by the Corps: _____
- ☐ Corps navigable waters' study: _____
- ☐ U.S. Geological Survey Hydrologic Atlas: _____
☐ USGS NHD data.
☐ USGS 8 and 12 digit HUC maps.
- ☒ U.S. Geological Survey map(s). Cite scale & quad name: 7.5-min. Elkhart Quadrangle
- ☒ Natural Resources Conservation Service Soil Survey. Citation: Elkhart County, 1974
- ☐ National wetlands inventory map(s). Cite name: USFWS NWI GIS Database
- ☐ State/local wetland inventory map(s): _____
- ☐ FEMA/FIRM maps: _____
- ☐ 100-year Floodplain Elevation is: _____ (National Geodetic Vertical Datum of 1929)
- ☒ Photographs: ☒ Aerial (Name & Date): Orthos 2016
or ☒ Other (Name & Date): Site Photographs (June 23 and 24, August 25, October 21, 2020)
- ☐ Previous determination(s). File no. and date of response letter: _____
- ☐ Other information (please specify): _____

IMPORTANT NOTE: The information recorded on this form has not necessarily been verified by the Corps and should not be relied upon for later jurisdictional determinations.

Signature and date of
Regulatory staff member
completing PJD

Benny K. Blanton 3/24/2021
Signature and date of
person requesting PJD
(REQUIRED, unless obtaining
the signature is impracticable)¹

¹ Districts may establish timeframes for requestor to return signed PJD forms. If the requestor does not respond within the established time frame, the district may presume concurrence and no additional follow up is necessary prior to finalizing an action.

Appendix G

Public Involvement

«OWNER_NAME»
«OWNER_STREET_ADDRESS»
«OWNER_CITY», «OWNER_STATE» «OWNER_ZIP»

Sample Notice of Entry
letter. Mailed to adjoining
land owners June 2, 2020.

RE: Des. No. 1801913 and 1900836
Elkhart Local Trax Railroad Grade Separation
Sunnyside Ave over Norfolk Southern Railroad (NSRR)
Elkhart County, Indiana

Notice of Entry for Survey or Investigations

June 2, 2020

Dear Property Owner,

Our information indicates that you own property near the above proposed transportation project. Representatives of the Indiana Department of Transportation will be conducting engineering and/or environmental surveys of the project area in the near future. It may be necessary for the INDOT Representatives to enter onto your property to complete this work. This is permitted by Indiana Code § 8-23-7-26. Anyone performing this type of work has been instructed to identify him or herself to you, if you are available, before they enter your property. If you no longer own this property or it is currently occupied by someone else (i.e. rental, sharecrop), please let us know the name of the new owner or occupant so that we can contact them about the survey.

Please read the attached notice to inform you of what the “Notice of Entry for Survey or Investigation” means. The design and environmental surveys are needed for the proper planning and design of this part of the Elkhart Local Trax Railroad Grade Separation improvement project. Engineering survey work would include mapping the location of features such as trees, buildings, fences, drives, ground elevations, etc. Environmental survey work may include the identification and mapping of wetlands, architectural surveys, archaeological investigations (which may involve the survey, testing, or excavation of identified archaeological sites), and various other environmental studies. It is our sincere desire to cause you as little inconvenience as possible during this survey.

At this stage we generally do not know what effect, if any, our project may eventually have on your property. If we determine later that your property is involved, we will contact you with additional information.

If any problems occur, please contact the field crew or one of the following:

Daniel J. Miller
Environmental Lead/Project Manager
Parsons
101 West Ohio Street, Suite 2121
Indianapolis, IN 46204
(317) 616-4663
daniel.j.miller@parsons.com

Sean Porter
Project Manager
Parsons
101 West Ohio Street, Suite 2121
Indianapolis, IN 46204
(317) 616-1001
sean.porter@parsons.com

Harry S. Nikides
Indiana Regional Manager
ASC Group, Inc.
9376 Castlegate Drive
Indianapolis, IN 46256
(317) 915-9300 x100
hnikides@ascgroup.net

Please be aware that IC 8-23-7-27 and 28 provides that you may seek compensation from INDOT for damages occurring to your property (land or water) that result from INDOT's entry for the purposes mentioned above in IC 8-23-7-26. In this case, a basic procedure that may be followed is for you and/or an INDOT employee or representative to present an account of the damages to one of the above named INDOT staff. They will check the information and forward it to the appropriate person at INDOT who will contact you to discuss the situation and compensation.

In the event that property damage occurs as a result of work performed during survey, the LPA Manager of Special Programs or Parson's Project Manager can provide you with a form to request compensation for damages. You may contact:

Jason Holder
LPA Manager of Special Programs
LPA/MPO Grant Administration INDOT
100 N Senate Ave., N955-LPA
Indianapolis, IN 46204
(317) 233-3427
jholder@indot.in.gov

Sean Porter
Project Manager
Parsons
101 West Ohio Street, Suite 2121
Indianapolis, IN 46204
(317) 616-1001
sean.porter@parsons.com

After filling out the form, you can return it to the LPA Manager of Special Programs or Parsons Project Manager for consideration. Please contact either of the representatives above if you have questions regarding the matter, rights, and procedures.

If you are not satisfied with the compensation that INDOT determines is owed to you, Indiana Code 8-23-7-8 provides the following:

The amount of damages shall be assessed by the county agricultural extension educator of the county in which the land or water is located and two (2) disinterested residents of the county, one (1) appointed by the aggrieved party and one (1) appointed by the department. A written report of the assessment of damages shall be mailed to the aggrieved party and the department by first class United States mail. If either the department or the aggrieved party is not satisfied with the assessment of damages, either or both may file a petition, not later than fifteen (15) days after receiving the report, in the circuit or superior court of the county in which the land or water is located.

Thank you in advance for your cooperation in this matter.

Sincerely,



Daniel J. Miller
Project Manager
Parsons
101 W. Ohio St., Suite 2121
Indianapolis, IN 46204
daniel.j.miller@parsons.com

Attachment

Public Involvement Plan

**Elkhart Local Trax Railroad Grade Separation
Sunnyside Avenue over Norfolk Southern Railroad
(NSRR) in Elkhart County**

Des. Nos. 1801913 (Lead)

Updated July 2021



Introduction

This Public Involvement Plan has been developed for the proposed Elkhart Local Trax Railroad Grade Separation, Sunnyside Avenue over Norfolk Southern Railroad (NSRR) in Elkhart County project, Des. Nos. 1801913 (Lead) (hereinafter referred to as “Elkhart Local Trax Project”) by the consulting firm Parsons Transportation Group (“Parsons”), on behalf of the Indiana Department of Transportation (INDOT) and Elkhart County. The purpose of this plan is to establish the goals and strategies for engaging with the public and key stakeholders in accordance with the current INDOT *Project Development Public Involvement Procedures Manual*. Successful public involvement establishes communication between the public and INDOT in order to integrate the views, community concerns, transportation needs, and environmental considerations of the public into the transportation decision-making process.

Project Description

This Elkhart Local Trax Project is located within an unincorporated area known as Dunlap, in Elkhart County, Indiana. A portion of the project area lies within the City of Elkhart. The northern project limits begin on US 33, approximately 0.5 mile south of US 20. The project area encompasses US 33, County Road (CR) 20 (Mishawaka Road), CR 13, CR 45, Concord Mall Drive, Sunnyside Avenue, NSRR, and multiple local streets. The two at-grade railroad crossings within the project limits are located at Sunnyside Avenue / Concord Mall Drive and CR 13.

The need for this project stems from safety and mobility issues for motorists, pedestrians, bicyclists, and trains at the two subject railroad crossings. The Norfolk Southern trains typically run through these crossings 80 to 90 times a day. Furthermore, the trains regularly stop on the tracks, restricting traffic for extended periods of time, and delaying emergency vehicle access to the communities north of the tracks. Existing crash data indicates a high rate of crashes for these types of intersections. The purpose of this project is to reduce the exposure of motorists and pedestrians to rail traffic, and to increase mobility in this area of Elkhart County.

The proposed project would eliminate the two at-grade crossings and provide a single, grade-separated crossing. Several alternatives are under consideration. The current recommended alternative would include a grade-separated crossing at Sunnyside Avenue, and a roundabout near the existing Concord Mall Drive and Center Road intersection. This alternative would require several relocations, currently estimated to be two commercial businesses and three residences. The amount of right-of-way required is estimated to be 14 acres of permanent and less than 1 acre of temporary.

An analysis of environmental impacts is underway. Currently, the project is anticipated to require a Categorical Exclusion, Level 4 (CE-4) environmental document as part of the National Environmental Protection Act (NEPA) process. Anticipated findings related to public involvement include, but are not limited to, the following:

- Based on the current Section 106 Effect Finding, approved by INDOT Cultural Resources Office (CRO) on June 21, 2021, the finding is “No Historic Properties Affected” (pursuant to comment period ending July 27, 2021).
- Based on the initial *Traffic Noise Impact Analysis*, noise abatement has not been found to be “feasible and reasonable”.
- Based on coordination with INDOT and local officials, impacts to Section 4(f) resources are likely to be limited to *temporary occupancy* of the Mapleheart Trail.
- Based on the Environmental Justice (EJ) Analysis dated July 22, 2021, there does not appear to be disproportionately high and adverse impacts to EJ populations in or near the project area.

Goals for the Public Involvement Plan

INDOT recognizes that local residents and business owners play an important role in shaping the transportation decisions that will affect their community. They count on a safe and reliable transportation network to travel throughout the community and the state. Residents depend upon this network to reach their workplaces, leisure destinations, and to return home safely. Businesses require an efficient and safe transportation network to transport products and materials to their production facilities, clients, and customers. In addition to being users of the transportation network, these community members have a stake in transportation decisions because they are taxpayers. As INDOT makes decisions on transportation improvement projects, it must incorporate:

- Input from the public
- Input from local governmental agencies, including local and regional transportation/transit agencies whose facilities and routes may be impacted by the project
- Input from resource agencies, such as federal and state agencies, that are responsible for environmental resources, such as historic resources, air quality, and endangered species
- Input from local business owners

The goals established for this Public Involvement Plan are:

- Effectively communicating the project's benefits and schedule
- Responding quickly and clearly to community and user concerns
- Identifying potential project stakeholders, such as local officials and community members impacted by the project
- Establishing an inclusive and collaborative relationship with the various community members and key stakeholders throughout the public involvement process
- Developing partnering activities that assist with gathering information from stakeholders
- Adequately evaluating potential levels of controversy to address specific concerns and developing context sensitive solutions
- Working together to develop a transportation solution that has broad public support
- Providing productive forums for members of the public to provide comments

The Public Involvement Process

Open communication between local officials, key stakeholders, the public, and the Project Management Team (Team) is essential for developing a transportation plan that aligns with the needs of the community. The Team leading public involvement efforts for this project consists of the INDOT Fort Wayne District Customer Service, Elkhart County Officials, Compass Outreach Solutions, Weintraut & Associates Inc., and Parsons. This Team will manage the public involvement activities outlined in this document and coordination with agency stakeholders.

The public involvement process begins with coordination between the Team, local officials, and other stakeholders that will be involved with the project. Initial coordination meetings with local officials will include information on the scope and schedule of the project, as well as an opportunity to discuss potential project impacts as they relate to their jurisdiction. The process continues by providing information to these same stakeholders and keeping them informed of the project's direction.

The use of virtual public involvement methods to broaden public participation and promote safe and prudent practices, particularly during emergencies, in a manner that meets all federal and state public involvement requirements.

Stakeholders

Stakeholders are people and organizations that may be affected by the project, and agencies with jurisdiction related to project activities. Throughout the public involvement process, the Team will need to engage, educate, communicate, and coordinate with various categories of stakeholders. While such meetings are intended to focus on concerns related to a specific group of individuals, they are open to the public but will not be advertised. The Team will prepare the agenda and necessary handouts for all such meetings. Team members will also have numerous contacts with stakeholders throughout the project and will answer any questions and address comments throughout the project via e-mail and by telephone. Different outreach tools and engagement activities will need to be implemented depending on the targeted group of stakeholders.

The stakeholder categories for the Elkhart Local Trax Project include:

- Elected officials
- Federal, local, and regional transportation agencies
- Public safety and emergency responders
- Federal, state, and local resource agencies
- General public
- Potentially affected property owners, businesses and residents
- Major businesses and employers in the project area
- Community, neighborhood, and non-profit groups, including churches
- Historical/archeological consulting parties
- Native American Tribes

Stakeholder Communication Strategies

The groups of stakeholders described below will be coordinated with at different phases of the public involvement process. The phases of the process, and the level of stakeholder involvement at each phase, are as follows:

Communication Phases

Date	Phase Description
August/September 2020	Early Coordination Letters (Resource Agencies August 17, 2020; Section 106 September 16, 2020)
August 2020	Virtual Public Meeting (via webinar), August 10, 2020 Public Open House, Concord Junior High School, August 25, 2020
January 2021-present	Kitchen Table Meetings with landowners that may be impacted by right-of-way acquisition
June 2021	Section 106 Public Notice for Effect Finding of "No Historic Properties Affected" (Comment period ends July 27, 2021)
Fall 2021	Public Hearing: Following release of the CE-4 document for public involvement, the public will have the opportunity to comment on the findings of the environmental document. An in-person Public Hearing and online virtual presentation are proposed.

Elected Officials

The Team will conduct outreach via email or by telephone to inform elected officials about the project. Elected officials will be informed about road closures and detours during the early coordination phase. The Team will conduct meetings with elected officials at their request. The PIP will be updated as appropriate to reflect any changes in the following offices.

Elected Officials

Name	Office
Governor Eric Holcomb	Governor of Indiana
Mayor Rob Roberson	Mayor of Elkhart
Mayor Jeremy Stutsman	Mayor of Goshen
Senator Mike Braun	U.S. Senator
Senator Todd Young	U.S. Senator
Representative Jackie Walorski	U.S. Congress 2nd District of Indiana
State Senator Blake Doriot	Senate District 12
State Representative Timothy Wesco	House District 21
Charles Cheek, Trustee	Elkhart County Elkhart Township
James Weeber, Trustee	Elkhart County Concord Township
John Letherman, President	Elkhart County Council at Large
David Hess, Vice President	Elkhart County Council District 4
Councilman Darryl Riegsecker	Elkhart County Council District 3
Commissioner Frank Lucchese	Elkhart County Commissioner District 1
Commissioner Mike Yoder	Elkhart County Commissioner District 2
Commissioner Suzanne Weirick	Elkhart County Commissioner District 3
Councilman Dwight Fish	Elkhart City Common Council District 4
Councilman Brent Curry	Elkhart City Common Council, President

Federal, Local, and Regional Transportation Agencies

The federal transportation agency with authority over the project is the Federal Highway Administration (FHWA). Local and regional transportation agencies and providers include:

- INDOT, Central Office
- INDOT, Rail Programs Office
- INDOT, Fort Wayne District
- Michiana Area Council of Governments (local MPO)
- Elkhart County Highway Department
- Elkhart Street Department
- Interurban Trolley-City of Elkhart and Goshen
- NSRR
- Concord Community Schools

Interurban Trolley provides public transit service in Elkhart and Goshen, Indiana. The Michiana Area Council of Governments has administered a five-route system in Elkhart and Goshen area since 1999. Concord Community Schools manage transportation services for students within the project area. NSRR owns the railroad that crosses Sunnyside Avenue and CR 13.

These organizations will need more coordinated efforts since their own facility usage, projects, and construction schedules will be ongoing during the local trax project.

Public Safety and Emergency Responders

Public safety and emergency responders must be able to effectively respond to incidents in the Elkhart area.

Public safety and emergency response agencies within this jurisdiction include:

- Elkhart Police Department
- Indiana State Police
- Elkhart Fire Department
- Concord Township Fire Department
- Elkhart County, Emergency Management
- Elkhart County Sheriff

Each of these organizations requires specific coordination efforts to solicit input on how their response routes and response times may be impacted by the project. Meetings between the Team and these agencies will occur during the planning and environmental phase.

Major Businesses and Employers

The major employers in Dunlap and Elkhart include:

- Concord Mall
- Elkhart and Concord Community Schools
- Mishawaka Concrete Asphalt
- Thor Industries
- Forest River, Inc.
- Lippert Components, Inc.
- Patrick Industries
- Beacon Health System
- Goodwill Community Career Center
- Norfolk Southern

The Team will reach out via email or by telephone to determine each of these organizations' interest in the project. Organizations' participation as stakeholders will be voluntary.

Neighborhoods, Community Non-Profits, and Religious Organizations

The Team will coordinate with the County of Elkhart and the City of Elkhart throughout the project, including the initial public open house.

Various types of neighborhood associations, nonprofit community development corporations, and other community nongovernmental organizations operate within the project area. The nature of their work generally consists of community outreach programs, community and neighborhood development, and advocacy. The Team will coordinate with these organizations during the public involvement process. Coordination may involve outreach via email or by telephone. At the organizations' requests, the Team may hold a meeting to discuss how the project may affect the work they do, and how the specific communities they interact with may be affected.

Neighborhoods and Community Non-Profits

Name	Association Type
Greater Elkhart Chamber of Commerce	Chamber of Commerce for metro-area
Elkhart Neighborhood Action Strategy	Umbrella organization of neighborhood associations and community development corporations
Elkhart Redevelopment Commission	Community Improvement Nonprofit
Community Foundation of Elkhart County	Community Nonprofit
Elkhart County Convention and Visitors Bureau	Tourism Association
Economic Development Corporation of Elkhart County	Community Development Corporations
Housing Authority of the City of Elkhart	Community Groups
Elkhart County Community Baptist Church Sunnyside Mennonite Church Grace Brethren Church Apostolic Full Gospel Church Elkhart Valley Church Brethren Dunlap United Methodist Church	Churches/religious institutions
Homer Neighborhood Association, Elkhart	Residential communities

General Public

Engagement with the general public will occur during the initial public information meeting/open house and public hearing. Throughout the project, INDOT's website, traditional media, and social media will be used to communicate with the public. This is discussed in greater detail below.

Community Advisory Committee (CAC)

A community advisory committee (CAC) is not proposed for this project. Community stakeholders will be invited to public open houses. If it is determined that a CAC is required, it is the County's responsibility to meet these requirements.

Environmental Justice Outreach

Federal law, including Title VI of the Civil Rights Act of 1964, the Federal Highway Act of 1973, and the Age Discrimination Act of 1975, prohibits discrimination on the basis of race, color, national origin, gender, and age. Furthermore, Executive Order 12898, titled "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," obligates Federal actions (those receiving federal funding) to avoid or minimize and mitigate adverse impacts to low-income and minority populations and to assure that disproportionately high and adverse impacts on these populations are identified and addressed.

In accordance with these regulations, INDOT policy requires that EJ populations be identified and provided an opportunity for meaningful participation in the process. Based on the preliminary review of US Census data and the US Department of Housing and Urban Development (USHUD) Resource Locator mapping tool (<https://resources.hud.gov/>), potential EJ populations are present within the project area. Additional analyses and information will be gathered to identify potential EJ populations. Community contacts and any organizations serving these populations will be added to the project mailing list and informed of relevant public involvement activities and project milestones. Based on the July 22, 2021 approved EJ Analysis, targeted outreach, such as meetings with specific communities, is not required. However, this does not preclude efforts to reach out to these communities with project information and notices of public meetings.

Public Informational Meeting/Open House

Two public informational meetings, one held “virtually” (via webinar) and one held in-person, was conducted to gather input from the full range of project stakeholders. Typically, on projects of this type and magnitude, the open house format is most effective, as it provides the public flexibility on time and provides for one-on-one discussion between stakeholders and the Team. A summary of the public meetings will be included in the environmental document.

Public meetings will be advertised on the project’s website and in local media outlets, and notices will be sent to all members of the project mailing list. As appropriate, meeting notices will be placed in neighborhood and/or non-English publications, foreign language materials and translators will be provided, and, to the extent possible, meeting locations will be transit accessible.

To ensure compliance with the Americans with Disabilities Act (ADA), all public meetings will be held in places that are accessible to individuals in wheelchairs, and meeting notices will include a contact person for requests for accommodation for hearing or sight-impaired individuals (e.g., sign language interpreter, telecommunications device for the deaf, etc.).

Resource Agency Coordination

The NEPA of 1969 calls for an examination and consideration of impacts of a proposed action on sensitive resources for a project of this scale. These resources include, but are not limited to, floodplains, wetlands, endangered species, historic and archaeological sites, parks, air quality, wildlife habitat, etc. There also are the transportation needs that must be fulfilled and socio-economic impacts that require consideration. Because of impacts to resources, socio-economic impacts, and needed transportation improvements, there is a balanced decision-making process that considers a range of factors of both impacts to the resources and the transportation needs. To produce better environmental decisions, agencies with special expertise or jurisdiction by law are included in the study process. This resource agency involvement begins early in the study to identify important issues related to the proposed action and continues throughout the study to avoid conflict later, ensuring full input from the various agencies. These agencies will receive early coordination letters. Individual meetings will occur as-needed. A resource agency meeting is not currently scoped for this project. Resource agencies invited to consult on this project will include:

- US Army Corps of Engineers (USACE)
- US Fish and Wildlife Service (USFWS)
- Natural Resource Conservation Service (NRCS)
- US Environmental Protection Agency (EPA) Sole Source Aquifer Specialist in the Ground Water Branch
- National Park Service (NPS)
- US Department of Housing and Urban Development (USHUD)
- Indiana Department of Natural Resources (IDNR), Division of Fish and Wildlife (DFW)
- Indiana Geological and Water Survey (IGWS)
- Indiana Department of Environmental Management (IDEM)
- Elkhart County Surveyor
- Elkhart County Planning and Development
- Elkhart County Parks
- Elkhart County Stormwater Board
- City of Elkhart Planning and Zoning Department
- City of Elkhart Public Works and Utilities Department

- Indiana Michigan Power

Section 106 Consulting Party Coordination

Congress set forth the importance of historic and archaeological resources upon the fabric of American life as a part of the National Historic Preservation Act (1966) (NHPA), which states that “the historical and cultural foundations of the Nation should be preserved as part of our community life and development in order to give a sense of orientation to the American people.” As a result of the NHPA, federal agencies are required to take into account the impact of federal undertakings upon historic properties in the area of the undertaking. Historic properties include buildings, structures, sites, objects, and/or districts within the Area of Potential Effects (APE). This consulting party involvement begins early in the study to identify important issues related to the proposed action and continues throughout the study to avoid conflict later, ensuring full input from the various agencies.

A full list of cultural resource consulting parties will be developed as part of the Section 106 process. Consulting agencies will include:

- INDOT CRO
- IDNR Division of Historic Preservation and Archeology (DHPA)
- Elkhart County
- City of Elkhart Historic and Cultural Preservation Commission
- Indiana Landmarks
- Native American Tribes with jurisdiction

Project Website

To provide the public with access to the most current project information available, the Team will provide project-related information to Elkhart County, who will be responsible for maintaining the project’s website, hosted at www.elkcohw.org/projects. Information that will be available on this website includes, but is not limited to:

- Project News and Updates
- Specific Project Information Such As:
 - Project Schedules
 - Listings of Project Meetings
 - Copies of Various Project-Related Documents
- Contact information for providing comments
- Project Maps

News Releases

News releases are the County’s responsibility. The County will provide news releases during the study process. The releases will be distributed to regional media, social media, and will be posted on the Elkhart County and INDOT web sites at key project milestones. This will be the primary method for informing and involving a wide public audience.

Noise Study Information Meeting

Based on the results of the initial *Traffic Noise Impact Analysis*, noise abatement has not been found to be “reasonable and feasible”. Therefore, the views of the public regarding noise impacts and noise abatement measure(s) will be sought during the proposed public hearing. The final decision on the installation of any abatement measure(s) will be made upon the completion of the project’s final design and the public involvement

Public Hearing

The Public Hearing is an opportunity for the public to make formal statements of their views on the project immediately before project decision-making. The Public Hearing will be held once preliminary plans have been developed and a draft environmental document has been approved by INDOT. The Public Hearing will be advertised via public notice that will be run twice in the legal notice section of at least two local newspapers (including the Elkhart County newspapers: *Elkhart Truth* and *Goshen News*). The first notice will be published at least 15 days before the hearing. The second notice will be published 7 days before the hearing. The notice will also be made on the project website, as well as a press release distributed to local media. This notice will specify the date, time, place, and purpose of the hearing. It will include a brief project description and announce the locations where the environmental document is available for viewing (website and local repositories). The notice will include contact information for requesting assistance for persons with disabilities or communication barriers. Local repositories are anticipated to be the Elkhart County Highway Department office and the Dunlap Branch Public Library (subject to local restrictions).

The Public Hearing will be held at a place and time generally convenient for people affected by or interested in the project. The hearing location will be accessible in order to accommodate people with disabilities. At the hearing, the Team will have an Open House session prior to the formal presentation. This Open House session will allow the public and stakeholders to interact directly with the Team to ask them project related questions. Various large display boards will be on view, as well as handouts with project information, copies of the draft environmental document, and design plans. Following the Open House session, there will be a formal presentation by the Team, which will include the following information:

- The project’s purpose and need
- The schedule of the project, including major milestones, phasing, and anticipated construction start and end dates
- Estimated construction cost
- The Maintenance of Traffic plan
- The project’s alternatives and major design features
- The social, economic, environmental, and other impacts of the project
- The availability of the environmental document
- Procedures for the public to make verbal and written statements about the project

INDOT is committed to providing a Public Hearing format that allows full public participation. After the formal presentation, there will be a Question & Answer session, so the Team can answer any project related questions.

An online virtual presentation is proposed a few days before the Hearing. The presentation will allow the public and other stakeholders the opportunity to receive the above-discussed formal presentation and meeting materials (handouts, etc.) in an online, webinar type format.

The public and other stakeholders will then have an opportunity to make a formal comment about the project in the following ways:

- Public statements at the hearing
- Verbal comments made privately during the meeting to a recording device
- Written comments will be accepted in person at the public hearing
- 30-day public comment period following the hearing - the public and other stakeholders, including stakeholders who did not attend the public hearing, may submit comments to the Team via mail or email

A transcript will be made of all verbal statements and comments made at the public hearing. The transcript will include copies of all written statements from the public, both those submitted at the public hearing and during the 30-day public comment period following the hearing. A summary of the public hearing proceedings and responses to all substantive comments will be included in the final environmental document for the project.



INDIANA DEPARTMENT OF TRANSPORTATION

100 North Senate Avenue
Room N642
Indianapolis, Indiana 46204

PHONE: (317) 233-3427
FAX: (317) 462-7031
EMAIL: jholder@indot.in.gov

Eric Holcomb, Governor

Joe McGuinness, Commissioner

Sent to project stakeholders and as a press release on August 4, 2020.

DES. #: 1801913 & 1900863

NOTICE OF PUBLIC MEETING

The Indiana Department of Transportation and Elkhart County will host a virtual public open house on **Monday, August 10, 2020, starting at 5:00 p.m.** The presentation will be broadcast on WebEx. To access the link go to: <https://bit.ly/3jNrsPu> Meeting number (access code): 146 248 9487 Meeting password: HfJPY3K2R*3 (43579352 from phones). Can join toll-free by phone: 1-833-752-1090.

The purpose of the public meeting is to offer all interested persons an opportunity to comment on preliminary plans for the proposed Local Trax Railroad Grade Separation, Sunnyside Avenue/Concord Mall Drive and County Road (CR) 13 project alternatives. The project is located within the City of Elkhart and an unincorporated area known as Dunlap, in Elkhart County, Indiana. The north to south project limits begin on US 33, approximately 0.5 mile south of US 20 and extend to the intersection of US 33 and Lewis Street. The east to west project limits begin on CR 20 at Pineridge Parkway and extend to CR 13. The project area includes portions of US 33, CR 20 (Mishawaka Road), CR 13, CR 45, Concord Mall Drive, Sunnyside Avenue, Norfolk Southern Railroad (NSRR), and multiple local streets.

The need for this project stems from safety and mobility issues for motorists, pedestrians, bicyclists, and trains at the two subject railroad crossings. The NSRR trains typically run through these crossings 80 to 90 times a day. Furthermore, the trains regularly stop on the tracks, restricting traffic for extended periods of time, and delaying emergency vehicle access to the communities north of the tracks. Existing crash data indicates a high rate of crashes for these types of intersections. The purpose of this project is to reduce the exposure of motorists and pedestrians to rail traffic, and to increase mobility in this area of Elkhart County.

The proposed project would eliminate the two at-grade crossings and provide a single, grade-separated crossing (overpass). Several alternatives are under consideration. The preliminary recommended alternative would include a bridge over CR 45, NSRR, and US 33 to connect Concord Mall Drive with Sunnyside Avenue, and a roundabout near the existing Concord Mall Drive and Center Drive intersection. The amount of right-of-way required is unknown at this time but would likely exceed five acres.



PARSONS



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Appendix G

In order to accommodate the preliminary alternatives, permanent right-of-way including possible commercial and residential relocations would be required. Access to multiple local streets would be permanently altered and the existing at-grade crossings at Sunnyside Avenue and CR 13 would be permanently removed. Construction is planned for 2023, and work would occur year-round.

Project information, including a copy of the project boards and presentation, will be available on Elkhart County Highway's website at <http://www.elkcohw.org/projects/>.

An in-person public open house will be held **Tuesday, August 25th 5:00 p.m. to 7:00 p.m.** at Concord Intermediate School, 59194 Co Rd 13, Elkhart, IN 46517; public open house will follow Indiana State Department of Health (ISDH) guidance, health and safety protocols including project team members wearing face masks and/or coverings, attendees will also be required to follow this guidance, providing hand sanitizer and, access to hand washing facilities, and implementing social distancing, including monitoring the number of attendees participating to comply with local regulations. Public open house attendees are required to wear masks and practice social distancing. Attendees who do not have a mask will be provided one, and hand sanitation stations will be available. Because of the pandemic; in-person meeting time and location is subject to change.

With advance notice, the Project team can provide special accommodation for persons with disabilities and/or limited English speaking ability and persons needing auxiliary aids or services such as interpreters, signers, readers, or large print. Should special accommodation be needed please contact Alex Lee, Parsons at (317) 616-1011, or email alexander.lee@parsons.com.

Elkhart Local Trax - Project Overview

Sent with Notice of
Public Meeting
8/2/2020



Indiana Department of Transportation



Appendix G



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Des. 1801913



Please join us

INDOT and Elkhart County are hosting a virtual open house:

- Monday, August 10, 2020, 5 p.m.
- The presentation will be broadcast on WebEx. To access the link, go to: <https://bit.ly/3jNrsPu> and use access code 146 248 9487 or call (833) 752-1090 toll-free and use the same access code. If prompted for a password, enter HfJPY3K2R*3.
- Handouts and the presentation will be posted to www.elkcohw.org/projects by August 10.

An in-person public open house is being planned for late August or early September. The date, time and location of that meeting will be available at www.elkcohw.org/projects as soon as details are available.

Postcard
example

Postal routes used to distribute:
46516-C061 (795 residential
and 2 businesses) and
46517-C051 (505 residential
and 153 businesses)

Mailed on August 4, 2020

A Local Trax Project is Moving Forward Near You

To address safety and mobility issues, the Indiana Department of Transportation (INDOT) and Elkhart County are partnering to study, design and construct the Local Trax Railroad Grade Separation at Sunnyside Avenue/Concord Mall Drive and County Road (CR) 13.

Several alternatives are being considered to eliminate the two at-grade crossings and replace them with an overpass to carry traffic over the railroad tracks.

INDOT and Elkhart County are providing residents with two opportunities to learn about the proposed alternatives and provide feedback before the environmental study and design advance (see reverse).



Local Trax Project Area, Dunlap

www.elkcohw.org/projects



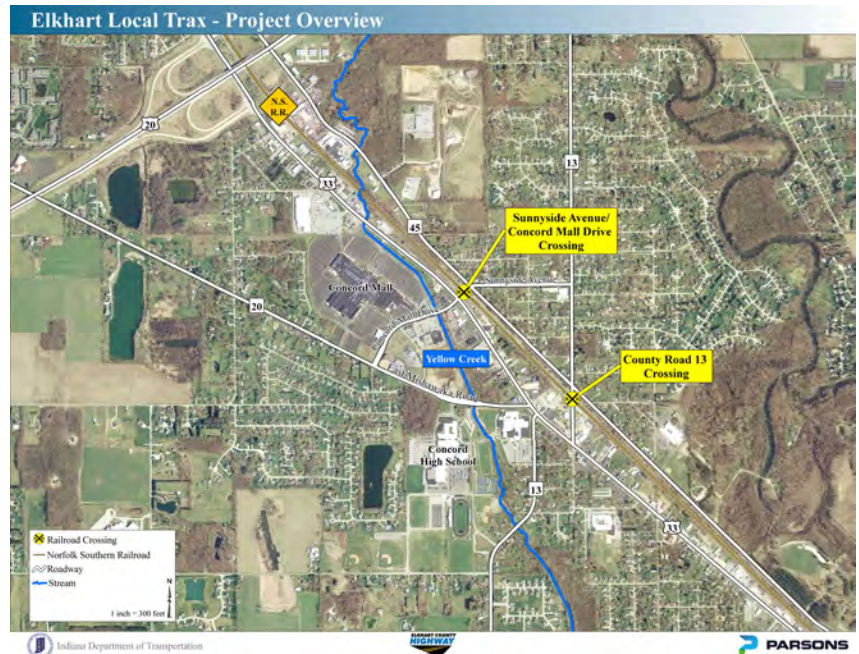
Posted on Project website and sent to Elkhart County Highway listserv.



A Local Trax Project is Moving Forward Near You

To address safety and mobility issues, the Indiana Department of Transportation (INDOT) and Elkhart County are partnering to study, design and construct the Local Trax Railroad Grade Separation Project, which will replace the at-grade locations at Sunnyside Avenue/Concord Mall Drive and County Road (CR) 13 with an overpass.

INDOT and Elkhart County are providing residents any opportunity to learn about the proposed alternatives and provide feedback before the environmental study and design advance.



Local Trax Project Area, Dunlap

Please join us

INDOT and Elkhart County are hosting a public open house:

When: Tuesday, August 25, 2020, 5 to 7 p.m.
(Presentations at 5:30 and 6:30 p.m.)

Where: Concord Intermediate School Cafeteria
59197 CR 13, Elkhart, Indiana 46517

Additional project details are available at www.elkcohwty.org/projects.

Presentation slides for both the August 10, 2020 Virtual Meeting (webinar) and in-person August 25, 2020 Public Information meeting.

Elkhart Local Trax Railroad Grade Separation

DES. 1801913

Public Information Meeting

August 25, 2020



1

Presentation Agenda

- Introductions
- Presentation
- Questions
- Presentation/Exhibits Available
- Provide comments in-person, mail, or email



2

Project History

- Elkhart County began discussions in 2012
- Federal Funding awarded in 2017
- Engineering Study completed in 2018, which evaluated 16 plus alternatives and variations
- State funded TRAX Grant opportunity in 2018



Photo credit: Roger W Schneider

NextLevel
INDIANA

3

TRAX/Funding

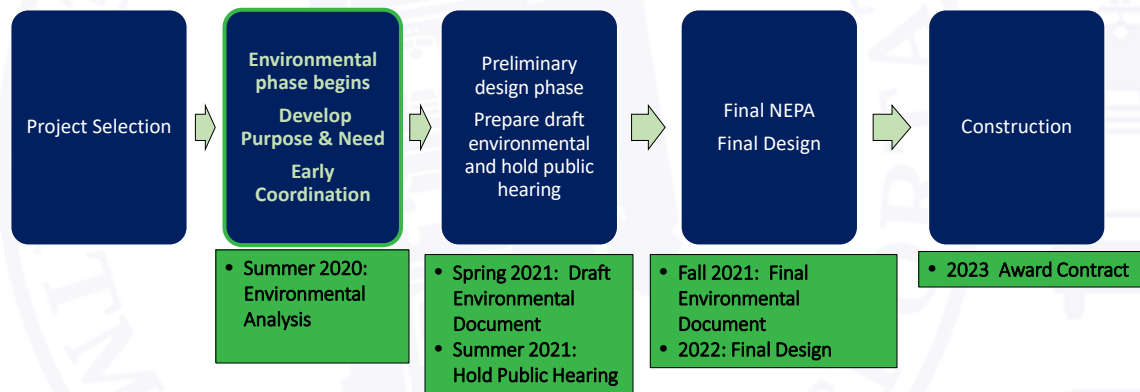
- High priority grade separations, crossing closures, and safety enhancements at railroad intersections with local roads
- \$125 million available
- 22 applications, 12 projects selected
- Elkhart County was awarded \$20,088,000
- Total Project Cost: \$29.8M (planning, design, right-of-way, utilities, and construction)
- Support from Norfolk Southern Railroad, Elected Local and State Officials, MACOG and others

NextLevel
INDIANA

4

Project Development

Categorical Exclusion – Level 4 (CE-4) Project



NextLevel
INDIANA

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Project Stakeholders

- Indiana Department of Transportation
- Federal Highway Administration, Indiana Division
- Elkhart County
- Elected & Local officials
- Norfolk Southern Railroad
- Michiana Area Council of Governments
- Residents
- Businesses
- Emergency services
- Schools
- Transit
- Religious Institutions
- Community Organizations

NextLevel
INDIANA

6

Reasons for the Project (Need)

- Safety – There have been 45 total accidents at these two crossings in the last three years with 17 train/vehicle accidents including three fatalities since 1976.
- Norfolk Southern trains typically run through these crossings 80 times a day which delay traffic and emergency vehicles access to the communities north of the tracks.
- Delays – trains regularly stop on the tracks creating congestion and excessive delays.



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Project Purpose

- The purpose of the Local Trax Railroad Grade Separation Project is to improve the safety and mobility issues for motorists, pedestrians, bicyclists, and trains at the two at-grade railroad crossings at Sunnyside Avenue/Concord Mall Drive and CR 13.



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Alternatives Considered

- The project team analyzed a variety of different alternatives to determine the most optimized solution.
- The No-Build alternative does not address the purpose and need of the project.



North Alternatives



Central Alternatives



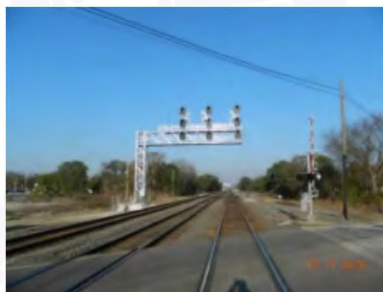
South Alternative

NextLevel
INDIANA

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Project Scope Work – Recommended Alternative

- New grade-separated structure over railroad.
- Eliminates the Sunnyside Avenue and CR 13 at-grade crossings.
- The new bridge would provide a grade-separated access (overpass) across US 33, the railroad, and CR 45. Typical section of the new roadway will be two 12' lanes with curb and gutter on both sides.



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Project Scope Work – Recommended Alternative



11

Environmental Analysis

- Streams, Wetlands, and Other Waters
- Floodplains
- Endangered and Threatened Species
- Cultural Resources (Historical and Archaeological)
- Parks, Trails and Recreational Lands
- Air Quality
- Right-of-way/Relocations
- Noise
- Community Impacts
- Environmental Justice (EJ): Low Income & Minority Populations
- Hazardous Materials
- Permits
- Mitigation
- Public Involvement

12

Project Status

- Project kickoff
- Alternative screening report/alternative refinement
- Noise studies
- Historic properties (Section 106)
- Environmental Analysis (NEPA)
- Public involvement



13

Next Steps

Future stakeholder & public meetings

- Resource agency coordination (e.g., US Army Corps of Engineers, Indiana Department of Environmental Management, and Elkhart County)
- Upcoming public involvement: stakeholder outreach and cultural resource consulting parties
- Public Hearing (Summer 2021)



14

Contact Us

- Comment form send via email or postal mail.

Postal address: ATTN: INDOT, c/o Dan Miller
 Parsons
 101 W Ohio St, Suite 2121
 Indianapolis, IN 46204

Email: Daniel.J.Miller@parsons.com

Please mention "Elkhart Local Trax" in your comments.



15

Thank You

Elkhart County Highway Department
 574-534-9394
www.elkcohwvy.org
eng@elkcohwvy.org

INDOT Next Level Customer Service

855-INDOT4U (855-463-6848)
www.indot4u.com
indot@indot.in.gov

Please mention "Elkhart Local Trax Project" in your comments.



16



Elkhart Local Trax Railroad Grade Separation Project

Virtual Public Open House

August 10, 2020, 5 p.m.

Attendees*:

- Alex Lee
- Jim Weeber
- Jason Holder
- Charlie McKenzie
- Dan Miller
- Adam
- Bobby Loncar
- Jeanne Bowen
- Jill
- Joe Schrock
- Lou Giordano
- Marietta Comer
- Larry Wegrecki
- Marvin Porter
- Pauline Arnold
- Piedra Viva
- Scott Puckett
- Shawn miller
- Tuffy Nelson
- Angela Nicholson
- B. Pitz
- Doug Burgess
- Cendric Diefenbaugh
- Charlie
- Christopher Kocher
- Christy
- Dale Shenk
- Geri Welch
- Heather
- Erin Pipkin
- J. Long
- Jane
- Jason Kaiser
- Jason Springer
- Jeremy Lay
- Jerry Barrett
- John and Mary
- Jordan Fouts
- Joyce Parker
- Katrina
- Kay House-Clark
- Kimberly Martin
- Kyle M.
- M. Cason
- Marlo Kauffman
- Martha Cook
- Matt Yarian
- Matthew Witt
- Michael Mascola
- Peter Graber
- Robert Kessler
- Ruth Stoltzfus
- Sandra Yoder
- T. Noffsinger
- Tim Jackson
- Todd Johnson
- Chief Sumpter
- Sean Porter
- Tom Heustis

Contacts added to project
stakeholder list (if mailing and/or
email addresses were provided).

**Note – Attendees were recorded as they signed into the virtual presentation. Several additional attendees dialed in by phone.*



Elkhart Local Trax Project Public Meeting Sign-In Sheet

August 25, 2020

Name	Organization (If applicable)	Email	Street Address	Zip Code
Harry Welber Jr				BLVD 46516
Tom Rushlow	Elkhart Co.			
Ronny + Tammy Baltimore	Elkhart Co.			46516
Rebecca Nelson	Elk Res			46517
Jerry Adkins	Board Member CONCORD TWP TRUSTEE			46517
Jim LeBeau	Concord Twp			46516
[Signature]	Concord Fire Dept.			
Mike Litchford	Concord Fire Dept			
James Bradshaw	Concord Schools			
Jeanne Bower				46516
Kimberly Martin				46516
Jim Smith + Marilyn Smith				46528
Chuck Woodinger				46516
Jeannine Martin	Co. Residence			46517

Contacts added to project stakeholder list (if mailing and/or email addresses were provided).



Elkhart Local Trax Project Public Meeting Sign-In Sheet

August 25, 2020

Name	Organization (If applicable)	Email	Street Address	Zip Code
Tim Jackson	Elkhart County Hwy			46536
Jim Beck	Township Board			46517
Kathleen Mullikin				46516
John Bawls	Concord Fire			46517
Bert Rankin	Concord Fire			46516
Keno Davis	Concord Fire			46516
Katelynn Welch				46516

* mail
relocate
Flier

* mail
relocation



Elkhart Local Trax Project Public Meeting Sign-In Sheet

August 25, 2020

Name	Organization (If applicable)	Email	Street Address	Zip Code
Phil Sumpter	Concord Fire Dept. Fire Chief			46516
Jane/Stan Hunsberger				46528
Kevin/Jonnet O'Brien				46516
Merrett/Eric Lomas				46516
Ford & Sons	Fla. Truck			
Joseph B. Hines				



Elkhart Local Trax Railroad Grade Separation DES# 1801913



Public Meeting
handout

Introduction

To address safety and mobility issues, the Indiana Department of Transportation (INDOT) and Elkhart County are partnering to study, design and construct the Local Trax Railroad Grade Separation at Sunnyside Avenue/Concord Mall Drive and County Road (CR) 13 in Elkhart County.

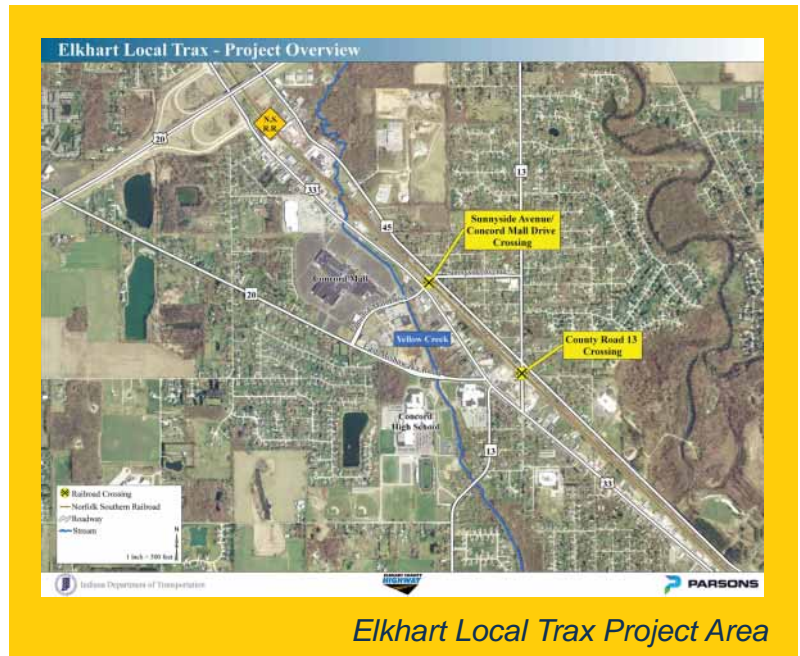
Project Purpose and Need

The purpose of the Local Trax Railroad Grade Separation Project is to improve the safety and mobility issues for motorists, pedestrians, bicyclists and trains at the two at-grade railroad crossings at Sunnyside Avenue/Concord Mall Drive and CR 13.

Norfolk Southern trains typically run through these crossings 80 times a day which delay traffic and emergency vehicles access to the communities north of the tracks.

The needs of the project include:

- Improving Safety – There have been 45 accidents at these two crossings in the last three years with 17 train/vehicle accidents, including three fatalities, since 1976.
- Reducing Delays – Trains regularly stop on the tracks creating congestion and excessive delays.



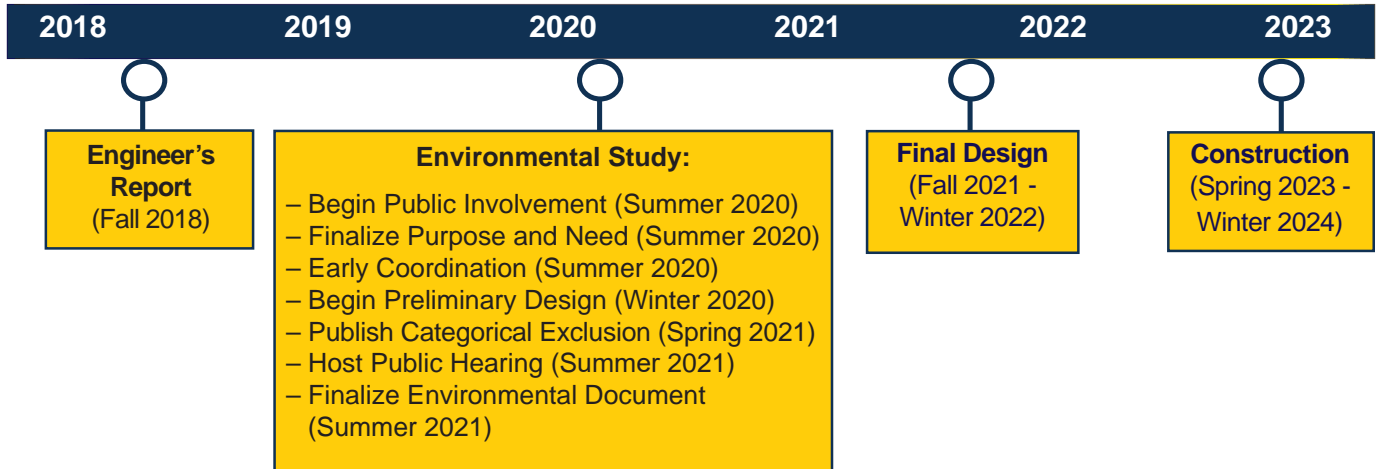
Project Scope

Several alternatives were considered to determine the best solution. Those alternatives were highlighted in the 2018 Engineer's Report.

The project team determined that Central Alternative 3, which carries traffic over the railroad and eliminates the at-grade crossings at Sunnyside Avenue and CR 13, warrants further study. The new bridge provides an overpass across US 33, the railroad and CR 45. The new roadway includes two 12-foot lanes with curbs and gutters on both sides.

The impacts of this alternative on people and the natural environment will be documented in a Categorical Exclusion - Level 4, as required under the National Environmental Policy Act (NEPA).

Current Schedule



Environmental Study

NEPA was signed into law on January 1, 1970. It requires federal agencies to assess the environmental effects of their proposed actions prior to making decisions. NEPA is broad and includes constructing highways and other publicly-owned facilities. The Categorical Exclusion (CE-4) will document potential impacts to:

- Streams, wetlands and other waters
- Floodplains
- Endangered and threatened species
- Cultural resources (historical and archaeological)
- Parks, trails and recreational lands
- Air quality
- Right-of-way/relocations
- Noise
- Community impacts
- Low-income and minority populations (Environmental Justice (EJ))
- Hazardous materials

The CE-4 will also document public involvement efforts, permitting needs and how impacts to the items listed above will be mitigated.

Questions or Comments?

Elkhart County Highway Department

(574) 534-9394
eng@elkcohw.org

Dan Miller, Parsons

101 W. Ohio Street, Suite 2121
Indianapolis, IN 46204

INDOT Next Level Customer Service

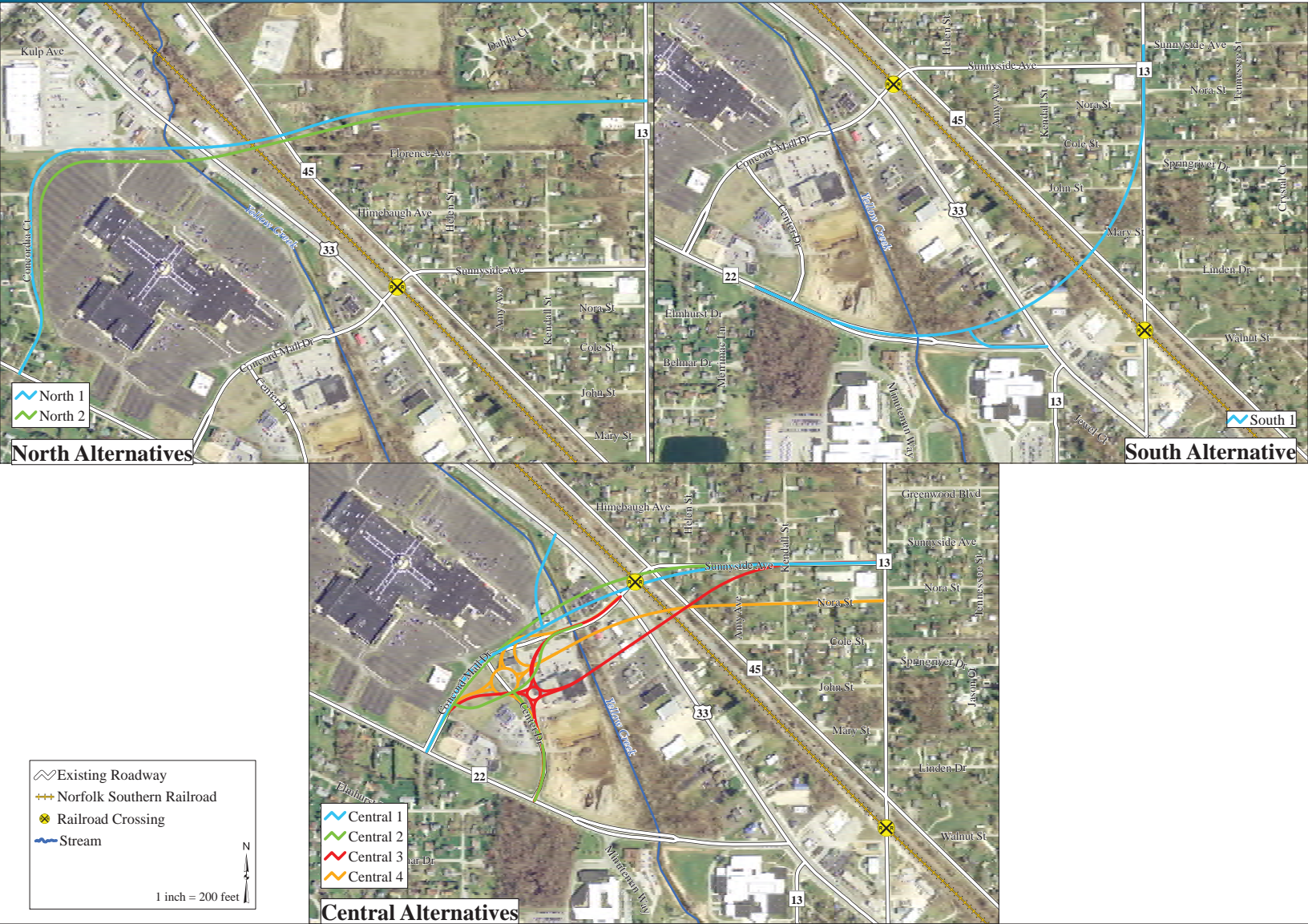
(855) INDOT4U (855-463-6848)
indot@indot.in.gov

Please mention "Elkhart Local Trax Project" in your correspondence.

www.elkcohw.org/projects

Poster board displayed
at public open house

Elkhart Local Trax - Alternatives



Indiana Department of Transportation



Poster board displayed
at public open house

Elkhart Local Trax - Project Overview



Poster board displayed
at public open house

Elkhart Local Trax - Recommended Alternative



https://www.elkharttruth.com/hometown/elkhart/comments-sought-on-30m-rail-overpass-plan/article_650d75a5-91b8-5a8e-92d9-23d1920a58ef.html

Comments sought on \$30M rail overpass plan

By JORDAN FOUTS jfouts@elkharttruth.com

Aug 6, 2020



ELKHART — Both virtual and in-person meetings this month will introduce residents to a \$30 million railroad overpass project in Dunlap.

The Indiana Department of Transportation and Elkhart County will hold open house sessions Aug. 10 and 25 to give people a chance to comment on the preliminary plans. The proposal involves replacing two road-level railroad crossings with a grade-separated crossing.

The Wrath of Kon

Dispatches, news, stories, and ramblings from fiction writer Jon Konrath

Death of a Mall Intersection

Posted on [January 25, 2020](#) by [jkonrath](#)



This is an oddly specific bit of nostalgia, and I'm not sure it matters that much unless you lived right by the Concord Mall in Elkhart, Indiana. But I'm going to babble about it anyway.

[Note: I wrote this post a year and a half ago and never finished it. So, this is even more stupid and trivial now that I've gotten around to finishing it.]

So the [Elkhart County Commissioners](#) picked a plan to build a railroad overpass in Dunlap, the part of Elkhart by the mall, where I grew up. And while I would have loved the idea of a way to cross the busy train tracks back when I lived there, the plan does cause a lot of change that opens up some odd nostalgia, the kind I get when an old haunt is torn down.

Some background first. There's a stretch of railway corridor that runs roughly following US-33, from Elkhart to Goshen and further south. A large rail yard, once the biggest one in the country, is northeast of this area, and the result is long trains. A *lot* of long trains. There were routinely cargo trains of a hundred or two hundred cars rolling through town, multiple times a day. And there were no overpasses or underpasses, unless you drove all the way downtown in Elkhart, or I think there was one out in Goshen. You'd routinely get stuck waiting on a train almost every day, or you'd do the maneuver where you'd drive on a parallel road as fast as

you can and try to outrace the train, getting to the next gate down while it was still open. Or you'd go around the gates, and either get a huge ticket, or get killed. (This happened often, especially when it was icy out.) It was bad enough that there were places in the area where two fire stations were built on either side of the tracks, because if there was a Conrail going through, your house would burn down before the trucks got there.

So there's always been a need for a viaduct or overpass. And they did build two since I left (Prairie Street and Indiana Ave) which I never cared about, since I didn't live in Elkhart anymore, didn't pay for them, and both were further north than my old neighborhood. But as I read the plans for the new construction in Dunlap, it was oddly disconcerting to me, what major surgery would happen in my old neighborhood.

The details, which I don't expect any of you to understand unless you lived there:

1. An overpass is built where Concord Mall Drive/Sunnyside Road crosses US-33. It goes over the creek, US-33, the railroad tracks, and CR-45. The raised section starts roughly in front of the Chase Bank that is next to what used to be Martin's Supermarket, and comes back down on Sunnyside, right before Kendall Street.
2. A little stub of the overpass on the north side goes back down to a new bridge over Yellow Creek and meets US-33. Both sides of this get a traffic light. This stub takes out the little bank building by the mall entrance. (I think it's vacant now.)
3. The rest of Concord Mall Drive is removed, including its bridge over Yellow Creek.
4. Center Drive (the little side street next to Martin's) dead-ends into a cul-de-sac next to Chase Bank.
5. Concord Mall Drive and Mishawaka Rd get an improved signal.
6. On the other side of the tracks, Kendall and Amy Street, which cross Sunnyside, will be blocked off into cul-de-sacs on either side.
7. Helen Street, which also crosses Sunnyside, will get a slight trim and connect with the last little bit of Sunnyside, leading to CR-45.
8. Sunnyside and CR-13 gets a traffic light.
9. The Sunnyside railroad signal is removed (duh.)
10. The weird part – the railroad crossing at CR13 is removed.
11. The south side of CR-13 gets a cul-de-sac before the tracks. The north side gets a slight alignment improvement with CR-45.

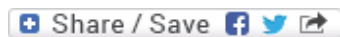
There's a lot of weird things that happen because of this.

- My walk from my old house to the mall would either radically change or be impossible. It's hard to think of that, because I did the walk so many times as a kid, either to the mall or to school. And if the overpass does not have a pedestrian lane (which it probably

won't — this is Indiana) then it would be impossible to get across the tracks, without walking probably an extra two miles, either north or south.

- The Sunnyside neighborhood would be radically changed. It splits it in half, and the plan would remove a number of houses. This is a neighborhood that was destroyed in the Palm Sunday tornadoes — there's a good picture of LBJ visiting, inspecting the remains, pretty much at the exact spot where the overpass grade would start. This area was rebuilt after that, but before River Manor (my old subdivision) went in, with its largely identical, more modern ranches and tri-levels.
- Fun fact, maybe: I can't tell which houses will be torn down, but I think one of them was a house that was moved there in the late 80s when the US-20 bypass was built and a swath of land was eminent domained crossing CR-13 just north of this area. (If you look at the map, there are two Rivercrest Drives on either side of US-20 – those used to be one street,)
- The light at Sunnyside will be nice – I always remember getting stuck trying to make a left turn onto CR-13, and traffic would back up after school or events.
- All of this would be happening to basically bridge the mall with the other side of the tracks, which is ironic given that Concord Mall is all but dead at this point, as are almost all of the businesses surrounding it.

Anyway, this is all some fairly obscure trivia, and I don't really know why I'm writing about it. If you grew up near the area, you might find it news, especially since the local newspaper is now impossible to read online, and only publishes high school football scores.



This entry was posted in [general](#) and tagged [concord mall](#), [Elkhart](#), [k-holes](#), [memories](#) by [jkonrath](#). Bookmark the [permalink](#) [<http://rumored.com/2020/01/25/death-of-a-mall-intersection/>] .

Comments are closed.

https://www.elkharttruth.com/elkhart_county/rail-overpass-designers-questioned-on-public-input/article_a3c39d8c-9979-508f-a766-edca68db4fb9.html

Rail overpass designers questioned on public input

By JORDAN FOUTS jfouts@elkharttruth.com
Aug 11, 2020



DUNLAP — Concord township and fire officials expressed concerns with the favored design for a railroad overpass during a virtual open house Monday.

Planners behind the \$30 million grade separation project led an online question and answer session for more than 40 people Monday night. They included representatives of the Indiana Department of Transportation, the Elkhart County Highway Department and project design firm Parsons Transportation Group.

The aim of the project is to provide an overpass in the Dunlap area over the railroad tracks that run alongside U.S. 33, in order to improve safety and reduce wait times for stopped trains. The favored design would bridge over the tracks, the highway and C.R. 45 by connecting Concord Mall Drive and Sunnyside Avenue.

The overpass would have sidewalks on either side for bicycles and pedestrians and would be wide enough for emergency vehicles to pass down the middle, said Dan Miller, a risk specialist with Parsons. The plan also includes a roundabout southeast of Concord Mall connecting Mall and Center drives with the new overpass.

The existing ground-level crossings at Sunnyside Avenue and at C.R. 13 would be closed.

"The big push of this is safety, and sometimes when you go through design, you have to look at give and take. And getting rid of the two at-grade crossings ... really is a big push for this project," Miller said. "We are also, by doing the overpass, you're not gonna have stoppage at both those crossings throughout the day with some of the 80 to 90 trains a day stopping on the tracks."

The Mall Drive-Sunnyside plan emerged as the best option from out of about 16 that were considered, said Transportation Manager Charlie McKenzie. Problems with other proposals included the cost, the amount of land that would need to be disturbed or the angle of the overpass being steeper than acceptable design standards.

The bulk of the funding for the project is a \$20 million Trax grant from INDOT. McKenzie said the county's \$10 million share has been budgeted.

The next steps include an environmental study and public hearing in 2021, final design by 2022 and construction in 2023 and 2024. Miller noted that a traffic analysis is in the works but it's a challenge because the COVID-19 pandemic has reduced traffic below normal levels.

Public involvement

Many of the questions asked by the audience centered on traffic congestion, how neighboring homes would be affected and whether long vehicles like school buses, semi trucks and fire engines would be able to navigate the turns or the roundabout.

Concord Township Trustee Jim Weeber questioned how much the project was in the interest of Concord Township versus the interest of the railroad. He said there are numerous people dissatisfied with the design and wondered why there hadn't been more public involvement in the process.

"The previous chief at Concord Fire Department was solicited to write a letter in support of this project," Weeber said. "However, he wouldn't do it based on the fact that semi traffic that would be carrying hazardous materials is going to be brought in to a residential area."

Miller said traffic analysis is a major part of the design process. He also said the public will have more public involvement from this point on, including an in-person hearing on Aug. 25.

"We will see if, with the issues going on with the pandemic, if that can be allowed. The previous planned meetings have been delayed up to this point," Miller said. "Beyond that, as the design progresses, we will look to continue having additional public involvement from stakeholder outreach and additional virtual public involvement. An official public hearing is handled at the end of the environmental process. Basically, once we get the draft environmental document finalized, we then will have a public hearing for a last opportunity for people to provide input and see if things in the design need to be altered before we're allowed to finalize the environmental documents and finalize the design."

McKenzie added that the current fire chief will have plenty of opportunities to make his comments heard.

Kimberly Martin, a bus driver for Concord Community Schools, said train crossings are a huge pain but that she was also worried about traffic being forced in one direction.

Holder indicated they hope to reduce the overall congestion in the area during school pick-up and drop-off times.

"In every case where I've spoken to bus drivers, they were much less concerned about stoplights or things like that than they are having to stop at railroad crossings," he said. "Hopefully with this project, improving that fluidity into the school, stopping all of those buses from having to stop at the tracks, will improve the overall congestion during those times in this area."

The team stressed that the favored plan isn't the final design and that many things still need to be determined in the next few years, such as land that will need to be bought, buildings that will need to be demolished and whether stop lights or turn lanes will need to be added.

Jason Holder, local Trax program manager, said the goal is to design something that will serve the community for decades. He said Elkhart County's project had more design alternatives considered than any other Trax grant recipient.

"There's a lot of thought being put into the small details of this, like how wide is that roundabout, how easy is it gonna be to navigate for emergency vehicles. ... None of this stuff is not being considered," he said. "Definitely something that we're going to continue to work on until we have the final design here, and it makes sense for EMS, first responders, the schools – all of those people are going to be parties that we're discussing this with."

Another open house session is planned for Aug. 25 from 5 to 7 p.m. at Concord Intermediate School, 59194 C.R. 13, Elkhart. The in-person session will follow Indiana Department of Health guidelines, including mask, sanitizer and social distance requirements.

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Federal funds in place for railroad overpass project in Dunlap

Aimee Ambrose, Goshen News

Saturday, May 12, 2018 7:57 AM

ELKHART — Traffic will likely go over, not under, the [Norfolk Southern](#) railroad tracks along U.S. 33 in Dunlap as plans for a new crossing chug forward.

Elkhart County Transportation Manager Jeff Taylor gave a progress report on the developing project during the 2018 Elkhart County Leadership Summit at the Matterhorn Banquet and Conference Center in Elkhart Friday.

Speaking to members of the county council, county commissioners and department heads, Taylor said plans now call for building an overpass to cross the tracks with two possible locations selected. He didn't identify the locations as preliminary planning is still underway.

With federal funds now committed, the department is budgeting, roughly, for a \$36 million project. So far, the federal money would cover \$15 million of the cost, and the other \$21 would come from local economic development income tax funds, Taylor said.

The highway department is also looking to apply for state funds via a Local Trax grant through the [Indiana Department of Transportation](#). The program creates partnerships between INDOT and communities to help pay for local railroad overpass projects.

"We think we've got a really good shot at getting this grant," Taylor said.

If the county is chosen for a grant later this year, the state would cover 80 percent of right-of-way, utilities and construction costs, while the county would put up a 20 percent match. INDOT would also fund the design and construction inspection fees, Taylor said.

But, he cautioned, INDOT would manage the project, including seeking consultants to begin design work, which could limit the county's input on the project.

Taylor hopes to include results of a recent study into the rail overpass project by engineering design firm [DLZ Corp.](#) with the Trax application as a way to try and keep plans aligned.

He didn't identify the two locations the highway department is considering as the project is still in preliminary stages. He said one location could lead to about a \$20 million price tag, while the other could lead to about \$35 million, and INDOT could have the final say on where to build an overpass if the county wins a Trax grant.

U.S. 33's close proximity to the railroad tracks creates a major design challenge as engineers would have to create a new crossing that isn't too steep for vehicles, Taylor said. He's pushing for a grade of about 5 percent, if possible.

The highway department is pursuing an overpass since a study found an underpass project would encounter too much groundwater.

The next stages in planning include discussions with the county council and commissioners on input and to begin tackling right-of-way issues.

Plans for a new railroad overpass in Dunlap have been in the works for years amid complaints the frequent train traffic on the three-track rail line blocks creates congestion at crossings. About 100 trains on average travel the line each day.

Taylor also updated Leadership Summit attendees on other major upcoming road projects.



A CAR crosses the railroad tracks along C.R. 13 in Dunlap in this January 2017 file photo. Staff photo by Roger Schneider

They include widening C.R. 38 from Goshen's east side to Ind. 13 to create buggy lanes with the first phase to run from C.R. 31 to C.R. 35.

"You have a dangerous mix of buggies, bicycles, RV traffic, semi traffic, cars and who knows what else driving up and down through there at very high speeds," Taylor said, describing the area as having been overlooked for too long.

Another project would add a buggy lane on C.R. 40 from Ind. 119 in Wakarusa to C.R. 7 following requests to build one there. Plans also call for wrapping up work on C.R. 38 in Goshen from Ind. 15 to C.R. 17.

EDIT funds would be used to pay for the projects.

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HOME

Editor, [John C. DePrez Jr.](#); Executive Editor, Carol Rogers; Publishers: [IBRC](#) and [IAR](#)

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(/)



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(/story/39258703/inside-indiana-business-podcasts)

State Awards Rail Crossing Safety Funds

Thursday, December 13th 2018, 4:23 PM EST

Updated: Thursday, December 13th 2018, 4:28 PM EST

By Alex Brown, Assistant Managing Editor



(photo courtesy of INDOT)

GARY - Governor Eric Holcomb and the Indiana Department of Transportation have awarded more than \$121 million in state matching funds for rail crossing safety improvements throughout the state. The funding was made available through INDOT's Local Trax matching grant program.

The grants allow communities to pursue high-priority railroad grade separations, crossing closures, and other safety enhancements at railroad intersections with local roads. The program requires local governments to provide 20 percent of funding for land acquisition and construction, with the remainder coming from the state.

An additional \$10 million in funding is coming from Norfolk Southern Railway, CSX Transportation and Canadian National to help deliver on the projects.

"Improving high-traffic rail crossings makes our communities safer, creates opportunities for economic development and boosts quality of life," INDOT Commissioner Joe McGuinness said in a news release. "Through the Local Trax program, community leaders, the state and railroad companies come together as financial partners to improve aging railroad infrastructure throughout Indiana."

The recipients include:

Community - Project Location - Estimated State Matching Funds

- Elkhart (City) - Hively Ave. east of Main St. crossing the Norfolk Southern Railway - \$15,853,300
- Elkhart County - Sunnyside Ave./Mall Dr at U.S. 33 (Main St.) - \$20,088,000
- Gary - N. Clark Rd. near airport - \$15,200,000
- Hammond - Bridge over Norfolk Southern 800 feet E of Parrish Ave., 600 feet N of 173rd St. - \$6,760,070
- Hobart- Colorado St. over CN/Grand Trunk and Western - \$7,336,580
- Kosciusko County - C.R. 1300 N extension over Norfolk Southern Railroad and Main Street - \$7,757,695
- La Porte - Tipton St. to Park St. between State St. and Furnace St. - \$6,238,880
- Schererville - Kennedy Ave. bridge over Canadian National and Norfolk Southern railways - \$8,229,340
- Terre Haute - Near intersection of N. 13th St. and 8th Ave. - \$13,520,000
- Vanderburgh County - Mill Rd. approx. 650 feet W of Kratzville Rd. - \$6,237,500
- Wabash - N. East St. over the Norfolk Southern Railroad near E. Hill St. - \$8,560,000
- Wells County - Rerouting of Hoosier Highway to connect to Adams Street at Bluffton City Limits - \$6,019,073

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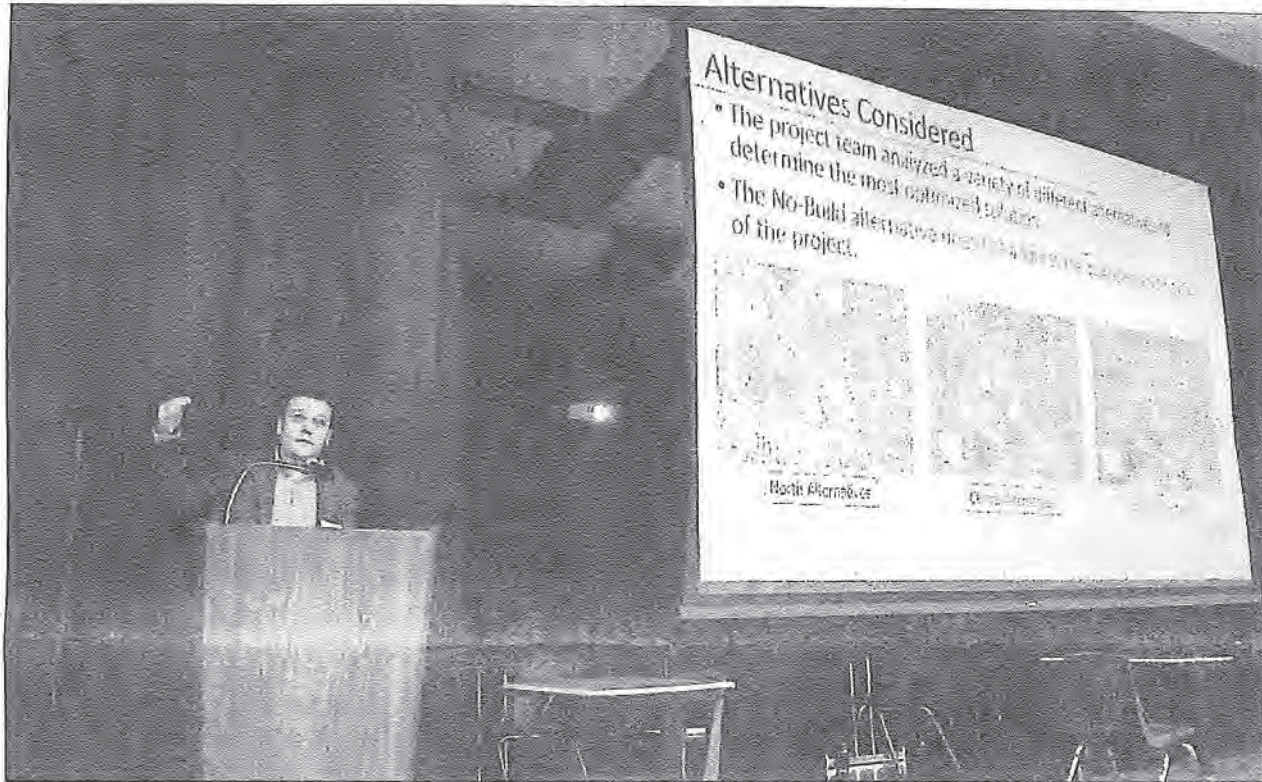
The Elkhart Truth

THURSDAY, AUGUST 27, 2020

\$2

elkharttruth.com

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Elkhart Truth photo / Jordan Fouts

Dan Miller, a risk specialist with Parsons Transportation Group, gives an overview of the train overpass plan.

Concord Township leaders voice concerns with overpass plan

By JORDAN FOUTS
jfouts@elkharttruth.com

DUNLAP — Concord township and fire department leaders hope the concerns of Dunlap area residents will be heard as Elkhart County moves ahead with a \$30 million railroad overpass project.

The Elkhart County Highway Department and Parsons Transportation Group held the second informational session Tuesday on a railroad crossing grade separation project. Under the design currently favored by planners, a bridge connecting Concord Mall Drive and Sunnyside

Avenue would take traffic over the railroad tracks, U.S. 33 and C.R. 45.

The overpass would include sidewalks on either side for bicycles and pedestrians and a roundabout southeast of Concord Mall which would connect Mall and Center drives with the new elevated roadway. Ground-level train crossings at Sunnyside Avenue and at C.R. 13 would be removed.

A state Trax grant would cover \$20 million of the expected cost. Construction is scheduled for 2023 and 2024, following environmental and traffic studies as well as a

formal public hearing next year and a final design being reached in 2022.

Tuesday's session and one held online Aug. 10 were meant to share details about the project as it moves into gear and to gather public feedback on the preferred plan.

Concord Township Trustee Jim Weeber voiced concerns with the Mall Drive plan Tuesday along with Township Fire Chief Phil Sumpter and Deputy Chief Ken Davis. They indicated they would prefer to see a four-lane overpass like the one that takes Prairie Street over the tracks

"I think what everybody can agree on is, there's a problem. Anybody who lives in this area knows there's a problem. How to solve it is what we're working toward."

CHARLIE MCKENZIE
County Transportation Manager

in Elkhart.

"There's been a lot of concern about this project," Weeber said. "Originally it was

See OVERPASS, page A7

OVERPASS

From page A1

felt that the structure should be a four-lane structure that goes from C.R. 13 to Mishawaka Road. That's been negated at the moment."

In addition to the cost of the project, bus and semi-truck navigability and potential snarls during heavy traffic times, they worry that a two-lane overpass is liable to be blocked if there were a serious accident.

"The two-lane poses a serious problem. If there's an accident on there, and it's a serious accident or a fatality, that road's going to shut down for a long time," Sumpter said. "Not to mention if there's something minor and that road's shut down, and we can't get to someone on the south side, particularly off of maybe C.R. 113. Try holding your breath for five minutes. See how much your house goes up in flames in five minutes. It may not seem like much, but seconds count."

'Get the right thing done'

Weeber said other people who don't feel comfortable coming forward publicly have come to him to express their own concerns. He told county Transportation Manager Charlie McKenzie that they would support him when it comes to making the proposed design better for the township.

"I told my men I would back them, and I think it's my duty to have something to say here for the people of Concord Township. Charlie, you've got

a chance to be a hero here," Weeber said. "It doesn't very often happen with an appointed bureaucrat, but if you stand for the people of Concord Township, we will back you. If you don't think you got the horse power to get the right thing done here, we'll help you."

McKenzie said the recommended plan emerged from about 26 that have been looked at over the project's lifetime, which goes back over a decade. All the others were determined to have too many fatal flaws, whether it was the steepness of an overpass or the expense of trying to keep an underpass dry in several feet of groundwater.

He also emphasized that the recommended plan is considered preliminary. He said traffic studies previously done for the project are being updated to reflect current traffic patterns and other recent changes.

Those include the Indiana Supreme Court striking down the state's blocked crossing law in 2018, which means local authorities can no longer issue fines to discourage idling trains.

"That's all part of the traffic study. You have to redistribute the traffic based on this new configuration that's being recommended. It changes the way traffic is gonna flow across those two at-grade crossings entirely. That's going to affect how many lanes we need," McKenzie said.

"Preliminarily, two lanes is plenty to handle the projected traffic volume. But that could change. That's today. As we

move forward, that could change."

He said project planners invite feedback from people who live in the area and drive it frequently, such as commuters and school bus drivers. Feedback can be submitted online to Daniel.J.Miller@parsons.com or eng@elkcohw.org

"The reason we are having these meetings is exactly

for this. Whether it's people talking like this, people talking back there, we want to get as much information out as we can as, as early on as we can, so we can hear everybody's opinions," McKenzie said. "I think what everybody can agree on is, there's a problem. Anybody who lives in this area knows there's a problem. How to solve it is what we're working toward."

Overpass could be built at dangerous Elkhart County railroad crossing

by Max Lewis, WSBT 22 Reporter

Wednesday, August 26th, 2020

2:18 clip: <https://wsbt.com/news/local/overpass-could-be-built-at-dangerous-elkhart-county-railroad-crossing>

An overpass could be coming to a busy and dangerous intersection in Elkhart County.

The Indiana Department of Transportation and the Elkhart County Highway Department revealed plans Tuesday night to build that bridge just across from the Concord Mall.

A common occurrence at the intersection of Sunnyside Avenue and US 33 in Elkhart County. Around 80 times each day, the train crossing barriers come down and cars have to wait – sometimes 10, 20, even 30 minutes.

But plans are moving forward to make this experience a thing of the past.

"We've heard a lot of feedback about 'Oh I get stuck by trains all the time there'...'I'm a Concord student and I get stuck, we need to do this,'" said Charlie McKenzie with the Elkhart County Highway Department.

INDOT and Elkhart County's Highway Department revealed initial plans to get rid of the crossing and build an overpass instead.

The plans would also call for the nearby County Road 13 crossing to be blocked as well so all traffic goes above the trains.

In the past 3 years there have been 45 accidents at this crossing alone, 17 of them involving the trains.

"Frequently stopping causes a massive amount of delay, so it's safety and efficiency," said McKenzie.

On Tuesday night officials held a public forum to get feedback from nearby residents, many telling us they feel out of the loop.

"It's going to inconvenience a lot of people," said Katelynn Weldy, whose house could be demolished. "Right now we just kind of feel stuck."

Weldy's home lies right in the path of where that overpass is set to go. She says she not so much concerned about losing the house as she is the communication.

"You can't really make plans. We had hopes to do some renovations to the house, but we knew with that you're not going to get your money back so we've kind of just had to pause on all those things."

And it's the same story next door.

"I've been waiting for years and years not doing any fixing up on it because I'm afraid," said Dave Fendley. "Why invest money into it if they're going to tear it down and bulldoze it?"

The project is being paid for mostly by a grant from INDOT, about a third of the bill is being picked up by local funding.

There are still a lot of steps including public hearings before they even could begin construction. It's expected to be completed sometime in 2025.

PUBLIC COMMENT LOG

Elkhart Local Trax, Des 1801913

Prepared October 26, 2020

Number	Date Received	Summary	Type	Category	Name
1	10/5/2020	Mr. Neilson, owner of Tuffy Tire and Auto Service Center inquired about potential right-of-way impacts /relocations of the Goodyear and Pizza Hut properties.	Phone call	Right-of-way / relocations	Tuffy Tire and Auto Services Center Owner
2	8/25/2020	I Ronny Baltimore have not been reveiving any information on this <div>sent 9/4/2020</div> My address is	Written comment	Mailing list	Ronny Baltimore
3	8/25/2020	1. The Dunlap area is needed before Hively! 2. Understand concerns of only 2 lanes. Certain times of day lot of backup of traffic with factories & school dismissal. 3. Make sure roundabout works for long buses & long fire trucks.	Written comment	General / Traffic	N/A
4	8/25/2020	1. Need left hand turn and stop light at center CR 20! 2. Do not close CR 13 crossing! 3. Need 4 lane over pass. Do not under build!	Written comment	Intersection / Crossing Traffic	C.W.
5	8/25/2020	Please mail us notices. Havent revieved any so far! <div>sent 9/4/2020</div>	Written comment	Mailing list	Mel & Kathe Mullikin
6	8/25/2020	There is a RR underpass off of 45 and 33 by main muffler that has been there over 100 years. The north bay should be looked at for a possible 2 lane road from 45 and 33 to county road 45, yes you would have to have to make it work. It should be at least looked at.	Written comment	Alignment	Lorell Nihent
7	9/6/2020	We have read with much interest the proposed plan for the Concord Overpass. Much to our dismay we are not excited about this current plan. We agree with Concord Township Trustee Jim Weeber that this overpass should be 4 lanes. If the current plan stands and the CR 13 crossing is closed, with only one way to get across the tracks, and all traffic is all moved to this overpass the amount of traffic will be huge. It already is a problem with both Sunnyside and CR 13 crossings open. There is a lot of traffic that goes up and down CR 13. It is a main thoroughfare. Back ups will become the norm. Heaven forbid a fire truck, ambulance, or police/sheriff needing to get across quickly, but won't be able to because there is nowhere for traffic to move over because there wouldn't be a second lane. Also, closing CR 13 is a mistake. Having the overpass clear down by the Concord Mall causes many drivers to have to back track to go towards Goshen. Many vehicles will choose to go down to the crossing by Meijer which will in turn cause major traffic at that crossing, that intersection/crossing was poorly designed. This plan has taken years to get going and if it finally is going to happen then it better be done right because there won't be a second chance to correct what would be a nightmare of a crossing.	Email	Traffic / Alignment / Emergency Vehicles	Bruce and Jennifer Hardy

Contacts added to project stakeholder lists (if mailing and/or email addresses were provided).



INDIANA DEPARTMENT OF TRANSPORTATION

**ELKHART COUNTY
HIGHWAY**

100 North Senate Avenue PHONE: 1-855-463-6848
Room N642 FAX: (317) 462-7031
Indianapolis, IN 46204

Eric Holcomb, Governor
Joe McGuinness,
Commissioner

Elkhart Local Trax Railroad Grade Separation Project

Thank you for attending this evening's public information meeting. Please submit comments by using the space provided below. INDOT and Elkhart County Highway Department appreciates your attendance and participation this evening.

August 25, 2020

COMMENT:

I Bonny Baltimore have not been ~~has~~ RecEiving
any information on this # my address
is _____

NAME/ADDRESS: _____



INDIANA DEPARTMENT OF TRANSPORTATION



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August 25, 2020

COMMENT:

The Dunlap area is needed BEFORE Hivesy!

Understand concerns of only 2 lanes - Certain times of day Lot of back up of traffic w/ factories & school dismissal!

Make sure Round-about works for Long buses & long fire trucks

NAME/

ADDRESS: _____



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August 25, 2020

COMMENT:

1. Need Left Hand Turn AND Stop Light At Center + CR 20.!
2. Do not Close CR 13 crossing!
3. Need 4 Lane OVER PAS Do not under Bulid!

NAME/

ADDRESS:

CW.

ELK

www.in.gov/dot/

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INDIANA DEPARTMENT OF TRANSPORTATION

ELKHART COUNTY
HIGHWAY

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Thank you for attending this evening's public information meeting. Please submit comments by using the space provided below. INDOT and Elkhart County Highway Department appreciates your attendance and participation this evening.

August 25, 2020

COMMENT:

There is a RR underpass off of 4533
by main muffler that has been there over
100 years. The north bay should be looked
at - for a possible 2 lane road from 4533
to county Road 45, yes you would have to
have variance to make it work, It should
at least be look at,

NAME/

ADDRESS:

Loree Ribart
Cell

www.in.gov/dot/

An Equal Opportunity Employer

From: [Lee, Alexander](#)
To: [Diefenbaugh, Cedric](#)
Cc: [Miller, Daniel J](#)
Subject: Elkhart Local Trax
Date: Monday, October 5, 2020 10:49:54 AM
Attachments: [image001.png](#)

I received a call from Mr. Neilson, owner of Tuffy Tire and Auto Service Center (3703 S. Main Street, Elkhart, IN). (call received October 5th, 2020 at 10:15 am).

He wanted to know if we were going to take the Goodyear and Pizza Hut properties. I told him that the meetings that we held five weeks ago discussed the recommended alternative (not the preferred) and the alignment does show the Goodyear building in the way of the new overpass. The Pizza Hut which is behind the Tuffy Service Center is currently show as not being the alignment. I shared with him the schedule that we discussed at the virtual and the public information meeting. He thanked me and said he will probably call me in five or six weeks.

Alexander Lee, AICP
Senior Environmental Planner

101 West Ohio Street, Suite 2121 - Indianapolis, IN 46204
alexander.lee@parsons.com – P: 317-616-1011 M: 571-294-4555

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To: Charlie McKenzie <cmckenzie@elkcohwyl.org>

FYI.

----- Forwarded message -----

From: **Bruce Hardy**

Date: Sun, Sep 6, 2020 at 10:49 AM

Subject: Concord Overpass

To: <eng@elkcohwyl.org>

We have read with much interest the proposed plan for the Concord Overpass. Much to our dismay we are not excited about this current plan.

We agree with Concord Township Trustee Jim Weeber that this overpass should be 4 lanes. If the current plan stands and the CR 13 crossing is closed, with only one way to get across the tracks, and all traffic is all moved to this overpass the amount of traffic will be huge.

It already is a problem with both Sunnyside and CR 13 crossings open. There is a lot of traffic that goes up and down CR 13. It is a main thoroughfare.

Back ups will become the norm. Heaven forbid a fire truck, ambulance, or police/sheriff needing to get across quickly, but won't be able to because there is nowhere for traffic to move over because there wouldn't be a second lane.

Also, closing CR 13 is a mistake. Having the overpass clear down by the Concord Mall causes many drivers to have to back track to go towards Goshen.

Many vehicles will choose to go down to the crossing by Meijer which will in turn cause major traffic at that crossing, that intersection/crossing was poorly designed.

This plan has taken years to get going and if it finally is going to happen then it better be done right because there won't be a second chance to correct what would be a nightmare of a crossing.

Sincerely,
Bruce and Jennifer Hardy

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From: [Miller, Daniel J](#)
To: [Port, Juliet](#); [Diefenbaugh, Cedric](#)
Cc: [Lee, Alexander](#)
Subject: FW: [EXTERNAL] Fwd: Trax Project - Comments/Questions from PIM
Date: Wednesday, August 26, 2020 9:46:23 AM

Cedric,
Please log this in the project file.

From: Charles McKenzie <cmckenzie@elkcohw.org>
Sent: Wednesday, August 26, 2020 9:44 AM
To: Porter, Sean <Sean.Porter@parsons.com>; Lee, Alexander <Alexander.Lee@parsons.com>; Miller, Daniel J <Daniel.J.Miller@parsons.com>
Subject: [EXTERNAL] Fwd: Trax Project - Comments/Questions from PIM

Alex,

See below summary from Tom Rushlow's questions he received at his station last night.

Thanks,

Charlie P. McKenzie, P.E.
Manager of Transportation
Elkhart County Highway Department
Office: [574-534-9394](tel:574-534-9394)
cmckenzie@elkcohw.org

----- Forwarded message -----

From: **Tom Rushlow** <trushlow@elkcohw.org>
Date: Wed, Aug 26, 2020 at 7:49 AM
Subject: Trax Project - Comments/Questions from PIM
To: Charles McKenzie <cmckenzie@elkcohw.org>
Cc: Timothy Jackson <tjackson@elkcohw.org>

Hi Charlie,

Here is a short summary of comments/questions received at my station last night-

1. The traffic volume going to US 33 from the overpass is going to triple or quadruple. How are we ever going to get out on US 33?

(be prepared with the model data at the public hearing)

2. How does the fire department get across if a crash on the bridge closes it?

(with this line of thinking why would they ever construct the fire station on a two-lane road? Why would they construct the fire station 700' from an existing 2-lane bridge across the Elkhart River?)

3. There is an existing railroad bridge over Yellow Creek across from the Concord Mall that would be ideal for an underpass.

(NIC did a project there about 9 years ago using micro-piles because of the low clearance under the bridge. I got to see them install a micro-pile so I have been under that bridge and I do not remember it being too tall. I will check it and get actual clearance measurements.)

--

Tom Rushlow, P.E.
Elkhart County Highway
610 Steury Avenue
Goshen, IN 46528
574.534.9394 Ext. 244

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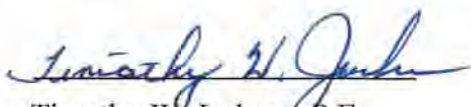
MEETING MEMORANDUM

Memo Date: October 22, 2020
Meeting Date: October 22, 2020 (11:00 am-11:50 am)
Written By: Tim Jackson, P.E.
Project: Des. 1801913 Elkhart Local Trax Railroad Grade Separation
Meeting Location: Elkhart County Highway Department
610 Steury Ave., Goshen, Indiana
Meeting Purpose: Meeting Requested by Darrel Neilson (Tuffy Muffler)
Attendees: Darrel Neilson Tuffy Muffler
Charlie McKenzie, P.E. (audio) Elkhart County Highway Dept.
Tim Jackson, P.E. Elkhart County Highway Dept.
Tom Rushlow, P.E. Elkhart County Highway Dept.

The meeting begin by Mr. Neilson being directed to the Elkhart County Website for available project information including the Public Open House Presentation and Fact Sheet. Informational slides from the presentation reviewed with Mr. Neilson included Alternatives Considered, Recommended Alternative, Environmental Analysis, and Project Contact information. Mr. Neilson requested specific information regarding project impacts to the Tuffy Muffler property. Elkhart County staff explained any potential impacts are unknown at this time and the information identified is only a recommended alternative and subject to change pending completion and approval of the Environmental Study including a Public Hearing tentatively scheduled for Summer 2021. Mr. Neilson inquired for information regarding the schedule for property acquisition and was directed to the project schedule as shown on page 2 of the Fact Sheet. Mr. Neilson was informed right of way acquisition activities including appraisal and negotiation activities could commence following approval of the Environmental Study. Mr. Neilson asked about the relocation process and loss of business income if he were to sell and finance his business in advance of the project. Elkhart County reiterated that specific project impacts are unknown at this time and that property acquisition and any relocation activities, if necessary, would be in compliance with the Uniform Act.

The foregoing constitutes our understanding of matters discussed and conclusions reached. Please review these items and advise the undersigned, in writing and within five (5) business days, of any errors or omissions.

Elkhart County Highway Department



Timothy W. Jackson, P.E.

Project Engineer

cc: INDOT/Parsons/Elkhart County Highway Department

Kitchen Table Meeting (KTM) Log

KTMs are in-progress. Blank spaces are intentional and will be completed as meetings are conducted.

OWNER	initial call	Dated Scheduled	Conducted	Owners in Attendance	Notes from Meeting	Follow UP	Follow Up Addressed
AGUILAR BERNABE M							
LOWE MATTHEW A & DAWN A LOWE H&W			3/10/2021	Matt and Dawn	Parsons staff met with the Lowes in their home. Showed them the plans and discussed the ROW process. Gave them the FHWA acquisition brochure. We shared the project schedule. We went outside and visually showed them the probable new ROW area and the edge of curb. They were concerned about cul-de-sac as it takes most of their front yard. They shared they just purchased the home and were not informed of the project impact. We shared that we couldn't speak to the real estate transaction.	Disussed the implications of moving the cul-de-sac with the county. County approved. Design changed.	
BRISCOE JEREMIAH							
CBI BUILDINGS LLC							
COMER ERIC J & MARIETTA C CO-TRUSTEES	1/8/2021	1/13/2021	1/13/2021	Mr and Mrs Comer	Parsons staff met with Mr and Mrs Comer at the Martins store training room. Shared the project aerials and schedule. Gave them the FHWA Acquisition brochure and shared the ROW process. They had no concerns with the project nor the proposed ROW acquisition. In discussions, they shared they have fiber in yard longitudinally along CR 13.		
CONCORD COMMUNITY SCHOOLS	1/12/2021						
ELKHART COUNTY COMMUNITY BAPTIST CHURCH	1/8/2021		3/10/2021	Pastor and Elder	Parsons staff met with the Pastor and one of the church elders in the church office. We shared the project aerials, project schedule, and the proposed affect in front of the church. We gave them the FHWA Acquisition brochure and explained the ROW process. They were very much in favor of the project and shared no concerns after sharing the project details.		
FROWN FELTER TERRELL L	1/12/21 LM						
GANGER DOUGLAS L & THERESA L GANGER JT TEN & (LF E MAX G GANGER & JANICE E GANGER H&W)							
GRUBERT HEINZ & JILL GRUBERT H&W			3/10/2021	Heinz and Jill	Parsons staff met with the Gruberts in their home. We shared the project aerials, schedule, and impacts to their multiple parcels. Mrs Grubert was concerned about the impacts especially to their property. We discussed alternative designs were limited due to the requirements of the geometrics and drainage.	Emailed copies of the project plans pertaining to their land. Parsons staff took calls the next few days from Mrs Grubert asking if changes could be made or what the offer would be. We shared that the valuations will be completed upon NEPA approval.	
HARRIS CHRISTINE M	1/8/2021		1/13/2021	Christine Harris	Parsons staff met Ms Harris at the Martins Store. Shared the project aerial, project schedule, and the impact to her front yard. Gave her the FHWA Acquisition brochure. After sharing the ROW process, she had no questions or concerns.	n/a	
HEART CITY PROPERTIES LLC							

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OWNER	initial call	Dated Scheduled	Conducted	Owners in Attendance	Notes from Meeting	Follow UP	Follow Up Addressed
INDIANA MICHIGAN POWER CO							
KIEL FRED J & ERLINDA S POLLOCK JT TEN							
Kruis, transferred to Norfolk Southern, title erros reflect owned by NS							
LIN DONNIE FAI & WENJIE ZHANG H&W							
MANCEWICEZ MARK & EMILY KANE & KATY SOLOVEWICZ TEN COM							
MARTIN PHILLIP A & KIMBERLY J		1/13/2021	1/13/2021	Mr and Mrs Martin	Parsons staff met Mr and Mrs Martin at the Martins store training room. Shared the project aerals and schedule. Gave them the FHWA Acquisition brochure and explained the ROW process. She is bus driver for Concord schools and doesn't like the proposed Roundabout as it will be difficult to navigate. We explained the ROW process and the potential impact to their yard. They had no concerns at all with those impacts or the process.		
MCLAIN BRADLEY J							
MILLER STEPHEN J & SHERRY MILLER H&W							
MIRABAL RICARDO T & ELVIRA							
MOORE PAULA S	LM 1/9/21						
MSM HOLDCO LLC C/O SPARTAN NASH COMPANY							
MULLIKIN MELFORD & KATHLEEN		1/13/2021	1/13/2021	Mel and Kathy	Parsons staff met the Mullikans at the Martins Store Training room. Shared the project aerals and showed them that their property was proposed as a total acquisition. Shared the project schedule. Explained the ROW process. They initially wanted to discuss adjusting the alignments and we explained the engineering and NEPA process which resulted in the acquisition of their home. We shared with them the FHWA ROW Acquisition and Relocation brochures and those processes in general. Listened to their concerns about replacement housing. Shared the proposed schedule of the ROW process. They were concerned and somewhat frustrated but they were grateful for the information and time. We gave them a business card and encouraged any follow up questions.	Mrs Mullikan left phone message on 6-23-21 asking for updates on the project	Called and left a message informing the project was still on schedule for NEPA late this year, buying to follow, CN in 23 to begin
NOSS DORSEY L JR & BONNIE M							
PRECEPT PROPERTIES LLC							

KTMs are in-progress. Blank spaces are intentional and will be completed as meetings are conducted.

OWNER	initial call	Dated Scheduled	Conducted	Owners in Attendance	Notes from Meeting	Follow UP	Follow Up Addressed
PRICE DARREL W							
QUAD CITY INVESTMENT CORP			1/28/2021	Virtual	Parson staff spoke with Mr Neilson via a Teams call because he was out of town. Sent project information and parcel GIS info after by mail. During the Teams call, we showed the entire project, shared with him the NEPA process and that a public hearing would be held in the future. We showed him his parcel and the proposed impact. Discussed the project schedule, the ROW process and the ROW schedule. Noted that we would make the offer after NEPA. Encouraged any follow up questions and concerns.	Emailed aerials and his parcel information.	
STETTLER REAL ESTATE LLC	LM 1/9/21	1/13/2021	1/13/2021	Mark Stetler	Parsons staff met Mark Stetler at the Martins store training room. Shared the project aerial and schedule. Provided the FHWA Acquisition brochure. Explained the impacts to his properties and the schedule of the ROW process and the overall project. He asked if we can buy the garage and land along Kendall too. We advised that was not likely as it wasn't property needed for the project. Encouraged follow up questions.		
STORCO INC					Met with Dustin and other team members. Showed the project alignment and the impact to their parcel. Dustin indicated they had planned to build on the vacant area so the project is a significant impact to their future. We shared the FHWA acquisition brochure, the ROW schedule, and how acquisition works. Parsons staff shared contact information and offered to answer any future questions. They had none at this time.		
STOVER DORIS A c/o MANSELL, KIMBERLY							
STRINGFELLOW NICOLE J							
STRUBLE SANDRA K							
SUNNYSIDE MENNONITE CHURCH		1/13/2021	1/13/2021		Parsons staff met with four members of the church on a Teams Virtual meeting. Shared the project aerials, the schedule, and shared the impacts proposed to the church property. They shared that they have a septic on east side of he church building. They shared they will need to pave the gravel parking area if we move the entrance and replace handicap parking. They don't want to connect the two parking areas (north and south parking lots) to avoid public drive throughs. They shared that the historic tornado left a lot of debris in the ground in the general area. We discussed how cost to cures are to address items such as signs for handicap parking areas. They offered to meet in the field with surveyors.	Surveyor did meet with the church but septic fingers were not located specifically. If impacts to the church's entrance or accessible parking are identified, a cost to cure would be determined as part of the acquisition process.	
SWEAZY JEFFREY S & NANCY J	LM 1/9/21	LM 3/6/21	3/10/2021	Jeff and Nancy Sweazy	Parsons staff met with the Sweazy's in their home. Showed them the project aerials, shared the schedule, and likely impacts to their home. Left the FHWA Acquisition brochure with them. They discussed the closing of the two existing crossings but had no other questions. They were in favor of the project.		
T O DOUBLE D PROPERTIES LLC							

KTMs are in-progress. Blank spaces are intentional and will be completed as meetings are conducted.

OWNER	initial call	Dated Scheduled	Conducted	Owners in Attendance	Notes from Meeting	Follow UP	Follow Up Addressed
TON REAL ESTATE INVESTMENTS X LLC			12/14/2020	Dan Olswang, John Thomas Frank Tolbert	Parsons staff met the owner, Frank Tolbert, and Dan Olswang in their offices in Chicago. Shared the project aerals, the project schedule, and the areas of impact to their properties. Shared that this was preliminary information pending the NEPA approval. Shared the FHWA acquisition and relocation brochures. Suggested that we will need to coordinate impacts to their privately owned utilities in addition to acquisition, We shared that offers will come after NEPA. We shared that we needed copies of lease agreements for Acquisition purposes. They shared a recent land survey document. They have limited to no knowledge of the private utilities.	They shared a copy of a the new extension of their lease with Chase Bank.	
VAZUEZ BRYAN MENDEZ							
WELDY CHAD A	1/8/2021	1/13/2021	1/13/2021	Chad, Katie, Chad's sister	Parsons staff met with the Weldys and their family member (sister) who is a real estate agent. Shared the project aerals, schedule, and ROW process. Although the proposed acquisition of their property is very small in the back corner. They are concerned about project impacts to property, including drainage, and the value of their property with a bridge in view. We left the FHWA brochure about right-of-way acquisition.	Asked designers about drainage but no change seems justified with the current information	
WELTY MARILYN S			1/13/2021	Arlen Welty	Parsons staff met with Mr Arlen Welty, because mom in assisted care. We shared the project aerals, schedule, and ROW process. The proposed take is a total acquisition. He said the family is ok with selling, they may put a tenant in the home for now. I left the FHWA Acquisition and Relocation brochures.	Request early acquisition of INDOT and received approval. Started the process. Notified Mr Welty that we would do an early acquisition in lieu of them pursuing tenants and having to rush to move personal property out.	
WHITTAKER DEBORA S							
WILLIS ARNOLD LAVON			3/10/2021	Tara	Parsons staff met Ms Willis in her home. Shared the project aerals and schedule. Gave her the FHWA Acquisition brochure. Shared the potential impacts to her property. We discussed traffic flow, how the project would address traffic and her routing to work during construction. She had no other concerns after sharing the project details.		
WILLIS ARNOLD LAVON							
WILSON THOMAS D & LINDA K			3/10/2021	Mr and Mrs Wilson	Parsons staff shared the project aerals, the project schedule, and the probable impacts to their street and parcel. They are in favor of the project, no concerns. Left the FHWA Acquisition brochure.		
Messick, Becky S					Met with Mr and Mrs Messick. Shared the project aerals and the schedule. Gave them a copy of the FHWA Acquisition brochure. They had concerns that the project will eliminate quick access with the Kendall culdesac and closures of existing grade crossings.		



INDIANA DEPARTMENT OF TRANSPORTATION



DES. # 1801913

LEGAL NOTICE OF PUBLIC HEARING

Proposed Elkhart Local Trax Railroad Grade Separation, Sunnyside Avenue over Norfolk Southern Railroad (NSRR) in Elkhart County

Elkhart County and the Indiana Department of Transportation (INDOT) will host a public hearing on Wednesday, October 13, 2021 at Concord High School, 59117 Minuteman Way, Elkhart, IN 46517, the hearing will begin at 6:00 p.m. The purpose of the public hearing is to offer all interested persons an opportunity to comment on current preliminary design plans for the Elkhart Local Trax Railroad Grade Separation project at Sunnyside Avenue and County Road (CR) 13 in Elkhart County. Doors will open at 5:00 p.m. and project team members will be available before and following the formal hearing procedure.

Project limits are along Sunnyside Avenue from US 33/Main Street to CR 13; along Concord Mall Drive from CR 20/Mishawaka Road to US 33/Main Street; along CR 13 from Greenwood Boulevard to 280 feet north of US 33/Main Street; and, along Center Drive from CR 20/Mishawaka Road to Concord Mall Drive. The need for the project stems from safety and mobility issues for motorists, pedestrians, bicyclists, and trains at two at-grade railroad crossings over NSRR, at Sunnyside Avenue and CR 13. Trains typically run through these crossings 80 to 90 times a day, and they regularly stop on the tracks. Crash data indicates a high rate of crashes for these types of crossings. Additionally, there are no pedestrian facilities on Sunnyside Avenue, CR 13, and Concord Mall Drive. The purpose of the project is to reduce the exposure of motorists and pedestrians to rail traffic, and to increase mobility in this area of Elkhart County.

The proposed project will eliminate the two existing at-grade railroad crossings at Sunnyside Avenue and CR 13, and provide a single, grade-separated crossing, as well as a roundabout near the existing Concord Mall Drive and Center Drive intersection. Sunnyside Avenue will be realigned to cross US 33/Main Street approximately 0.06 mile southeast of Concord Mall Drive. County Bridge 148, a new 4-span concrete beam bridge, will provide grade-separated access across US 33/Main Street, NSRR, and CR 45 (bypass bridge). The bypass bridge will be approximately 409.5 feet long, with a width of 43.1 feet, and a vertical clearance over the railroad of 23.5 feet. The bridge and roadway typical section will be similar, including two 12-foot wide travel lanes, one in each direction, and 6-foot wide sidewalks on both sides. Additionally, the existing Concord Mall Drive bridge over Yellow Creek will be replaced, and a second bridge will be constructed on Sunnyside Avenue over Yellow Creek.

East of the new bypass bridge, the re-aligned Sunnyside Avenue will tie into the existing alignment near the current intersection with Kendall Street. A two-way left turn lane is proposed from approximately Amy Street to the CR 13 intersection. A stop light will be added at the intersection of Sunnyside Avenue and CR 13. Several streets will terminate in cul-de-sacs: Sunnyside Avenue east of CR 45, Amy Avenue, Kendall Street, and John Street. Additionally, several private drives will be extended to continue access.

A four-way single lane roundabout is proposed to reconfigure the intersections of Concord Mall Drive with Center Drive and the re-aligned Sunnyside Avenue. The roundabout will have a diameter of 121 feet with a single 16-foot wide lane, roll curb, and a 12-foot wide truck apron. Concord Mall Drive, Center Drive, and the roundabout will have sidewalks and pedestrian crossings. The west side of the roundabout will connect to CR 20/Mishawaka Road at the existing Concord Mall Drive and Pineridge Parkway intersection. The south side of the roundabout will connect to CR 20/Mishawaka Road via the existing Center Drive intersection.

The CR 13 at-grade railroad crossing will be eliminated. South of the railroad, CR 13 will terminate at a cul-de-sac. North of the railroad, CR 13 will be realigned to create a 90-degree stop-controlled intersection with CR 45, approximately 400 feet northwest of the existing intersection. The CR 13 typical section includes two 12-foot wide travel lanes, a two-way left turn lane, and 6-foot wide sidewalks on each side.

Construction is anticipated to begin in Spring 2023 and occur year-round for at least two years. The proposed maintenance of traffic (MOT) will include full roadway closures, and detours will be provided. The proposed detours in the western project area will utilize CR 20/Mishawaka Road, Concord Mall Drive, and US 33/Main Street. The detours within the eastern project area will utilize CR 13, CR 45, and Cole Street. MOT details will be presented during the public hearing. Access to all properties will be maintained during construction. Elkhart County and INDOT will coordinate with emergency services, local school corporation officials and project stakeholders to ensure potential disruptions and impacts are minimized as much as possible.

The preferred alternative will require two commercial relocations, three residential relocations, approximately 13.83 acres of new permanent right-of-way, and approximately 0.91 acre of temporary right-of-way.

This project will permanently alter traffic patterns in this part of Elkhart County. This project will impact approximately 21.77 acres of the St. Joseph Sole Source Aquifer, approximately 145 linear feet of Yellow Creek, approximately 0.087 acre of wetlands, approximately 0.25 acre of forested floodplain, and approximately 8.92 acres of terrestrial habitat, including approximately 3.14 acres of trees plus maintained lawn. Additionally, there are temporary occupancy impacts to the abutting public park, the Mapleheart Trail, which will remain open as much as feasible during construction. No historic properties will be affected. Noise impacts will occur; however, noise abatement has not been found to be "feasible and reasonable".

Federal, state, and local funds are proposed to be used for construction of this project. INDOT and the Federal Highway Administration (FHWA) have agreed that this project poses minimal impact to natural environment. A Categorical Exclusion (CE) environmental document has been prepared for the project. The environmental documentation and preliminary design information is available to view prior at the following locations:

1. Elkhart Public Library, Pierre Moran Branch, 2400 Benham Avenue Elkhart, IN 46517
2. Elkhart County Highway Department, 610 Steury Ave, Goshen, IN 46528
3. INDOT District Office, 5333 Hatfield Road, Fort Wayne, IN 46808
4. Elkhart County website: www.elkcohwvy.org/projects/
5. Project documents can be mailed upon request. Call Dan Miller at (317) 616-4663 or call INDOT Toll Free at 855-INDOT4U (463-6848)

Project information, including a copy of the project boards and presentation, are available on Elkhart County Highway's website at www.elkcohwvy.org/projects/. An online presentation will be held prior to the hearing on Tuesday, October 12, 2021 at 6:00 p.m. online via WebEx Event; please register in advance here: <https://bit.ly/2XHwgA4>.

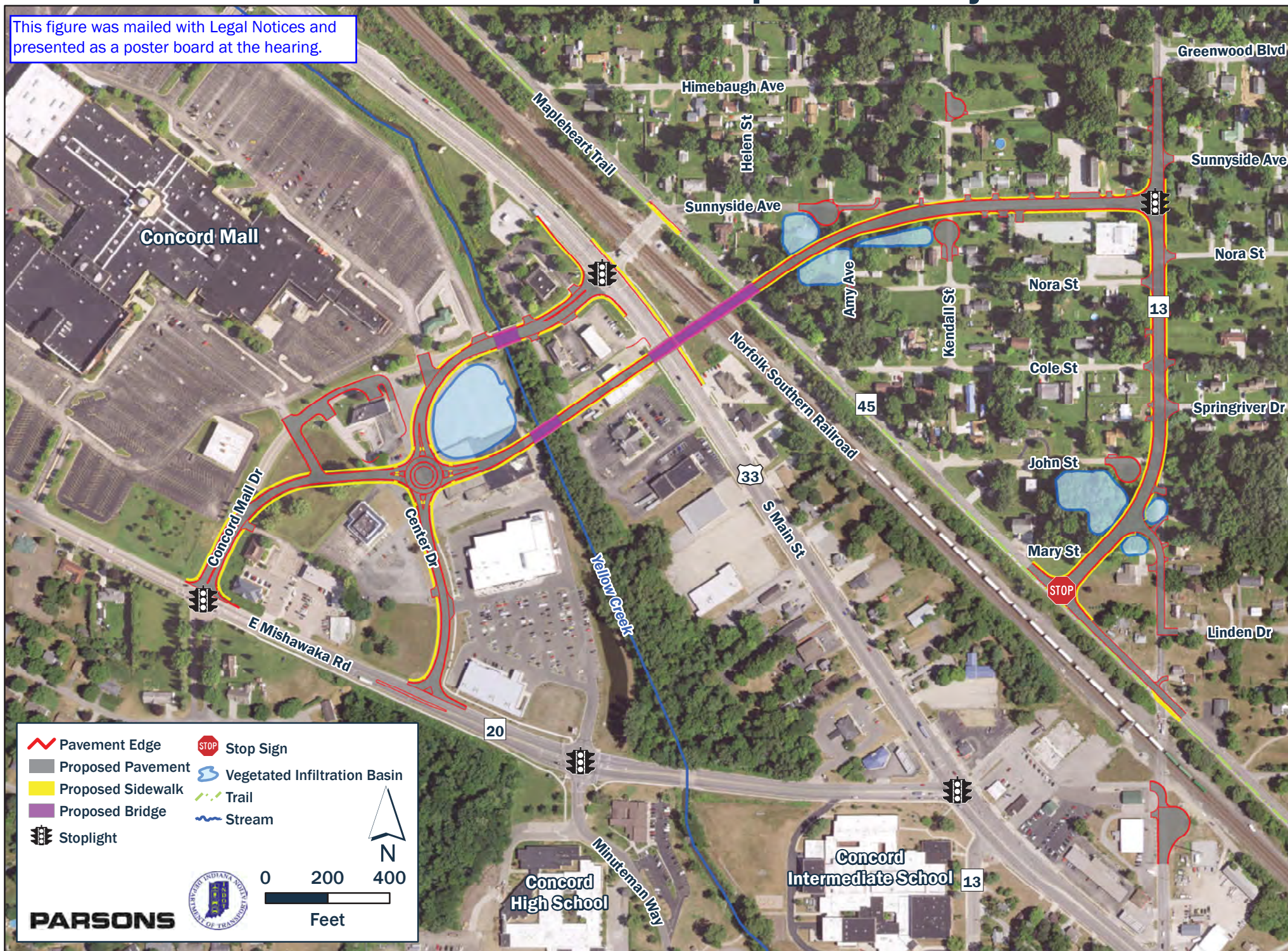
Public statements for the record will be taken as part of the public hearing procedure. All verbal statements recorded during the public hearing and all written comments submitted prior to, during and for a period of two (2) weeks following the hearing date, will be evaluated, considered and addressed in subsequent environmental documentation. Written comments may be submitted prior to the public hearing and within the comment period to: Dan Miller, Parsons, 101 W Ohio Street, Suite 2121, Indianapolis, IN 46204. E-Mail: daniel.j.miller@parsons.com. **INDOT respectfully requests comments be submitted by Thursday, October 28, 2021.**

With advance notice, INDOT will provide accommodations for persons with disabilities with regards to participation and access to project information as part of the hearings process including arranging auxiliary aids, interpretation services for the hearing impaired, services for the sight impaired and other services as needed. In addition, INDOT will provide accommodations for persons of Limited English Proficiency (LEP) requiring auxiliary aids including language interpretation services and document conversion. Should accommodation be required please contact Alex Lee, Parsons at (317) 616-1011, or email: alexander.lee@parsons.com.

This notice is published in compliance with: 1) Code of Federal Regulations, Title 23, Section 771 (CFR 771.111(h)(1) stating, "Each State must have procedures approved by the FHWA to carry out a public involvement/public hearing program."; 2) 23 CFR 450.210(a)(1)(ix) stating, "Provide for the periodic review of the effectiveness of the public involvement process to ensure that the process provides full and open access to all interested parties and revise the process, as appropriate."; and 3) The 2021 INDOT *Project Development Public Involvement Procedures Manual* approved by the FHWA.

Elkhart Local Trax Grade Separation Project

This figure was mailed with Legal Notices and presented as a poster board at the hearing.



AFFP

Hearing-Elkhart County10.13.21

Affidavit of Publication

STATE OF IN }
COUNTY OF ELKHART }

SS

DES. # 1801913

LEGAL NOTICE OF PUBLIC HEARING

Proposed Elkhart Local Trax Railroad Grade Separation, Sunnyside Avenue over Norfolk Southern Railroad (NSRR) in Elkhart County

Angelique Petersen, being duly sworn, says:

That she is Advertising Clerk of the Elkhart Truth, a daily newspaper of general circulation, printed and published in Elkhart, Elkhart County, IN; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

September 28, 2021
October 05, 2021

Elkhart County and the Indiana Department of Transportation (INDOT) will host a public hearing on Wednesday, October 13, 2021 at Concord High School, 59117 Minuteman Way, Elkhart, IN 46517, the hearing will begin at 6:00 p.m. The purpose of the public hearing is to offer all interested persons an opportunity to comment on current preliminary design plans for the Elkhart Local Trax Railroad Grade Separation project at Sunnyside Avenue and County Road (CR) 13 in Elkhart County. Doors will open at 5:00 p.m. and project team members will be available before and following the formal hearing procedure.

Project limits are along Sunnyside Avenue from US 33/Main Street to CR 13; along Concord Mall Drive from CR 20/Mishawaka Road to US 33/Main Street; along CR 13 from Greenwood Boulevard to 280 feet north of US 33/Main Street; and, along Center Drive from CR 20/Mishawaka Road to Concord Mall Drive. The need for the project stems from safety and mobility issues for motorists, pedestrians, bicyclists, and trains at two at-grade railroad crossings over NSRR, at Sunnyside Avenue and CR 13. Trains typically run through these crossings 80 to 90 times a day, and they regularly stop on the tracks. Crash data indicates a high rate of crashes for these types of crossings. Additionally, there are no pedestrian facilities on Sunnyside Avenue, CR 13, and Concord Mall Drive. The purpose of the project is to reduce the exposure of motorists and pedestrians to rail traffic, and to increase mobility in this area of Elkhart County.

The proposed project will eliminate the two existing at-grade railroad crossings at Sunnyside Avenue and CR 13, and provide a single, grade-separated crossing, as well as a roundabout near the existing Concord Mall Drive and Center Drive intersection. Sunnyside Avenue will be realigned to cross US 33/Main Street approximately 0.06 mile southeast of Concord Mall Drive. County Bridge 148, a new 4-span concrete beam bridge, will provide grade-separated access across US 33/Main Street, NSRR, and CR 45 (bypass bridge). The bypass bridge will be approximately 409.5 feet long, with a width of 43.1 feet, and a vertical clearance over the railroad of 23.5 feet. The bridge and roadway typical section will be similar, including two 12-foot wide travel lanes, one in each direction, and 6-foot wide sidewalks on both sides. Additionally, the existing Concord Mall Drive bridge over Yellow Creek will be replaced, and a second bridge will be constructed on Sunnyside Avenue over Yellow Creek.

East of the new bypass bridge, the re-aligned Sunnyside Avenue will tie into the existing alignment near the current intersection with Kendall Street. A two-way left turn lane is proposed from approximately Amy Street to the CR 13 intersection. A stop light will be added at the intersection of Sunnyside Avenue and CR 13. Several streets will terminate in cul-de-sacs: Sunnyside Avenue east of CR 45, Amy Avenue, Kendall Street, and John Street. Additionally, several private drives will be extended to continue access.

A four-way single lane roundabout is proposed to reconfigure the intersections of Concord Mall Drive with Center Drive and the re-aligned Sunnyside Avenue. The roundabout will have a diameter of 121 feet with a single 16-foot wide lane, roll curb, and a 12-foot wide truck apron. Concord Mall Drive, Center Drive, and the roundabout will have sidewalks and pedestrian crossings. The west side of the roundabout will connect to CR 20/Mishawaka Road at the existing Concord Mall Drive and Pineridge Parkway intersection. The south side of the roundabout will connect to CR 20/Mishawaka Road via the existing Center Drive intersection.

Publication Fees: \$ 164.51

That said newspaper was regularly issued and circulated on those dates.

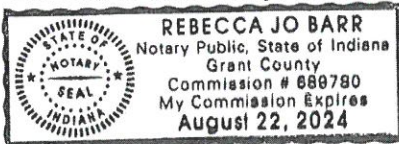
SIGNED:

Angelique Petersen

Subscribed to and sworn to me this 5th day of October 2021.

Rebecca Jo Barr

Rebecca Jo Barr, Notary Public 08/22/2024



70046092 70175459

Alexander Lee
Parsons Corporation
101 W Ohio St., Suite 2121
Indianapolis, IN 46204

The CR 13 at-grade railroad crossing will be eliminated. South of the railroad, CR 13 will terminate at a cul-de-sac. North of the railroad, CR 13 will be realigned to create a 90-degree stop-controlled intersection with CR 45, approximately 400 feet northwest of the existing intersection. The CR 13 typical section includes two 12-foot wide travel lanes, a two-way left turn lane, and 6-foot wide sidewalks on each side.

Construction is anticipated to begin in Spring 2023 and occur year-round for at least two years. The proposed maintenance of traffic (MOT) will include full roadway closures, and detours will be provided. The proposed detours in the western project area will utilize CR 20/Mishawaka Road, Concord Mall Drive, and US 33/Main Street. The detours within the eastern project area will utilize CR 13, CR 45, and Cole Street. MOT details will be presented during the public hearing. Access to all properties will be maintained during construction. Elkhart County and INDOT will coordinate with emergency services, local school corporation officials and project stakeholders to ensure potential disruptions and impacts are minimized as much as possible.

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Federal, state, and local funds are proposed to be used for construction of this project. INDOT and the Federal Highway Administration (FHWA) have agreed that this project poses minimal impact to natural environment. A Categorical Exclusion (CE) environmental document has been prepared for the project. The environmental documentation and preliminary design information is available to view prior at the following locations:

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Elkhart, IN 46517
2. Elkhart County Highway Department, 610 Steury Ave, Goshen, IN
46528
3. INDOT District Office, 5333 Hatfield Road, Fort Wayne, IN 46808
4. Elkhart County website: www.elkcohw.org/projects/
5. Project documents can be mailed upon request. Call Dan Miller at (317) 616-4663 or call INDOT Toll Free at 855-INDOT4U (463-6848)

Project information, including a copy of the project boards and presentation, are available on Elkhart County Highway's website at www.elkcohw.org/projects/. An online presentation will be held prior to the hearing on Tuesday, October 12, 2021 at 6:00 p.m. online via WebEx Event; please register in advance here: <https://bit.ly/2XHwgA4>.

Public statements for the record will be taken as part of the public hearing procedure. All verbal statements recorded during the public hearing and all written comments submitted prior to, during and for a period of two (2) weeks following the hearing date, will be evaluated, considered and addressed in subsequent environmental documentation. Written comments may be submitted prior to the public hearing and within the comment period to: Dan Miller, Parsons, 101 W Ohio Street, Suite 2121, Indianapolis, IN 46204.
E-Mail: daniel.j.miller@parsons.com. INDOT respectfully requests comments be submitted by Thursday, October 28, 2021.

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services and document conversion. Should accommodation be required please contact Alex Lee, Parsons at (317) 616-1011, or email: alexander.lee@parsons.com.

This notice is published in compliance with: 1) Code of Federal Regulations, Title 23, Section 771 (CFR 771.111(h)(1) stating, "Each State must have procedures approved by the FHWA to carry out a public involvement/public hearing program."; 2) 23 CFR 450.210(a)(1)(ix) stating, "Provide for the periodic review of the effectiveness of the public involvement process to ensure that the process provides full and open access to all interested parties and revise the process, as appropriate."; and 3) The 2021 INDOT Project Development Public Involvement Procedures Manual approved by the FHWA.
hspaxlp

Parsons Corporation

(Governmental Unit)

Elkhart County, Indiana

To: The Goshen News

114 S. Main St., Goshen, IN 46526

ID # 82-2664009

Attach
public
notice
here**PUBLISHER'S CLAIM**

Ad# 1735054

LINE COUNT

Display Master (Must not exceed two actual lines, neither of which shall
total more than four solid lines of type in which the body of the
advertisement is set) -number of equivalent lines _____

Head - number of lines _____

Body - number of lines _____

320

Tail - number of lines _____

Total number of lines in notice _____

320

COMPUTATION OF CHARGES

160 lines 2 columns wide equals 320 equivalent lines at 0.7664

cents per line _____

\$ 245.25

Additional charges for notices containing rule or tabular work (50 per cent
of above amount) _____

Charge for extra proofs of publication (\$1.00 for each proof in excess
of two) _____

TOTAL AMOUNT OF CLAIM _____

\$ 245.25

DATA FOR COMPUTING COST

Width of single column in picas: 6.5 picas

Size of type: 7 point

Number of insertions: _____

2

Pursuant to the provisions and penalties of IC5-11-10-1, I hereby certify that the foregoing account is just and correct,
that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

I also certify that the printed matter attached hereto is a true copy, of the same column width and type size which was duly
published in said paper 2 times. The dates of publication being as follows:

09/27/21

10/04/21

Additionally, the statement checked below is true and correct:

____ Newspaper does not have a web site.

☒ Newspaper has a web site and this public notice was posted on the same day it was published in the newspaper.

____ Newspaper has a web site, but due to technical problem or error, public notice was posted on

____ Newspaper has a web site but refuses to post the public notice.

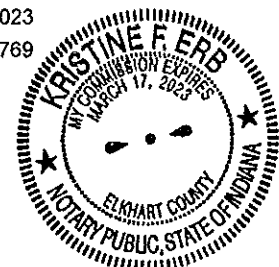
Date 10/4/2021

Kristine F. Erb

Notary Public

My commission expires March 17, 2023

Commission # NP0662769



Proof of Publication

COPY

Ad # 1735054

STATE OF INDIANA,

Elkhart County,

} ss:

I, being duly sworn, on oath say that THE GOSHEN NEWS is a daily newspaper of general circulation, printed and published in the City of Goshen, in the County and State of aforesaid; that the annexed true copy was published in said newspaper two consecutive weeks as follows:

On the day of

September 27, 2021

On the day of

October 4, 2021

Mackenzie Deal

Mackenzie Deal

Subscribed and sworn before me this day, **October 4, 2021**

Kristine F. Erb

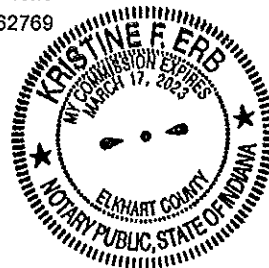
Notary Public

\$245.25

My commission expires March 17, 2023

Commission # NP0662769

The Goshen News
114 S. Main St., Goshen, IN 46526
ID # 82-2664009



LEGAL ADVERTISING

See table of legal rates in the applicable
State Board of Accounts Bulletin

Claim No. _____ Warrant No. _____

IN FAVOR OF

\$ _____

ON ACCOUNT OF APPROPRIATION FOR

Appropriation No. _____

ALLOWED _____

IN THE SUM OF \$ _____

I have examined the within claim and hereby certify as follows:

That it is in proper form.

That it is duly authenticated as required by law.

That it is based upon a statutory authority.

That it is apparently

Correct

Incorrect

I certify that the within claim is true and correct; that the services there in itemized and for which charge is made were ordered by me and were necessary to the public business.

INDIANA MEDIA GROUP
PO BOX 607
GREENSBURG IN 47240-0607
(877)253-7755
Fax (765)648-4229

ORDER CONFIRMATION

Salesperson: ANGIE KULCZAR

Printed at 10/29/21 08:15 by mdeal

Acct #: 238419

Ad #: 1735054

Status: Expired

PARSONS CORPORATION
101 W. OHIO STREET, SUITE 2122
INDIANAPOLIS IN 46204

Start: 09/27/2021 Stop: 10/04/2021
Times Ord: 2 Times Run: 2
LEG 2.00 X 160.00 Words: 1374
Total LEG 320.00

Class: 105 PUBLIC NOTICES

Rate: LGOVT Cost: 245.25

Ad Descrpt: DES. #1801913

Descr Cont: DES. # 1801913 LEGAL NOTI

Given by: *

P.O. #:

Contact:

Phone: (317)616-1000

Fax#:

Email: eric.jagger@parsons.com

Agency:

Created: akulc 09/23/21 10:22

Last Changed: djame 09/23/21 11:15

PUB ZONE EDT TP RUN DATES
NEWS NEW 95 S 09/27 10/04
NEOL NEW 95 S 09/27 10/04

PAYMENTS:

-- 10/26/2021 245.25

AUTHORIZATION

Under this agreement rates are subject to change with 30 days notice. In the event of a cancellation before schedule completion, I understand that the rate charged will be based upon the rate for the number of insertions used.

Name (print or type)

Name (signature)

(CONTINUED ON NEXT PAGE)

INDIANA MEDIA GROUP
PO BOX 607
GREENSBURG IN 47240-0607
(877) 253-7755
Fax (765) 648-4229

ORDER CONFIRMATION (CONTINUED)

Salesperson: ANGIE KULCZAR

Printed at 10/29/21 08:15 by mdeal

Acct #: 238419

Ad #: 1735054

Status: Expired

DES 1801913
LEGAL NOTICE OF PUBLIC HEARING

Proposed Elkhart Local Tree Retention Grade Separation, Sunnyside Avenue over Norfolk Southern Railroad (NSRR) in Elkhart County

Elkhart County and the Indiana Department of Transportation (INDOT) will hold a public hearing on Wednesday, October 13, 2021 at Concord High School, 59117 Mainman Way, Elkhart, IN 45517, the hearing will begin at 5:00 p.m. The purpose of the public hearing is to offer all interested persons an opportunity to comment on current preliminary design plans for the Elkhart Local Tree Retention Grade Separation project at Sunnyside Avenue and County Road (CR) 13 in Elkhart County. Doors will open at 5:00 p.m. and project team members will be available before and following the formal hearing procedure.

Project limits are along Sunnyside Avenue from US 33/Main Street to CR 13, along Concord Mall Drive from CR 20/Matthews Road to US 33/Main Street, along CR 13 from Greenwood Boulevard to 232 feet north of US 33/Main Street, and, along Center Drive from CR 20/Matthews Road to Concord Mall Drive.

The need for the project stems from safety and mobility issues for motorists, pedestrians, bicyclists, and trains at two at-grade railroad crossings over NSRR at Sunnyside Avenue and CR 13. Trains typically run through these crossings 15 to 30 times a day, and they regularly stop on the tracks. Crash data indicates a high rate of crashes at these types of crossings. Additionally, there are no pedestrian facilities on Sunnyside Avenue, CR 13, and Concord Mall Drive.

The purpose of the project is to reduce the exposure of motorists and pedestrians to rail traffic, and to increase mobility in this area of Elkhart County. The proposed project will eliminate the two existing at-grade railroad crossings at Sunnyside Avenue and CR 13, and provide a grade-separated crossing, as well as a roundabout near the existing Concord Mall Drive and Center Drive intersection. Sunnyside Avenue will be realigned to cross US 33/Main Street approximately 600 feet southeast of Concord Mall Drive.

County Bridge 144, a new Arpan concrete beam bridge, will provide grade-separated access across US 33/Main Street, NSRR, and CR 45 (bypass bridge). The bypass bridge will be approximately 428.5 feet long with a width of 41.1 feet, and a vertical clearance over the railroad of 23.5 feet. The bridge and roadway typical section will be similar, including two 12-foot wide travel lanes, one in each direction, and 6-foot wide shoulders on both sides. Additionally, the existing Concord Mall Drive bridge over Yellow Creek will be replaced, and a second bridge will be constructed on Sunnyside Avenue over Yellow Creek.

East of the new bypass bridge, the realigned Sunnyside Avenue will be into the existing alignment near the current intersection with Kendall Street. A two-way left turn lane is proposed from approximately Any Street to the CR 13 Interchange. A stop sign will be added at the intersection of Sunnyside Avenue and CR 13. Several streets will terminate in cul-de-sacs: Sunnyside Avenue east of CR 45, Any Avenue, Kendall Street, and John Street. Additionally, some private drives will be extended to connect access.

A four-way single lane roundabout is proposed to reconfigure the intersections of Concord Mall Drive and Center Drive and the realigned Sunnyside Avenue. The roundabout will have a diameter of 121 feet with a single 16-foot wide lane, full curb, and a 12-foot wide truck apron. Concord Mall Drive, Center Drive, and the roundabout will have sidewalks and pedestrian crossings. The west side of the roundabout will connect to CR 20/Matthews Road at the existing Concord Mall Drive and Phoenician Parkway intersection. The south side of the roundabout will connect to CR 20/Matthews Road via the existing Center Drive intersection. The CR 13 at-grade railroad crossing will be eliminated.

South of the railroad, CR 13 will terminate at a cul-de-sac. North of the railroad, CR 13 will be realigned to create a 90-degree right-angled intersection with CR 45, approximately 400 feet northwest of the existing intersection.

The CR 13 typical section includes two 12-foot wide travel lanes, a two-way left turn lane, and 6-foot wide shoulders on each side.

Construction is anticipated to begin in Spring 2023 and occur year-round for at least two years. The proposed maintenance of traffic (MOT) will include full roadway closures, and detours will be provided. The proposed closures in the western project area will utilize CR 20/Matthews Road, Concord Mall Drive, and US 33/Main Street. The detours within the eastern project area will utilize CR 13, CR 45, and Gore Street. MOT details will be presented during the public hearing. Access to all properties will be maintained during construction.

Elkhart County and INDOT will coordinate with emergency services, local school corporation officials and public stakeholders to ensure potential disruptions and impacts are minimized as much as possible. The preferred alternative will require two commercial relocations, three residential relocations, approximately 13.83 acres of new permanent right-of-way, and approximately 0.91 acres of temporary right-of-way.

This project will permanently alter traffic patterns in this part of Elkhart County. This project will impact approximately 10.77 acres of the St. Joseph Basilica Aquifer, approximately 145 linear feet of Yellow Creek, approximately 0.87 acres of wetlands, approximately 0.25 acres of forested floodplain, and approximately 8.92 acres of terrestrial habitat, including approximately 3.14 acres of trees plus maintained lawn. Additionally, there are temporary occupancy impacts to the above public park, the Mapleleaf Trail, which will remain open as much as feasible during construction. No historic properties will be affected. No impacts will occur; however, noise abatement has not been found to be feasible and reasonable.

Federal, state, and local funds are proposed to be used for construction of this project. INDOT and the Federal Highway Administration (FHWA) have agreed that this project poses minimal impact to natural environment.

A Categorical Exclusion (CE) environmental document has been prepared for this project. The environmental documentation and preliminary design information is available to view prior at the following locations: Elkhart Public Library, Phoenician Branch, 2400 Barbara Avenue, Elkhart, IN 45517; Elkhart County Highway Department, 610 Bluff Ave, Gosport, IN 45528; INDOT District Office, 5333 Harford Road, Fort Wayne, IN 46824; Elkhart County website: www.elkhartcountync.org. Project documents can be viewed upon request. Call Dan Miller at (317) 616-4563 or call INDOT Toll Free at 855-INDOT4U (633-6242).

Project information, including a copy of the project board and presentation, are available on Elkhart County Highway website at www.elkhartcountync.org/mtda.

An online presentation will be held prior to the hearing on Tuesday, October 12, 2021 at 5:00 p.m. online via WebEx Event; please register in advance here: <https://bit.ly/3G2t6d6>.

Public statements for the record will be taken as part of the public hearing procedure. All verbal statements recorded during the public hearing and all written comments submitted prior to, during and for a period of two (2) weeks following the hearing date, will be evaluated, considered and addressed in subsequent environmental documentation.

Written comments may be submitted prior to the public hearing and within the comment period to: Dan Miller, Planning, 101 W. Ohio Street, Suite 2121, Indianapolis, IN 46204; EAMT (email): eamt@indot.in.gov.

INDOT respectfully requests comments be submitted by Thursday, October 13, 2021. With advance notice, INDOT will provide accommodations for persons with disabilities with respect to participation and access to project information as part of the hearings process including arranging a relay, etc. Interpretation services for the hearing included, services for the sight impaired and other services as needed. In addition, INDOT will provide accommodations for persons of limited English Proficiency (LEP) requiring auxiliary aids including language interpretation services and document conversion.

Should accommodation be required please contact Alex Lee, Parsons at (317) 616-1511, or email: alex.lee@parsons.com.

This notice is published in compliance with: 1) Code of Federal Regulations, Title 23, Section 771 (CFR 771.111(b)(1)) stating, "Each State must have procedures approved by the FHWA to carry out a public involvement/public hearing program," 2) 23 CFR 420.210(a)(1)(i) stating, "Provide for the periodic review of the effectiveness of the public involvement process to ensure that the process provides full and open access to all interested parties and review the process, as appropriate," and 3) The 2021 INDOT Project Development Public Involvement Procedures Manual approved by the FHWA.

September 27
October 4, 2021

Jagger, Eric

From: Jagger, Eric
Sent: Tuesday, September 28, 2021 4:48 PM
To: Abby Wiles; Amy Kratzer; Brett Weddell; Bruce & Jennifer Hardy; Charles Cheek; Charles McKenzie; Charles Uhlarik; Chris Snyder; Christie Stanifer; Darrel Neilson; Denise Seger; Diane Hogan; Doug Miller; Doug Nisley; [REDACTED] Eldridge Chambers; Elizabeth McCloskey; Eric Trotter; [REDACTED] Frank Lucchese; Gilberto Perez; GWSection@idem.IN.gov; Harry Welles Jr; HeartCityProperties; [REDACTED] James Turnwalk; James Weeber; Jane and Stan Hunsberger; Jason Holder; Jason Springer; Jeanne Bower; Jeannine Martin; Jeff Siegel; Jennifer Toby; Jeremiah Cox; Jeremy Stutsman; Jerry Adkins; Jim McKee; Jim Smith; Joe Schrock; John Heiliger; Jon Hunsberger; Julia King; Karen Novak; Kari Carmany-George; Katelynn Weldy; Kimberly Martin; Linda Rogers; Marilyn Welty; Mark Stettler; Mary Jo Weyrick; Matt Schrock; Megan Eichorn; Mike Machlan; Mike Szucs; Natasha Kauffmann; [REDACTED] Patrick Carpenter; Paul Allerdine; Paul Lehmann; Phil Sumpter; Philip Barker; Rick Neilson; Rod Roberson; Ron Bales; Steve Kamp; Steven Aufdenkampe; Tara Willis; Tim Jackson; Travis Snider; Valerie Bosscher; Venetta Keefe; Victoria Heath
Subject: Elkhart Local Trax Railroad Grade Separation Public Hearing
Attachments: Elkhart Local Trax Notice of Public Hearing.pdf

Redacted - a complete Mailing List is on file:
ERMS system Content ID: DOT_6734973

Elkhart Local Trax Grade Separation
Elkhart County
Des. No. 1801913

Good afternoon,

We are sending you the attached legal notice of public hearing on behalf of the Indiana Department of Transportation (INDOT), which is scheduled for October 13th, 2021.

Best regards,

Eric Jagger
Associate Environmental Planner
101 W Ohio St., Suite 2121
Indianapolis, IN 46204
He/Him/His
eric.jagger@parsons.com

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www.parsons.com | [LinkedIn](#) | [Twitter](#) | [Facebook](#)



Mailing List - mailed Notice of Public Hearing on September 28, 2021

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AMC THEATERS INC

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Leawood, KS 66211

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Oak Brook, IL 60523

DKJR LLC Elkhart

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TEN

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[REDACTED]

BAILEY MARSHALL W & JEAN L

[REDACTED]

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COOK MARTHA L

[REDACTED]

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SANCHEZ LUIS E & LAURA AGUILAR H&W

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[REDACTED]

[REDACTED]

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SMITH

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C/O NORFOLK SOUTHERN CORP

3 COMMERCIAL PLACE

Norfolk, VA 23510

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ERMS system Content ID: DOT_6734973

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WILLIS ARNOLD LAVON

[REDACTED] 13

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GLADYS M KOCHER H&W JT TEN

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TRUSTEES OF

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NOFFSINGER JAMES P JR & TAMILA J
NOFFSINGER H&W

[REDACTED] d

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BOARD OF COMMISSIONERS OF COUNTY
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Goshen, IN 46526

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H&W
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GRUBERT HEINZ & JILL GRUBERT
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KNAFEL H&W
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NICHOLS TRUST
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MYERS CYNTHIA R
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FORMAL AFFAIRS
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TON REAL ESTATE INVESTMENTS X LLC
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HEART CITY PROPERTIES LLC
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CBI BUILDINGS LLC
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STORCO INC
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Norfolk Southern Railway
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Indianapolis, Indiana 46204

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U.S. Senate
Todd Young
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U.S. Congress Indiana 2nd District
Jackie Walorski
Mishiwaka District Office
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Elkhart City Common Council
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Elkhart City Common Council
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Elkhart City Common Council
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Elkhart City Common Council
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Elkhart City Common Council
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Elkhart City Common Council
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CARRIAGE HOUSE ELKHART
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Elkhart County Community Baptist
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Elkhart, IN 46516

Jehovah's Witnesses - South
25448 Co Rd 22
Elkhart, IN 46517

Elkhart Valley Church of the Brethren
24955 Co Rd 24
Elkhart, IN 46517

Grace Brethren Church
24775 CR 20
Elkhart, IN 46517

Apostolic Full Gospel Church
58385 CR 111
Elkhart, IN 46517

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Northern Indiana Hispanic Health
Coalition
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NORTHERN INDIANA PUBLIC SERVICE
COMPANY LLC
135 N Pennsylvania, Ste 1610
Indianapolis, IN 46204

STORCO INC
59058 LEWIS AVE
Elkhart, IN 46517



Please join us

INDOT and Elkhart County are hosting a public hearing.

When:

- Wednesday, October 13, 2021
- Doors open at 5 p.m. The hearing will begin at 6 p.m.

Where:

- Concord High School,
59117 Minuteman Way
Elkhart, Indiana 46517

Project information, including a copy of the draft environmental document, is available at www.elkcohighway.org/projects/.

An **online presentation** will be held prior to the hearing on Tuesday, October 12, 2021, at 6 p.m. online via WebEx Event; please register at: <https://bit.ly/2XHWgA4>.

Des. 1801913

Postcard - Mailed to the following Postal Codes on October 1, 2021:

46516-C042 (697 properties)
46516-0061 (799 properties)
46517-C051 (671 properties)
46517-C048 (863 properties)

A Local Trax Project is Moving Forward Near You

To address safety and mobility issues, the Indiana Department of Transportation (INDOT) and Elkhart County are partnering to study, design and construct the Local Trax Railroad Grade Separation at Sunnyside Avenue/Concord Mall Drive and County Road (CR) 13.

The purpose of the project is to reduce the exposure of motorists and pedestrians to rail traffic, and to increase mobility in this area of Elkhart County.

The draft environmental document has been published, and INDOT and Elkhart County are providing residents with two opportunities to learn about the current preliminary design plans and provide feedback before design advances.



Local Trax Project Area, Dunlap

EDITOR'S PICK FEATURED

Dunlap overpass project set for right of way purchase phase

AIMEE AMBROSE THE GOSHEN NEWS
Oct 4, 2021



In this file photo, a train moves westbound, blocking the railroad crossing on Sunnyside Avenue at U.S. 33. Plans call for building a new overpass that crosses the tracks from Sunnyside Avenue to Concord Mall.

Camden Chaffee | The Goshen News

[f](#) [t](#) [in](#) [p](#) [@](#)



GOSHEN — The county has steamed ahead into a new stage of the long-planned process to build a new overpass over railroad tracks in the Dunlap area.

The Elkhart County commissioners Monday approved the highway department's request for \$2 million to begin making right of way purchases for the project. The funds would serve as a match to the \$6.5 million the Indiana Department of Transportation has put up for this phase, County Administrator Jeff Taylor said.

The total amount would cover the entirety of the acquisition process, which includes not only purchasing the rights of way, but the property appraisals and other services, Taylor explained.

Plans call for building the overpass from Sunnyside Avenue at about C.R. 13, crossing the three-track Norfolk Southern railroad line along U.S. 33, and over to Mall Drive at Mishawaka Road near Concord Mall. The intent is to help alleviate traffic at railroad crossings along the highway between Goshen and Elkhart.

Construction has been estimated to cost nearly \$30 million. A more than \$20 million state grant is expected to handle the bulk of the costs. Work could begin sometime in 2022.

"Excited we're finally moving forward with this," Commissioner Frank Lucchese said.

At the same time, the commissioners approved moving \$1.1 million into efforts to fast-track a construction project on the bridge on Mishawaka Road over Yellow Creek, near the overpass project site.

The funds would serve as a local match to nearly \$2.04 million in federal money for the project, Taylor said. Another \$350,000 was approved to cover construction inspections. The state is expected to reimburse the county 80% of the inspection costs.

The project is still being designed, but Taylor said the highway department is working to ensure work is complete before the overpass project begins in order to avoid traffic messes.

In another vote, the county approved \$50,000 for the highway department to begin preliminary engineering designs and surveying for a project to improve the intersection at C.R. 20 and C.R. 111 near Concord Jr. High School.

"This is a route that has needed attention for quite some time," Taylor said.

He noted construction work probably won't begin for about another three years.

Comment sought on railroad overpass project

Excerpt

TRUTH STAFF

Oct 12, 2021

DUNLAP — The Indiana Department of Transportation (INDOT) and Elkhart County will host a public hearing to gather public comment on plans for a railroad overpass.

Doors open at 5 p.m. and the public hearing begins at 6 p.m. Wednesday, Oct. 13, at Concord High School. The hearing is meant to offer anyone interested an opportunity to comment on preliminary design plans for the Elkhart Local Trax Railroad Grade Separation project at Sunnyside Avenue and C.R. 13.

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The Elkhart Truth, Ind.

Comment sought on railroad overpass project



The Elkhart Truth, Ind.
October 12, 2021

Oct. 12—DUNLAP — The Indiana Department of Transportation (INDOT) and Elkhart County will host a public hearing to gather public comment on plans for a railroad overpass.

Doors open at 5 p.m. and the public hearing begins at 6 p.m. Wednesday, Oct. 13, at Concord High School. The hearing is meant to offer anyone interested an opportunity to comment on preliminary design plans for the Elkhart Local Trax Railroad Grade Separation project at Sunnyside Avenue and C.R. 13.

Our goal is to create a safe and engaging place for users to connect over interests and passions. In order to improve our community experience, we are temporarily suspending article commenting

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INDOT to hold public hearing for Local Trax project in Dunlap

Indiana Department of Transportation sent this bulletin at 10/06/2021 10:00 AM EDT

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Indiana Department of Transportation News Release

INDOT and Elkhart County Hosting Public Hearing for Proposed Elkhart Local Trax Railroad Grade Separation Project

ELKHART, IND - The Indiana Department of Transportation (INDOT) and Elkhart County will host a public hearing on Wednesday, October 13, 2021, to offer all interested persons an opportunity to comment on current preliminary design plans for the Elkhart Local Trax Railroad Grade Separation project at Sunnyside Avenue and County Road (CR) 13 in Elkhart County.

Hosts: INDOT and Elkhart County

What: Public hearing for Elkhart Local Trax project in Dunlap

When: Wednesday, October 13, 2021

Doors open at 5 p.m.; hearing will begin at 6 p.m.

Project team members will be available before and following the formal hearing procedure.

Where: Concord High School, Community Learning Room 59117 Minuteman Way, Elkhart, Indiana 46517

Attendees should park near and enter Door 16

An online presentation will be held prior to the hearing on Tuesday, October 12, 2021, at 6 p.m. via WebEx Event. Attendees should register in advance here: <https://bit.ly/2XHwgA4>.

Project limits are along Sunnyside Avenue from US 33/Main Street to CR 13; along Concord Mall Drive from CR 20/Mishawaka Road to US 33/Main Street; along CR 13 from Greenwood Boulevard to 280 feet north of US 33/Main Street; and, along Center Drive from CR 20/Mishawaka Road to Concord Mall Drive. The purpose of the project is to reduce the exposure of motorists and pedestrians to rail traffic, and to increase mobility in this area of Elkhart County.

The preferred alternative will require two commercial relocations, three residential relocations, approximately 13.83 acres of new permanent right-of-way, and approximately 0.91 acre of temporary right-of-way.

A Categorical Exclusion (CE) environmental document has been prepared for the project. The environmental documentation and preliminary design information is available at:

- Elkhart Public Library, Pierre Moran Branch, 2400 Benham Avenue Elkhart, IN 46517
- Elkhart County Highway Department, 610 Steury Ave, Goshen, IN 46528
- INDOT District Office, 5333 Hatfield Road, Fort Wayne, IN 46808
- Elkhart County website: elkcohw.org/projects/
- Project documents can be mailed upon request. Call Dan Miller at (317) 616-4663 or call INDOT Toll Free at 855-INDOT4U (463-6848).

Project information, including a copy of the project boards and presentation, are available on Elkhart County Highway's website at www.elkcohw.org/projects/.

With advance notice, INDOT will provide accommodations for persons with disabilities and Limited English Proficiency as part of the hearings process. Should accommodation be required please contact Alex Lee, Parsons at (317) 616-1011, or email: alexander.lee@parsons.com.

Stay Informed

Motorists in Northeast Indiana can monitor road closures, road conditions, and traffic alerts any time via:

- Facebook: facebook.com/INDOTNortheast

Session detail for 'Elkhart Local Trax Public Presentation @6:00 p.m. EST': October 12, 2021

**Attention to Attendance ratio: Attentiveness based on how long participant was in the event.

Participant Names (as signed-in):

*Plus 3 call-in users (no name provided)



Elkhart Local Trax Grade Separation Project Public Hearing Sign-In Sheet

October 13, 2021

Name	Organization (If applicable)	Email	Street Address	Zip Code
Kyle Mueller	Parsons			
Sean Porter	Parsons			
Julset Port	"			
Alex Lee	"			
Cody Beucler	"			
Charlie Mackenzie	Elkhart Co.			
Tom Rushlow	Elkhart Co.			
Matt Witt	INDOT Ft. Wayne			
Tim Jackson	Elkhart Co.			
Erin Ripkin	Compass			
Fred Relding	Elkhart Co.			
Bruce R. White	Nutrition Station			
Lauren J. Brown	citizen			
Lauren Whalen	citizen			
Dustin Lockwood	Bontrager Pools			

com



Elkhart Local Trax Grade Separation Project Public Hearing Sign-In Sheet

October 13, 2021

Name	Organization (If applicable)	Email	Street Address	Zip Code
Debra Tunney ^{ARW@Basin}				
Mark Ostrom				
Eve Comer				
Santha Stuhle				
Amy Guervara				
Karen Goddard				
Harry Collopy				
Paula Moore				
Sue Smith				
Ron Smith				
Sue Cruse				
Louise Farrel				
DONALD BONTRAGER				
Stan Hunsberger				
Brinda Chrispyn				



Elkhart Local Trax Grade Separation Project Public Hearing Sign-In Sheet

October 13, 2021

Name	Organization (If applicable)	Email	Street Address	Zip Code
Paul Stroup				
Becky Carl Messide Berk				
CHARLES Cox				
KAMOTIS GEORGE				
JERRY BARRETT				
Ludie Rush				
Becky Kiefer				
Joe Kiefer				
Greg D. Eby				
Byron Hubert				
Joe M. Gruwell				
Stephen & Sherry Miller				
Rebecca Nelson				
William Kiser				
Jeannine Martin				



Elkhart Local Trax Grade Separation Project Public Hearing Sign-In Sheet

October 13, 2021

Name	Organization (If applicable)	Email	Street Address	Zip Code
Ricardo mirabal				
MIKE CHRISPYN				
Ronny Bulmore				
Tara Willis				
Matthew + DAWN LOWE				
Heinz + Jill Gmbut				
Larry Risser				
Lisa Jones				
Charles Jones				
Jon Kauffmann-Kennel				
Eugene Steiner				
Jim Weeber				
JERRY STRAUXT				
Paul Hopper				
Ashley Johnson				



Elkhart Local Trax Grade Separation Project Public Hearing Sign-In Sheet

October 13, 2021

Name	Organization (If applicable)	Email	Street Address	Zip Code
Leroy Most				
Je Schel	Sunnyside Mennonite Church			
Stan Miller	"			
Leroy Eobn	Robinson			
Lynn Culp				



Elkhart Local Trax Grade Separation Project Public Hearing Sign-In Sheet

October 13, 2021

Name	Organization (If applicable)	Email	Street Address	Zip Code
Jeremiah Briscoe				
Deborah Day				
Daniel Day				
Eustolia Rodríguez				

The same information was presented at the October 12, 2021 online public presentation.

Elkhart Local Trax Railroad Grade Separation

DES. 1801913
Public Hearing
October 13, 2021






1

Agenda

- Introductions
- Presentation
- Verbal Public Statements
- Open House
 - Team members will be available to answer questions

Public Comment Period Ends October 28, 2021.



2

Welcome and Introductions

- Elkhart County
 - Charles McKenzie, Project Engineer
- Indiana Dept. of Transportation (INDOT)
 - Jason Springer, Project Manager
 - Jason Holder, Program Manager
- Parsons
 - Sean Porter, Project Manager
 - Cody Beucler, Roadway Lead
 - Dan Miller, Environmental Lead
- Safety / Housekeeping
- Please sign-in
- Handouts and Welcome Letter
 - Several ways to comment
 - **Public Comment Period Ends October 28, 2021.**
 - Form at the check-in table
 - www.elkcohw.org/projects/
 - Email: Daniel.j.miller@parsons.com
 - Call INDOT at 855-INDOT4U (463-6848)



3

Project Stakeholders and Outreach

- Federal Highway Administration (FHWA)
- Elected & Local officials
- Norfolk Southern Railroad (NSRR)
- Michiana Area Council of Governments (MACOG)
- Residents
- Businesses
- Emergency services
- Schools
- Transit (Interurban Trolley)
- Religious Institutions
- Community Organizations
- Virtual Public Open House: August 10, 2020
- In-Person Public Open House: August 25, 2020
- Public Notices, Section 106: "No Historic Properties Affected"
 - *Elkhart Truth* on June 24, 2021
 - *Goshen News* on June 26, 2021
- Notice of Public Hearing:
 - *Elkhart Truth* on Sept. 27 and Oct. 4, 2021
 - *Goshen News* on Sept. 27 and Oct. 4, 2021
 - Mailed to stakeholders
 - Postcard
 - <http://www.elkcohw.org/projects/>



Public Comment Period Ends October 28, 2021

4

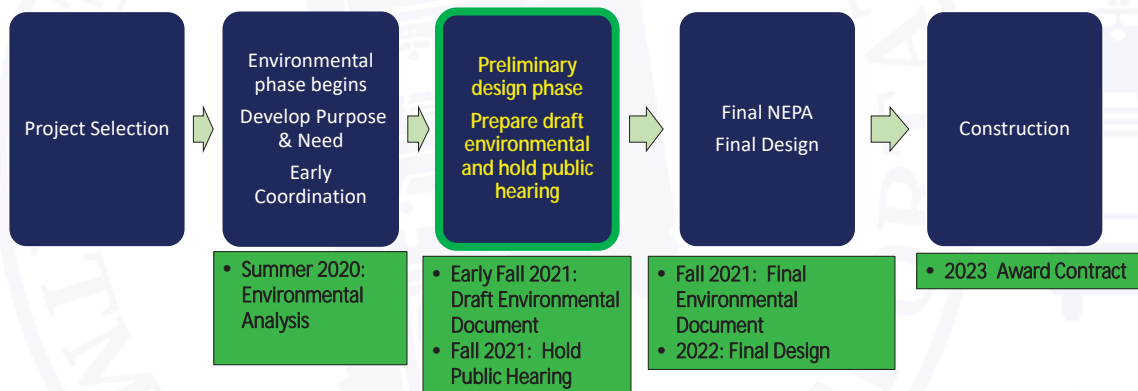
Study Area



5

Project Development

Categorical Exclusion – Level 4 (CE-4) Project



Right-of-way acquisition follows final decision and approval of the final NEPA document.

6

Purpose and Need (Summary)

- **Safety:** High rate of crashes
- **Mobility:** Trains typically run 80 to 90 times a day, and often stop on the tracks
- **Lack of Sidewalks:** Sunnyside Avenue, CR 13, Concord Mall Drive, and Center Drive do not have pedestrian facilities

The purpose of this project is to reduce the exposure of motorists and pedestrians to rail traffic, and to increase mobility in this area of Elkhart County.



7

Alternatives Considered

- Analyzed a variety of alternatives
- No Build does not address the purpose and need



North Alternatives



Central Alternatives



South Alternative



8

Preferred Alternative

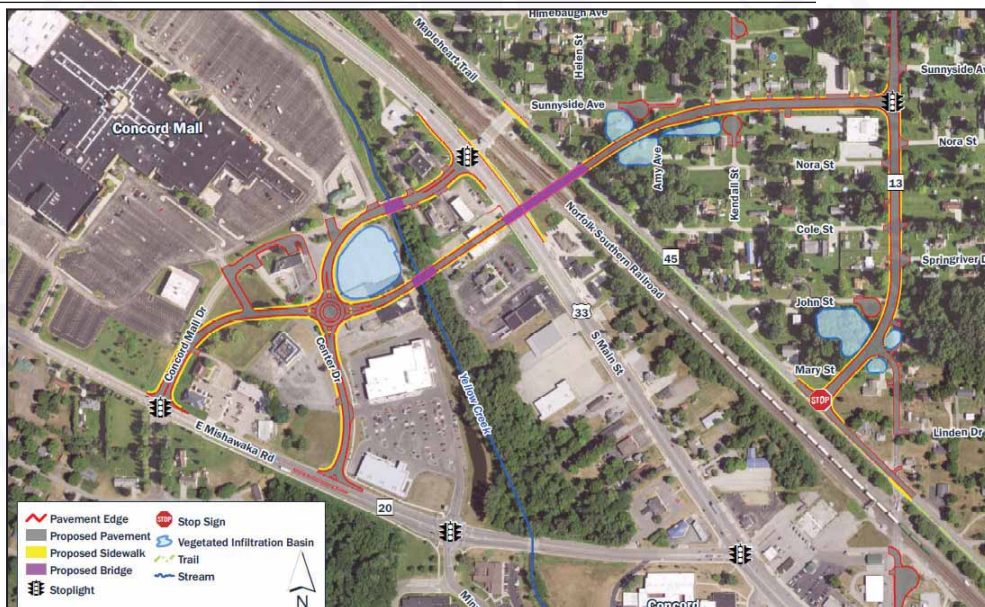
Key Features:

- New bypass bridge across US 33/Main St, Norfolk Southern Railroad, and CR 45/Mapleheart Trail
- Eliminates Sunnyside Ave and CR 13 at-grade crossings
- Re-aligns intersection of CR 13 and CR 45
- Roundabout
- Designed for first responders, school buses
- Sidewalks



9

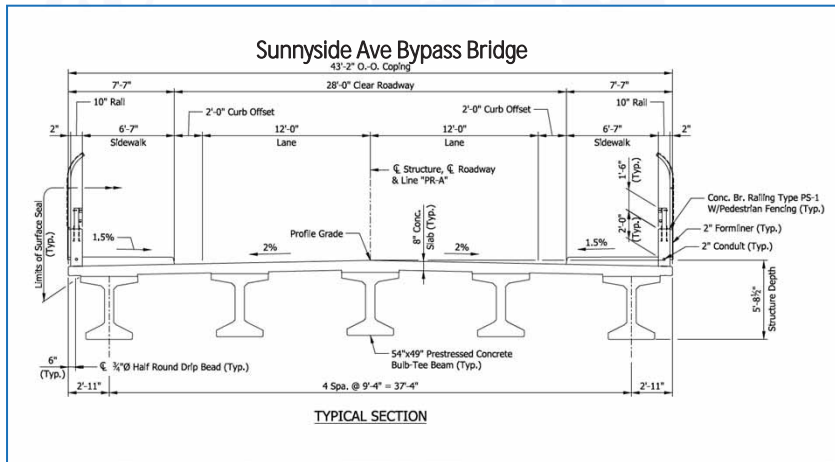
Preferred Alternative



10

Bypass Bridge Typical Section

Two 12-ft travel lanes and 6-ft sidewalks



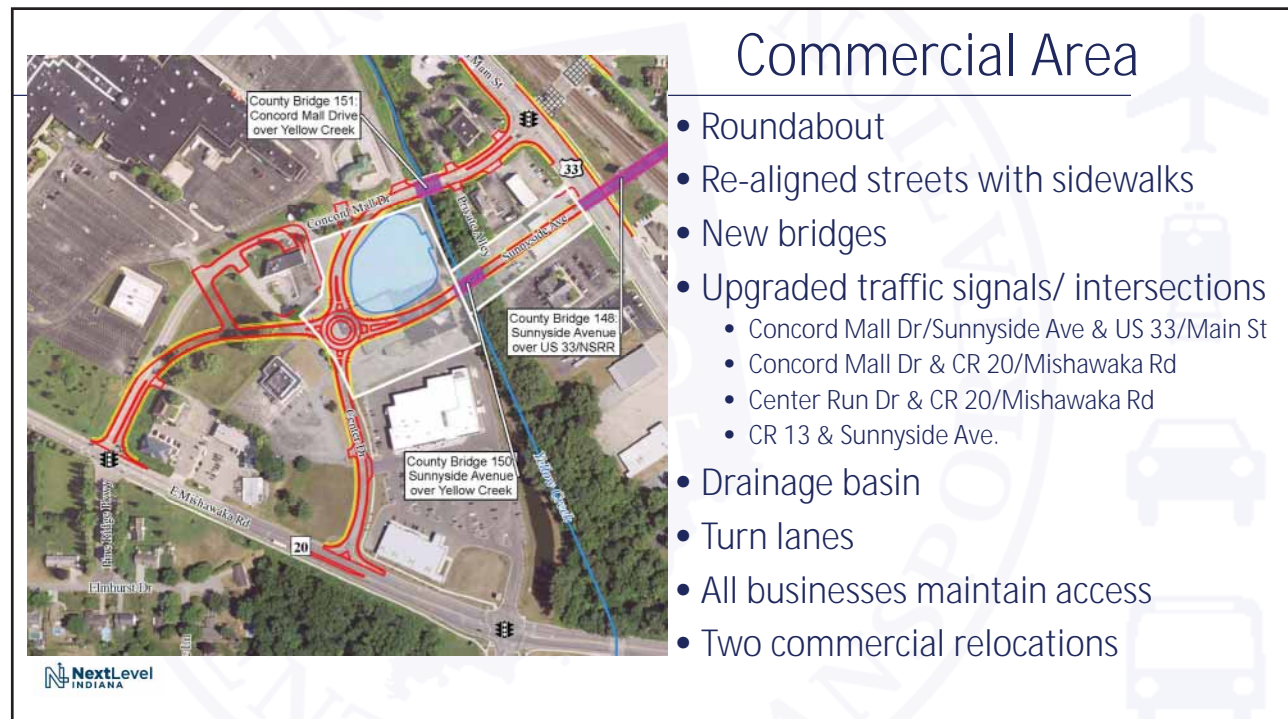
Capacity Analysis:

One lane in each direction is sufficient for the bridge.

- Volumes projected to future design year
- Traffic redistributed to revised street network
- Volumes coordinated with MACOG and their regional model
- Improved emergency access. (For emergencies, options at Hively Avenue/1.7 miles north)

NextLevel
INDIANA

11



Commercial Area

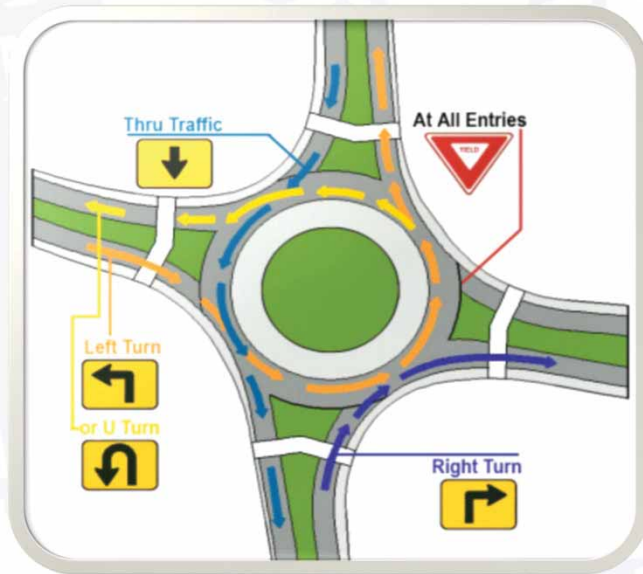
- Roundabout
- Re-aligned streets with sidewalks
- New bridges
- Upgraded traffic signals/ intersections
 - Concord Mall Dr/Sunnyside Ave & US 33/Main St
 - Concord Mall Dr & CR 20/Mishawaka Rd
 - Center Run Dr & CR 20/Mishawaka Rd
 - CR 13 & Sunnyside Ave.
- Drainage basin
- Turn lanes
- All businesses maintain access
- Two commercial relocations

12

What is a Roundabout?

- One-way circular intersection
- Traffic flows counter-clockwise around a center island
- Yield at entrance
- No parking
- No “activity” in center island

NextLevel
INDIANA

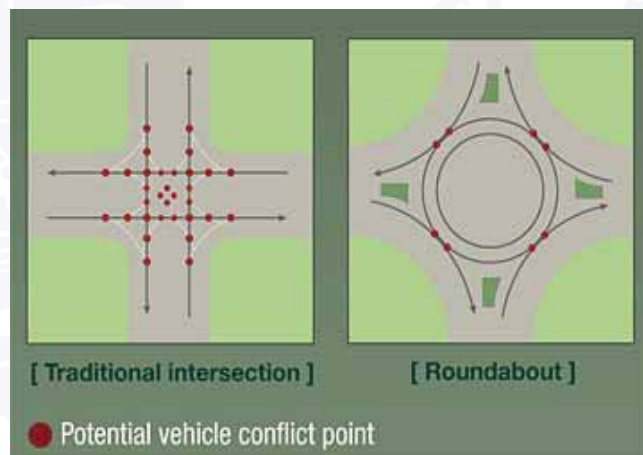


13

Benefits of a Roundabout

- **Enhances Safety**
 - Roundabouts reduce the number of potential conflict points within an intersection
 - 75% fewer conflict points than four-way intersections
- **Slower vehicle speeds**
 - Reduces the severity of crashes
- **Efficient traffic flow**
 - Reduces need for turn lanes
 - Improves traffic flow
- **Community benefits**
 - Reduces congestion
 - Aesthetic landscaping

NextLevel
INDIANA



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Roundabouts Enhance Safety

U.S. DOT FHWA Statistics

- Compared to traditional intersections roundabouts:
 - Reduce fatalities and injuries by 82% – FHWA
 - Reduce total crashes by 44% – FHWA

[Link to RULES OF THE ROUNDABOUT video by FHWA](#)

For more information:

<http://safety.fhwa.dot.gov/intersection/innovative/roundabouts/>

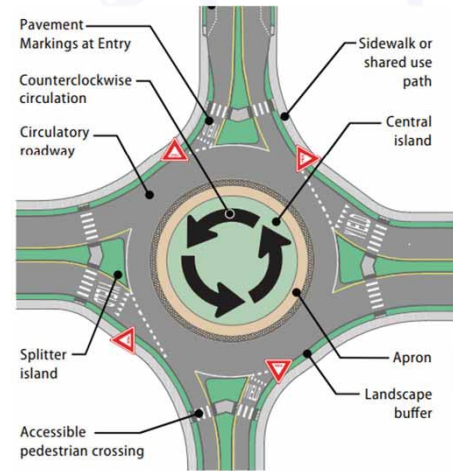


Figure 1. Modern Roundabout Schematic

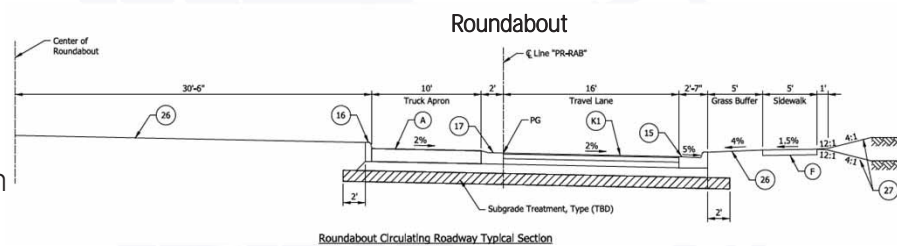


15

Roundabout Typical Section

Roundabout

- One 16-ft travel lane
- Speed: 20-25 mph
- Truck apron for buses & trucks
- Sidewalk / crossings
- Lighting



16

Residential Area

- New traffic signal at Sunnyside Ave/CR 13
- Re-aligned Sunnyside Ave/CR 45
- Two-way left turn lanes along Sunnyside Ave and CR 13
- Sidewalks and pedestrian crossings
- Cul-de-sacs
 - CR 13, John St, Kendall St, Sunnyside Ave
- Extensions/Other Changes
 - Linden Dr, Mary St, Kendall Dr, Amy Ave
 - Driveways
- Drainage basins
- Three residential relocations

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Roadway Typical Section

CR 13 and Sunnyside Ave

- Two 12-ft travel lanes
- Added two-way left turn lanes for driveways & churches
- Sidewalks & Crosswalks

CR 13 and Sunnyside Ave

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Maintenance of Traffic (MOT)

- Transportation management plan (TMP) meetings with key stakeholders (schools, first responders, transit)
- 5 phases, expected to last 24 months
- Maintain access for all properties throughout construction
 - Includes one-lane traffic for residents only
 - Businesses, churches, homes: all will be accessible
 - MOT detours used to maintain one-way traffic
- Existing railroad crossings will remain open until bypass is open

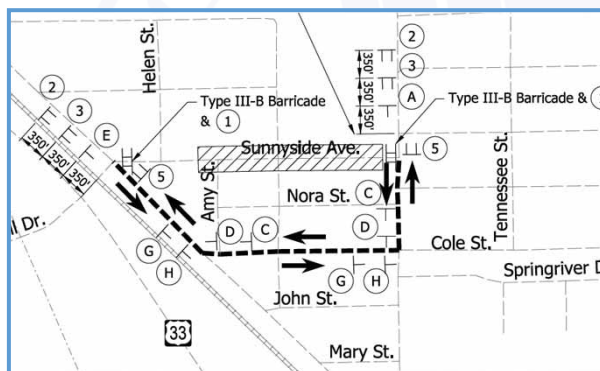


Photo credit: Roger W Schneider



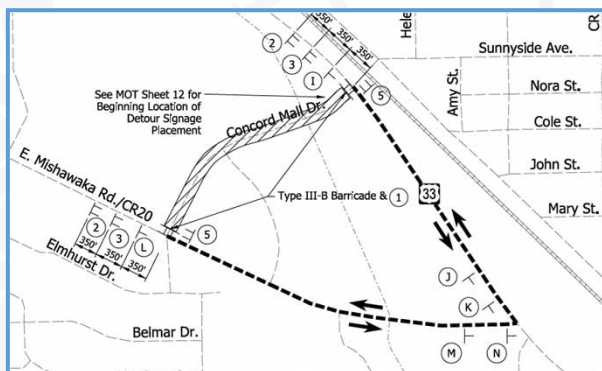
19

MOT Detours



Detour Route: Sunnyside Avenue

CR 13, Cole St, CR 45

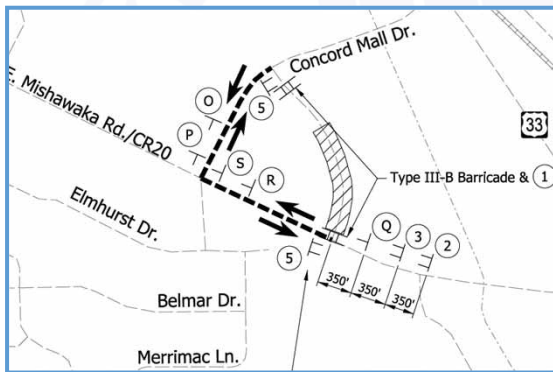


Detour Route: Concord Mall Drive

Mishawaka Road/CR 20 and US 33/Main St

20

MOT (cont.)



Detour Route: Center Drive

Mishawaka Road/CR 20 and US 33/Main St



Mapleheart Trail along CR 45

Mapleheart Trail will remain open, except short-term closure (up to one month) will be required

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Environmental Analysis Phase

National Environmental Policy Act (NEPA)

- Requires INDOT to analyze and evaluate the impacts of a proposed project
- NEPA is a decision-making process
 - Purpose and Need
 - Alternatives Screening
 - Preferred Alternative

NEPA Document, "CE-4", released for public involvement – September 22, 2021

Impacts analyzed, evaluated, and described in the CE-4 Document

- What are the impacts this project might have on the community?
- How can impacts be avoided?
- Can impacts be minimized?
- Mitigation for impacts?

22

Environmental Impacts Summary

- Relocations: 2 commercial and 3 residential
- Right-of-way:
 - 13.83 acres of new permanent
 - 0.91 acre of temporary
- Permanent alteration of traffic patterns
- St. Joseph Sole Source Aquifer: 21.77 acres
 - Close coordination with USEPA to reduce and minimize potential impacts
- Section 106: No historic properties affected
- Section 4(f) Temporary Occupancy: Mapleheart Trail will remain open except for short-term closures

Drinking Water



Protection Area



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Environmental Impacts (cont.)

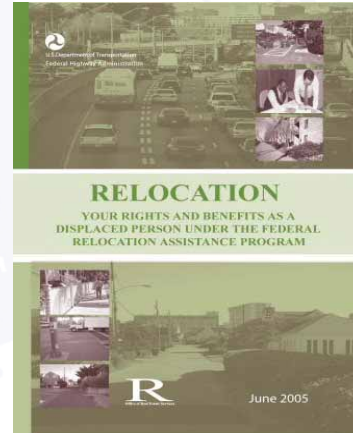
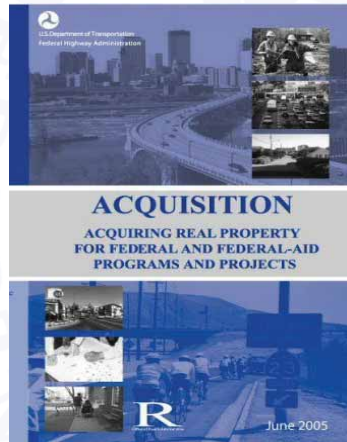


Yellow Creek from Concord Mall Dr

- Yellow Creek: 145 linear feet
- Wetlands: 0.087 acre
- Floodplain: 0.25 acre of forested
- Terrestrial habitat: 8.92 acres
 - 3.14 acres of trees plus maintained lawn
- Noise impacts/ no noise abatement is proposed
- Endangered/threatened bat species: "May Affect, Not Likely to Adversely Affect – with Avoidance and Minimization Measures (AMMs)"
- Environmental Justice populations are present but no disproportionate impacts
- Also evaluated community impacts, public services, air quality, hazardous materials, etc.

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Real Estate



Real Estate Acquisition Process

"Uniform Act of 1970"

- All federal, state and local governments must comply
- Requires an offer for just compensation

Acquisition Process

- Appraisals
- Review Appraisals
- Negotiations
- Project Real Estate Team is working with impacted property owners
 - Kitchen Table Meetings

Right-of-way

- Permanent ROW: 13.83 Acres
 - Permanent ROW is land, once purchased from legal land owner, becomes land owned by County
- Temporary ROW 0.91 acre
 - Temporary ROW is land required during the construction of a project and is used for the purposes of construction related activity
 - INDOT/County pays legal landowner a fee for land use during construction

Next Steps

- **Public and project stakeholder input**
 - Submit comments via options described in the information packet
- **INDOT review of public comments**
 - All comments are given full consideration during decision-making process
 - Finalize/approve environmental process, complete project design
- **Communicate a decision**
 - INDOT will notify project stakeholders of decision
 - Work through local media, social media outlets, paid legal notice
 - Make project documents accessible via repositories
- **Questions? INDOT Next Level Customer Service**

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Submit Public Comments

- **Submit public comments:**
 - Public Comment Form
 - Via e-mail (Daniel.j.miller@parsons.com) or postal mail (address on next slide)
 - Participate during public comment session following formal presentation
 - Call 855-INDOT4U (855-463-6848)
- **Public comment period ends Thursday, October 28, 2021**
- All comments submitted are included in the public hearings transcript and made part of the public record
- Comments are reviewed, evaluated, and given full consideration during decision-making process

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Contact Us

- Comment form – front table, or send via email or postal mail.

Postal address: ATTN: INDOT, c/o Dan Miller
Parsons
101 W Ohio St, Suite 2121
Indianapolis, IN 46204

Email: Daniel.J.Miller@parsons.com

Please mention "Elkhart Local Trax" in your comments.



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Thank You

Elkhart County Highway Department

www.elkcohw.org

eng@elkcohw.org

INDOT Next Level Customer Service

855-INDOT4U (855-463-6848)

www.indot4u.com

indot@indot.in.gov

Please mention "Elkhart Local Trax" in your comments.



Please visit with the Project Team following the presentation and comment session.

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INDIANA DEPARTMENT OF TRANSPORTATION

Wednesday, October 13, 2021

Welcome local residents, interested citizens and elected officials,

Welcome to the Elkhart County and Indiana Department of Transportation's (INDOT) public hearing regarding Proposed Elkhart Local Trax Railroad Grade Separation, Sunnyside Avenue over Norfolk Southern Railroad (NSRR) in Elkhart County.

The purpose of this public hearing is to offer all interested persons an opportunity to comment on current design plans and the environmental document for this project.

There are several ways your comments may be presented this evening and following tonight's public hearing. You may submit comments in the following manner:

1. **Complete** a comment form and return it to an INDOT, Elkhart County or project team representative attending the public hearing. Comment forms are available at the sign-in table and also included in your information packet.
2. **Participate** as speaker during the comment session following tonight's presentation. Each speaker gets three (3) minutes to ensure everyone has an opportunity to speak.
3. **E-mail** comments to <mailto:daniel.j.miller@parsons.com>.
4. **Mail** comments to Daniel Miller at Parsons' office at 101 W. Ohio Street, Suite 2121, Indianapolis, IN 46204.
5. **Visit** www.elkcohw.org/projects to learn more about this project.
6. **Submit** comments (or have comments postmarked by) **October 28, 2021**. Comments will be reviewed and considered as part of INDOT and Elkhart County's decision-making process.
7. **Questions?** Contact INDOT Customer Service at 1-855-INDOT-4-U (1-855-463-6848) or call Dan Miller at (317) 616-4663.

The proposed project will eliminate the two existing at-grade railroad crossings at Sunnyside Avenue and CR 13, and provide a single, grade-separated crossing, as well as a roundabout near the existing Concord Mall Drive and Center Drive intersection. Sunnyside Avenue will be realigned to cross US 33/Main Street approximately 0.06 mile southeast of Concord Mall Drive. County Bridge 148, a new 4-span concrete beam bridge, will provide grade-separated access across US 33/Main Street, NSRR, and CR 45 (bypass bridge). The bypass bridge will be approximately 409.5 feet long, with a width of 43.1 feet, and a vertical clearance over the railroad of 23.5 feet. The bridge and roadway typical section will be similar, including two 12-foot wide travel lanes, one in each direction, and 6-foot wide sidewalks on both sides. Additionally, the existing Concord Mall

Drive bridge over Yellow Creek will be replaced, and a second bridge will be constructed on Sunnyside Avenue over Yellow Creek.

East of the new bypass bridge, the re-aligned Sunnyside Avenue will tie into the existing alignment near the current intersection with Kendall Street. A two-way left turn lane is proposed from approximately Amy Street to the CR 13 intersection. A stop light will be added at the intersection of Sunnyside Avenue and CR 13. Several streets will terminate in cul-de-sacs: Sunnyside Avenue east of CR 45, Amy Avenue, Kendall Street, and John Street. Additionally, several private drives will be extended to continue access.

A four-way single lane roundabout is proposed to reconfigure the intersections of Concord Mall Drive with Center Drive and the re-aligned Sunnyside Avenue. The roundabout will have a diameter of 121 feet with a single 16-foot wide lane, roll curb, and a 12-foot wide truck apron. Concord Mall Drive, Center Drive, and the roundabout will have sidewalks and pedestrian crossings. The west side of the roundabout will connect to CR 20/Mishawaka Road at the existing Concord Mall Drive and Pineridge Parkway intersection. The south side of the roundabout will connect to CR 20/Mishawaka Road via the existing Center Drive intersection.

The CR 13 at-grade railroad crossing will be eliminated. South of the railroad, CR 13 will terminate at a cul-de-sac. North of the railroad, CR 13 will be realigned to create a 90-degree stop-controlled intersection with CR 45, approximately 400 feet northwest of the existing intersection. The CR 13 typical section includes two 12-foot wide travel lanes, a two-way left turn lane, and 6-foot wide sidewalks on each side.

Public Hearing Agenda

5 p.m. – Doors open and project team is available for questions

6 p.m. – Formal presentation, followed immediately by the public comment session

7:30 p.m. – Hearing adjourns, team members will be available afterward to answer questions

All substantive comments received prior to, during and following the public hearing will be evaluated and responded to in writing within subsequent project documentation. The documentation will address concerns presented during the public hearing process and describe project decisions reached following careful consideration of the views and concerns of the public.

The project team will be available in the display area to explain project details and address questions prior to and following the public hearing.

A Categorical Exclusion (CE) environmental document has been prepared for the project. The environmental documentation and preliminary design information is available at the following locations:

- Elkhart Public Library, Pierre Moran, 2400 Benham Avenue Elkhart, IN 46517
- Elkhart County Highway Department, 610 Steury Ave, Goshen, IN 46528
- INDOT District Office, 5333 Hatfield Road, Fort Wayne, IN 46808
- Elkhart County website: www.elkcohwvy.org/projects/

Project documents can be mailed upon request. Call Dan Miller at (317) 616-4663 or call INDOT Toll Free at 855-INDOT4U (463-6848).

Thank you for attending tonight's public hearing.

Comment form and overview map of preferred alternative (Appendix G-68) were attached.

Elkhart Local Trax Railroad Grade Separation
Des. 180913

Public Comment and Response Log

No	Date	First	Last	Type	Public Comments	Categories	Response
1	10/4/21	Tim	Koontz	email	Subject: ELKHART LOCAL TRAX RAILROAD GRADE SEPARATION AT SUNNYSIDE AVE./CONCORD MALL DR. AND CR 13; My family just got the mailer about this project and we couldn't be more excited. I have lived in the Concord area my whole life and have always seemed to be "on the wrong side" of the tracks. I hope this goes through smoothly and you can't break ground soon enough! Thanks!	Supports preferred alternative	Thank you for your comment.
2	10/4/21	Chris	Godlewski	email	Subject: Dunlap Overpass; To whom it may concern, Daniel, Elkhart County Planning & Development is in full support of the Dunlap Overpass project as presented. It not only removes cars from traversing a rail crossing but it also allows for another pedestrian and bike access across US 33 (and the rail tracks) where few exist. This makes everybody safer. One question – who maintains the 6-foot sidewalk on the bridge when it snows out? I would believe this will be a path in all seasons which includes school children. Just asking how it would be maintained during inclement weather. Thanks! Best of luck navigating the process with this project.	Supports preferred alternative, sidewalk maintenance (snow removal)	Thank you for your comment. Regarding sidewalk maintenance, Elkhart County will maintain the sidewalks and streets for this project. This includes snow removal and deicing for the roadways. Residents and businesses are responsible for clearing the sidewalks in front of their properties.
3	10/13/21	Ryan	Culp	Hearing - Written	At least (please) put a pedestrian crossing at the CR 13 crossing (or keep crossing open). Thanks!	CR 13 pedestrian bridge, does not support closing CR 13 crossing	A 10-foot wide, multi-use pedestrian bridge along CR 13 over the railroad was considered. This structure would need to meet the minimum vertical clearance over the railroad, which is 23 feet. In order to achieve that height with a path of acceptable grades (i.e., not too-steep), the structure would either need long approaches, or sufficient footprints to accommodate switch-backs. The estimated cost to design and construct a sufficient pedestrian structure would be approximately \$3,000,000 to 5,000,000 (plus right-of-way (ROW) costs). Therefore, it was dismissed from further consideration. Regarding leaving the CR 13 at-grade railroad crossing open, that was evaluated as part of the no build alternative, which was dismissed from further consideration because it would not meet the purpose and need for the project (discussed further in the Other Alternatives Considered section of the environmental document).
4	10/13/21	Carolyn	Goddard	Hearing - Written	Mobility and Safety Issues. Mobility would be maximized most only if both crossings - Sunnyside and CR 13 were left open and the roundabout was put in. There are not many pedestrians from CR 13 onto Sunnyside and across to the mall at the train crossing. Even though the angle of the intersection at CR 13 is awkward - eternal vigilance is the price of freedom. In other words, look both ways twice before crossing. Safety, is not soley the government's responsibility, it is the individual's. If fire engines and/or tankers were needed from the CR 18 fire station to assist on the south side of the tracks - 3 ways would be open if the roundabout was constructed and both crossings were left open.	Does not support closing CR 13, pedestrian use, safety, CR 13/CR 45 intersection <div>*Duplicate comment from same individual as No. 15.</div>	Regarding keeping both crossings open, as discussed in the project's Purpose and Need, the current crossings are dangerous and the trains limit first responder's response times. Leaving both crossings open was evaluated as part of the No Build alternative in the Other Alternatives section of the environmental document. The No Build alternative was dismissed because it would not meet the project's purpose and need. Regarding current pedestrian usage, currently Sunnyside Avenue, Concord Mall Drive, Center Drive, and CR 13 lack pedestrian facilities, which likely impacts current pedestrian use. This project includes the installation of pedestrian facilities, which should improve pedestrian mobility. Regarding the CR 13 and CR 45 intersection realignment, the existing intersection has a skew angle of approximately 45 degrees. This type of acute angle restricts vehicular turning movements, as well as the driver's line of sight. Per current design guidance (IDM 46-1.02), the angle of intersection should be within 20 degrees of perpendicular. The preferred alternative will improve safety by providing an intersection that meets current design criteria.
5	10/13/21	David	Preheim	Hearing - Written	I am in support of this project as designed. While expensive, it is deperately needed. The sooner it can done, the better!	Supports preferred alternative	Thank you for your comment.

No	Date	First	Last	Type	Public Comments	Categories	Response
6	10/13/21	William	Kidder	Hearing - Written	My concern is the trains sitting on tracks and leaking fluids in the water aquifer.	Aquifer/ well water impacts	This project is working with the U.S. Environmental Protection Agency (USEPA) and Indiana Department of Environmental Managment (IDEM) regarding protecting the St. Joseph Sole Souce Aquifer and the community's private and public drinking water wells that use that resource. The preferred alternative includes the vegetated drainage basins that are part of the storm water design, which will be signed "Well Water Area" and "No Dumping No Spraying". Elkhart County has a Groundwater Protection Ordinance designed to further protect the area's drinking water resources, including spills. Further discussion is in the Drinking Water section of the environmental document.
7	10/13/21		Name Not Provided	Hearing - Written	Why is the bridge not lighted? What is the reason for not extending the sidewalk to connect both sides of the bridge? Why are there no higher barriers between pedestrians, sidewalk and roadway?	Bridge lighting, sidewalk location, sidewalk safety	Regarding lighting, currently there are no plans to light the bypass bridge. There will be street lights near the Concord Mall Bridge as well as the Sunnyside Avenue over Yellow Creek bridge. Lighting can create unintended environmental and human impacts. When the lighting is on elevated structures near trees, there can be negative impacts to federally-protected bat species including the endangered Indiana bat and the threatened northern long-eared bat, which have habitat within and adjacent to the project area. Indiana state law requires all motor vehicles and bicycles to be self-illuminated from dusk to dawn; therefore, lighting is not required. Additionally, lighting incurs added design, construction, and maintenance costs. Regarding sidewalks, all three of the project bridges will have sidewalks on each side of the roadway, including the bypass bridge. Regarding barriers, the sidewalks on the bridges will be raised from the roadway with the use of an 8-inch vertical curb. The sidewalks on the roadway will be separated by traditional curb and gutter in conjunction with a grass strip buffer.
8	10/13/21	Jill	Grubert	Hearing - Written	Why not leave CR 13 alone? How is this bettering CR 13 & CR 45? 28 accidents at 13 & 45 in 5 years; 3 accidents at CR 13 and 45 last year. Still lots of accidents at CR 17 and 18 with them bettering the intersection. Didn't ask residents/taxpayers if we think this will better intersection. We are the ones affected. Will retention ponds have fences?.....be mowed?....will trees be cut down when grow up? Our new driveway will allow water to flow into garage. We couldn't even look for property/house as no one will give us an amount. I was reminded Sunday to be content in every situation. It's sad when I know it is a "battle" against my own tax money! Will roundabout be empty in center? Get names of Hwy Board/Pic.	Does not support the preferred alternative, general project opposition, CR 13/CR 45 intersection, purpose and need, CR 17 and CR 18, storm water / drainage basins, roundabout center design	Regarding the CR 13 and CR 45 intersection realignment, the existing intersection has a skew angle of approximately 45 degrees. This type of acute angle restricts vehicular turning movements, as well as the driver's line of sight. Per current design guidance (IDM 46-1.02), the angle of intersection should be within 20 degrees of perpendicular. The preferred alternative will improve safety by providing an intersection that meets current design criteria. Regarding the driveway drainage, all of the storm water from the new roadways will be diverted to the drainage basins via inlets and curb/gutter. Elkhart County will maintain the basins, including regular mowing which should control tree growth. Fences are not proposed for the basins. CR 17 and CR 18 are not within the project area. Regarding the roundabout design, the current plan is to have a maintained, grassy center island.

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9	10/13/21	Ricardo	Mirabal	Hearing - Verbal	<p>First of all I'd like to thank everybody for giving me the opportunity to express myself. First of all, I think my personal opinion is that it's an expensive disaster. I think it's too complicated, too expensive to support this kind of project. If you look at the picture you have in your hands and you please follow me. Sadly look Mishawaka Road A at the corner of Main and 3. And then look across the train track where the stop sign is. Think for a moment about how simple it would be to bring together traffic from Mishawaka Road to cut across [CR] 13 by just doing two different things that can be done in the same area. Think for a moment about what they did at Indiana Avenue and all that and how easy and simple and cheap it was to get done. And then traffic moved very efficiently. And then look also back in time when in Goshen when they built that overpass many years ago and how easy, how practical for traffic to flow from downtown Goshen to cut across 13. That's an overpass that is really practical. Cheap. Efficient. I propose that that's the kind of idea that could be recommended on this area. If you look carefully at what I mentioned over here; if you put together Mishawaka Road with CR 13, on both sides of the train track, you have plenty of space to branch out left and right. And let traffic flow straight from one road to another and also branch out in both directions on both sides of the train tracks. I think this would be an idea that's a lot cheaper, more practical, more efficient and would do the job and would affect the environment a lot less than this whole idea that is pictured over here. Okay?</p> <p>The second thing, and last, I want to mention is, right there on the corner of Johns Street and CR 13, that's my house right there. See this. There is a cul-de-sac right there. I would like to invite these people to save the money. Please, don't build the cul-de-sac right in front of my house. I don't need that. I'm pretty sure my neighbors don't like that kind of thing over there. A cul-de-sac. Why? Because right there on that corner is where we make the left or right to go to work. Why do you want to make me now that I have to drive 10 or 5 more minutes to ruin the environment just because you are closing, keeping me from having access to cut around CR 13? It's a waste of money. It's a waste of money. I don't agree with having a cul-de-sac right there. Not just because it's my house, just because it's inefficient. It doesn't do anything. It doesn't add any value to the neighborhood, and I think we should just forget about having a cul-de-sac over there. Leave the road open so we can have access to it. The way now, that's no money to do. That's all I wanted to say. Thank you.</p>	Does not support preferred alternative, general project opposition, cost, supports South alternative, cul-de-sac concern	Regarding an alignment along Mishawaka Road to CR 13, this was evaluated as the "South" Alternative, and is discussed in the Other Alternatives Considered section in the environmental document. The South alternative would meet the purpose and need of the project. However, it would have more residential relocations, greater impacts to water resources and suitable summer habitat, hazardous material (hazmat) concerns (gas station relocation), impacts to schools during construction, and it had a higher cost estimate compared to the preferred alternative. Therefore, the South alternative was discarded from further consideration. The preferred alternative proposes a cul-de-sac on John Street because the proposed improvements (re-alignment of CR13 and drainage basin) would create a sight distance safety concern. Since there is a well-developed grid of streets the cul-de-sac was selected as part of the design to avoid the safety concern.
10	10/13/21	George	Kamiotes	Hearing - Verbal	<p>Well good evening, everybody. This is the first time that I'm here to express my true opinions about the project that you guys are going to build. I don't understand for what purpose. It's not helping the community. It's a disaster. I don't know who are the engineers that believe they can afford this project. To me it's like a labyrinth like we call in my country. Which means you're going to get lost out there. It's a disaster. It's not going to help the pedestrians from CR 13 to come all the way to Concord.</p> <p>And it affects me too. I'm a small business operator and I've been here in this area for 33 years and I'm helping the community and everything else. Back in 2007 and 2011, if I remember correctly, we took part of my property on the road to build a better sidewalk. I don't know for what; nobody uses it. Unless if you, now that we have the drive. And it took me about two-and-a-half years to collect \$40,380. But I lost thousands and thousands and thousands of dollars in revenues. And every year the traffic goes up and up and up. And I striving a day, especially after COVID-19, to stay open. And here we have engineers from different states coming to Elkhart County to hear their ideas about how they're going to save and create what? \$30 million project? To do what? So we can destroy the Concord Mall? Concord Mall was beautiful when I came here. Now we destroy everything. This is the management. I thought the Martins moved 40 feet down from where it they was, I don't know the reason. And JoAnn Fabrics going to take over, but before they knew the inside information, the building right next to me, they went here. First they bought it, then they introduced themselves, "Oh yeah, we want to be neighbors." And then they painted and they disappeared. Why? Because they got the inside information that they're going to get some money from the government, whoever is building this project. So they disappeared. Everybody's disappearing. Very soon we're not going to have any restaurants around here. I want you guys to understand. We're going to have ghosts on the highways and you're going to have, of course, not money, because they tried to eliminate that. But it's a disaster. I don't want this project.</p>	General project opposition, does not support the preferred alternative, purpose and need, relocations	We appreciate your comments. The purpose and need of the project is detailed in the environmental document (Purpose and Need section). The need for the project stems from safety and mobility issues for motorists, pedestrians, bicyclists, and trains at the two subject at-grade railroad crossings, the Sunnyside Avenue crossing, and the CR 13 crossing. Trains typically run through these crossings 80 to 90 times a day. Furthermore, the trains regularly stop on the tracks, restricting traffic for extended periods of time and delaying emergency vehicle access to the communities north of the tracks. Existing crash data indicates a high rate of crashes for these types of crossings. Additionally, the area lacks pedestrian facilities. There are no existing sidewalks along Sunnyside Avenue, Concord Mall Drive, nor CR 13. The purpose of this project is to reduce the exposure of motorists and pedestrians to rail traffic, and to increase mobility in this area of Elkhart County. Regarding relocations, the preferred alternative's proposed relocations does not include the Concord Mall, nor the current Martin's Supermarket. The two proposed commercial relocations are vacant buildings that were Goodyear Tire and a strip center south of Concord Mall Drive, the former Martin's Supermarket location.

No	Date	First	Last	Type	Public Comments	Categories	Response
11	10/13/21	Heinz	Grubert	Hearing - Verbal	<p>Hello neighbors. I'm very much concerned about groundwater contamination and these retention ponds, especially that are going to be around my property. They're taking, I'm not really sure exactly, but they're going to be taking quite a few square feet of my property. I own on the other side of Mary Street; I'm right there on CR 13. I don't know if you've noticed the lots have been getting cleaned up over there. And now they're going to come in and take possession of it. And I see these great big retention ponds and I'm concerned about all the wells that are in that area of groundwater contamination. You guys are concerned about the aquifer. I want to know what assessments have been done about people's wells and the groundwater contamination. It's bad enough when they come in and they say, "We're going to take possession of your property." When you get cautioned by them as well to not, really don't protest, because it could get too financially straining on you if you try to litigate something like this. And the old saying is, "You can't fight City Hall." The wisdom, I can understand making some bicycle paths and making pedestrian traffic along here because it is a concerning thing when people are riding their bikes along there and people are traveling from there to go to the park, to go to the bikeway. Those are reasonable considerations. Moving traffic across and maybe making an overpass somewhere. I agree with my neighbors that it should be considered somewhere else. I agree with Ricardo that the cul-de-sacs; how many decades has Sunnyside been there since it was built? And there's been no need for cul-de-sacs. And through traffic, if people are on that road. The one consideration that we could give is maybe closing down that crossing and then you can turn right and you can turn left.</p> <p>And I know you folks might not know Bob Lamude who lived on the corner of Linden and CR 13 on the northeast corner. Well, he wanted to liquidate all his property. And water collects right there at Linden on the northeast corner of Linden, and they could put retention ponds there and Bob would have been happy to liquidate his property to them. I don't know if all these things have been considered carefully and these things concern me. And, as far as compensation, we're in the dark. We don't know what we're going to be compensated. We don't know if it's going to be fair and equitable. We just don't know. We heard that, "Yeah, it was will be fair and equitable." I've had some assurances from Kenny Franklin. And he's a believable man. He's a kind man. He's a gentle man. But I still haven't heard anyone coming around say when these things are going to be reached. I'm still not really sure when these subjects are going to be breached. Thank you.</p>	Aquifer /well water impacts, does not support preferred alternative, supports adding sidewalks, cul-de-sac concern, storm water/drainage basins, right-of-way	The project team has been working with the USEPA and IDEM regarding protecting the St. Joseph Sole Souce Aquifer and the community's private and public drinking water wells that use that resource. Please refer to the Drinking Water Resources and Hazardous Materials sections of the CE document, as well as the related Appendices (Appendices C-54 to C-71, and E-1 to E-25) for details on the studies that have been conducted. The proposed minimization measures are expected to limit the project's potential to impact the aquifer and related drinking water users. Regarding cul-de-sacs, they are proposed in locations where they are needed due to grade changes and/or to avoid unsafe sight-distance issues. Regarding storm water conerns, the preferred alternative includes the installation of storm water management system which should improve conditions within the residential area where there is no existing storm water management. Regarding the right-of-way process, once the final decision is made on the preferred alternative, and the final environmental document is issued, then the process can proceed and more information (e.g., costs, timing) will be developed and shared.
12	10/13/21	Jill	Grubert	Hearing - Verbal	<p>My main question is, "Why can't you just leave 13 alone?" Close the crossing. Make a left-hand turn and a right-hand turn lane. Linden is a joke and that's going to be a through road? Because there's a 90-degree turn as you're going down toward Oxbow School and Oxbow told us at one time one year, in winter, we couldn't even go down that because it's so narrow. And people, residents, said their mailboxes were being hit. I don't know how this is bettering CR 13 and 45. You said there was a high rate of crashes....How many would that be? Do you have a number? Do you have a number for those highway crashes that you said there were? I have down that there were three last year. To me that's not a high rate. There's still lots of accidents at CR 17 and 18, with them even bettering that intersection. So I don't know if this is going to better 13 or 45.</p> <p>The retention ponds. Will they have fences? Will they be mowed? Will the trees be cut down? Mosquitoes in the summertime? Our new driveway is said to be put on Old 13 because a retention pond is going to be where our driveway is now. So that means water, when it rains, will come down the driveway right into our garage. And what ticks me off is that you guys don't even live here. We couldn't even look for property because those in authority have not said what we can expect from our property.</p> <p>Will the roundabout be empty in the center? Or will there be construction of some kind? Do you know that? Some of them have things in the center and you can't see through it. So that would be a concern.</p>	General project opposition, does not support the preferred alternative, CR 13/CR 45 intersection, Linden Drive, purpose and need, storm water/drainage basins, round about center design	Regarding the CR 13 and CR 45 intersection realignment, the existing intersection has a skew angle of approximately 45 degrees. This type of acute angle restricts vehicular turning movements, as well as the driver's line of sight. Per current design guidance (IDM 46-1.02), the angle of intersection should be within 20 degrees of perpendicular. The preferred alternative will improve safety by providing an intersection that meets current design criteria. Regarding Linden Drive, it will not become a through-road. Linden Drive will be extended north along existing CR 13 to tie into the new CR 13 alignment. Regarding crash data, since 1987, there have been seven train/vehicle accidents, including one fatality at the Sunnyside Avenue crossing. Since 1976, there have been nine train/vehicle accidents, including two fatalities, at the CR 13 crossing. Furthermore, from 2016 to 2019, the intersections of US 33/Main Street and Sunnyside Avenue, CR 45 and Sunnyside Avenue, and the Sunnyside Avenue crossing had a total of 45 accidents. Regarding the storm water basins, they will be maintained, including regular mowing, by Elkhart County. No fencing is proposed. Based on percolation tests, the basins are not expected to hold water except during heavy rain events; therefore, mosquito control issues are not anticipated. Regarding the driveway/garage concern and storm water, all of the stormwater from the new roadways will be diverted to the drainage basins via stormwater inlets and curb/gutter.

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13	10/13/21	Jim	Weeber	Hearing - Verbal	<p>Good evening, ladies and gentlemen. This thing was bungled from early on when property that was already owned by the county was transferred to the school system for the bus barn. And unfortunately it has resulted in a Rube Goldberg situation. So at this point I guess I just have questions about this situation. You said two, 12-foot lanes and then you would have aprons on either side for pedestrian traffic and I assume bicycles. Is there anything that protects them from the vehicular traffic on your bridge that you will be constructing? So there's a question.</p> <p>What are you going to do with the snow? The roundabout, you mentioned 55-foot vehicles. The standard semi trailer is now 53 feet. And another thing you're doing, my previous fire chief was solicited by the engineering firm to write a letter in support of this particular choice, but you will be taking all of the hazardous materials that normally traverse our major roads into a residential area. And there's a number of semis and large trucks that serve Wilden Avenue. I have no idea how many large trucks a day make it down Wilden Avenue, but it's a high number. And, you know, whatever's in those trucks, some of those are dangerous, hazardous materials.</p> <p>Another issue, Concord Fire Paramedic Service in the month of September, made 187 calls in the Concord Township area. Approximately 80 percent of our calls are medical calls. That means 149 of these calls were likely medical. It's really important that we get where we want to go when we need to get there. The American Heart Association will tell you that today with the technology that we have in a paramedic ambulance, seconds count. And I hope that you never have to spend time in the back of one of those. But I'm telling you, there's a lot of things that happen in that ambulance between the scene of whatever happened and the hospital. So it's pretty important we get where we want to go when we want to get there. This situation, an accident plus this, and then we have to go around to wherever we have to go to get around it. Now we do have that situation with the railroad now, I'll give you that. But so far we've been able to navigate those situations at this point. Now furthermore, if it's a serious accident, it will be shut for hours.</p> <p>And another question, you know your studies indicate two lanes will handle this. But right now there's five lanes here that are functioning and you're going to put all that traffic on two lanes.</p> <p>The other night, when I was crossing the railroad, there were a group probably from the high school. Is cross country running now? Ok a group came from Concord School, were pedestrians at the CR 13 crossing, probably going to Oxbow. Maybe they were going to run on the bike trail, I never see that though. I think they were going to Oxbow. The fact that you have not decided that you're going to put a pedestrian elevated walkway across the railroad here is a big disservice to this community. This needs to go to your engineering people.</p>	General project opposition, does not support preferred alternative, sidewalk safety, snow removal, roundabout safety, capacity, CR 13 pedestrian bridge	<p>Regarding bicycle and pedestrian safety, the sidewalks on the bridges will be raised from the roadway with the use of an 8-inch vertical curb. The sidewalks on the roadway will be separated by traditional curb and gutter in conjunction with a grass strip buffer. Regarding snow removal, Elkhart County is responsible for deicing and snow removal along the roadways and bridges. Regarding hazardous materials (hazmat) vehicles, the preferred alternative is designed to accommodate full-size vehicles, including first responders, school buses, and semi-trailers. Furthermore, potential spills on the roadway will be captured via the proposed storm water system, which includes drainage basins that will be signed "Well Water Area - No Dumping No Spraying". Regarding emergency vehicles response times, this project is intended to improve the response times by eliminating the at-grade railroad crossings and providing an overpass bridge. Regarding capacity, based on the approved Traffic Operations and Analysis Report, for both the current and design years (2043), two lanes on the overpass bridge (one in each direction) is sufficient. Furthermore, portions of Sunnyside Avenue and CR 13 will have an added left-turn only lane, which can be used to accommodate first responders and will also help prevent back-ups from motorists turning in and out of churches, side streets, and private drives. Regarding a pedestrian crossing at CR 13, a 10-foot wide, multi-use pedestrian bridge for CR 13 over the railroad was considered. This structure would need to meet the minimum vertical clearance over the railroad, which is 23 feet. In order to achieve that height with a path of acceptable grades (i.e., not too-steep), the structure would either need long approaches, or sufficient footprints to accomodate switch-backs. The estimated cost to design and construct a sufficient pedestrian structure would be on the order of \$3,000,000 to \$5,000,000 (plus ROW costs). Therefore, it was dismissed from further consideration.</p>
14	10/13/21	Paul	Hapner	Hearing - Verbal	<p>I noticed today that you put down your counters for traffic there at CR 45 and Sunnyside and I'm thinking...you haven't done a study of the traffic in this area? Just like the gentleman said, you're going to put traffic coming from Elkhart on SR 33; the businesses and all the traffic coming from Goshen on SR 33 onto two lanes of traffic, all this traffic going down to CR 13 into a stoplight. Whereas right now they can go across Sunnyside, across CR 13, and get to where they're going. That stoplight's going to create a huge traffic jam from all the traffic going in and out of the subdivisions and neighborhoods. And they're going to be backed up all the way to the bypass because it's not going to be enough to handle everybody. Right now the traffic from CR 45 services partially from Walmart, and Meijer's, and Lowe's and those businesses; that brings it down to CR 13 and they go into their neighborhoods. The other way comes from Elkhart on CR 45 they turn on Sunnyside to go down and it's stop-and-go, but traffic moves. CR 13, once you cross the railroad tracks, it's stop-and-go but traffic moves. When you combine all that traffic onto just two lanes in one spot, traffic is not going to go. It's going to come to a standstill.</p> <p>I would suggest that either build a roundabout at Sunnyside and CR 13 or make it a three-way stop sign and not a stop light so the traffic can keep flowing. And I would suggest you leave the CR 13 crossing the way it is so that we can cross there coming from Walmart, Meijer's, Harden's and all those businesses and then navigate Sunnyside when we get there. That would be my suggestion. Leave it open and then when the trains, and this is convenient for the railroad; don't let anyone fool you; they can park their trains there day after day after day. And it's inconvenient for the citizens in that area that if CR 13 crossing remains where it is, we could go. And if the train is there to block it we can use the bypass. I think it's a good idea.</p>	Capacity, does not support preferred alternative, does not support closing CR 13 crossing	<p>The referenced traffic counters are not associated with this project. This project's Traffic Operations and Analysis Report is based on existing traffic data and regional model maintained by the Michiana Area Council of Governments (MACOG), the local metropolitan planning organization. Traffic volumes were projected for the redistributed network for the current and design years (2043), which showed the preferred alternative should be sufficient and improve access for first responders. Leaving the CR 13 crossing open was evaluated under the No Build alternative in the environmental document. Since the No Build alternative does not meet the purpose and need of the project, it was dismissed from further consideration.</p>

No	Date	First	Last	Type	Public Comments	Categories	Response
15	10/13/21	Carolyn	Goddard	Hearing - Verbal	I'd like to address mobility and safety issues. Mobility can be maximized the most only if both crossings at Sunnyside and CR 13 were left open and a roundabout was put in. There are not many pedestrians from CR 13 onto Sunnyside and across to the mall at the train crossing, so I don't think a sidewalk is necessary there. Even though the angle at the intersection at CR 13 is awkward, eternal vigilance is priceless freedom. In other words, look both ways twice before crossing on foot, on bicycle or whatever vehicle. Safety is not solely the government's responsibility; it is an individual's. If the fire engines, and/or tankers were needed from the CR 18 fire station in the north to assist on the south side of the tracks, three ways would be left open if the roundabout was constructed and both crossings were left open. Thank you.	Does not support closing either crossing, sidewalk location, safety <div>*Duplicate comment from same individual as No. 4.</div>	Thank you for your verbal comment. Your written comment was addressed above - see No. 4
16	10/13/21	Lauren	Whalen	Hearing - Verbal	<p>I am of the benefit that I live in the River Manor area and I'm a little north of this so it's not as important, obviously, as people whose wells and property that is affected. However, I am a Concord parent. I have a child that goes to the high school, and I've seen every day, kids that walk to the high school, kids that walk to CIS and to be honest, this is not a path that they can take to get to school. They are not going to. I mean that is a long way out of the way to walk to school. We do have some busing, but it doesn't work for everybody. This whole area pushes everything so far away from our school that I don't understand why you wouldn't have a pedestrian bridge just for the kids to get to school. Because really, closing all these streets along CR 45 only benefits the railroad. Purely the railroad.</p> <p>We have no benefit from that. I was under the understanding that Hively was going to get an underpass/overpass, whatever they decide there and then we weren't going to touch CR 13 or Sunnyside. So I'm actually finding out today that now we're closing off all of our access here and the part about that that actually has the most residential. Like it's great for Hively, that's Elkhart City. That's not us. For down here, in our residences, we need to be able to get across. There are hundreds and hundreds and hundreds of homes here that have children that go to Oxbow, go to CIS, go to the high school.</p> <p>And, I guess as a parent of a teenage driver who just hit somebody's mailbox (we replaced it), but I am concerned for my child to come out here and go around this roundabout. There's a lot of confusing things and now we're throwing semis in with it because the traffic on Wilden is a problem with the semis because they always cross on Sunnyside. This becomes a danger for younger kids. And I can absolutely see this becoming a one-way bottleneck if an accident happens. Because this is going to freeze over in the winter too.</p> <p>So when this gets bottlenecked here; how high is this going to be as well? Is this going to be like in Goshen where they did the 33 overpass? Because I feel like that ruined the aesthetic of the community. It cut it apart. Like I don't want that for our community. This is a really nice, tight, residential community. We don't have a lot of businesses here. That's why we have referendum issues too. But we're mostly residential and our first concern should be for the kids, the safety of the kids and making sure that our public works can get to where they need to be. Thank you.</p>	General project opposition, does not support the preferred alternative, CR 13 pedestrian bridge, roundabout safety, capacity	A 10-foot wide, multi-use pedestrian bridge along CR 13 over the railroad was considered. This structure would need to meet the minimum vertical clearance over the railroad, which is 23 feet. In order to achieve that height with a path of acceptable grades (i.e., not too-steep), the structure would either need long approaches, or sufficient footprints to accomodate switch-backs. The estimated cost to design and construct a sufficient pedestrian structure would be on the order of \$3,000,000 to \$5,000,000 (plus ROW costs). Therefore, it was dismissed from further consideration. Regarding roundabout safety, this project is designed to accomodate first responders and trucks. As discussed during the hearing, roundabouts improve traffic flow and reduce fatalities and injuries by 82% compared to traditional intersections. Regarding bottlenecks (traffic capacity), based on the approved Traffic Operations and Analysis Report, for both the current and design years (2043), two lanes on the roadways and overpass bridge (one in each direction) is sufficient. Regarding the bridge height and appearance, the top of the bridge deck will be approximately 31 feet above ground level at the railroad. The bridge will have a concrete bridge railing, topped with standard protective fencing (chain-link) extending up to 40 feet above ground level. This project will improve safety by eliminating the at-grade railroad crossings, adding sidewalks and pedestrian crossings, and improving the intersection of CR 13 and CR 45.
17	10/13/21	Jerry	Barrett	Hearing - Verbal	My concern is that you're going to close Sunnyside crossing. You're going to close the CR 13 crossing. And then you're going to put a two-lane road down Sunnyside and across everything there. You're diverting two crossings; you're going to be diverting all this extra traffic over a two-lane road there. And I think it should be a lot wider than just two lanes crossing. That's all I have to say.	Does not support closing either crossing, capacity	Based on the approved Traffic Operations and Analysis Report, for both the current and design years (2043), two lanes on Sunnyside Avenue (one in each direction) are sufficient. Furthermore, portions of Sunnyside Avenue and CR 13 will have added left-turn only lanes, which will help alleviate back-ups from motorists turning in and out of churches, side streets, and private drives.

No	Date	First	Last	Type	Public Comments	Categories	Response
18	10/13/21	Doug	Bechtel	Hearing - Verbal	<p>I have to agree with a lot of you people that's made comments tonight. And I tell you what, I've lived out here my entire life. I've lived on both sides of the tracks and I'll tell you what, this is the biggest joke that's ever been created. I mean, you cannot, ...I live up in River Manor like a lot of the other people here and I'll tell you what, there's mornings that you can sit there forever trying to get out of the subdivision because traffic's backed up. You come down there and you can't go down Sunnyside because there's a train there. You can't go down CR 45 because you can't get to it. So I think you need to relook at everything that you've done.</p> <p>The traffic problem here is just as bad as it was in Goshen. And I tell you, I've rode that overpass in Goshen there and that's a big joke, especially in the morning. Traffic's backed up both ways. You've got the school there and we're going to have the same thing going on out here. People are not going to be able to move where they need to go and where they need to be.</p> <p>Talk about water contamination? I used to own a house right next to Bontrager Pools and I know what contamination is. I had 98 parts/billion of benzene and [inaudible] in my water there. And I got ahold of the county and the state and nobody would do anything about it. So you people that are worried about this, I tell you, you've got a big problem coming because it is out there. And it's going to happen because you're going to have the runoff going in there off the vehicles and everything else. Oil and gas and somebody sitting there and it's dripping out of the bottom of their tank on their car, their oil, whatever, it's going to contaminate the ground. And then what are you going to have to do? You'll have to join the City of Elkhart so that we have water, just like the school did. Over there where they put that bus depot, that's a big waste. You know they needed to have that thing come straight down Mishawaka Road but oh, we can't do that because we've got people that think they've got better ideas than what we do out here. That's lived out here our entire life.</p> <p>They talk about what you're going to get. You'll probably get a nice, big goose egg on a lot of that. My mom lived on 33 and they allowed her so much money, very little for the property. They took 15 foot off the front one time, then they came back and took another 15 foot and got very little. So you people that's worried about what's going to happen to you, it's going to happen. And it's time to stand up and yell at the county and the state about what's happened here. It's over and done with. That's all there is to it. That's all I've got to say.</p>	General project opposition (supports no build), does not support preferred alternative, capacity, aquifer/ well water impacts, right-of-way	Regarding traffic capacity, based on the approved Traffic Operations and Analysis Report, for both the current and design years (2043), two lanes on the overpass bridge is sufficient. Furthermore, portions of Sunnyside Avenue and CR 13 will have an added left-turn only lane, which will alleviate back-ups from motorists turning in and out of churches, side streets, and private drives. Regarding contamination, the project team has been working with the USEPA and IDEM to protect the St. Joseph Sole Source Aquifer and the community's private and public drinking water wells that use that resource. Please refer to the Drinking Water Resources and Hazardous Materials sections of the CE document, as well as the related Appendices (Appendices C-54 to C-71, and E-1 to E-25) for details on the studies that have been conducted. The proposed minimization measures are expected to limit the project's potential to impact the aquifer and related drinking water users. Regarding right-of-way, the acquisition process follows the Uniform Act of 1970, which requires just compensation based on appraisals and negotiations.
19	10/13/21	Stan	Miller	Hearing - Verbal	<p>Good evening. Generally, I'm in favor of roundabouts. I think it moves traffic. It is safer as noted in bureau statistics. Speeds are decreased. I don't know if any of you are familiar with Carmel, Indiana. I have a couple of kids living in Carmel and I think they move a lot of traffic very efficiently. My concern with this roundabout is pedestrian safety. We seem to be funneling all of our pedestrians over the overpass into this roundabout. And as noted, there are pedestrian crossings, but I don't think they're very safe. Because I go into a roundabout, and I've worried about traffic coming from the left. And I'm worried about getting bashed from the rear. The last thing I'm thinking about is a pedestrian walking, crossing my path a little ways away from the actual circle. And so I would really appeal for some safety consideration for pedestrians, especially in that area. Thank you.</p>	Sidewalk safety, roundabout safety	Pedestrian crossings within the roundabout will meet current design standards which are intended to enhance safety. Pedestrians maneuver along the outside of the intersection, and should never enter the roundabout. The pedestrian crossings will be set-back from the vehicle's entrances and exits to allow for better sight lines and avoid conflicts with merging traffic. There will also be pedestrian refuges on the splitter islands so pedestrians will only cross one direction/lane of traffic at a time. Additionally, a flashing beacon is proposed at the westbound leg approach of the roundabout.

No	Date	First	Last	Type	Public Comments	Categories	Response
20	10/13/21	Jim	Weeber	Hearing - Verbal	<p>A couple of short items and then I'll leave you alone. I believe when I was cut off I was talking about the pedestrian elevated walkway across the railroad tracks. I think if you're going to go this way, that's very necessary. To cut our kids off from getting to Oxbow Park for various activities is not a good idea. Additionally, occasionally I'm out running the road at night, being trustee of the township, and kind of looking over what I'm responsible for, it's not uncommon to see pedestrians on CR 13 and you know they cross the railroad tracks. You really want them scooting under the railroad cars that are parked there?</p> <p>One of the reasons you folks aren't getting a lot of satisfaction here is this [Local] Trax money is about shutting those railroad crossings so that they can extend the yard southeast of Elkhart. Now, Warren Buffett does not own the railroad tracks, but he is majority interest of many of those trains that go down the tracks. And there are many vested interests involved here, but I think the interests of the people in Concord Township and Elkhart County have to be the major priority here.</p> <p>Now the last thing I'll say, and I know the folks at Bontrager Pools and NAPA work hard. They pay a lot of taxes. But probably the only way to fix this thing now, and only if they'd be agreeable to being bought out, is to go straight down CR 13. You make the apex of the construction far enough to the north that you can get the slope that you want to get down US 33. And you have left- and right-hand turn lanes and the straight lanes. And I realize that's likely not going to happen, but I was completely appalled when the bus barn was built where it is at because that's where it should have went. And a lot of the property was already owned to do it. So I realize the construction firms pocket a lot of money here. The engineering is 10-15% of the project and the more I learn about politics, the more put out I am. But I think that's all I've got to say for now for what it's worth. But I think you ought to take some of these comments pretty seriously.</p> <p>And the folks in Sunnyside, there's some of you here old enough to remember it. They were blown away during the Palm Sunday tornadoes. They've paid their dues. Now you've got this coming along hammering on some of the prodigy of those folks. And this isn't funny. I've been through this eminent domain thing big time twice and I know what happens when you can't defend yourself. So I'm urging Frank Lucaise to make sure these people are treated properly. And there's books about that, that people who are taken by eminent domain, there was a big study done that they should have 150% of what's considered to be the fair market value of the take. And I think they really ought to happen. Thank you.</p> <p>You know you should not talk when people are speaking eloquently and properly. Because this is a deviated version of divide and conquer, which is as old Caesar. So that's all I've got to say. Thank you very much folks.</p>	CR 13 pedestrian bridge, supports the southern alternative, right-of-way	<p>The comment regarding CR 13 pedestrian bridge was addressed above under your first comments (see No. 13). Regarding an alignment along Mishawaka Road to CR 13, this was evaluated as the "South" alternative, and is discussed in the Other Alternatives Considered section in the environmental document. The South alternative would meet the purpose and need of the project. However, it would have more residential relocations, greater impacts to water resources and suitable summer habitat, hazmat concerns (gas station relocation), impacts to schools during construction, and it had a higher cost estimate compared to the preferred alternative. Therefore, the South alternative was discarded from further consideration. Regarding right-of-way, the aquisition process follows the Uniform Act of 1970, which requires just compensation based on appraisals and negotiations.</p>
21	10/15/21	Marvin and Penny	Olson	email	<p>My family lives on Sunnyside Ave. east of CR 13. My question is: How do the folks who live on East Sunnyside Ave. east of CR 13, have access to CR 13 if a stoplight is put at Sunnyside Ave. and CR 13? Sunnyside jogs to the north when it crosses CR 13. There is no room for us to make a left turn into CR 13 with a light there. Traffic is horrendous on CR 13 now. How on earth are we supposed to turn south or go left on CR 13 with a traffic light only a few feet from East Sunnyside Ave? There has to be a better design. Seems like the Sunnyside area has always got the short end of the stick. Traffic will move from being jammed up at the present 2 railway crossings to the end of my street on CR 13!</p>	Intersection of CR 13 and Sunnyside (new light)	<p>The proposed timing of the new stop light at Sunnyside Avenue and CR 13 is 60 seconds, which should allow traffic to move through the intersection, based on the approved Traffic Operations and Analysis Report. The reconstructed CR 13 and Sunnyside Avenue will have added left-turn only lanes, including at this intersection, which should further promote traffic flow by allowing motorists to safely enter and exit side streets and private drives without impacting through-traffic. Additionally, there is a grid of side streets east of CR 13, which could be used to avoid the new traffic light and/or left turns.</p>

No	Date	First	Last	Type	Public Comments	Categories	Response
22	10/15/21	Jim	Unknown	email	Im just writing to you about the proposed overpass in Dunlap/Elkhart Indiana. Im wondering a couple of things. Why wouldn't CR15/Oxbow Road be a better option? Have you reached out to Norfolk Southern to see if they would contribute, if it is a crossing that benefits them also?? I think Sunnyside is a terrible location and will have a steep grade and be dangerous in the winter. Comming off of 33 by Oxbow Park at a angle you would have more options, for a round about or traffic stops. Thanks, Jim	Does not support the preferred alternative, funding	The alternatives analyses conducted for this project did not evaluate a grade-separated railroad crossing at Ferndale Drive, the entrance to Oxbow Park. Ferndale Drive, which is the next at-grade crossing over the railroad between CR 45 and US 33/Main Street, is located approximately 1-mile southeast of the project area (CR 13 crossing). Based on distance, a grade-separated crossing at that location would not meet the purpose of this project, which is to reduce the exposure of motorists and pedestrians to rail traffic, and to increase mobility in this area of Elkhart County [known as Dunlap]. Furthermore, Oxbow Park is a public park that falls under Section 4(f) of the U.S. Department of Transportation Act of 1966, which prohibits the use of certain public and historic lands for federally funded transportation facilities unless there is no feasible and prudent alternative. The law applies to significant publicly owned parks, recreation areas, wildlife / waterfowl refuges, and certain historic properties regardless of ownership. Lands subject to this law are considered Section 4(f) resources. Since this alternative would not meet the purpose and need of the project and would impact a Section 4(f) resource, it was dismissed from further consideration. Regarding funding and Norfolk Southern Railroad, this project is coordinating closely with the railroad. Project funds are a mixutre of local, state and federal sources.
23	10/19/21	Lawrence	Burns	email	<p>Dear Mr. Miller I attended the October 13, 2021 INDOT presentation at Concord High School in Elkhart. Please find below my feedback to the presentation. Comments to the Elkhart Local Trax Grade Separation Project Concord Mall Proposal My comments are focused on two areas of concern: 1. Safety 2. Environmental</p> <p>Safety - A tall physical barrier between sidewalk pedestrians on the bridge and roadway traffic is not included in the engineering plans. A barrier will mitigate pedestrian injuries from vehicles which may go out of control on rain or snow slickened travel lanes. What governmental agency will be tasked to clear snow and ice off the bridges' sidewalks? Currently, lights are not planned for the bridge over US 33. In my opinion, this is a safety hazard for pedestrians or bicyclists who may traverse the bridge after dark. Additionally, it is a potential hazard for motorists who may have to fix a flat on a dark, ice slickened bridge.</p> <p>Environmental - Drainage from the newly constructed bridge and roadway is designed to be collected in the proposed retention ponds. There were no plans expressed to monitor the effect of this surface water on the quality of local groundwater. Best Regards.</p>	Sidewalk safety, snow removal, bridge lighting, aquifer/well water impacts	Regarding barriers, the sidewalks on the bridges will be raised from the roadway with the use of an 8-inch vertical curb. The sidewalks on the roadway will be separated by traditional curb and gutter in conjunction with a grass strip buffer. Regarding sidewalk snow removal, area residents and businesses will be responsible for removing snow/ice on the sidewalk along their lots. Elkhart County will be responsible for roadway and sidewalk maintenance, and will provide deicing and snow removal services for the roadways. Regarding lighting, currently there are no plans to light the bypass bridge. There will be street lights near the Concord Mall Bridge as well as the Sunnyside Avenue over Yellow Creek bridge. Lighting can create unintended environmental and human impacts. When the lighting is on elevated structures near trees, there can be negative impacts to federally-protected bat species including the endangered Indiana bat and the threatened northern long-eared bat, which have habitat within and adjacent to the project area. Indiana state law requires all motor vehicles and bicycles to be self-illuminated from dusk to dawn; therefore, lighting is not required. Additionally, lighting incurs added design, construction, and maintenance costs. Regarding contamination, the project team has been working with the USEPA and IDEM to protect the St. Joseph Sole Souce Aquifer and the community's private and public drinking water wells that use that resource. The vegetated drainage basins are some of the proposed minimization measures that are expected to limit the project's potential to impact the aquifer and related drinking water users. Water quality monitoring is not proposed. See the Drinking Water section of the environmental document for further discussion.

No	Date	First	Last	Type	Public Comments	Categories	Response
24	10/25/21	Tammy	Baltimore	email	I have grandkids is this going to be safe its going right next to my house. Is it going to have something so they can't throw their trash in our yard is the retention pond going to contaminate our water, hurt our septic, and what about it over flowing is it going to have something to keep it from over flowing so it don't flood my yard or house. And how are you guys going to keep the mosquitoes down I'm allergic and so is my grandkids and 45 is going to be a race track for people and that's not safe for the kids. There won't be a stop sign at sunny side so that's going to let them fly all the way down to 13. And if anything gets damaged to our property during construction are you guys going to be responsible?	Safety (general), storm water / drainge basins, existing Sunnyside Avenue and CR 45 intersection	The preferred alternative is intended to improve safety by removing the at-grade railroad crossings, adding sidewalks and pedestrian crossings, and other design features such as the roundabout and barriers/fencing along the bypass bridge. Regarding trash, no barriers or fencing is proposed within the residential area. The storm water basins will be signed "Well Water Area - No Dumping No Spraying". Regarding mosquitoes and overflowing, the basins are not designed to hold water. Based on field percolation tests they should only store water during rain events; therefore, mosquito control is not anticipated. All of the stormwater from the new roadways will be diverted to the drainage basins via stormwater inlets and curb/gutter. Regarding the existing intersection of Sunnyside Avenue and CR 45, the current stop signs will remain; no changes to that intersection are proposed. The contractor will be responsible for any damages caused during construction.
25	10/27/21	Sue	Smith	email	I attended the recent meeting you had at Concord High School concerning the overpass, I chose NOT to get up and speak in public, because I do not do that well. However, I wanted to let you know some thoughts I, as well as several others I have talked to, have, concerning your project. I do not agree at all with where you are actually putting the overpass, but it was made fairly clear, that is a done deal. I am hoping that you might reconsider some other factors of your proposed plan. At the meeting it was stated, several times, about how a nice pedestrian and bike sidewalk will be included on the overpass...my first concern is why? and who do you really think is going to use it? Coming off the overpass into a round about?? Pedestrians and bicycles will cause major headaches with the flow of traffic, and that is not really where most people want to cross. There are no sidewalks leading to that area, most of the people who do walk across the tracks do so closer to CR 13 because they are going to one of the two schools, CIS or CHS, or they are going to Flavor Freeze. I know both the boys and the girls Cross Country teams from the High School go across there as well to go to and from Ox Bow Park as a part of their workouts. I think you need to SERIOUSLY consider making a pedestrian and/or bike overpass in the area of CR13. You have a lot of pedestrians and cyclers coming off the Maple Trail that often cross at 13. Unfortunately, whether you put one there or not you ARE going to have people crossing the tracks there which is going to be a safety problem. To help pay for this, leave CR 13 alone. There is absolutely no reason to "straighten" the intersection at 13 and 45. If there are a lot of accidents there I think you can credit people trying to beat the trains the reason for 90% of them. Make the 13, 45 intersection a three way stop. I travel that road several times week and when you come to a stop there, you can quite easily see in all directions necessary concerning oncoming traffic. You do NOT have to have traffic coming together at 45 degree angles in order to see clearly. I hope you will take this, and other comments you have received seriously. Thank you,	Does not support preferred alternative, CR 13 pedestrian bridge, CR 13 and CR 45 intersection	A 10-foot wide, multi-use pedestrian bridge along CR 13 over the railroad was considered. This structure would need to meet the minimum vertical clearance over the railroad, which is 23 feet. In order to achieve that height with a path of acceptable grades (i.e., not too-steep), the structure would either need long approaches, or sufficient footprints to accommodate switch-backs. The estimated cost to design and construct a sufficient pedestrian structure would be approximately \$3,000,000 to \$5,000,000 (plus ROW costs). Therefore, it was dismissed from further consideration. Regarding the CR 13 and CR 45 intersection realignment, the existing intersection has a skew angle of around 45 degrees. This type of acute angle restricts vehicular turning movements, as well as the driver's line of sight. Per current design guidance (IDM 46-1.02), the angle of intersection should be within 20 degrees of perpendicular. The preferred alternative will improve safety by providing an intersection that meets current design criteria.

* Note - The duplicate comment (Nos. 4 and 15) was counted once. Therefore, a total of 24 comments were received.

**Proposed Elkhart Local Trax Railroad Grade Separation Project
Sunnyside Avenue over Norfolk Southern Railroad, Elkhart County, Des. No. 1801913**

**Public Testimony
October 13, 2021**

Ricardo Mirabal (0:00)

First of all I'd like to thank everybody for giving me the opportunity to express myself. First of all, I think my personal opinion is that it's an expensive disaster. I think it's too complicated, too expensive to support this kind of project. If you look at the picture you have in your hands and you please follow me. Sadly look Mishawaka Road A at the corner of Main and 3. And then look across the train track where the stop sign is. Think for a moment about how simple it would be to bring together traffic from Mishawaka Road to cut across [CR] 13 by just doing two different things that can be done in the same area. Think for a moment about what they did at Indiana Avenue and all that and how easy and simple and cheap it was to get done. And then traffic moved very efficiently. And then look also back in time when in Goshen when they built that overpass many years ago and how easy, how practical for traffic to flow from downtown Goshen to cut across 13. That's an overpass that is really practical. Cheap. Efficient. I propose that that's the kind of idea that could be recommended on this area. If you look carefully at what I mentioned over here; if you put together Mishawaka Road with CR 13, on both sides of the train track, you have plenty of space to branch out left and right. And let traffic flow straight from one road to another and also branch out in both directions on both sides of the train tracks. I think this would be an idea that's a lot cheaper, more practical, more efficient and would do the job and would affect the environment a lot less than this whole idea that is pictured over here. Okay?

The second thing, and last, I want to mention is, right there on the corner of Jonas Street and CR 13, that's my house right there. There is a cul-de-sac right there. I would like to invite these people to save the money. Please, don't build the cul-de-sac right in front of my house. I don't need that. I'm pretty sure my neighbors don't like that kind of thing over there. A cul-de-sac. Why? Because right there on that corner is where we make the left or right to go to work. Why do you want to make me now that I have to drive 10 or 5 more minutes to ruin the environment just because you are closing, keeping me from having access to cut around CR 13? It's a waste of money. It's a waste of money. I don't agree with having a cul-de-sac right there. Not just because it's my house, just because it's inefficient. It doesn't do anything. It doesn't add any value to the neighborhood, and I think we should just forget about having a cul-de-sac over there. Leave the road open so we can have access to it. The way now, that's no money to do. That's all I wanted to say. Thank you.

George Kamiotes (3:54)

Well good evening, everybody. This is the first time that I'm here to express my true opinions about the project that you guys are going to build. I don't understand for what purpose. It's not helping the community. It's a disaster. I don't know who are the engineers that they afford this project. To me it's like a labyrinth like we call in my country. Which means you're going to get lost out there. It's a disaster. It's not going to help the pedestrians from CR 13 to come all the way to Concord.

And it affects me too. I'm a small business operator and I've been here in this area for 33 years and I'm helping the community and everything else. Back in 2011, if I remember correctly, we took part of my property on the road to build a better sidewalk. I don't know for what; nobody uses it. Unless if you, now that we have the drive. And it took me about two-and-a-half years to collect \$40,380. But I lost thousands and thousands and thousands of dollars in revenues. And every year the traffic goes up and up and up. And I striving a day, especially after COVID-19, to stay open. And here we have engineers from different states coming to Elkhart County to hear their ideas about how they're going to save and create what? \$30 million project? To do what? So we can destroy the Concord Mall? Concord Mall was beautiful when I came here. Now we destroy everything. This is the management. I thought the Martins moved 40 feet down from where they was, I don't know the reason. And JoAnn Fabrics going to take over, but before they knew the inside information, the building right next to me, they went here. First they bought it, then they introduced themselves, "Oh yeah, we want to be neighbors." And then they painted and they disappeared. Why? Because they got the inside information that they're going to get some money from the government, whoever is building this project. So they disappeared. Everybody's disappearing. Very soon we're not going to have any restaurants around here. I want you guys to understand. We're going to have ghosts on the highways and you're going to have, of course, not money, because they tried to eliminate that. But it's a disaster. I don't want this project.

Heinz Grubert (7:40)

Hello neighbors. I'm very much concerned about groundwater contamination and these retention ponds, especially that are going to be around my property. They're taking, I'm not really sure exactly, but they're going to be taking quite a few square feet of my property. I own on the other side of Mary Street; I'm right there on CR 13. I don't know if you've noticed the lots have been getting cleaned up over there. And now they're going to come in and take possession of it. And I see these great big retention ponds and I'm concerned about all the wells that are in that area of groundwater contamination. You guys are concerned about the aquifer. I want to know what assessments have been done about people's wells and the groundwater contamination. It's bad enough when they come in and they say, "We're going to take possession of your property." When you get cautioned by them as well to not, really don't protest, because it could get too financially straining on you if you try to litigate something like this. And the old saying is, "You can't fight City Hall." The wisdom, I can understand making some bicycle paths and making pedestrian traffic along here because it is a concerning thing when people are riding their bikes along there and people are traveling from there to go to the park, to go to the bikeway. Those are reasonable considerations. Moving traffic across and maybe making an overpass somewhere. I agree with my neighbors that it should be considered somewhere else. I agree with Ricardo that the cul-de-sacs; how many decades has Sunnyside been there since it was built? And there's been no need for cul-de-sacs. And through traffic, if people are on that road. The one consideration that we could give is maybe closing down that crossing and then you can turn right and you can turn left.

And I know you folks might not know Bob Lamude who lived on the corner of Linden and CR 13 on the northeast corner. Well, he wanted to liquidate all his property. And water collects right there at Linden on the northeast corner of Linden, and they could put retention ponds there and Bob would have been happy to liquidate his property to them. I don't know if all these things have been considered carefully and these things concern me. And, as far as compensation, we're in the dark. We don't know what we're going to be compensated. We don't know if it's going to be fair and equitable. We just don't know. We heard that, "Yeah, it will be fair and equitable." I've had some assurances from Kenny Franklin. And he's a believable man. He's a kind man. He's a gentle man. But I still haven't heard anyone coming around say when these things are going to be reached. I'm still not really sure when these subjects are going to be breached. Thank you.

Jill Grubert (11:10)

My main question is, "Why can't you just leave 13 alone?" Close the crossing. Make a left-hand turn and a right-hand turn lane. Linden is a joke and that's going to be a through road? Because there's a 90-degree turn as you're going down toward Oxbow School and Oxbow told us at one time one year, in winter, we couldn't even go down that because it's so narrow. And people, residents, said their mailboxes were being hit. I don't know how this is bettering CR 13 and 45. You said there was a high rate of crashes? How many would that be? Do you have a number? Do you have a number for those highway crashes that you said there were? I have down that there were three last year. To me that's not a high rate. There's still lots of accidents at CR 17 and 18, with them even bettering that intersection. So I don't know if this is going to better 13 or 45.

The retention ponds. Will they have fences? Will they be mowed? Will the trees be cut down? Mosquitoes in the summertime? Our new driveway is said to be put on Old 13 because a retention pond is going to be where our driveway is now. So that means water, when it rains, will come down the driveway right into our garage. And what ticks me off is that you guys don't even live here. We couldn't even look for property because those in authority have not said what we can expect from our property.

Will the roundabout be empty in the center? Or will there be construction of some kind? Do you know that? Some of them have things in the center and you can't see through it. So that would be a concern.

Jim Weeber (14:44)

Good evening, ladies and gentlemen. This thing was bungled from early on when property that was already owned by the county was transferred to the school system for the bus barn. And unfortunately it has resulted in a Rube Goldberg situation. So at this point I guess I just have questions about this situation. You said two, 12-foot lanes and then you would have aprons on either side for pedestrian traffic and I assume bicycles. Is there anything that protects them from the vehicular traffic on your bridge that you will be constructing? So there's a question.

What are you going to do with the snow? The roundabout, you mentioned 55-foot vehicles. The standard semi trailer is now 53 feet. And another thing you're doing, my previous fire chief was solicited by the engineering firm

to write a letter in support of this particular choice, but you will be taking all of the hazardous materials that normally traverse our major roads into a residential area. And there's a number of semis and large trucks that serve Wilden Avenue. I have no idea how many large trucks a day make it down Wilden Avenue, but it's a high number. And, you know, whatever's in those trucks, some of those are dangerous, hazardous materials.

Another issue, Concord Fire Paramedic Service in the month of September, made 187 calls in the Concord Township area. Approximately 80 percent of our calls are medical calls. That means 149 of these calls were likely medical. It's really important that we get where we want to go when we need to get there. The American Heart Association will tell you that today with the technology that we have in a paramedic ambulance, seconds count. And I hope that you never have to spend time in the back of one of those. But I'm telling you, there's a lot of things that happen in that ambulance between the scene of whatever happened and the hospital. So it's pretty important we get where we want to go when we want to get there. This situation, an accident plus this, and then we have to go around to wherever we have to go to get around it. Now we do have that situation with the railroad now, I'll give you that. But so far we've been able to navigate those situations at this point. Now furthermore, if it's a serious accident, it will be shut for hours.

And another question, you know your studies indicate two lanes will handle this. But right now there's five lanes here that are functioning and you're going to put all that traffic on two lanes.

The other night, when I was crossing the railroad, there were a group of girls, probably from the high school. Is cross country running now? Ok a group of girls, probably the cross country team came from Concord School, were pedestrians at the CR 13 crossing, probably going to Oxbow. Maybe they were going to run on the bike trail, I never see that though. I think they were going to Oxbow. The fact that you have not decided that you're going to put a pedestrian elevated walkway across the railroad here is a big disservice to this community. This needs to go to your engineering people.

Paul Hapner (19:38)

I noticed today that you put down your counters for traffic there at CR 45 and Sunnyside and I'm thinking, "You haven't done a study of the traffic in this area?" Just like the gentleman said, you're going to put traffic coming from Elkhart on SR 33; the businesses and all the traffic coming from Goshen on SR 33 onto two lanes of traffic, all this traffic going down to CR 13 into a stoplight. Whereas right now they can go across Sunnyside, across CR 13, and get to where they're going. That stoplight's going to create a huge traffic jam from all the traffic going in and out of the subdivisions and neighborhoods. And they're going to be backed up all the way to the bypass because it's not going to be enough to handle everybody. Right now the traffic from CR 45 services partially from Walmart, and Meijer's, and Lowe's and those businesses; that brings it down to CR 13 and they go into their neighborhoods. The other way comes from Elkhart on CR 45 they turn on Sunnyside to go down and it's stop-and-go, but traffic moves. CR 13, once you cross the railroad tracks, it's stop-and-go but traffic moves. When you combine all that traffic onto just two lanes in one spot, traffic is not going to go. It's going to come to a standstill.

I would suggest that-either build a roundabout at Sunnyside and CR 13 or make it a three-way stop sign and not a stop light so the traffic can keep flowing. And I would suggest you leave the CR 13 crossing the way it is so that we can cross there coming from Walmart, Meijer's, Harden's and all those businesses and then navigate Sunnyside when we get there. That would be my suggestion. Leave it open and then when the trains, and this is convenient for the railroad; don't let anyone fool you; they can park their trains there day after day after day. And it's inconvenient for the citizens in that area that if CR 13 crossing remains where it is, we could go. And if the train is there to block it we can use the bypass. I think it's a good idea.

Carolyn Goddert (23:25)

I'd like to address mobility and safety issues. Mobility can be maximized the most only if both crossings at Sunnyside and CR 13 were left open and a roundabout was put in. There are not many pedestrians from CR 13 onto Sunnyside and across to the mall at the train crossing, so I don't think a sidewalk is necessary there. Even though the angle at the intersection at CR 13 is awkward, eternal vigilance is priceless freedom. In other words, look both ways twice before crossing on foot, on bicycle or whatever vehicle. Safety is not solely the government's responsibility; it is an individual's. If the fire engines, and/or tankers were needed from the CR 18 fire station in the north to assist on the south side of the tracks, three ways would be left open if the roundabout was constructed and both crossings were left open. Thank you.

Lauren Whalen (24:40)

I am of the benefit that I live in the River Manor area and I'm a little north of this so it's not as important, obviously, as people who live and property that is affected. However, I am a Concord parent. I have a child that goes to the high school, and I've seen every day, kids that walk to the high school, kids that walk to CIS and to be honest, this is not a path that they can take to get to school. They are not going to. I mean that is a long way out of the way to walk to school. We do have some busing but it doesn't work for everybody. This whole area pushes everything so far away from our school that I don't understand why you wouldn't have a pedestrian bridge just for the kids to get to school. Because really, closing all these streets along CR 45 only benefits the railroad. Purely the railroad.

We have no benefit from that. I was under the understanding that Hively was going to get an underpass/overpass, whatever they decide there and then we weren't going to touch CR 13 or Sunnyside. So I'm actually finding out today that now we're closing off all of our access here and the part about that that actually has the most residential. Like it's great for Hively, that's Elkhart City. That's not us. For down here, in our residences, we need to be able to get across. There are hundreds and hundreds and hundreds of homes here that have children that go to Oxbow, go to CIS, go to the high school.

And, I guess as a parent of a teenage driver who just hit somebody's mailbox (we replaced it), but I am concerned for my child to come out here and go around this roundabout. There's a lot of confusing things and now we're throwing semis in with it because the traffic on Wilden is a problem with the semis because they always cross on Sunnyside. This becomes a danger for younger kids. And I can absolutely see this becoming a one-way bottleneck if an accident happens. Because this is going to freeze over in the winter too.

So when this gets bottlenecked here; how high is this going to be as well? Is this going to be like in Goshen where they did the 33 overpass? Because I feel like that ruined the aesthetic of the community. It cut it apart. Like I don't want that for our community. This is a really nice, tight, residential community. We don't have a lot of businesses here. That's why we have referendum issues too. But we're mostly residential and our first concern should be for the kids, the safety of the kids and making sure that our public works can get to where they need to be. Thank you.

Jerry Barrett (28:20)

My concern is that you're going to close Sunnyside crossing. You're going to close the CR 13 crossing. And then you're going to put a two-lane road down Sunnyside and across everything there. You're diverting two crossings; you're going to be diverting all this extra traffic over a two-lane road there. And I think it should be a lot wider than just two lanes crossing. That's all I have to say.

Doug Bechtel (29:41)

I have to agree with a lot of you people that's made comments tonight. And I tell you what, I've lived out here my entire life. I've lived on both sides of the tracks and I'll tell you what, this is the biggest joke that's ever been created. I mean, you cannot, 13....I live up in River Manor like a lot of the other people here and I'll tell you what, there's mornings that you can sit there forever trying to get out of the subdivision because traffic's backed up. You come down there and you can't go down Sunnyside because there's a train there. You can't go down CR 45 because you can't get to it. So I think you need to relook at everything that you've done.

The traffic problem here is just as bad as it was in Goshen. And I tell you, I've rode that overpass in Goshen there and that's a big joke, especially in the morning. Traffic's backed up both ways. You've got the school there and

we're going to have the same thing going on out here. People are not going to be able to move where they need to go and where they need to be.

Talk about water contamination? I used to own a house right next to Bontrager Pools and I know what contamination is. I had 98 parts/billion of benzene and [inaudible] in my water there. And I got ahold of the county and the state and nobody would do anything about it. So you people that are worried about this, I tell you, you've got a big problem coming because it is out there. And it's going to happen because you're going to have the runoff going in there off the vehicles and everything else. Oil and gas and somebody sitting there and it's dripping out of the bottom of their tank on their car, their oil, whatever, it's going to contaminate the ground. And then what are you going to have to do? You'll have to join the City of Elkhart so that we have water, just like the school did. Over there where they put that bus depot, that's a big waste. You know they needed to have that thing come straight down Mishawaka Road but oh, we can't do that because we've got people that think they've got better ideas than what we do out here. That's lived out here our entire life.

They talk about what you've going to get. You'll probably get a nice, big goose egg on a lot of that. My mom lived on 33 and they allowed her so much money, very little for the property. They took 15 foot off the front one time, then they came back and took another 15 foot and got very little. So you people that's worried about what's going to happen to you, it's going to happen. And it's time to stand up and yell at the county and the state about what's happened here. It's over and done with. That's all there is to it. That's all I've got to say.

Stan Miller (32:54)

Good evening. Generally, I'm in favor of roundabouts. I think it moves traffic. It is safer as noted in bureau statistics. Speeds are decreased. I don't know if any of you are familiar with Carmel, Indiana. I have a couple of kids living in Carmel and I think they move a lot of traffic very efficiently. My concern with this roundabout is pedestrian safety. We seem to be funneling all of our pedestrians over the overpass into this roundabout. And as noted, there are pedestrian crossings, but I don't think they're very safe. Because I go into a roundabout, and I've worried about traffic coming from the left. And I'm worried about getting bashed from the rear. The last thing I'm thinking about is a pedestrian walking, crossing my path a little ways away from the actual circle. And so I would really appeal for some safety consideration for pedestrians, especially in that area. Thank you.

Unknown (34:42)

When will our comments be answered?

Facilitator: We will stay here and answer everyone's questions. We will also answer everyone's questions and respond to everyone's comments in writing in the document.

Jim Weeber (34:57)

A couple of short items and then I'll leave you alone. I believe when I was cut off I was talking about the pedestrian elevated walkway across the railroad tracks. I think if you're going to go this way, that's very necessary. To cut our kids off from getting to Oxbow Park for various activities is not a good idea. Additionally, occasionally I'm out running the road at night, being trustee of the township, and kind of looking over what I'm responsible for, it's not uncommon to see pedestrians on CR 13 and you know they cross the railroad tracks. You really want them scooting under the railroad cars that are parked there?

One of the reasons you folks aren't getting a lot of satisfaction here is this [Local] Trax money is about shutting those railroad crossings so that they can extend the yard southeast of Elkhart. Now, Warren Buffett does not own the railroad tracks, but he is majority interest of many of those trains that go down the tracks. And there are many vested interests involved here, but I think the interests of the people in Concord Township and Elkhart County have to be the major priority here.

Now the last thing I'll say, and I know the folks at Bontrager Pools and NAPA work hard. They pay a lot of taxes. But probably the only way to fix this thing now, and only if they'd be agreeable to being bought out, is to go straight down CR 13. You make the apex of the construction far enough to the north that you can get the slope that you want to get down US 33. And you have left- and right-hand turn lanes and the straight lanes. And I realize that's likely not going to happen, but I was completely appalled when the bus barn was built where it is at because that's where it should have went. And a lot of the property was already owned to do it. So I realize the construction firms pocket a lot of money here. The engineering is 10-15% of the project and the more I learn about politics, the more put out I am. But I think that's all I've got to say for now for what it's worth. But I think you ought to take some of these comments pretty seriously.

And the folks in Sunnyside, there's some of you here old enough to remember it. They were blown away during the Palm Sunday tornadoes. They've paid their dues. Now you've got this coming along hammering on some of the prodigy of those folks. And this isn't funny. I've been through this eminent domain thing big time twice and I know what happens when you can't defend yourself. So I'm urging Frank Lucaise to make sure these people are treated properly. And there's books about that, that people who are taken by eminent domain, there was a big study done that they should have 150% of what's considered to be the fair market value of the take. And I think they really ought to happen. Thank you.

You know you should not talk when people are speaking eloquently and properly. Because this is a deviated version of divide and conquer, which is as old Caesar. So that's all I've got to say. Thank you very much folks.

From: Miller, Daniel J
Sent: Tuesday, October 5, 2021 8:03 AM
To:
Subject: Fwd: [EXTERNAL] ELKHART LOCAL TRAX RAILROAD GRADE SEPARATION AT SUNNYSIDE AVE./CONCORD MALL DR. AND CR 13

From: Tim Koontz <
Date: October 4, 2021 at 9:16:16 PM EDT
To: "Miller, Daniel J" <Daniel.J.Miller@parsons.com>
Subject: [EXTERNAL] ELKHART LOCAL TRAX RAILROAD GRADE SEPARATION AT SUNNYSIDE AVE./CONCORD MALL DR. AND CR 13

My family just got the mailer about this project and we couldn't be more excited. I have lived in the Concord area my whole life and have always seemed to be "on the wrong side" of the tracks. I hope this goes through smoothly and you can't break ground soon enough!

Thanks!

Tim Koontz

'NOTICE: This email message and all attachments transmitted with it may contain privileged and confidential information, and information that is protected by, and proprietary to, Parsons Corporation, and is intended solely for the use of the addressee for the specific purpose set forth in this communication. If the reader of this message is not the intended recipient, you are hereby notified that any reading, dissemination, distribution, copying, or other use of this message or its attachments is strictly prohibited, and you should delete this message and all copies and backups thereof. The recipient may not further distribute or use any of the information contained herein without the express written authorization of the sender. If you have received this message in error, or if you have any questions regarding the use of the proprietary information contained therein, please contact the sender of this message immediately, and the sender will provide you with further instructions.'

Port, Juliet

From: Miller, Daniel J
Sent: Tuesday, October 5, 2021 8:03 AM
To: Lee, Alexander; Port, Juliet; Jagger, Eric
Subject: Fwd: [EXTERNAL] Dunlap Overpass

Sent from my iPhone

Begin forwarded message:

From: Chris Godlewski <CGodlewski@elkhartcounty.com>
Date: October 4, 2021 at 1:33:32 PM EDT
To: "Miller, Daniel J" <Daniel.J.Miller@parsons.com>, Charlie McKenzie <cmckenzie@elkcohw.org>
Subject: [EXTERNAL] Dunlap Overpass

To whom it may concern,

Daniel, Elkhart County Planning & Development is in full support of the Dunlap Overpass project as presented. It not only removes cars from traversing a rail crossing but it also allows for another pedestrian and bike access across US 33 (and the rail tracks) where few exist. This makes everybody safer.

One question – who maintains the 6' sidewalk on the bridge when it snows out? I would believe this will be a path in all seasons which includes school children. Just asking how it would be maintained during inclement weather. Thanks!

Best of luck navigating the process with this project.



Chris Godlewski
Elkhart County Plan Director
4230 Elkhart Road
Goshen, In 46526
574-971-4579 (o)
cgodlewski@elkhartcounty.com
www.elkhartcountyplanninganddevelopment.com [elkhartcountyplanninganddevelopment.com]





INDIANA DEPARTMENT OF TRANSPORTATION

Fort Wayne District
5333 Hatfield Road
Fort Wayne, IN 46808

PHONE: (855) 463-6848

Eric Holcomb, Governor
Joe McGuinness,
Commissioner

Elkhart Local Trax Railroad Grade Separation Project – Des. 1801913

Thank you for attending today's public hearing. Please submit comments by using the space provided below. You may also direct comments to Dan Miller (Daniel.J.Miller@Parsons.com). INDOT appreciates your attendance and participation today.

October 13, 2021

COMMENT:

At least (please) put a pedestrian crossing at CR 13 crossing (or ~~at~~ keep crossing open). THANKS! :)

NAME:

Ryan Cupp

ORGANIZATION (If applicable):

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October 13, 2021

COMMENT: Mobility and Safety Issues

Mobility would be maximized most ^{only} if both crossings - Sunnyside and C.R. 13 were left open and the roundabout was put in. - There are not many pedestrians from C.R. 13 onto Sunnyside and across to the mall at the train crossing.

Even though the angle of the intersection at C.R. 13 is awkward - eternal vigilance is the price of freedom. - In other words, look both ways twice before crossing. Safety is not solely the government's responsibility, it is the individual's.

If fire engines ^{and} or tankers were needed from the C.R. 18 Fire Station to assist on the South Side of the tracks - 3 ways would be open if the roundabout was constructed and BOTH crossings were left open.

NAME:

Carolyn S. Goddard *Carolyn Goddard*

ORGANIZATION (If applicable):

*Kenny Franklin, St. of IN, March 10 mtg.

- Why not leave CR 13 alone?

- How is this bettering CR 13 + CR 45?

High
Lake
2017
Covers

- 28 accidents @ 13+45 in 5+ yrs.
3 " " last year.

Still lots of accidents @ CR 17+18 w/
them "bettering the intersection."

- Didn't ask residents / taxpayers if
we think this will better intersection.
We are the ones affected.

- Will retention ponds have fences?
" " be mowed?

- " trees be cut down when grows
up?

- Our new driveway will allow water
to flow into garage.

- We couldn't even look for property/house
as no one will give us an amount.

- I was reminded Sunday to be content in
every situation. It's sad when I know
it is a 'battle' against my own tax \$.

- Will school be empty in center?

- Get names of Hwy. Board. / Pic.



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October 13, 2021

COMMENT:

I am in support of this project as designed.
While expensive, it is desperately needed.
The sooner it can get done, the better!

NAME:

DAVID PREHEIM

ORGANIZATION (If applicable):

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5333 Hatfield Road
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October 13, 2021

COMMENT:

My concerns is the trains sitting on tracks and leaking fluids in the water aquifer.

NAME: William Kidder

ORGANIZATION (If applicable): _____

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October 13, 2021

COMMENT:

Why is the bridge not lighted? Why?
What is the reasoning for not extending the sidewalk to enter
connect both sides of the bridge?
Why are there no higher barriers between
pedestrian sidewalk and roadway

NAME: _____

ORGANIZATION (If applicable): _____

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From:
To:
Subject: [EXTERNAL] Re: Sunnyside overpass
Date: Friday, October 15, 2021 6:57:53 AM

My family lives on Sunnyside Ave, east of CR 13. My question is: How do the folks who live on East Sunnyside Ave, east of CR 13, have access to CR 13 if a stoplight is put at Sunnyside Ave and CR 13? Sunnyside jogs to the north when it crosses CR 13. There is no room for us to make a left turn into CR 13 with a light there. Traffic is horrendous on CR 13 now. How on earth are we supposed to turn south or go left on CR 13 with a traffic light only a few feet from East Sunnyside Ave? There has to be a better design. Seems like the Sunnyside area has always got the short end of the stick. Traffic will move from being jammed up at the present 2 railway crossings to the end of my street on CR 13!

Sincerely,

Marvin and Penny Olson

Elkhart, IN 46516

From:
To: [Miller, Daniel J](#)
Subject: [EXTERNAL] Sunnyside overpass
Date: Friday, October 15, 2021 2:29:29 PM

Im just writing to you about the proposed overpass in Dunlap/Elkhart Indiana.

Im wondering a couple of things.

Why wouldn't cr15/oxbow road be a better option?

Have you reached out to Norfolk Southern to see if they would contribute, if it is a crossing that benefits them also??

I think Sunnyside is a terrible location and will have a steep grade and be dangerous in the winter.

Comming off of 33 by oxbow park at a angle you would have more options, for a round about or traffic stops.

Thanks

Jim

From:
To: [Miller, Daniel J](#)
Subject: [EXTERNAL] Elkhart Local Trax Grade Separation Project
Date: Tuesday, October 19, 2021 10:25:55 AM

Dear Mr. Miller

I attended the October 13, 2021 INDOT presentation at Concord High School in Elkhart. Please find below my feedback to the presentation.

Comments to the Elkhart Local Trax Grade Separation Project Concord Mall Proposal

My comments are focused on two areas of concern:

1. Safety
2. Environmental

Safety

A tall physical barrier between sidewalk pedestrians on the bridge and roadway traffic is not included in the engineering plans. A barrier will mitigate pedestrian injuries from vehicles which may go out of control on rain or snow slickened travel lanes. What governmental agency will be tasked to clear snow and ice off the bridges' sidewalks?

Currently, lights are not planned for the bridge over US 33. In my opinion, this is a safety hazard for pedestrians or bicyclists who may traverse the bridge after dark. Additionally, it is a potential hazard for motorists who may have to fix a flat on a dark, ice slickened bridge.

Environmental

Drainage from the newly constructed bridge and roadway is designed to be collected in the proposed retention ponds. There were no plans expressed to monitor the effect of this surface water on the quality of local groundwater.

Best Regards
Lawrence Burns

Elkhart, Indiana 46517

Sent from XXX for Windows

From: [tammy baltimore](#)
To: [Miller, Daniel J](#)
Subject: [EXTERNAL] elkhart rr separation,sunnyside ave over norfolk
Date: Monday, October 25, 2021 7:52:53 PM

i have grandkids is this going to be safe its going right next to my house.is it going to have something so they cant throw their trash in our yard is the retention pond going to contaminate our water,hurt our septic,and what about it over flowing is it going to have something to keep it from over flowing so it dont flood my yard or house.and how are you guys going to keep the mosquitoes down im allergic and so is my grandkids.and 45 is going to be a race track for people and thats not safe for the kids their wont be a stop sgin at sunny side so thats going to let them fly all the way down to 13. and if anything gets damaged to our property during construction are you guys going to be responsible

From: [Suanne Smith](#)
To: [Miller, Daniel J](#)
Subject: [EXTERNAL] Overpass in Elkhart over Sunnyside Ave.
Date: Wednesday, October 27, 2021 11:44:11 AM

I attended the recent meeting you had at Concord High School concerning the overpass, I chose NOT to get up and speak in public, because I do not do that well. However, I wanted to let you know some thoughts I, as well as several others I have talked to, have, concerning your project.

I do not agree at all with where you are actually putting the overpass, but it was made fairly clear, that is a done deal. I am hoping that you might reconsider some other factors of your proposed plan. At the meeting it was stated, several times, about how a nice pedestrian and bike sidewalk will be included on the overpass...my first concern is why? and who do you really think is going to use it?

Coming off the overpass into a round about?? Pedestrians and bicycles will cause major headaches with the flow of traffic, and that is not really where most people want to cross.

There are no sidewalks leading to that area, most of the people who do walk across the tracks do so closer to CR 13 because they are going to one of the two schools, CIS or CHS, or they are going to Flavor Freeze. I know both the boys and the girls Cross Country teams from the High School go across there as well to go to and from Ox Bow Park as a part of their workouts. I think you need to SERIOUSLY consider making a pedestrian and/or bike overpass in the area of CR13. You have a lot of pedestrians and cyclers coming off the Maple Trail that often cross at 13.

Unfortunately, whether you put one there or not you ARE going to have people crossing the tracks there which is going to be a safety problem. To help pay for this, leave CR 13 alone. There is absolutely no reason to "straighten" the intersection at 13 and 45. If there are a lot of accidents there I think you can credit people trying to beat the trains the reason for 90% of them. Make the 13, 45 intersection a three way stop. I travel that road several times week and when you come to a stop there, you can quite easily see in all directions necessary concerning oncoming traffic. You do NOT have to have traffic coming together at 45 degree angles in order to see clearly.

I hope you will take this, and other comments you have received seriously.

Thank you,
Sue Smith

Elkhart, IN 46516