

Anderson MPO

Madison County Council of Governments (MCCOG)

2050 inMotion
Metropolitan Transportation Plan

2020-2023 Transportation
Improvement Program

October 2021

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Acknowledgements

This *Transportation Conformity Report* for the 2050 inMotion Metropolitan Transportation Plan (MTP) and 2020-2023 Transportation Improvement Program (TIP) was prepared by the Madison County Council of Governments (MCCOG). Individuals from the following agencies contributed their efforts towards the completion of the Transportation Conformity Determination Report. They include:

- Erica Tait, Federal Highway Administration (FHWA) Indiana Division
- Michelle Allen, Federal Highway Administration (FHWA) Indiana Division
- Cecilia Crenshaw, Federal Transit Administration (FTA)
- Tony Maietta, Environmental Protection Agency (EPA)
- Sean Seals, Indiana Department of Environmental Management (IDEM)
- Jay Mitchell, Indiana Department of Transportation (INDOT) Office of Planning
- Brandon Burgoa, Indiana Department of Transportation (INDOT) Office of Planning
- Stephanie Belch, Indiana Department of Transportation (INDOT) Office of Planning
- Scott Bailey, Indiana Department of Transportation (INDOT) Greenfield District
- Robin Bolte, Indiana Department of Transportation (INDOT) Seymour District
- Karlei Metcalf, Indiana Department of Transportation (INDOT) Seymour District
- Taylor Herrin, Indiana Department of Transportation (INDOT) Seymour District
- Ryan Wilhite, IndyGO
- Ryan Phelps, Madison County Council of Governments (MCCOG)
- Brandon Kendera, Madison County Council of Governments (MCCOG)
- Jerry Bridges, Madison County Council of Governments (MCCOG)
- Hugh Smith, Delaware-Muncie Planning Commission (Muncie MPO)
- Marta Moody, Delaware-Muncie Planning Commission (Muncie MPO)
- Kristyn Sanchez, Indianapolis Metropolitan Planning Organization (IndyMPO)
- Andy Swenson, Indianapolis Metropolitan Planning Organization (IndyMPO)
- Catherine Kostyn, Indianapolis Metropolitan Planning Organization (IndyMPO)
- Jennifer Higginbotham, Indianapolis Metropolitan Planning Organization (IndyMPO)
- Steve Cunningham, Indianapolis Metropolitan Planning Organization (IndyMPO)
- Anna Gremling, Indianapolis Metropolitan Planning Organization (IndyMPO)
- Rose Scovel, Indianapolis Metropolitan Planning Organization (IndyMPO)
- Laura Thayer, Columbus Area Metropolitan Planning Organization (CAMPO)
- Jennifer Gebhard, Central Indiana Regional Transit Authority (CIRTA)
- John Seber, Central Indiana Regional Transit Authority (CIRTA)
- Lori Sylvester, City of Anderson Transit System (CATS)
- Merle F. Jones, City of Anderson Transit System (CATS)
- Leo Williams, City of Anderson Transit System (CATS)

Executive Summary

As part of its transportation planning process, the Madison County Council of Governments (MCCOG), completed the transportation conformity process for the 2050 InMotion MTP and 2020-2023 TIP. This report documents that the 2050 InMotion MTP and 2020-2023 TIP meet the federal transportation conformity requirements in 40 CFR Part 93.

Clean Air Act (CAA) section 176(c) (42 U.S.C. 7506(c)) requires that federally funded or approved highway and transit activities are consistent with (“conform to”) the purpose of the State Implementation Plan (SIP). Conformity to the purpose of the SIP means that transportation activities will not cause or contribute to new air quality violations, worsen existing violations, or delay timely attainment of the relevant NAAQS or any interim milestones. 42 U.S.C. 7506(c)(1). EPA’s transportation conformity rules establish the criteria and procedures for determining whether metropolitan transportation plans, transportation improvement programs (TIPs), and federally supported highway and transit projects conform to the SIP. 40 CFR Parts 51.390 and 93.

On February 16, 2018, the United States Court of Appeals for the District of Columbia Circuit in *South Coast Air Quality Mgmt. District v. EPA* (“*South Coast II*,” 882 F.3d 1138) held that transportation conformity determinations must be made in areas that were either nonattainment or maintenance for the 1997 ozone national ambient air quality standard (NAAQS) and attainment for the 2008 ozone NAAQS when the 1997 ozone NAAQS was revoked. These conformity determinations are required in these areas after February 16, 2019. The 9-County Central Indiana 1997 NAAQS Region was designated maintenance at the time of the 1997 ozone NAAQS revocation on April 6, 2015 and was also designated attainment for the 2008 ozone NAAQS on May 21, 2012. Therefore, per the *South Coast II* decision, this conformity determination is being made for the 1997 ozone NAAQS on the MTP and TIP.

This conformity determination was completed consistent with CAA requirements, existing associated regulations at 40 CFR Parts 51.390 and 93, and the *South Coast II* decision, according to EPA’s *Transportation Conformity Guidance for the South Coast II Court Decision* issued on November 29, 2018.

1.0 Background

1.1 Transportation Conformity Process

The concept of transportation conformity was introduced in the Clean Air Act (CAA) of 1977, which included a provision to ensure that transportation investments conform to a State Implementation Plan (SIP) for meeting the Federal air quality standards. Conformity requirements were made substantially more rigorous in the CAA Amendments of 1990. The transportation conformity regulations that detail implementation of the CAA requirements was first issued in November 1993 and have been amended several times. The regulations establish the criteria and procedures for transportation agencies to demonstrate that air pollutant emissions from metropolitan transportation plans, transportation improvement programs and projects are consistent with (“conform to”) the State’s air quality goals in the SIP. This document has been prepared for State and local officials who are involved in decision making on transportation investments.

Transportation conformity is required under CAA Section 176(c) to ensure that federally supported transportation activities are consistent with (“conform to”) the purpose of a State’s SIP. Transportation conformity establishes the framework for improving air quality to protect public health and the environment. Conformity to the purpose of the SIP means Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) funding and approvals are given to highway and transit activities that will not cause new air quality violations, worsen existing air quality violations, or delay timely attainment of the relevant air quality standard, or any interim milestone.

The Madison County Council of Governments (MCCOG) is included in the **9-County Central Indiana 1997 NAAQS Region**, which includes Boone, Hamilton, Hendricks, Marion, Hancock, Morgan, Johnson, and Shelby Counties, in addition to Madison County. This area includes consideration of impacts for the following Metropolitan Planning Areas:

- *Madison County Council of Governments* (MCCOG) for Anderson Urbanized Area (Madison County and portions of Hancock and Delaware Counties)
- *Indianapolis Metropolitan Planning Organization* (MPO) for the Indianapolis Urbanized Area (Marion and portions of Boone, Hamilton, Hendricks, Hancock, Morgan, Johnson, and Shelby Counties)
- *Columbus Area Metropolitan Planning Organization* (MPO) for the Columbus Urbanized Area (Bartholomew and portions of Johnson and Shelby Counties)

Additionally, because the Metropolitan Planning Area (MPA) for the Madison County Council of Governments (MCCOG) also includes portions of Delaware County, the **Delaware County Indiana 1997 NAAQS Region** may also be impacted and therefore, coordination with the *Delaware-Muncie Metropolitan Plan Commission* (Muncie MPO) is also required.

On February 16, 2018, the United States Court of Appeals for the District of Columbia Circuit in *South Coast Air Quality Mgmt. District v. EPA* (“South Coast II,” 882 F.3d 1138) held that transportation conformity determinations must be made in areas that were either nonattainment or maintenance for the 1997 ozone national ambient air quality standard (NAAQS) and attainment for the 2008 ozone NAAQS when the 1997 ozone NAAQS was revoked. These conformity determinations are required in these areas after February 16, 2019. Each of the NAAQS regions described above were in nonattainment at the time of the 1997 ozone NAAQS revocation on April 6, 2015 and was also designated attainment for the 2008 ozone NAAQS on May 21, 2012 and as attainment for the 2015 ozone NAAQS.



2.0 2050 InMotion Metropolitan Transportation Plan (MTP)

The 2050 InMotion Metropolitan Transportation Plan (MTP) will be adopted by the MCOG Policy Board on Thursday, February 3, 2022 for the Anderson Metropolitan Planning Area (MPA). The plan was developed using the latest planning assumptions, which are laid out in Section 2.4 of EPA's guidance discussed later in this document.

This action is seeking Transportation Conformity for the 2050 InMotion Metropolitan Transportation Plan (MTP).

The 2050 InMotion Metropolitan Transportation Plan (MTP) can be found at the following link:

- https://irp.cdn-website.com/65a760a0/files/uploaded/2050inMotion_Draft.pdf

A full listing of the non-exempt projects included in the TIP and MTP for MCOG (Anderson MPO) can be found in the appendix of this document.

A full listing of the non-exempt projects included in the TIP and MTP for the Indianapolis MPO can be found in the appendix of this document.

A full listing of the non-exempt projects in the Central Indiana Airshed, yet outside of the MPA for the Indianapolis MPO (i.e., donut projects) can be found at the following link:

- <https://d16db69sqbolil.cloudfront.net/mpo-website/downloads/LRTP/LRTP-2045/INDOT-Donut-Projects-v2021-10-13.pdf>

Currently there are no non-exempt projects included in the TIP and MTP for the Delaware-Muncie Metropolitan Plan Commission (Muncie MPO), therefore there is no listing included in the appendix of this document.



3.0 2020-2023 Transportation Improvement Program (TIP)

The 2020-2023 Transportation Improvement Plan (TIP) is one part of the MPO's transportation planning process. The planning process includes the development of a Metropolitan Transportation Plan (MTP), formerly called the long-range transportation plan. As projects in these long-range plans advance to implementation, they are programmed in the TIP for study, design, and construction, provided they attain environmental permits and other necessary clearances.

Every two years, the Anderson MPO enacts a process that assists in the development of a revised *Transportation Improvement Program* (TIP) Document to reflect federal transportation funding that will be expended over a period of four (4) years. While the process begins in January, the final document is not completed until late spring, but the *TIP Development Process* is generally a continuous one. Most importantly, the process includes input from a variety of sources representative of the *Metropolitan Planning Area* (MPA) including the *Anderson MPO Policy Committee*, the *Anderson*

MPO Technical Advisory Committee (TAC), the general public, elected officials, community leaders, public & private transportation providers, INDOT Greenfield District, and INDOT Central Office.

The purpose of the TIP is to set forth the MPO's short-term program for transportation projects. The TIP is prepared according to the MPO's procedures. An MPO Committee works with the State DOT and the appropriate transit operators in soliciting project proposals from the public and cities and towns, and in developing a draft TIP. Following public and agency review, the draft TIP is approved by the MPO, forwarded to the State DOT, then on to federal funding agencies—the Federal Highway Administration, and the Federal Transit Administration.

This action is for an amendment of a new non-exempt project into the 2020-2023 Transportation Improvement Plan (TIP).

The 2020-2023 Transportation Improvement Plan (TIP) can be found at the following link:

- <https://irp.cdn-website.com/65a760a0/files/uploaded/Final%20Document%20-%202020-2023%20TIP%20-%20updated%20%26%20adopted%206-6-19%20updated%20for%20AQ%207-1-19%20final%20adopted%20with%20AQ%20Letters%208-21-19.pdf>

More specifically, the amendment includes the following project:

- SR 9/SR 67, US 36 North Junction to Huntsville Road (Pendleton), Added Travel Lanes (Des. #1802854)

This project is a partner project to a project already amended into the TIP and MTP (Des. #1709236) that continues the added travel lanes south of the US 36 North Junction along the US 36 Corridor when it joins SR 9/SR 67 to Madison Avenue/Angle Road/Lick Creek Pike.

A full listing of the non-exempt projects included in the TIP and MTP for *MCCOG* (Anderson MPO) can be found in the appendix of this document.

A full listing of the non-exempt projects included in the TIP and MTP for the *Indianapolis MPO* can be found in the appendix of this document.

A full listing of the non-exempt projects in the Central Indiana Airshed, yet outside of the MPA for the *Indianapolis MPO* (i.e., donut projects) can be found at the following link:

- <https://d16db69sqbolil.cloudfront.net/mpo-website/downloads/LRTP/LRTP-2045/INDOT-Donut-Projects-v2021-10-13.pdf>

Currently there are no non-exempt projects included in the TIP and MTP for the *Delaware-Muncie Metropolitan Plan Commission* (Muncie MPO), therefore there is no listing included in the appendix of this document.

4.0 Transportation Conformity Determination: General Process

Per the court's decision in *South Coast II*, beginning February 16, 2019, a transportation conformity determination for the 1997 ozone NAAQS will be needed in 1997 ozone NAAQS nonattainment and maintenance areas identified by EPA¹ for certain transportation activities, including updated or amended metropolitan MTPs and TIPs. Once US DOT makes its 1997 ozone NAAQS conformity determination for the 2050 InMotion MTP and 2020-2023 TIP, conformity will be required no less frequently than every four years. This conformity determination report will address transportation conformity for the 2050 InMotion MTP and 2020-2023 TIP.

¹ The areas identified can be found in EPA's "Transportation Conformity Guidance for the South Coast II Court Decision, EPA-420-B-18-050, available on the web at: www.epa.gov/state-and-local-transportation/policy-and-technical-guidance-state-and-local-transportation .

50 Transportation Conformity Requirements

51 Overview

On November 29, 2018, EPA issued **Transportation Conformity Guidance for the South Coast II Court Decision**² (EPA-420-B-18-050, November 2018) that addresses how transportation conformity determinations can be made in areas that were nonattainment or maintenance for the 1997 ozone NAAQS when the 1997 ozone NAAQS was revoked but were designated attainment for the 2008 ozone NAAQS in EPA's original designations for this NAAQS (May 21, 2012).

The transportation conformity regulation at 40 CFR 93.109 sets forth the criteria and procedures for determining conformity. The conformity criteria for MTPs and TIPs include the latest planning assumptions (93.110), latest emissions model (93.111), consultation (93.112), transportation control measures (93.113(b) and (c), and emissions budget and/or interim emissions (93.118 and/or 93.119).

For the 1997 ozone NAAQS areas, transportation conformity for MTPs and TIPs for the 1997 ozone NAAQS can be demonstrated without a regional emissions analysis, per 40 CFR 93.109(c). This provision states that the regional emissions analysis requirement applies one year after the effective date of EPA's nonattainment designation for a NAAQS and until the effective date of revocation of such NAAQS for an area. The 1997 ozone NAAQS revocation was effective on April 6, 2015, and the *South Coast II* court upheld the revocation. As no regional emission analysis is required for this conformity determination, there is no requirement to use the latest emissions model, or budget or interim emissions tests.

Therefore, transportation conformity for the 1997 ozone NAAQS for the 2050 InMotion MTP, 2020-2023 TIP for the Madison County Council of Governments (MCCOG) for the Anderson Metropolitan Planning Area (MPA) can be demonstrated by showing the remaining requirements in Table 1 in 40 CFR 93.109 have been met. These requirements, which are laid out in Section 2.4 of EPA's guidance and addressed below, include:

- Latest planning assumptions (93.110)
- Consultation (93.112)
- Transportation Control Measures (93.113)
- Fiscal constraint (93.108)

² Available from <https://www.epa.gov/sites/production/files/2018-11/documents/420b18050.pdf>

52 Latest Planning Assumptions

The use of latest planning assumptions in 40 CFR 93.110 of the conformity rule generally apply to regional emissions analysis. In the 1997 ozone NAAQS areas, the use of latest planning assumptions requirement applies to assumptions about transportation control measures (TCMs) in an approved SIP.

On January 16, 2019, as part of a previous LRTP/MTP amendment, an email was sent to ICG members stating that there are no TCMs in the Indiana SIP for the 9-county Central Indiana NAAQS Region nor the Delaware County Indiana 1997 NAAQS Region. (see also Section 5.4)

53 Consultation Requirements

The consultation requirements in 40 CFR 93.112 were addressed both for interagency consultation and public consultation.

Interagency consultation was conducted with the *Indianapolis Metropolitan Planning Organization (IMPO)*, *Columbus Area Metropolitan Planning Organization (CAMPO)*, *Delaware-Muncie Metropolitan Plan Commission*, *City of Anderson Transit System (CATS)*, FHWA, FTA, and EPA.

The interagency consultation group (ICG) received an email on December 14, 2021 which included a list of projects under consideration for amendment into MCCOG's 2050 InMotion MTP and IMPO's Long-Range Transportation Plan (LRTP) and a projected timeline for the amendment processes. ICG members were asked to provide questions, comments, or their concurrence by Monday, December 20, 2021. The draft consultation document was made available for ICG review and comment between Tuesday, December 14, 2021 and Monday, December 20, 2021.

Public consultation was conducted consistent with planning rule requirements in 23 CFR 450. This conformity determination report, as well as the applicable LRTP/MTP/TIP amendments, were made available for public review and comment between Monday, January 17, 2022 to Wednesday, February 2, 2022 followed by a public hearing on Wednesday, February 2, 2022, and adopted on Thursday, February 3, 2022 at the Anderson MPO Policy Board Meeting.

A summary of any comments received are included in the Appendix of this document.

54 Timely Implementation of TCMs

The Indiana SIP does not include any Transportation Control Measures (TCMs) for the 9-County Central Indiana 1997 NAAQS Region nor the Delaware County Indiana 1997 NAAQS Region.

55 Fiscal Constraint

Transportation conformity requirements in 40 CFR 93.108 state that transportation plans and TIPs must be fiscally constrained consistent with DOT's metropolitan planning regulations at 23 CFR part 450. The 2050 InMotion MTP and 2020-2023 TIP are fiscally constrained, as demonstrated on pages 116-117 and the fiscally constrained project list, as demonstrated on pages 125-128 of the 2050 InMotion MTP and on page 9 of the 2020-2023 TIP.

Conclusion

The conformity determination process completed for the 2050 InMotion MTP and 2020-2023 TIP demonstrates that these planning documents meet the Clean Air Act and Transportation Conformity rule requirements for the 1997 ozone NAAQS.

APPENDIX



Planning the Transportation Future for the Indianapolis Region

About Fed Approved 20-23 IRTIP IRTIP Amendments **Advanced Search** Projects by County Map

<<Back to Search

54 transportation project(s) found for Exempt Status: "NON-EXEMPT"

Export to Excel

ID	Lead Agency	Title	Project Category	Total Cost	Fed Funds - Info
1901763	Avon	Dan Jones Widening Phase 2 - CR 100 S to CR 150 S - FUTURE PROJECT	Road	\$7,637,170	STBG
1801463	Avon	Dan Jones Rd. Widening from CR 100 S to Main Rd.	Road	\$4,578,965	STBG
1401647	Brownsburg	East Northfield Drive (CR 300 North to CR 400 North)	Road	\$8,222,000	* PYB STBG STBG
1600884	Carmel	96th Street and Keystone Parkway Interchange	Intersection	\$34,550,000	CMAQ STBG
1383177	Fishers	96th Street Added Travel Lanes + Bridge 165 Widening over Mud Creek	Road	\$11,246,350	* STP Group I (Urban) STBG
1592349	Fishers	Intersection Improvement at 146th Street and SR 37	Intersection	\$17,538,000	* State STP
1592346	Fishers	131st Street & SR 37 Intersection Improvement	Intersection	\$14,208,000	* State STP
1592348	Fishers	141st Street & SR 37 Intersection Improvement	Intersection	\$21,201,000	* State STP
1592347	Fishers	Intersection Improvement at 135th Street and SR 37	Intersection	\$2,109,000	* State STP
1383157	Hamilton County	West 146th Street - Phase II - Towne Road to Ditch Road	Road	\$7,018,759	* STP Group I (Urban) STBG
1401702	Hamilton County	146th St. Phase III Towne Road to Shelborne Road	Road	\$10,065,491	STBG
1401701	Hamilton County	146th Street - Phase IV Shelborne Road to Hamilton / Boone County Line	Road	\$13,735,775	STBG
1902783	Hancock County	Stinemyer Rd Connection - FUTURE PROJECT	Road	\$1,237,000	STBG Group IV
1702756	Hancock County	600 W from 400 N to 550 N	Road	\$21,420,040	STBG Group IV
1297608	Hancock County	CR 300 N Widening, Segment G	Road	\$9,550,200	STBG Group IV
1600633	Hancock County	600W from 300N to CR400N (Segment A)	Road	\$9,364,600	STBG STBG Group IV

1602280	Hendricks County	Ronald Reagan Pkwy. from CR 600 N to I-65	Road	\$112,133,130	
1702976	Indianapolis DPW	Emerson Avenue Widening (Stop 11 to Southport Crossing)	Road	\$13,585,132	NHS STBG
1801448	Indianapolis DPW	Emerson Avenue Widening from Co Line to Stop 11	Road	\$14,901,875	STBG
1383172	Indianapolis DPW	82nd Street - Phase II - Lantern Road to Fall Creek Road	Road	\$7,517,063	STBG
1500126	INDOT	I-69 & I-465 Interchange Modification	Road	\$25,270,084	* State STP
1500125	INDOT	I-69 & I-465 Interchange Modification	Interchange	\$17,582,339	* State STP
1800037	INDOT	US 36 Added Travel Lanes from I-465 to Transfer Dr.	Road	\$17,193,104	* State STP
1700140	INDOT	Added Travel Lanes on I-465 SB from I-69 to 2.15 miles South of I-69 (Bridge over Fall Creek Road)	Road	\$158,358,518	* State STP
1400075	INDOT	I-69 & I-465 Interchange Modification	Interchange	\$337,834,115	* State STP NHPP
1702919	INDOT	I-70 Added Travel Lanes from 1.0 mi west of Mt Comfort Rd to 1.2 mi east of SR 9	Road Recons/Rehab/Resurf	\$75,279,000	NHPP
0300382	INDOT	I-69 Section 6 - SR 39 to I-465	Road	\$1,427,636,953	NHPP
1800081	INDOT	Added Travel Lanes on US 31 from S Main Street to Hospital Road- FUTURE PROJECT	Road	\$10,261,866	NHPP
1400076	INDOT	I-465 Added Travel Lanes from White River Bridge to I-69	Road	\$19,049,638	NHPP
1400071	INDOT	I-65/SR 267 Interchange Modification	Interchange	\$47,710,472	NHPP
1800082	INDOT	US 31 from Hospital Rd to Cedar Ln	Road	\$43,944,096	NHPP
1800033	INDOT	SR 135 (Meridian St.) Widening from Stones Crossing to Whiteland Rd.- FUTURE PROJECT	Road	\$18,498,941	NHPP
1800083	INDOT	US 31 from north of Cedar Lane to Israel Lane	Road	\$440,000	NHPP
1400073	INDOT	I-65 Safety & Efficiency Project	Road	\$61,930,707	NHPP
1601072	INDOT	US 36 Added Travel Lanes Project	Road	\$10,676,697	NHPP State STBG
1600854	INDOT	I-465 NW ATL project	Road	\$248,700,000	NHS
1400065	INDOT	Added travel lanes between Cicero Creek and SR-38 W Junction	Intersection	\$3,281,714	NHS
1802075	INDOT	I-465 Reconfiguration Project	Road	\$73,900,000	NHS
0902297	INDOT	I-465 and I-65 Interchange S of Indianapolis	Interchange	\$168,080,000	NHS
1900554	INDOT	Hoosier Helper	Other	\$1,154,000	State HSIP

1901971	INDOT	Highway lighting at the interchanges of I -65 and SR 250 in Jackson County and I-65 and SR 252 in Shelby County	Signal	\$780,000	State HSIP
1900357	INDOT	Concrete Pavement Restoration (CPR)- FUTURE PROJECT	Road Recons/Rehab/Resurf	\$11,729,540	State STBG
1800203	INDOT	US 36 Added Travel Lanes from Shiloh Crossing to Avon Ave	Road	\$21,400,000	State STBG
1702149	INDOT	US 31 at 236th St. Interchange	Interchange	\$22,589,885	State STBG
1902642	INDOT	New Signal Installation on US 421 at CR 550 S	Signal	\$220,000	State STBG
1800035	INDOT	US 36 Added Travel Lanes, Raceway Rd. to Transfer Dr.	Road	\$15,123,599	State STBG
1900173	INDOT	SR 32 from 19th St to Presley Dr- FUTURE PROJECT	Road	\$3,111,305	State STBG
1801414	IndyGo	Purple Line	Transit	\$161,950,000	CMAQ Sect. 5307 Sect. 5309
1701171	IndyGo	2020 40Ft Buses (5307)	Other	\$2,795,840	Sect. 5307
1801413	IndyGo	Blue Line	Transit	\$200,480,000	Sect. 5307 Sect. 5309
1005947	Johnson County	Worthsville Road Connector from Griffith Rd. (CR 325E) to Franklin Rd. (CR 440E)	Road	\$4,313,210	* STP Group IV (Rural)
1801731	Westfield	SR 32 Reconstruction from Poplar to East St.	Road	\$15,000,000	* Other
1401650	Westfield	Westfield Boulevard Connector	Road	\$8,673,539	Exchange
1700728	Westfield	East Street North Extension North East Street Extension (196th to SR 38)	Road	\$11,681,863	STBG

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