



LAKE COUNTY PLAN COMMISSION

PLANNING & BUILDING DEPARTMENTS
2293 N. MAIN STREET
CROWN POINT, IN 46307

755-3700
755-3701
374-5955
24 HOUR ANSWERING SERVICE 755-3702

LAKE COUNTY PLAN COMMISSION

Resolution No. 2016-001

RESOLUTION CONCERNING GREAT LAKES BASIN, LLC AND FRANK PATTON,
MANAGING PARTNER, WITH AN ADDRESS OF 23860 STATE LINE ROAD, CRETE,
ILLINOIS 60417, AND A TELEPHONE NUMBER OF 217-935-6543, AND AN E-MAIL
ADDRESS OF frank.patton@greatlakesbasin.net, REQUEST TO ESTABLISH A NEW
RAILROAD & UTILITY CORRIDOR KNOWN AS A CHICAGO BYPASS RR
THROUGH NORTHWEST INDIANA, MORE PARTICULARLY THROUGH
UNINCORPORATED LAKE COUNTY, INDIANA

WHEREAS, pursuant to I.C. 36-7-4-200 series, the legislative body of Lake County, Indiana did duly and lawfully establish an advisory plan commission, named the Lake County Plan Commission (hereinafter "Commission");

WHEREAS, the Commission has convened regularly since May 17, 1950 to exercise planning and zoning powers in Lake County, Indiana;

WHEREAS, the Commission has been constituted under the 'Advisory Planning Law' and duly and lawfully charged with improving the health, safety, convenience, and welfare of the citizens of Lake County, Indiana and to plan for future development;

WHEREAS, under Indiana Law in planning for the future of Lake County, the Commission shall provide: 1.) that transportation systems are carefully planned; 2.) that the needs of agricultural community be recognized; 3.) that the area grow only with adequate public way, utility, health, educational, and recreational facilities; 4.) that residential areas provide healthful surroundings for family life; and, 5.) that the growth of the community is commensurate with and promotive of the efficient and economical use of public funds;

WHEREAS, IC 5-10.3-1-6 and 35 IAC 1.2-1 define a "political subdivision" as a county, city, town, township, political body corporate, public school corporation, public library, public utility of a county, city, town, township, and any department of, or associated with, a county, city, town, or township, which department receives revenue independently of, or in addition to, funds obtained from taxation;

WHEREAS, the Commission is a department of the County of Lake, State of Indiana and receives revenue independently of, or in addition to funds obtained from taxation;

WHEREAS, the Commission is a political subdivision;

WHEREAS, the Commission believes the establishment of a proposed new two-hundred foot (200') wide corridor through Lake County, Indiana for the purpose of construction and

operation of a Chicago bypass railroad, utility easement, and associated facilities is unwarranted and unnecessary;

WHEREAS, there are existing railroads and railroad easements and rights-of-way present for the expansion of railroad tracks and associated facilities, one of them viewed and already known as a Chicago bypass, further described as the Norfolk Southern Kankakee Belt Route, and another known as the Toledo, Peoria, and Western Railway;

WHEREAS, both railroads do not operate at or near maximum capacity and both have adequate room for expansion to at least a double-track system;

WHEREAS, the environmental impact of adding an additional track within the existing right-of-way or easement of either or both the Norfolk Southern Kankakee Belt Route or the Toledo, Peoria, & Western Railway would be far less onerous than creating a brand new superfluous, redundant, and unnecessary corridor;

WHEREAS, by using the existing Norfolk Southern Kankakee Belt Route, there would be no new or additional railroad crossings required in Lake County, Indiana. Also, the same statement would be true using the existing Toledo, Peoria, and Western Railway, however that railroad segment lies south of Lake County;

WHEREAS, to our knowledge, no railroad whatsoever has petitioned the federal government, or any branch thereof, for an addition to the underutilized Norfolk Southern Kankakee Belt Route or the Toledo, Peoria, and Western Railway due to the supposed railroad congestion present in the Chicago area;

WHEREAS, there exists no reason to disrupt the lives and property of thousands of people by creating a brand new railway corridor when there are at least two existing, underused, and expandable railway corridors that can be modified, customized, and adapted to accommodate or create an updated and restructured Chicago bypass having far less of an overall and environmental impact to the citizens and taxpayers of Lake County, Indiana than by constructing a completely new corridor;

WHEREAS, the Commission also believes that the creation of a brand new two-hundred foot (200') wide corridor for the placement of a proposed Chicago bypass railroad, utility easement, and associated facilities will have a substantial negative impact on Lake County, Indiana and its citizens in part by:

1. damaging sensitive environmental areas and biological resources and ecosystems by constructing a railroad through federal, state, and locally protected Special Flood Hazard Areas and Floodways as designated by the Federal Emergency Management Agency (FEMA), the Indiana Department of Natural Resources (IDNR), and the Lake County Plan Commission to reduce the potential for loss of life and property, reduce the potential for health and safety hazards, reduce the potential for extraordinary public expenditures for flood control protection and relief, prevent unwise developments from increasing flood or drainage hazards to others, protect human life and health from the hazards of flooding, and lessen the burden on taxpayers for flood control projects;
2. increasing damage and rerouting drainage of a number of locally designated regulated (legal) drains established under Indiana Code 36-9-27, et seq. that carry

surface and subsurface water to the Kankakee River, including the West Creek Ditch, Bruce Ditch, Cedar Creek Ditch, Spring Run Ditch, Griesel Ditch, Bryant Ditch, Dinwiddie Ditch, Stony Run Ditch, and most of their tributaries, and also including many unnamed ditches, agricultural drain tiles, lakes, streams wetlands, ponds, detention or retention areas existing throughout Lake County for the free flow of water and to prevent localized flooding;

3. negatively impacting the character of existing local land-use by treating prime agricultural farmland as vacant and undeveloped land rather than a protected, preserved, and viable land use based on the value of the agricultural base to the local economy, environmental conditions, and the visual quality that is the foundation for local, small-town, rural community character;
4. introducing an incompatible land use, a railroad and associated facilities, identified and characterized by our local zoning ordinance as a heavy industrial use, into a prime agricultural community that will negatively impact property values along its corridor outward for an undetermined distance;
5. introducing a new incompatible use, railroad, into an area where no such use existed previously that must negatively impact air quality to the extent it will add pollutants to an area where no such pollution was produced before;
6. increasing the probability of train accidents at any number of newly proposed at-grade railroad crossings;
7. increasing the cost of local emergency responders and equipment necessary to handle train derailments or accidents, including but not limited to police, fire, emergency medical technicians, ambulance service, and the like;
8. reducing critical response times and health and safety of the public for any and all emergency response providers having to wait for trains to clear at-grade railroad crossings;
9. increase the disruption and delay of the movement of local traffic and farm equipment at the proposed seventeen (17) or more at-grade railroad crossings.

NOW, THEREFORE, BE IT RESOLVED, that effective as of April 20, 2016, the Lake County Plan Commission duly constituted under the Laws of the State Of Indiana to improve the health, safety, convenience, and welfare of the citizens of Lake County does not believe that many of the items addressed and identified herein can be successfully mitigated or engineered;

BE IT FURTHER RESOLVED, since there are at least two alternative, existing, and underutilized railway corridors and railroads available to be upgraded, one of them viewed and already known as a Chicago bypass,

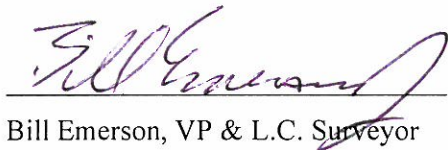
further described as the Norfolk Southern Kankakee Belt Route, and another known as the Toledo, Peoria, and Western Railway, that there is no valid reason to create a brand new corridor;

FINALLY, THEREFORE, BE IT RESOLVED, for all reasons stated herein, the Lake County Plan Commission recommends that this project be denied.

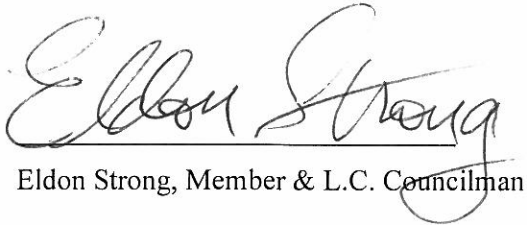
SO RESOLVED THIS 20th DAY OF APRIL, 2016



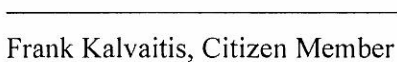
Gerry Scheub, President & Lake County Commissioner



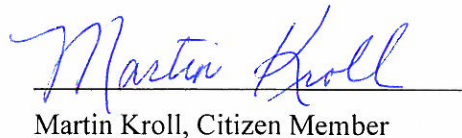
Bill Emerson, VP & L.C. Surveyor



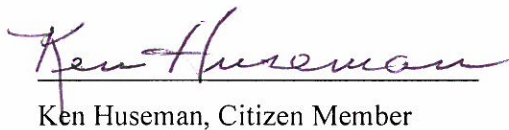
Eldon Strong, Member & L.C. Councilman



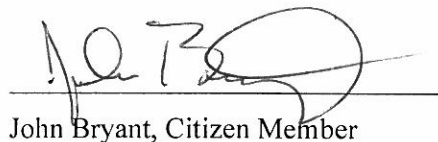
Frank Kalvaitis, Citizen Member



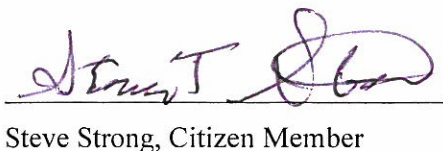
Martin Kroll, Citizen Member



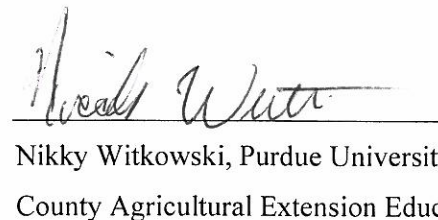
Ken Huseman, Citizen Member



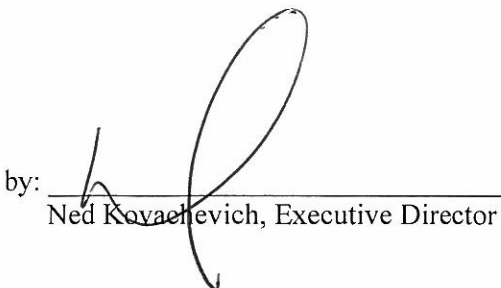
John Bryant, Citizen Member



Steve Strong, Citizen Member



Nikky Witkowski, Purdue University,
County Agricultural Extension Educator

by: 

Ned Kovachevich, Executive Director