



**Double Track Northwest Indiana Project**

*Finding of No Significant Impact*

*November 1, 2018*

# **APPENDIX E**

## Mitigation Commitments



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**Appendix E – Mitigation and Commitments**

The mitigation measures and other features of the proposed Project that reduce adverse effects, to which the FTA and NICTD committed in the EA and FONSI, are summarized in the following table. Implementation of these mitigation commitments is part of the approval and issuance of this FONSI.

This summary is provided in the FONSI to facilitate the monitoring of the implementation of the mitigation commitments; however, the EA provides the context and the full description of all mitigation commitments that are included in the proposed Project. NICTD will establish a program for monitoring the implementation of the mitigation commitments as part of its proposed Project management oversight. FTA will oversee NICTD’s program for monitoring environmental compliance through quarterly review meetings or other means specified by FTA. NICTD will report on environmental compliance in the quarterly progress reports.

Effects Requiring Mitigation		Mitigation Commitments		Responsible Agency
<b>3.0: Transportation – Construction effects</b>				
1	Construction activities will temporarily affect bus routes, railroads, and trail and park access.	A	NICTD will coordinate with the City of Gary and the Gary Public Transportation Corporation to develop an outreach plan regarding the temporary effects on Route 13 during construction.	NICTD
		B	NICTD will develop reasonable traffic plans that maintain safe access to businesses on Lake Street in Gary. NICTD will also develop a construction public outreach plan that will include specific techniques to communicate with neighborhoods and businesses prior to and during construction.	NICTD
		C	NICTD will coordinate with the City of Michigan City and Michigan City Transit to develop an outreach plan regarding the temporary effects on Routes 1, 3, and 4 during construction. This will include developing maintenance of traffic plan that accommodates buses.	NICTD
		D	NICTD will coordinate with Canadian National (CN), NS, CSX Transportation (CSX), Amtrak, and CSS to develop phasing plans that will minimize the temporary effects during construction.	NICTD



Effects Requiring Mitigation		Mitigation Commitments		Responsible Agency
		E	NICTD will coordinate with Porter County, Northern Indiana Public Service Company (NIPSCO), the Town of Porter, and the Indiana Dunes National Lakeshore regarding the temporary effects on access to the Calumet Trail, the Dunes Kankakee Trail and other destinations within the National Lakeshore during construction.	NICTD
<b>3.0: Transportation – Permanent effects</b>				
2	Three streets that currently intersect with 10 <sup>th</sup> Street will be closed south of the realigned tracks.	A	The City of Michigan City will construct connections for these roads south of 10 <sup>th</sup> Street to maintain traffic circulation. Access will be at Willard and Sheridan Avenues.	City of Michigan City
3	Eleven streets that currently intersect with 11 <sup>th</sup> Street will have a cul-de-sac north of the realigned NICTD/CSS railroad tracks.	A	NICTD will work with the City of Michigan City to develop an outreach plan to inform residents, businesses, and visitors of the change in travel patterns.	NICTD, City of Michigan City
4	Level of Service (LOS) at Pine/10 <sup>th</sup> Street intersection and Franklin/10 <sup>th</sup> Street intersection declines to LOS D or lower.	A	A traffic signal will be installed at Franklin Street at 10 <sup>th</sup> Street to improve the LOS of the signalized intersection to B.  The stop control will be moved from 10 <sup>th</sup> Street to Pine Street to improve the LOS to C or better.	NICTD, City of Michigan City
5	Traffic on 11 <sup>th</sup> Street will change from two-way traffic to one-way eastbound traffic.	A	Westbound traffic on 11 <sup>th</sup> Street in Michigan City will be rerouted to other roadways. The roadways that will experience the additional traffic will continue to operate at acceptable levels.	NICTD, City of Michigan City
6	Michigan City Transit Route #2 will no longer travel south on Pine Street.	A	NICTD will work with Michigan City Transit regarding the temporary and permanent changes to Route 2 due to closing Pine Street at 11 <sup>th</sup> Street, including serving the 11 <sup>th</sup> Street (Michigan City) Station.	NICTD, Michigan City Transit



Effects Requiring Mitigation		Mitigation Commitments		Responsible Agency
<b>4.1: Land Acquisitions, Displacements, and Relocations – Construction effects</b>				
7	Construction easements of 41 individual properties will be required.	A	Acquisitions and relocations will be conducted in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.	NICTD
<b>4.1: Land Acquisitions, Displacements, and Relocations – Permanent effects</b>				
8	Permanent acquisition of 155 individual properties.	A	Acquisitions and relocations will be conducted in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.	NICTD
<b>4.2: Land Use and Economic Development – Construction effects</b>				
	None			
<b>4.2: Land Use and Economic Development – Permanent effects</b>				
9	Some land use will change from its current use to NICTD ROW, roadway and parking uses.	A	Although NICTD is exempt from local zoning and development requirements, the final design of the project will take conflicts with local zoning into consideration. NICTD would consult with local municipalities if zoning changes or other modifications are necessary to implement the project.	NICTD
<b>4.3: Neighborhoods, Communities, and Businesses – Construction effects</b>				
10	Temporary construction effects could include noise, vibration, erosion, airborne dust, increase in traffic, and access to businesses and detours.	A	During construction, NICTD will require the construction contractor to implement best management practices (BMPs) to minimize these effects.	NICTD, construction contractor
		B	NICTD will require contractors to follow elements of USEPA's Construction Emission Control Checklist.	NICTD, construction contractor



Effects Requiring Mitigation		Mitigation Commitments		Responsible Agency
		C	NICTD will develop reasonable traffic plans that maintain safe access for businesses, commuters, automobiles, and pedestrians during construction.	NICTD, construction contractor
		D	NICTD will develop a construction public outreach plan that will include specific techniques to communicate with neighborhoods and businesses to prepare for construction.	NICTD

**4.3: Neighborhoods, Communities, and Businesses – Permanent effects**

<b>11</b>	New station and parking changes will be introduced that could change the character of the area.	A	NICTD will work with each community to develop station and parking lot designs that include features that will enhance the station area while serving the needs of NICTD and its commuters. To ensure universal access to all patrons, NICTD will consult with an ADA-compliance specialist during final design.	NICTD
<b>12</b>	New station and parking elements will be introduced into historic districts.	A	Within historic districts or for changes to historic structures, NICTD will coordinate with the State Historic Preservation Officer (SHPO), Section 106 consulting parties (as appropriate), and local historic preservation commissions, as applicable.	NICTD, SHPO, Section 106 consulting parties, local historic preservation commissions

**4.4: Historic, Archaeological, and Cultural Resources (Section 106) – Permanent effects**

The mitigations below (Mitigations 13A-13F) are stipulations required from the Memorandum of Agreement (MOA) for this project. The signed MOA is also attached to the FONSI in Appendix F.



Effects Requiring Mitigation		Mitigation Commitments	Responsible Agency	
13	The Build Alternative will adversely affect 27 historic properties including the Franklin Street Commercial and Elston Grove Historic Districts, the Elston Grove Historic District Boundary Expansion, the First Christian Church, commercial buildings, and residences.	A	NICTD shall work with a qualified architectural firm to preserve the façade of the South Shore Station at 114 E. 11th Street, Michigan City, Indiana, and incorporate it into a new mixed-use building to serve as the entrance to the new 11th Street Station, subject to engineering and financial feasibility. Because the new mixed-use building will be located within the Franklin Street Commercial Historic District, the proposed design of the new station will be subject to the Michigan City Historic Review Board design review process, which will ensure that the design is compatible with the existing historic district. NICTD will keep the consulting parties identified in Attachment C informed on the design process.	NICTD
		B	Prior to the demolition of the South Shore Station at 114 E. 11th Street in Michigan City or any alterations to the façade, NICTD shall hire a Secretary of the Interior-qualified professional in history or architectural history (36 CFR Part 61) to complete Historic American Building Survey (HABS) Documentation Level II on the station building. This work will include large-format photography and may include LiDAR scanning to assist in the execution of Treatment Measure A. The work will adhere to the standards set forth in <i>Historic American Buildings Survey Guidelines for Historical Reports</i> . NICTD shall provide draft documentation to the National Park Service (NPS) to verify that it meets the specified standards and formats. Upon NPS approval, NICTD shall finalize the documentation for submittal to the HABS office. One paper copy and one electronic copy of the final HABS documentation shall be provided to the SHPO, the Indiana Room at the Michigan City Public Library, and the Calumet Regional Archives at the Indiana University Northwest Library. Electronic copies will be provided to consulting parties at their request.	NICTD



Effects Requiring Mitigation	Mitigation Commitments	Responsible Agency
	<p>C Prior to any alterations or the demolition of the First Christian Church at 1102 Cedar Street in Michigan City, NICTD shall hire a Secretary of the Interior-qualified professional in history or architectural history (36 CFR Part 61) to complete a HABS Short Format Report as specified in the <i>Historic American Buildings Survey Guidelines for Historical Reports</i>. NICTD shall provide draft documentation to the NPS to verify that it meets the specified standards and formats. Upon NPS approval, NICTD shall finalize the documentation for submittal to the HABS office. One paper copy and one electronic copy of the final HABS documentation shall be provided to the SHPO, the Indiana Room at the Michigan City Public Library, and the Calumet Regional Archives at the Indiana University Northwest Library. Electronic copies will be provided to consulting parties at their request.</p>	NICTD
	<p>D Prior to the demolition of any individual resource listed in Attachment B (with the exception of resources already being documented in Treatment Measures B and C), NICTD shall hire a Secretary of the Interior-qualified professional in history or architectural history (36 CFR Part 61) to complete HABS Level III documentation for the adversely affected areas of the Elston Grove and Franklin Street Commercial Historic Districts, both of which are located in Michigan City. The written documentation will follow the <i>Historic American Buildings Survey Guidelines for Historical Reports</i>. Should any individual property warrant additional information, a short form will be prepared for that property to include with the district report. NICTD shall provide draft documentation to the National Park Service (NPS) to verify that it meets the specified standards and formats. Upon NPS approval, NICTD shall finalize the documentation for submittal to the HABS office. One paper copy and one electronic copy of the final HABS documentation shall be provided to the SHPO, the Indiana Room at the Michigan City Public Library, and the Calumet Regional Archives at the Indiana University Northwest Library. Electronic copies will be provided to consulting parties at their request.</p>	NICTD





Effects Requiring Mitigation		Mitigation Commitments		Responsible Agency
		E	NICTD shall prepare a public exhibit focusing on the history of the South Shore Line for display in the new station building. The display and/or interpretive materials for the exhibit shall be designed in consultation with a qualified historian or architectural historian who meets the Secretary of the Interior's Professional Qualification Standards (36 CFR Part 61) and who shall assess the content and presentation to ensure that the important history and associations that contribute to the significance of the line is incorporated into the exhibit. The content and plan for the exhibit shall be provided to Indiana Landmarks for review prior to completion.	NICTD
		F	NICTD shall install one interpretive panel each for the Franklin Street Commercial and Elston Grove Historic Districts focusing on the history of the surrounding neighborhoods. Because the signs would be located within two locally designated historic districts, the signs will be subject to review by the Michigan City Historic Review Board.	NICTD
<b>4.5: Visual and Aesthetic Conditions – Construction effects</b>				
14	Construction of the Build Alternative will result in temporary visual effects because of construction work zones.	A	NICTD will conduct construction primarily within existing railroad ROW, on property acquired for the DT-NWI Project, or on temporary construction easements immediately adjacent to railroad ROW, which will minimize visual effects during construction.	NICTD
		B	NICTD will develop a construction public outreach plan that will include specific techniques to communicate with neighborhoods and businesses to prepare for construction.	NICTD
		C	NICTD will require contractors to clean up construction sites to acceptable standards at the end of each working day.	NICTD, construction contractor
<b>4.5: Visual and Aesthetic Conditions – Permanent effects</b>				



Effects Requiring Mitigation		Mitigation Commitments		Responsible Agency
15	The Build Alternative will alter the visual environment as a result of realigning the track, constructing new parking lots and station improvements, affecting 27 historic resources, clearing trees, and filling wetlands.	A	NICTD will work with local communities on the design of the stations and parking areas to address visual changes. NICTD will review and consider municipal development standards during final design and coordinate with municipal staff, as appropriate. Mitigation measures may include landscaping, reusing a building façade and/or using building construction materials, colors, and architectural styles consistent with the station site’s surroundings.	NICTD, local communities
		B	NICTD will continue to coordinate with IDNR and NPS regarding the appropriate tree ratio, species and location to provide the appropriate mitigation for tree replacement. Mitigation will be coordinated with the wetland and natural resource mitigation plan, as appropriate.	NICTD, IDNR, NPS
		C	NICTD and NPS, in consultation with the U.S. Army Corps of Engineers (USACE), the Indiana Department of Environmental Management (IDEM) and the IDNR, will develop a wetland and natural resource mitigation plan to create, restore, and enhance wetland and hydrology within the Indiana Dunes National Lakeshore. The mitigation plan will be developed as part of the Section 404 individual permit from USACE.	NICTD, NPS
<b>4.6: Noise – Construction effects</b>				
16	Construction activities will require the use of heavy earthmoving equipment, which could result in temporary, high noise levels.	A	NICTD will develop a construction public outreach plan that will include specific techniques to communicate with neighborhoods and businesses to prepare for construction.	NICTD
		B	NICTD will require the construction contractor to develop a construction noise management plan when working near sensitive receptors such as residences and schools. The plan would identify methods to minimize noise effects, periodic evaluation of the placement of construction equipment to avoid overexposure at any single receptor, and a process to handle and resolve any noise-related complaints.	NICTD, construction contractor
		C	NICTD will require the construction contractors will be required to comply with applicable noise limits at the state and local level.	NICTD, construction contractor



Effects Requiring Mitigation		Mitigation Commitments		Responsible Agency
<b>4.6: Noise – Permanent effects</b>				
17	Train horn sounding at nearby grade crossings will cause moderate noise effects at one residence in Gary and two residences in Beverly Shores.	A	NICTD will lower the decibel level on the train horn to 100 dBA.	NICTD
18	Train horn sounding in Michigan City due to the remaining open at-grade crossings	A	NICTD will work with Michigan City to apply for a quiet zone designation from 0.25 mile west of Sheridan to 0.25 mile east of Carroll Avenue. This will require Michigan City to submit an application to the FRA.	NICTD, City of Michigan City, FRA
<b>4.7: Vibration – Construction effects</b>				
19	Use of heavy earthmoving equipment during construction will cause temporary ground vibration, which may be perceived at nearby sensitive receptors.	A	NICTD will develop a construction outreach plan that will include specific techniques to communicate with neighborhoods and businesses to prepare for construction.	NICTD
		B	NICTD will continue to coordinate construction activities with each community. Contract documents will specify equipment vibration limits. NICTD will require the construction contractor to develop a construction vibration management plan when working near sensitive receptors such as residences and schools. The plan would identify methods to minimize vibration effects, such as rerouting construction-related truck traffic and vibration monitoring.	NICTD, construction contractor
<b>4.7: Vibration – Permanent effects</b>				
20	One location in the Town of Pines, two in Beverly Shores, and five in Michigan City are predicted to perceive vibration effects.	A	NICTD will install crosstie pads, ballast mats, resilient fasteners, or other track support system modifications in discrete locations where vibration effects are predicted. NICTD will evaluate these materials for effectiveness at affected receptors and for durability in a shared freight corridor during the final design phase of the project.	NICTD



Effects Requiring Mitigation		Mitigation Commitments		Responsible Agency
<b>4.8: Hazardous/Regulated Materials – Construction effects</b>				
21	Potential to disturb high- and moderate-risk Recognized Environmental Conditions (RECs) during construction.	A	NICTD will instruct contractors to follow all applicable regulations regarding discovery and response for hazardous materials encountered during the construction process.	NICTD, construction contractors
		B	NICTD will instruct construction contractors to stop all subsurface activities in the event that odors, vents, disturbed, or significantly stained soil are discovered during construction.	NICTD, construction contractors
		C	Asbestos, lead-based paint and hazardous material surveys of buildings or structures will be required before reconstruction or demolition of any property, including NICTD-owned properties or structures. Any hazardous materials identified will be abated and disposed of in accordance with federal, state, and local regulations.	NICTD, construction contractors
		D	Contract plans will include a Contaminated Material Management Plan, Spill Control and Prevention Plan, Stormwater Pollution Prevention Plan, and Health and Safety Plans. Plans will be approved by NICTD and other agencies as appropriate prior to the start of construction.	NICTD, construction contractors
<b>4.8: Hazardous/Regulated Materials – Permanent effects</b>				
None				
<b>4.9: Biological Resources – Construction and Permanent effects</b>				
<b>Threatened/Endangered Species</b>				
22	Amphibians and Reptiles The Build Alternative will clear 28 acres of high- and moderate-	A	To the extent practicable, NICTD will avoid digging/excavating or filling wetlands between November 1 and March 1. NICTD will install silt fences in known habitat areas within active work areas prior to March 1.	NICTD, construction contractors



Effects Requiring Mitigation		Mitigation Commitments		Responsible Agency
	quality habitat for the eastern massasauga snake ( <i>Sistrurus catenatus catenatus</i> ) and the Kirtland's snake ( <i>Clonophis kirtlandii</i> ), 4.0 acres of suitable habitat for the spotted turtle ( <i>Clemmys guttata</i> ), and 4.7 acres of suitable habitat for the northern leopard frog ( <i>Lithobates pipiens</i> ).	B	NICTD will ensure that the NPS has conducted a floristic assessment of the Dune Park Station proposed parking area prior to any vegetation clearing or construction at this site. A survey will be conducted during final design to accurately mark the boundaries of the entire proposed parking lot expansion.	
		C	To the extent practicable, a qualified herpetologist will conduct daily inspections of the work areas and relocate individual amphibians and/or reptiles from any of the four target species found in construction areas.	
23	<u>Indiana Bat and Northern Long-eared Bat</u> The Build Alternative will clear 7.68 acres of moderate-quality habitat for these species.	A	NICTD will ensure that construction plans indicate that for areas identified in the 2017 Bat Habitat Assessment as "low to moderate suitable habitats," no tree clearing can occur between April and December. These areas will be identified in the design plans and a special provision will be included in the specifications.	NICTD, construction contractors
		B	NICTD will ensure all operators, employees, and contractors working in areas of known or presumed bat habitat are aware of all environmental commitments contained in this FONSI.	NICTD, construction contractors
		C	NICTD will ensure that construction plans indicate that temporary lighting must be directed away from suitable habitat during the active season (April 1 –November 30).	NICTD, construction contractors
		D	For permanent lighting near moderate-quality habitat, NICTD will use downward-facing, full cut-off lens lights, and direct lighting away from suitable habitat when installing new or replacing existing permanent lights.	NICTD, construction contractors
		E	NICTD will ensure that tree removal is limited to that specified in project plans or as developed in the wetland and natural resource mitigation plan by installing bright colored flagging/fencing prior to any tree clearing to ensure contractors stay within clearing limits.	NICTD, construction contractors



Effects Requiring Mitigation		Mitigation Commitments		Responsible Agency
<b>State-listed Plant Species</b>				
24	The following seven plant species may be found and removed by construction: Speckled alder ( <i>Alnus incana</i> ) Bebb's sedge ( <i>Carex bebbii</i> ) Northern long sedge ( <i>Carex folliculate</i> ) Kalm's St. John's-wort ( <i>Hypericum kalmianum</i> ) Needle-pod rush ( <i>Juncus scirpoides</i> ) Dwarf ginseng ( <i>Panax trifolius</i> ) White Pine ( <i>Pinus strobus</i> )	A	NICTD will continue coordination with the IDNR Dunes Nature Preserve during final design and construction.	NICTD, IDNR, NPS
		B	To the extent practicable, NICTD will coordinate with IDNR and NPS to either relocate listed plant species prior to disturbance or plant new vegetation. NICTD will coordinate this mitigation with the overall wetland and natural resource mitigation plan that will be prepared as part of the Section 404 individual permit.	NICTD, IDNR, NPS
		C	NICTD will utilize local area expert botanists during the development and implementation of the relocation plan. This may include conducting additional floristic surveys if deemed appropriate.	NICTD
<b>Woodlands and Vegetation</b>				
25	The Build Alternative will clear 20.56 acres of woodland throughout the project area.	A	NICTD will coordinate with IDNR and NPS regarding the appropriate ratios, location and species for tree replacement during the wetland and natural resource mitigation planning.	NICTD, IDNR, NPS
26	Certain woodland habitat that will be cleared may provide nesting areas for bird species.	A	As part of the Section 404 permit process, NICTD will coordinate with the USFWS under the MBTA and Section 7 of the Environmental Species Act.	NICTD
27	Construction could cause inadvertent transfer of invasive species	A	NICTD will require contractors to wash construction vehicles before/after leaving a construction site to minimize transfer of invasive species	NICTD, construction contractors
<b>4.10: Water Resources – Construction effects</b>				



Effects Requiring Mitigation		Mitigation Commitments		Responsible Agency
28	The Build Alternative will cause disturbance of vegetation and soils, which will increase the potential for erosion and sedimentation. Sediments could be released to wetlands and streams, including impaired waterways.	A	NICTD will develop erosion and sediment control plans as part of the NPDES and Section 404 individual permit and 401 Water Quality Certification (WQC) that incorporate BMPs (such as silt and drift fences) to avoid or minimize construction-related effects. NICTD will require that contractors institute these BMPs.	NICTD, construction contractors
		B	NICTD will require the construction contractor to employ at least one environmental specialist to monitor compliance with BMPs.	
		C	NICTD will require that the construction contractor work within the designated construction footprint to avoid inadvertent encroachment on wetlands.	
		D	NICTD will develop construction plans to avoid work in the waterways between April 1 and June 30, to the extent practicable. If it is determined that this is not possible, NICTD will obtain prior written approval from the IDNR to do so.	NICTD, IDNR
29	The Build Alternative will temporarily affect 0.62 acres of wetlands.	A	See mitigation measures #31 below.	NICTD
<b>4.10: Water Resources – Permanent effects</b>				
<b>Water Quality</b>				
30	Potential in-stream work in three impaired waterways (Dunes Creek, Brown Ditch, and Kintzele Ditch) because of construction.	A	NICTD will develop erosion and sediment control plans and require contractors to institute BMPs as identified by the IDNR to protect water quality during construction. BMPs include installation of silt and drift fences, informing contractors of areas that must be avoided during construction, and having an environmental specialist on site during construction to monitor compliance (see Appendix B).	NICTD, construction contractors
		B	NICTD will apply for a Section 404 individual permit and 401 WQC and abide by permit conditions.	NICTD, construction contractors



Effects Requiring Mitigation		Mitigation Commitments		Responsible Agency
<b>Wetlands and Streams</b>				
31	The Build Alternative will fill 4.42 acres of wetlands and will include 1,117 linear feet of in-stream work.	A	NICTD will mitigate wetland effects according to ratios determined by USACE.	NICTD
		B	NICTD will obtain a Section 404 individual permit and adhere to any conditions of the permit.	NICTD
		C	NICTD will consult the list of BMPs identified by the IDNR as part of the EA response (see Appendix B of FONSI).	NICTD
		D	NICTD and NPS, in consultation with the USACE, IDEM and the IDNR will develop a wetland and natural resource mitigation plan to create, restore, and enhance wetland and hydrology within the Indiana Dunes National Lakeshore. The mitigation plan will be developed as part of the Section 404 individual permit from USACE, and will be approved by IDEM.	NICTD, NPS
<b>Floodplains and Floodways</b>				
32	The Build Alternative will result in the permanent fill of up to 2.02 acres of the 100-year floodplain.	A	NICTD will design all drainage structures in accordance with IDEM and IDNR permit requirements.	NICTD
		B	NICTD will obtain permits from local and state authorities and specified conditions will be followed. Erosion control plans will be developed as part of the construction documents.	NICTD, construction contractors
33	Riparian habitats along stream channels and within floodways may be affected.	A	NICTD will review the IDNR Floodway Habitat Mitigation guidelines. Design will focus on avoidance, minimization, or mitigation, where necessary. Mitigation for effects will be coordinated with the wetland and natural resource mitigation plan being prepared for the project.	NICTD, IDNR





Effects Requiring Mitigation		Mitigation Commitments		Responsible Agency
<b>4.11: Section 6(f) Resources – Construction and Permanent effects</b>				
<b>None</b>				
<b>4.12: Environmental Justice – Construction and Permanent effects</b>				
<b>34</b>	Construction of the Build Alternative will affect both EJ and non-EJ populations. Additional outreach and coordination with community organizations is necessary to maintain continued engagement with EJ populations as the Project advances.	A	As NICTD prepares final plans for station and track designs in EJ areas, including Gary and Michigan City, public input will be sought as part of the local review process. NICTD will work with communities to include specific outreach to EJ populations. If additional adverse effects are found during this process, NICTD will consider additional mitigation to offset the effects.	NICTD, local communities
<b>4.13: Safety and Security – Construction effects</b>				
<b>35</b>	Constructing the Build Alternative will have temporary effects on commuters and trail users during construction. Temporary closure of streets or detours may affect emergency vehicle response times.	A	NICTD will prepare and implement a Safety and Security Management Plan (SSMP) for the Project.	NICTD
		B	Temporary fencing will be used in construction areas for the safety of commuters, pedestrians, workers, and trail users.	Construction contractor
<b>4.13: Safety and Security – Permanent effects</b>				
<b>None</b>				
<b>4.14: Indirect and Cumulative – Construction and Permanent effects</b>				



Effects Requiring Mitigation		Mitigation Commitments		Responsible Agency
<b>36</b>	Construction may result in some indirect impacts to wetlands and other natural resources.	A	NICTD will indicate wetland boundaries and BMPs on the design plans and specifications. NICTD will require that contractors institute the BMPs to protect against indirect effects to wetlands, and monitor compliance by having an on-site environmental specialist overseeing the work. NICTD will also require that the construction contractor work within the designated construction footprint to avoid inadvertent encroachment on wetlands.	NICTD, construction contractor
<b>4.15a: Air Quality – Construction effects</b>				
<b>37</b>	The Build Alternative may result in some temporary minor to moderate effects on air quality during construction.	A	NICTD will require the contractor to prepare and implement a dust control plan, a work-zone traffic management plan, and a strategy to control emissions from diesel-powered equipment.	NICTD, construction contractor
		B	The contractor will be required to follow the USEPA's Construction Emission Control Checklist.	NICTD, construction contractor
		C	The construction contractor will employ at least one environmental staff member to monitor construction activities within residential areas to help ensure that construction does not become a nuisance to nearby residences.	NICTD, construction contractor
<b>4.15a: Air Quality – Permanent effects</b>				
<b>None</b>				
<b>4.15b: Farmland – Construction and Permanent effects</b>				
<b>None</b>				
<b>4.15c: Energy – Construction and Permanent effects</b>				
<b>None</b>				
<b>4.15d: Navigable Waters – Construction and Permanent effects</b>				



Effects Requiring Mitigation		Mitigation Commitments		Responsible Agency
<b>None</b>				
<b>4.15e: Coastal Zone Management – Construction and Permanent effects</b>				
<b>38</b>	Project is located within Lake Michigan’s coastal program boundary and Federal Consistency review is required.	A	NICTD will request federal consistency review and certification by the IDNR-Division of Nature Preserves (DNP) as part of the permitting process. NICTD will coordinate with DNP during design.	NICTD
<b>4.15f: Geology, Soils, and Karst – Construction effects</b>				
<b>39</b>	Impacts during construction would result in soil disturbance as a result of clearing, grading, and excavating; compaction from heavy-machinery traffic; potential reduction of soil quality as a result of mixing of rock with topsoil; and loss of soil from water and wind erosion.	A	NICTD will direct contractors to develop erosion control measures and BMPs as part of a Stormwater Pollution Prevention Plan to be prepared as part of the USEPA’s National Pollution Discharge Elimination System (NPDES) permit.	NICTD, construction contractors
<b>4.15f: Geology, Soils, and Karst –Permanent effects</b>				
<b>None</b>				
<b>5.0: Section 4(f)</b>				
<b>40</b>	De minimis impact on the Calumet Trail relocation under State Route 49 bridge	A	Concurrence on de minimis finding from Official with Jurisdiction (Porter County) and NIPSCO has been received. NICTD will notify Porter County and NIPSCO prior to construction.	NICTD, construction contractors
<b>41</b>	De minimis impact on the Dunes Kankakee Trail/Brickyard Segment relocation near Mineral Springs Road	A	Concurrence on de minimis finding from Officials with Jurisdiction (Town of Porter and NPS) has been received. NICTD will notify Town of Porter and NPS prior to construction.	NICTD, construction contractors
<b>42</b>	Adverse Effect to 27 historic properties	A	See MOA stipulations under Section 4.4 #13	NICTD



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