



## Environmental Mitigation

NICTD has committed to specific mitigation measures that are intended to reduce the adverse effects of the DT-NWI Project. The information below summarizes the mitigation measures that the FTA and NICTD committed to in the 2017 Environmental Assessment (EA) and 2018 Finding of No Significant Impact (FONSI) under the National Environmental Policy Act (NEPA). NICTD’s implementation of these mitigation commitments is part of the approval and issuance of the FONSI. There were some changes to the Project during final design but it was determined that the modifications would not result in significant impacts, appropriate measures were incorporated to mitigate impacts where needed, and the findings of the 11/1/2018 FONSI were still valid. FTA concurred with the modifications and impact determination on September 22, 2020. It is possible that some of these measures may continue to be modified during the construction phase of the Project.

The progress and current status of each environmental commitment is provided below. This information will be updated on the Double Track NWI project website on a quarterly basis, at a minimum.

Should you have questions about items on this list, please call 219-850-4457 or email [doubletracknwi@nictd.com](mailto:doubletracknwi@nictd.com).

Number	Noise and Vibration Requiring Mitigation	Mitigation Measures	Mitigation Status
1	Construction Noise and Vibration	<p>NICTD will require the construction contractors to develop a construction noise management plan when working near noise-sensitive locations such as residences and schools. The plan will identify methods to minimize noise effects, require periodic evaluation of where construction equipment is placed to avoid overexposure to noise at any single location, and outline a process to handle and resolve any noise-related complaints. All construction contractors will comply with applicable noise limits at the state and local limit level.</p> <p>NICTD will require the contractors to develop a similar construction vibration management plan when working near vibration-sensitive locations, like schools and residences.</p>	<p>The requirement for these management plans was included in the Invitation for Bid (IFB) plans and specifications, which were advertised on Jan. 7, 2021.</p> <p>NICTD’s Construction Manager will develop the construction phase public outreach plan. The Construction Management consultant contract is expected to be awarded by NICTD on Jan. 25, 2021.</p>



Number	Noise and Vibration Requiring Mitigation	Mitigation Measures	Mitigation Status
		NICTD will prepare a public outreach plan to identify how NICTD and the contractors will communicate with neighborhoods and businesses before and during construction.	
2	Train Horn Noise at Crossings	NICTD will lower the decibel level on the train horn to 100 dBA.	Testing to lower the decibel level to an acceptable level that is compliant with FRA requirements continues. NICTD and FTA will meet to discuss more in January 2021.
3	Quiet Zone – Michigan City	Michigan City plans to submit a Quiet Zone application to the FRA for a quiet zone designation between Sheridan Road and Carroll Avenue. NICTD will work with and support Michigan City in its application to apply for the quiet zone designation.	Several rail crossings will be closed in Michigan City as part of the Project. NICTD is currently completing an analysis of the closures using FRA’s Quiet Zone model.
4	Vibration	NICTD will evaluate materials for effectiveness at identified vibration-sensitive locations and for durability in a shared freight corridor during the final design phase of the project.	NICTD determined the appropriate vibration materials and included them in the Project plans where the vibration effects were predicted.

Number	Air Quality Requiring Mitigation	Mitigation Measures	Mitigation Status
5		A Dust Control Plan, work-zone traffic management plan and strategy to control emissions from diesel-power equipment is required. Contractor is required to follow USEPA’s Construction Emission Control Checklist. One environmental monitor is required to be present during construction when near residences.	These Best Management Practices (BMPs) are detailed in the Invitation for Bid (IFB) plans and specifications, which were advertised on Jan. 7, 2021.



Number	Visual and Aesthetics Requiring Mitigation	Mitigation Measures	Mitigation Status
6	Temporary Visual Effects Due to Construction Work Zones	NICTD will conduct construction primarily within existing railroad property, on property acquired for the Project, or on temporary construction easements immediately adjacent to railroad, which will minimize visual effects during construction.	NICTD is actively purchasing the properties identified to complete the project.
7		NICTD will prepare a public outreach plan that identifies how NICTD and contractors will communicate with neighborhoods and businesses before and during construction.	NICTD's Construction Manager will develop the construction phase public outreach plan. The Construction Management consultant contract is expected to be awarded by NICTD on Jan. 25, 2021.
8		NICTD will require contractors to clean up construction sites to acceptable standards at the end of each working day.	Included in IFB plans and specifications.
9	Permanent Visual and Aesthetic Changes at Michigan City/11 <sup>th</sup> Street Station	NICTD will work with local communities on the design of stations and parking areas. Landscaping, reusing a building façade and/or using building construction materials, colors, and architectural styles consistent with the station site's surroundings will be considered.	In historic Michigan City, NICTD worked with the City's Historic Review Board to develop a station and parking garage design that was consistent with the historic context. The Board issued the required Certificate of Appropriateness on 12/28/2020. Also, in Michigan City, other site amenities that the City would prefer are included as alternates in the IFB plans that were issued on 1/7/2021.
10	Permanent Visual and Aesthetic Changes at Gary/Miller Station	NICTD will work with local communities on the design of stations and parking areas. Landscaping and/or using building construction materials, colors, and architectural styles consistent with the station site's surroundings will all be considered.	NICTD met with the City of Gary continuously during the project, and the City reviewed the station plans. Renderings of the station plans were presented to the public in June 2020 at a virtual open house.



Number	Visual and Aesthetics Requiring Mitigation	Mitigation Measures	Mitigation Status
11	Visual Effects - Trees	Coordination with Indiana Department of Natural Resources (INDNR) and National Park Service (NPS) will occur regarding the appropriate tree ratio, species and location to provide the appropriate mitigation for tree replacement	INDNR issued a Floodway Permit that requires NICTD to plant new trees within the Indiana Dunes National Park's Heron Rookery, which will start in April 2021.

Number	Land Acquisition Requiring Mitigation	Mitigation Measures	Mitigation Status
12	Permanent Property Acquisition and Temporary Easements	NICTD identified property that would be needed to build the Project. Some properties will be purchased for the Project; others will require a temporary easement for access and use during construction of the project. In some areas, only a portion of a property (known as partial acquisitions) would be needed. Temporary easements are needed for construction. Properties that are currently occupied will require relocations. In all cases, NICTD and its real estate consultants must conduct their actions according to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.	All property owners have been contacted and NICTD is actively purchasing properties and negotiating easements. All actions are conducted according to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.

Number	Cultural and Historic Resources Requiring Mitigation	Mitigation Measures	Mitigation Status
13		NICTD will meet the stipulations contained within the Section 106 Memorandum of Agreement between the FTA and IN State Historic Preservation Officer, as follows. Note, this will also fulfill the requirements of Section 4(f) of the USDOT Act of 1966.	



Number	Cultural and Historic Resources Requiring Mitigation	Mitigation Measures	Mitigation Status
14	South Shore Line Station Building	The façade of the South Shore Station at 114 E. 11th Street, Michigan City, Indiana, will be preserved and incorporated it into a new mixed-use building to serve as the entrance to the new 11th Street Station. Prior to the demolition of the South Shore Station at 114 E. 11th Street in Michigan City or any alterations to the façade, NICTD will 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. NICTD will prepare a public exhibit focusing on the history of the South Shore Line for display in the new station building.	In historic Michigan City, NICTD worked with the City's Historic Review Board to develop a station and parking garage design that was consistent with the historic context. The façade was incorporated into the design. The Board issued the required Certificate of Appropriateness on 12/28/2020. NICTD completed the HABS Documentation Level II on the South Shore Station (HABS No. IN-325). Copies of the final documentation were provided to the National Park Service (NPS), Indiana SHPO, Indiana Room at the Michigan City Public Library, and the Calumet Regional Archives on 12/31/20. NICTD is beginning discussions regarding this exhibit with its consultants.
15	First Christian Church	Prior to any alterations or the demolition of the First Christian Church at 1102 Cedar Street in Michigan City, NICTD will 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 Historic American Buildings Survey Guidelines for Historical Reports.	NICTD completed the HABS Short Format Report for the First Christian Church (HABS No. IN-323). Copies of the final documentation were provided to the National Park Service (NPS), Indiana SHPO, Indiana Room at the Michigan City Public Library, and the Calumet Regional Archives on 12/31/20.
16	Franklin Street Commercial Historic District and Elston Grove Historic District	Prior to the demolition of any individual resource listed in Attachment B of the MOA (with the exception of resources already being documented in Treatment Measures B and C), NICTD will 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	NICTD completed the HABS Level III documentation for the adversely affected areas of the Elston Grove Historic District (HABS No. IN-322) and Franklin Street Commercial Historic District (HABS No. IN-324). Copies of the final documentation were provided to the NPS, Indiana SHPO, Indiana Room at



Number	Cultural and Historic Resources Requiring Mitigation	Mitigation Measures	Mitigation Status
		located in Michigan City. NICTD will 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.	the Michigan City Public Library, and the Calumet Regional Archives on 12/31/2020. NICTD is starting to discuss the historic district interpretive panels with its consultants.

Number	Trails Requiring Mitigation	Mitigation Measures	Mitigation Status
17	Calumet Trail under SR 49 Dunes Kankakee Trail near Mineral Springs Road	During construction, there will be temporary changes to access to the Calumet Trail, the Dunes Kankakee Trail and other destinations within the National Park. NICTD will communicate these changes in access to the public.	NICTD fulfilled the requirements of Section 4(f) of the USDOT Act of 1966 by coordinating with the NPS, Town of Porter, Porter County and NIPSCO regarding the temporary impacts to the trails during construction. NICTD and these agencies will post signs and take other measures at least 14 -21 days prior to any closures, if any are needed, to inform the public and trail users. No closures would be longer than one week in duration.

Number	Natural and Biological Resources Requiring Mitigation	Mitigation Measures	Mitigation Status
18	Protection of Federal Threatened and Endangered Species –	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 September. These areas will be	U.S. Fish and Wildlife Service (FWS) approved NICTD's Threatened and Endangered Species Avoidance Plan in June 2020. USFWS has indicated that



Number	Natural and Biological Resources Requiring Mitigation	Mitigation Measures	Mitigation Status
	Indiana Bat and Northern Long Ear Bat	identified in the design plans and a special provision will be included in the specifications.	tree clearing can occur anytime in the wooded parking areas in Gary/Miller. Areas to avoid tree removal are included in the demolition and construction plans. NICTD has issued a separate tree clearing advanced demolition contract, which specifies that no clearing can occur between April and September.
19		NICTD will ensure all operators, employees, and contractors working in areas of known or presumed bat habitat are aware of all environmental commitments.	NICTD's Construction Management Team will employ an environmental specialist to oversee activities. NICTD is considering requiring environmental training for all workers on site.
20		NICTD will ensure that construction plans indicate that temporary lighting must be directed away from suitable bat habitat during the active season (April 1 –September 30). Permanent lighting near moderate-quality bat habitat needs to be downward facing, full cut off lens lights and directed away from suitable bat habitat.	This lighting is specified in the construction plans and specifications.
21	Protection of State Listed Endangered Species	NICTD will work with INDNR and NPS to either relocate state-listed plant species or plant new vegetation. NICTD will utilize local area expert botanists during the development and implementation of the relocation plan.	Early relocation took place in 2019 with cooperation between NICTD, NPS, NIPSCO, Save the Dunes, and other local volunteers.
22	Discovering Protected Species during Construction (i.e. massasauga snake, spotted turtle, northern leopard frog)	To the extent practicable, NICTD will avoid digging/excavating or filling wetlands during inactive periods. NICTD will install silt fences in known habitat areas within active work areas prior to March 1. The fencing should have a minimum distance of 0.50 mile and should curve at the ends. Any turtles or snakes encountered, regardless of species, should be removed,	As part of Section 404 permitting process, USFWS indicated that no digging/excavating or filling can occur in the high-quality wetlands during the inactive period between October 16 and April 14. This information and locations are included in the General Provisions,





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		<p>unharmed, and immediately placed outside the work area into nearby safe habitat.            To the extent practicable, a qualified herpetologist will conduct daily inspections of the work areas and relocate individual massasauga snakes, spotted turtles, and northern leopard frogs found in construction areas.</p>	<p>plans and specifications. Silt fence is included in these areas and was reviewed by environmental specialists as part of plan review.            The requirement for herpetologist is included in the construction plans and specifications for those contracts that intersect with the areas. The Construction Management Team will also have an environmental specialist.</p>
23	Tree Removal and Replacement	<p>NICTD will work with IDNR and NPS to determine appropriate tree ratio, species and location. Mitigation will be coordinated with the wetland and natural resource mitigation plan, as appropriate.</p>	<p>Under the stipulations of the INDNR Floodway Permit for the Project, NICTD will place new, native trees in NPS property at the Indiana Dunes National Park's Heron Rookery site at a 7.5:1 ratio. 30 trees will be planted to replace the 4 trees in the floodway that will be removed by the Project. Tree planting is targeted to begin in April 2021.</p>
24		<p>NICTD will ensure that tree removal is limited to that specified in project plans by installing bright colored flagging/fencing prior to any tree clearing to ensure contractors stay within clearing limits.</p>	<p>The construction limits are detailed in the final demolition and construction plans. Locations of trees are identified. NICTD is also coordinating closely with NIPSCO regarding tree trimming and removals.</p>





Number	Wetlands and Water Quality Requiring Mitigation	Mitigation Measures	Mitigation Status
25	Wetland Protection	Contractor must work only within designated construction footprint.	Wetlands are clearly depicted on plan sheets and included as this is clearly indicated as a condition of the Section 404/401 permit.
26	Wetland Mitigation	The Project will permanently impact 4.29 acres of wetlands, as well as an additional 1.53 acres of temporary wetlands. USACE will determine the mitigation ratios that NICTD will be responsible to replace.	NICTD, IDEM, NPS and USACE have agreed that the INDNR In-Lieu Fee Program is the appropriate mitigation tool. The Section 404 permit application was submitted in June 2020, with public notice in August 2020. 401 Water Quality Certification was issued by IDEM on 11/18/2020. The USACE is expected to issue the permit by February 2021.
27	Stream Protection and Mitigation	The Project will place fill (revetment stone riprap, concrete and ballast) in 12 streams, with 45 linear feet of new stream encapsulation. INDNR provided updated guidance on June 23, 2020 regarding stream/waterway fish spawning restrictions. USACE will determine the mitigation NICTD will be responsible to replace.	NICTD included seasonal restrictions in the construction schedules. The IFB plans and specifications that were issued on January 7, 2021 reflect the new INDNR guidance that a. "no in-stream work is allowed at Kintzele Ditch near MP 36.20 during designated salmonoid spawning season between March 15 and June 15 and July 15 and November 30," and b. "no in-stream work is allowed in the remaining streams between April 1 and June 30." Additionally, culvert designs were revised based on INDNR comments to allow for passage of fish and small animals. NICTD coordinated with the NPS on the design for those culverts that are located within the Indiana Dunes National Park. The contractor will apply



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			for a Special Use Permit (SUP) for the work, but NICTD submitted a “preview” SUP application, which was approved by the NPS.
28	Stormwater Pollution Protection	NICTD will develop erosion and sediment control (ESC) plans and require contractors to institute Best Management Practices (BMP) as identified by the INDNR 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. Contractors will need to wash construction vehicles before/after leaving a construction site.	ESC plans are included in the Stormwater Pollution Prevention Plans (SWPPP) prepared for the Project’s demolition and construction IFB plans. These were reviewed by environmental specialists during design and were included in the Section 404/401 permit application. NICTD will provide National Pollutant Discharge Elimination System Section 402 Notice of Intent in mid-January 2021 to Porter County; Michigan City; Gary; Portage; and Porter. All construction contractors will be required to submit a Stormwater Quality and Control Plan to NICTD.

Number	Hazardous and Contaminated Materials Requiring Mitigation	Mitigation Measures	Mitigation Status
29	Discovered Contaminated Soil	Phase II Environmental Site Assessments (ESAs) were conducted on parcels needed for the Project in order to reduce the risk, understand the extent and type of contamination that may be present and develop appropriate remediation. Discovery and Response Plan: All construction contractors must stop all subsurface	Phase II ESAs are complete. This information is included in the IFB plans and specifications.



Number	Hazardous and Contaminated Materials Requiring Mitigation	Mitigation Measures	Mitigation Status
		activities if odors, vents, disturbed, or significantly stained soil are discovered during construction.	
30	Discovered Waste in Existing Buildings	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.	This requirement is detailed in the demolition plans and specifications.
31	Unforeseen situations	Spill Control and Prevention Plan, Stormwater Pollution Prevention Plan (SWPPP), Health and Safety Plans and Contaminated Material Management Plan will be developed and approved.	The SWPPP has been sent to permitting agencies. The other listed plans must be developed by contractors and approved by NICTD. This requirement is included in demolition and construction plans and specifications.

Number	Transportation Requiring Mitigation	Mitigation Measures	Mitigation Status
32	Service on South Shore Line	Weekend service interruptions will occur during culvert installation and track cutovers. Notice to the public and riders will be required.	NICTD will provide enough notice to its riders and Metra riders when weekend outages will occur and will provide busing during these times.
33	Freight on Rail Lines	Phasing plans to handle freight traffic and use of rail lines between Canadian National, Norfolk Southern, CSX Transportation, Amtrak and CSS during construction.	NICTD secured Construction Agreements with all freight railroads. All railroads have reviewed the design and phasing plans. One agreement remains, which will be executed in February 2021.
34	Public Transportation in Gary	NICTD will coordinate with the City of Gary and the Gary Public Transportation Corporation (GPTC) to develop an outreach plan regarding	NICTD met with the City and GPTC several times during design development and provided Maintenance of Traffic plans to the City for



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		the temporary effects on Route 12 during construction.	review. Comments were addressed and included in the IFB plans issued January 7, 2021. The requirement for public outreach is included in the Construction Management contract, for which NICTD expects to award on January 25, 2021.
35	Lake Street Traffic in Gary	Traffic plans will be developed to provide safe access to businesses on Lake Street.	Maintenance of Traffic plans were included in the IFB plans issued January 7, 2021. The requirement for public outreach is included in the Construction Management contract, which NICTD expects to award on January 25, 2021.
36	Public Transportation in Michigan City	An Outreach Plan will be developed regarding the temporary effects on Routes 1, 3, and 4 during construction and the permanent elimination of Route 2.	NICTD met with the City and MC Transit several times during design development and provided Maintenance of Traffic plans to the City for review. Comments were addressed and included in the IFB plans issued January 7, 2021. The requirement for public outreach is included in the Construction Management contract, which NICTD expects to award on January 25, 2021.
37	Traffic Changes in Michigan City	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 for the eleven streets that will have cul-de-sac north of the proposed railroad tracks. Connections will be made for Carlon Court, Donnelly Street and Clair Street south of 10 <sup>th</sup> Street. Access will be at Willard and Sheridan Avenues. A new traffic signal is needed at 10 <sup>th</sup> and Franklin Streets, and the stop control will be moved from 10th Street to Pine Street in the station area. Westbound traffic on 11th Street will be rerouted.	NICTD met with the City and MC Transit several times during design development and provided Maintenance of Traffic plans to the City for review. Comments were addressed and included in the IFB plans issued January 7, 2021. The requirement for public outreach is included in the Construction Management contract, which NICTD expects to award on January 25, 2021.