



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.

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 construction plans and specifications, which was re-advertised in August 2021.</p> <p>A Construction Outreach Plan was developed by NICTD’s Construction Manager and approved by NICTD. Outreach materials will include information on who to contact with noise related complaints.</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.	Despite several attempts to lower the train horn decibel level, NICTD could not meet this threshold without violating FRA safety standards. After review of the 2018 FTA noise guidance, FTA agreed that the perceived noise change as a result of the Project was insignificant and approved the elimination of this commitment on 2/17/21.
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.	Michigan City Quiet Zone analysis is complete. The FRA's Quiet Zone model will be rerun in early 2022 and NICTD will work with Michigan City to advance the Quiet Zone application process at that time.
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.	The construction plans include Under Ballast Mats to provide noise and vibration mitigation for the locations identified in the EA.



Number	Air Quality Requiring Mitigation	Mitigation Measures	Mitigation Status
5	Construction Effects	A Dust Control Plan, work-zone traffic management plan, and strategy to control emissions from diesel-powered equipment is required. The Contractor is required to follow the USEPA's Construction Emission Control Checklist. One environmental monitor is required to be present during construction when near residences.	Construction plans and specifications detail these requirements and Best Management Practices, including the requirement of an environmental monitor.

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 has developed a Construction Outreach Plan.
8		NICTD will require contractors to clean up construction sites to acceptable standards at the end of each working day.	Good housekeeping requirements related to construction sites are included in construction plans and specifications.
9	Permanent Visual and Aesthetic Changes at	NICTD will work with local communities on the design of stations and parking areas. Landscaping, reusing a building façade and/or using building construction	In historic Michigan City, NICTD worked with the City's Historic Review Board to develop a station and parking garage



Number	Visual and Aesthetics Requiring Mitigation	Mitigation Measures	Mitigation Status
	Michigan City/11 th Street Station	materials, colors, and architectural styles consistent with the station site's surroundings will be considered.	design that was consistent with the historic context. The Board issued the required Certificate of Appropriateness on 12/28/2020. Michigan City's Request for Proposal (RFP) for a Transit Oriented Development designer is expected to be advertised in September 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. NICTD continued to coordinate with the City of Gary regarding station area planning throughout design, which is now complete.
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	NICTD planted 30 new trees within the Indiana Dunes National Park's Heron Rookery in May 2021. Monitoring of the plantings will continue through May 2024.

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	All property owners have been contacted and NICTD is actively purchasing properties and negotiating easements.



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		<p>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.</p> <p>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.</p>	<p>All actions are conducted according to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.</p>

Number	Cultural and Historic Resources Requiring Mitigation	Mitigation Measures	Mitigation Status
13		<p>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.</p>	
14	South Shore Line Station Building	<p>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.</p> <p>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.</p>	<p>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 has begun discussions regarding the public exhibit with its consultants and will further develop the plan for the exhibit in coordination with Michigan City's station block developers.</p>



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15	Michigan City 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. Demolition of the building began in August 2021.
16	Franklin Street Commercial Historic District and Elston Grove Historic District	<p>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 located in Michigan City.</p> <p>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.</p>	<p>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 the Michigan City Public Library, and the Calumet Regional Archives on 12/31/2020.</p> <p>NICTD continues to work with Michigan City regarding their TOD Plans and these panels would be part of the streetscape. NICTD plans to develop the content of the panels in late 2021 and finalize content in late 2022.</p>



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.	The NIPSCO/Porter County agreement for the plan for temporary closure of Calumet Trail was revised amended based on NICTD's adjusted final design. This has been signed by all parties, including FTA. Public notice of the closure is required. NICTD has coordinated with 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 – Indiana Bat and Northern Long Ear Bat	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 identified in the design plans and a special provision will be included in the specifications.	U.S. Fish and Wildlife Service (FWS) approved NICTD's Threatened and Endangered Species Avoidance Plan in June 2020. USFWS has indicated that 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

Number	Natural and Biological Resources Requiring Mitigation	Mitigation Measures	Mitigation Status
			clearing advanced demolition contract, which specifies that no clearing can occur between April and September in specific locations.
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. construction plans and specifications require contractor staff to review the environmental training PowerPoint and acknowledge their understanding. The contractors must retain a log of trainees/dates.
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 included in 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 wetland locations are included in the General Provisions, plans and specifications. Silt



Number	Natural and Biological Resources Requiring Mitigation	Mitigation Measures	Mitigation Status
		<p>unharmed, and immediately placed outside the work area into nearby safe habitat.</p> <p>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>fence is included in these areas and was reviewed by environmental specialists as part of the review of final construction plans and specifications.</p> <p>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> <p>A separate Invitation for Bid (IFB) for exclusion fencing was advertised and awarded in August 2021 so that the fencing can be installed prior to October 16, 2021.</p>
23	Tree Removal and Replacement	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.	Under the stipulations of the INDNR Floodway Permit for the Project, NICTD planted new, native trees in NPS property at the Indiana Dunes National Park's Heron Rookery site at a 7.5:1 ratio. In May 2021, NICTD planted 30 new trees within the Indiana Dunes National Park's Heron Rookery to replace 4 trees removed from the floodway. Monitoring of the plantings will continue through May 2024.
24		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.	The construction limits are detailed in the final demolition and construction plans. Locations of trees are identified.



Number	Natural and Biological Resources Requiring Mitigation	Mitigation Measures	Mitigation Status
			<p>NIPSCO and NICTD refined tree removal locations in Feb 2021.</p> <p>Tree clearing in the designated areas was completed in Dune Park in March 2021 and in Gary East in July 2021.</p> <p>Ogden Dunes Tree Clearing is scheduled in December 2021.</p>

Number	Wetlands and Water Quality Requiring Mitigation	Mitigation Measures	Mitigation Status
25	Wetland Protection	Contractor must work only within designated construction footprint.	The 404 Permit was approved on 2/17/21. The contractors must abide by the permit conditions. NICTD's Construction Manager will monitor contractor compliance with the 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.	The 404 Permit was approved in February 2021. In-lieu fee payment to IN Natural Resources Foundation was completed in April 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.	Environmental Permits, Issues, & Commitments plan sheets are included in construction plans and specifications. As contract 1 modifications evolve, NICTD will evaluate and obtain IN DNR waiver, if required.



Number	Wetlands and Water Quality Requiring Mitigation	Mitigation Measures	Mitigation Status
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.	Stormwater Management Plans and Storm Water Pollution Prevention Plan (SWPPP) have been approved and permits issued by Michigan City, City of Portage, City of Gary, and Porter County. A Rule 5 Notice of Intent (NOI) covering the entire project was submitted to IDEM and a Construction Site Run-off general permit was approved in March 2021. 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 activities if odors, vents, disturbed, or significantly stained soil are discovered during construction.	Phase II ESAs are complete. information is provided to demolition and construction contractors in construction plans and specifications. Coordination with Indiana Brownfields continues related to specific NICTD properties. All Environmental Restrictive Covenants identified by Indiana Brownfields will be followed.
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	This requirement is detailed in the demolition plans and specifications.



Number	Hazardous and Contaminated Materials Requiring Mitigation	Mitigation Measures	Mitigation Status
		materials identified will be abated and disposed of in accordance with federal, state, and local regulations.	
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 SWPPPs have been sent to permitting agencies and approved as part of the permitting process. 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	Temporary service interruptions will occur during the construction period. Notice to the public and riders will be required.	Bus service will replace commuter rail service during track outages. A Construction Outreach Plan has been developed and approved by NICTD. Notice will be provided to passengers as outlined in the Construction Outreach Plan and through NICTD's standard channels for communicating bus service.
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.
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 the temporary effects on Route 12 during construction.	A Construction Outreach Plan has been developed and approved by NICTD. The INDOT US 12 project began June 7, 2021 and will end in late 2021.



Number	Transportation Requiring Mitigation	Mitigation Measures	Mitigation Status
35	Lake Street Traffic in Gary	Traffic plans will be developed to provide safe access to businesses on Lake Street.	A Construction Outreach Plan has been developed and approved by NICTD.
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.	The Construction Outreach Plan developed and approved by NICTD. NICTD has issued social media, radio, and website updates. Construction plans and specifications require continued coordination with Michigan City Transit and notification of route changes will continue to be a part of public notifications.
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 th Street. Access will be at Willard and Sheridan Avenues. A new traffic signal is needed at 10 th and Franklin Streets, and the stop control will be moved from 10 th 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. Comments were addressed and are included in the Maintenance of Traffic Plans included in the construction plans and specifications.