

## Environmental Justice Technical Memorandum

NICTD Double-Track NWI (DT-NWI)  
Milepost (MP) 58.8 to MP 32.2

*Gary to Michigan City, IN*

September 18, 2017



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# NICTD Double-Track Environmental Justice Technical Memorandum

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## Acronyms and Abbreviations

Acronym	Definition
ACS	American Community Survey
ADA	Americans with Disabilities Act
BMP	best management practice
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulations
CRP	Comprehensive Regional Plan
CSS	Chicago South Shore and South Bend Railroad
DHHS	Department of Health and Human Services
DT-NWI	Double Track Northwest Indiana
EA	Environmental Assessment
EJ	environmental justice
EO	Executive Order
FTA	Federal Transit Administration
GIS	Geographic Information System
GPTC	Gary Public Transportation Corporation
INDOT	Indiana Department of Transportation
LEP	Limited English Proficiency
MOT	maintenance of traffic
MP	milepost
NEPA	National Environmental Policy Act
NICTD	Northern Indiana Commuter Transportation District
NIRPC	Northwestern Indiana Regional Planning Commission
OCS	overhead contact system
ROW	right-of-way
SHPO	State Historic Preservation Office
SSL	South Shore Line
TIP	Transportation Improvement Program
TOD	Transit-oriented development
URA	Uniform Real Estate and Relocations Act
USC	United States Code
USDOT	U.S. Department of Transportation
USEPA	U.S. Environmental Protection Agency
USHUD	U.S. Housing and Urban Development



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## 1.0 INTRODUCTION

The Northern Indiana Commuter Transportation District (NICTD), in cooperation with the Federal Transit Administration (FTA), proposes improvements and expansion of a 26.6-mile segment of the South Shore Line (SSL) between Gary and Michigan City. SSL is an important component of northwest Indiana's transportation system, and double tracking would provide a more competitive transportation option between northwest Indiana and Chicago. The proposed improvements would better connect the region by providing faster, more frequent, and more reliable train service.

The proposed Project limits are defined by mileposts (MPs) and are described from west to east. The proposed Project begins in Gary at MP 58.8, west of Virginia Street, and ends at MP 32.2, near Carroll Avenue in Michigan City. The total distance is 26.6 miles. Nearly 6.5 miles of double-track mainline already exists within the proposed Project limits, generally between the east end of Gary (MP 54.0) and Burns Harbor (MP 47.5). There are also three separate passing sidings totaling 2.2 miles. Therefore, the total distance of existing double track is 8.7 miles.

Within the 26.6-mile Project Area, the proposed Project would include 1.8 miles of signal work at the far west and east ends of the project, generally between MP 58.8 and 58.1 and MP 33.3 and 32.2, and the construction of 16.1 miles of new second mainline track and new overhead contact system (OCS or catenary) between MP 58.1 in Gary and MP 33.3 in Michigan City. These MPs roughly correspond with Tennessee Street in Gary and Michigan Boulevard in Michigan City.

Between MP 35.3 (Sheridan Avenue) and MP 32.2 (Carroll Avenue) in Michigan City, the proposed Project would include realignment, double tracking and construction of related infrastructure. The five stations between Gary and Michigan City would be improved to support the additional ridership, service frequency, and operational flexibility of the proposed Project. All stations would need to accommodate the continued operation of CSS freight trains.

This technical memorandum describes the proposed Project's compliance with applicable federal regulations for environmental justice (EJ). This memorandum includes NICTD's review of the regulatory context and methodology, identification of minority and/or low-income populations (that is, EJ populations), an overview of public outreach strategies and activities to engage EJ populations in the Project planning process, an assessment of impacts that would affect EJ populations, and a project-wide EJ finding.

A summary of this memorandum and the findings is included in **Section 4.12** of the Environmental Assessment.

## 2.0 LEGAL/REGULATORY CONTEXT AND METHODOLOGY

### 2.1 LEGAL/REGULATORY CONTEXT

There are several orders and guidance documents that require consideration of the impacts of federal actions on EJ populations. EJ analysis requirements address low-income people in addition to minority populations and are integrated into the procedures of the National Environmental Policy Act (NEPA).

#### FEDERAL

The analyses presented in this chapter were prepared in compliance with the Presidential Executive Order (EO) 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations* (February 11, 1994); the U.S. Department of Transportation's (USDOT) *Order to Address Environmental Justice in Minority Populations and Low-Income Populations* [USDOT Order



5610.2(a), May 2, 2012]; and FTA's Circular FTA C4703.1, *Environmental Justice Policy Guidance for Federal Transit Administration Recipients* (FTA 2012).

As outlined in FTA Circular 4703.1, USDOT and FTA are required to make EJ part of their mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of programs, policies, and activities on minority populations and/or low-income populations (collectively, *EJ populations*). FTA includes incorporation of EJ and non-discrimination principles into transportation planning and decision-making processes and project-specific environmental reviews.

Furthermore, USDOT Order 5610.2(a) sets forth the USDOT policy to consider EJ principles in all USDOT programs, policies, and activities. It describes how the objectives of EJ are integrated into planning and programming, rulemaking, and policy formulation. This EJ technical memorandum addresses only impacts to minority and low-income populations that would be caused by the proposed Project, because the No Build Alternative would not directly or indirectly change existing conditions of the surrounding environment.

## STATE

State agencies are subject to the above federal requirements as applicable. The State of Indiana does not have additional regulatory requirements pertaining to EJ.

## LOCAL

Local agencies are subject to the above federal and state requirements, as applicable. Lake, Porter, and LaPorte Counties, as well as the Towns of Ogden Dunes, Burns Harbor, Dune Acres, Porter, Beverly Shores, and the Town of Pines and the Cities of Gary, Portage, and Michigan City do not have additional regulatory requirements pertaining to EJ.

## 2.2 METHODOLOGY

The framework for the EJ evaluation incorporated in this memorandum is based on FTA Circular 4703.1, described above, which outlines a methodology that addresses EO 12898, including both a robust public participation process and an analytical process with three basic steps:

1. Determine whether there are EJ populations potentially affected by the Project.
2. If EJ populations are present, consider the potential effects of the Project on the EJ population, including any disproportionately high and adverse effects.
3. Determine whether any adverse effects could be avoided, minimized, or mitigated.

## ENVIRONMENTAL JUSTICE PROJECT AREA AND DATA SOURCES

A geographic information systems (GIS) platform was used by NICTD to identify a half-mile buffer<sup>1</sup> around the proposed Project. The potential mobility impacts or benefits of the proposed Project and other planned projects are likely to be experienced by all people who live, work, and/or recreate within a half-mile of the stations, which is generally considered a walkable distance. In addition, aerial photography of indirectly impacted Census geographies was reviewed due to the somewhat sporadic locations of

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<sup>1</sup> One half mile is the industry standard for the maximum distance people prefer when walking to a station. FTA uses one half-mile catchment areas around transit stations to measure population and employment in the station areas. Use of the half-mile buffer for this EJ analysis is consistent with corridor demographic measurements throughout the EA.

development in the Project Area, and those locations clearly without population within the half mile of the alignment were not included in the assessment.

American Community Survey (ACS) 2011-2015 data were used to quantify minority populations at the block group level, the smallest geographic unit for which race and ethnicity data are available. For the analysis of minority populations, each Census block that is completely within or intersects the buffer is included in the Project Area. NICTD used ACS 2011-2015 data as a primary source for mapping and quantifying low-income populations at the block group level, the smallest geographic unit for which low-income population data are available.

For the analysis of low-income populations, each Census block group that intersects or is completely within the half-mile buffer is included in the Project Area.

The analysis for both temporary construction impacts and permanent impacts takes into account direct adverse impacts and indirect or cumulative adverse impacts on EJ populations based on the following factors:

- Direct impacts would be permanent, result from implementation of the proposed Project, and occur at the same time and place (40 Code of Federal Regulations [CFR] 1508.8). A direct impact distance of 700 feet that increases to 1,600 feet at at-grade roadway crossing locations was applied. This distance was applied based on expected direct impacts from construction and implementation of this Project in an existing mixed urban and rural transportation corridor.
- Indirect impacts would be those caused by the Project, but which are separated from direct impacts by time and/or distance and include induced growth and related environmental impacts, such as changes to land use patterns, population density or growth rates, and related impacts on air quality, water and other natural systems. Cumulative impacts would be those that result from the incremental impact of the proposed Project when added to other past, present, and reasonably foreseeable future actions, regardless of what agency or person undertakes such other actions (40 CFR 1508.67). An area encompassing a half-mile around the alignment was assessed for potential indirect or cumulative impacts on EJ populations affected by the proposed Project.

## **METHOD FOR IDENTIFYING MINORITY POPULATIONS**

FTA defines a minority population as any readily identifiable group or groups of minority persons who live in geographic proximity, and if circumstances warrant, geographically dispersed or transient persons such as migrant workers or Native Americans who would be similarly affected by a proposed Project. Minority includes persons who are American Indian/Alaska Native, Asian, Black/African American, Hispanic/Latino, and Native Hawaiian and other Pacific Islander.

Based on existing guidance from the Council on Environmental Quality (CEQ) and the U.S. Environmental Protection Agency (USEPA), a “minority population may be present where either: (a) the minority population of the affected area exceeds 50 percent, or (b) if the minority population percentage in the affected area is meaningfully greater than the minority population percentage in the general population or other appropriate unit of geographic analysis” (CEQ 1997).

In identifying EJ populations, FTA Circular 4703.1, *Environmental Justice Policy Guidance for Federal Transit Administration*, suggests that reasonable efforts be made to “identify the presence of *distinct* minority and/or low-income communities residing both within, and in close proximity to the proposed Project or activity and to identify those minority and/or low-income groups who use or are dependent upon the natural resources that could be potentially affected by the proposed action.” In order to achieve

this, FTA suggests that “non-traditional data gathering techniques, such as outreach to community-based organizations early in the screening process, is the best approach for identifying distinct minority and/or low-income community within the Project Area.

This analysis uses 2011-2015 ACS data from the U.S. Census Bureau to identify and compare minority populations in Census block groups, Census tracts, municipalities, and counties. Field observations and local knowledge were used to further verify the presence of distinct minority populations. Non-traditional data gathering techniques included conducting informal group meetings, using digital media, developing partnerships with communities, participating in community-led events, and using direct mail. This is discussed further in **Section 4.0**.

**METHOD FOR IDENTIFYING LOW-INCOME POPULATIONS**

FTA defines a low-income person as one whose household income is at or below the Department of Health and Human Services (DHHS) poverty guidelines. A low-income population is any readily identifiable group of low-income persons who live in geographic proximity, and, if circumstances warrant, geographically dispersed/transient populations (such as migrant workers or Native Americans) who would be similarly affected by a proposed Project.

For the purposes of this analysis, the FTA criteria are satisfied by identifying areas where the percentage of households in the Project Area with median income below the DHHS poverty guidelines exceeds the municipal or countywide percentage. The 2015 DHHS poverty guidelines are shown in **Table 2-1**.

**METHOD FOR DETERMINATION OF DISPROPORTIONATELY HIGH AND ADVERSE EFFECTS ON MINORITY AND LOW-INCOME POPULATIONS**

The project-wide EJ finding is based on whether the proposed federal action (the proposed DT-NWI Project) would result in disproportionately high and adverse effects on EJ populations. Based on FTA guidance, when making the final project-wide EJ finding in this chapter, FTA considers the following criteria:

- Would the proposed DT-NWI Project’s adverse impacts be predominantly borne by EJ populations?
- Would adverse impacts to EJ populations be appreciably more severe or greater in magnitude than those suffered by non-EJ populations?
- What would be the effect of the proposed DT-NWI Project’s offsetting benefits when considering these impacts?
- What would be the effect of mitigation measures that would be incorporated into the proposed DT-NWI Project and any other enhancements or betterments that would be provided in lieu of mitigation when considering these impacts?

**Table 2-1. U.S. Department of Human Health and Services 2015 Poverty Guidelines**

Persons in Household	Poverty Guideline
1	\$11,770
2	\$15,930
3	\$20,090
4	\$24,250
5	\$28,410
6	\$32,570
7	\$36,730
8	\$40,890
For families/households with more than 8 persons, add \$4,160 for each additional person.	

Source: U.S. Department of Human Health and Services 2015



### 3.0 ENVIRONMENTAL JUSTICE POPULATIONS IN THE PROJECT AREA

This section describes the existing demographic profile of the population residing within half mile of the Project alignment and includes race, ethnicity, income, and poverty, based on the methodology described above. It should be noted that as of 2010, the U.S. Census Bureau no longer provides certain data (such as income and poverty data) in the decennial Census; the U.S. Census Bureau instead reports these data in its ACS products. As such, total population numbers may differ between tables in this technical memorandum. This analysis uses the 2011-2015 ACS data, which are estimates based on samples.

#### 3.1 MINORITY POPULATIONS

The racial composition within a half mile of the alignment, as well as in Lake, Porter and LaPorte Counties and the municipalities where the proposed Project are located, is shown in **Table 3-1**. The U.S. Census Bureau collects race and ethnicity as two independent categories. The combination of non-white races and Hispanic/Latino populations is used to determine the minority population in the Project Area. Full demographic profiles of each community are contained in Section 4.3 of the Environmental Assessment (EA).

There are 44,328 people living within a half mile of the alignment. The most prevalent race is White (46 percent). The largest minority race is Black/African American (42 percent). Hispanic or Latino populations of any race (including White) make up 7 percent of the total population. Of the total population living within a half mile of the alignment, minority persons make up 53.8 percent (see **Table 3-1**). The table in **Appendix A** of this memorandum provided the tabular data at the Census block group level.

Geographically, minorities within a half mile of the Project alignment are not dispersed equally across the corridor. **Figure 3-1** shows the distribution of the minority population throughout the Project Area. Higher percentages of minorities are located at the west end of the Project in Gary and at the east end in Michigan City. The racial makeup for the area between these two cities is predominantly White.

In Gary, 85 percent of the population within a half mile of the alignment is minority. This is consistent with the demographic characteristics of the city of Gary as a whole, which is 89 percent minority. The percentage of minorities in Gary within the half-mile buffer is much higher than in Lake County (45 percent), suggesting that there are distinct minority populations within the half-mile buffer.

Within a half mile of the Project alignment in Michigan City, 49 percent of the population is minority, which is higher than the 39 percent minority for Michigan City as a whole, and the 20 percent minority in LaPorte County. This suggests that there are distinct minority populations located within half mile of the alignment in Michigan City. One Census block group in Michigan City contains the Indiana State Prison, and is 58 percent minority.



**Table 3-1. Minority Populations by County, Community, and Project Area**

Population by Race		Total Population	Not Hispanic or Latino	White alone	Black or African American alone	American Indian and Alaska Native alone	Asian alone	Native Hawaiian & Other Pacific Islander alone	Some other race alone	Two or more races	Hispanic or Latino	Summary	
												Minority (Non-White)	Non-minority (White, Not Hispanic or Latino)
<b>Within 0.5 Mile of Project Alignment (Project Area)</b>	Population	44,328	41,218	20,492	18,793	45	430	107	16	1,335	3,110	23,836	20,492
	Percentage	100%	93%	46%	42%	0%	1%	0%	0%	3%	7%	54%	46%
<b>Lake County</b>	Population	491,596	404,511	269,262	119,856	917	6,526	150	595	7,205	87,085	222,334	269,262
	Percentage	100%	82%	55%	24%	0%	1%	0%	0%	1%	18%	45%	55%
<b>City of Gary</b>	Population	78,483	73,910	8,402	63,894	107	430	108	44	925	4,573	70,081	8,402
	Percentage	100%	94%	11%	81%	0%	1%	0%	0%	1%	6%	89%	11%
<b>Porter County</b>	Population	166,570	151,199	140,793	5,272	361	2,373	114	118	2,168	15,371	25,777	140,793
	Percentage	100%	91%	85%	3%	0%	1%	0%	0%	1%	9%	15%	85%
<b>Town of Ogdun Dunes</b>	Population	1,203	1,174	1,109	4	0	23	0	0	38	29	94	1,109
	Percentage	100%	98%	92%	0%	0%	2%	0%	0%	3%	2%	8%	92%
<b>City of Portage</b>	Population	37,197	30,724	27,043	2,616	55	396	0	0	614	6,473	10,154	27,043
	Percentage	100%	83%	73%	7%	0%	1%	0%	0%	2%	17%	27%	73%
<b>Town of Burns Harbor</b>	Population	1,326	1,273	1,224	14	0	9	0	0	26	53	102	1,224
	Percentage	100%	96%	92%	1%	0%	1%	0%	0%	2%	4%	8%	92%
<b>Town of Dune Acres</b>	Population	188	186	182	0	0	4	0	0	0	2	6	182
	Percentage	100%	99%	97%	0%	0%	2%	0%	0%	0%	1%	3%	97%
<b>Town of Porter</b>	Population	4,887	4,564	4,518	0	28	0	0	18	0	323	369	4,518
	Percentage	100%	93%	92%	0%	1%	0%	0%	0%	0%	7%	8%	92%
<b>Town of Chesterton</b>	Population	14,124	13,048	11,824	393	20	656	0	29	126	1,076	2,300	11,824
	Percentage	100%	92%	83%	3%	0%	5%	0%	0%	1%	8%	16%	84%

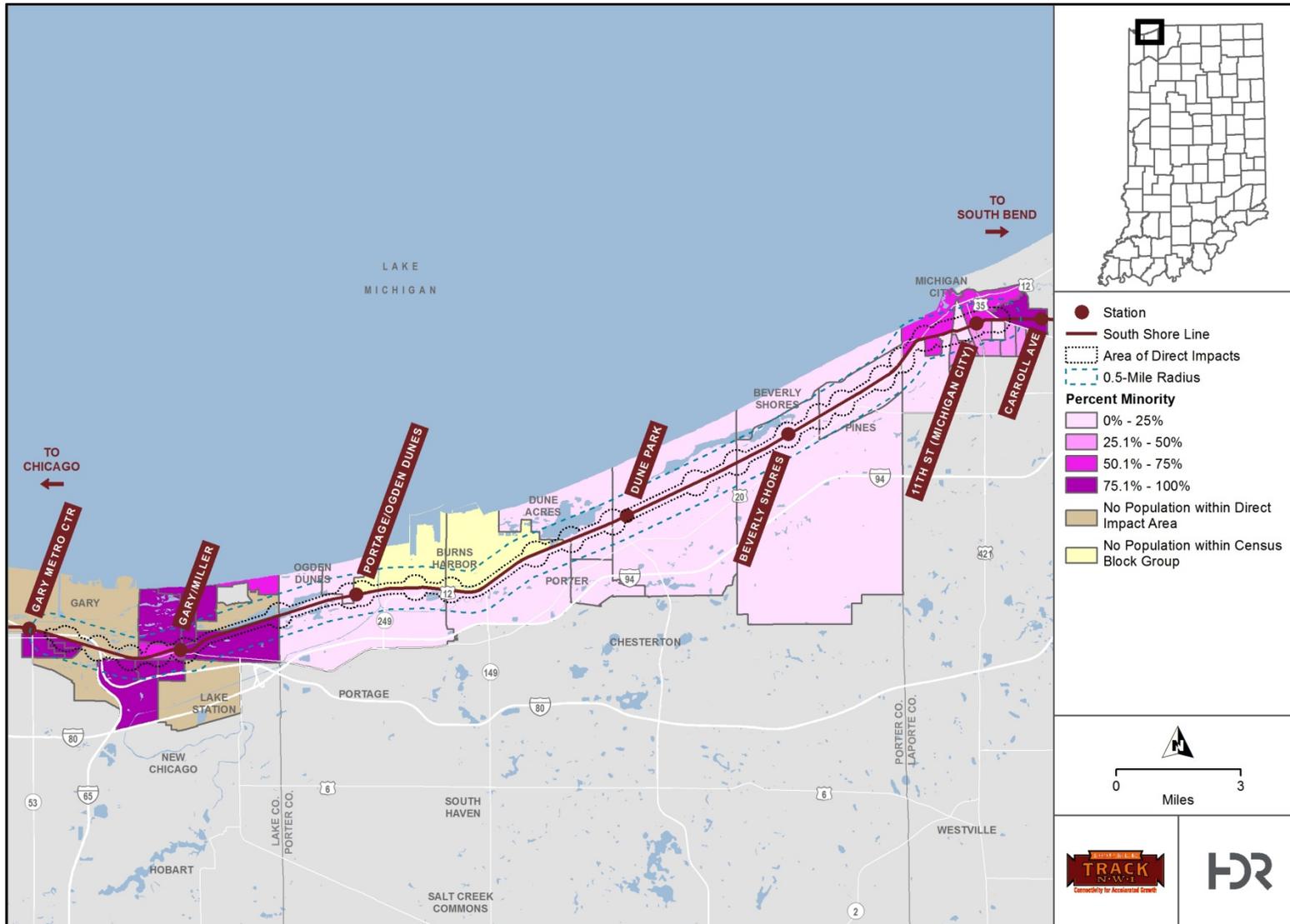


**Table 3-1. Minority Populations by County, Community, and Project Area (cont.)**

Population by Race		Total Population	Not Hispanic or Latino	White alone	Black or African American alone	American Indian and Alaska Native alone	Asian alone	Native Hawaiian & Other Pacific Islander alone	Some other race alone	Two or more races	Hispanic or Latino	Summary	
												Minority (Non-White)	Non-minority (White, Not Hispanic or Latino)
<b>Town of Beverly Shores</b>	Population	547	542	537	5	0	0	0	0	0	5	10	537
	Percentage	100%	99%	98%	1%	0%	0%	0%	0%	0%	1%	2%	98%
<b>Town of Pines</b>	Population	734	696	640	17	0	11	0	0	28	38	94	640
	Percentage	100%	95%	87%	2%	0%	2%	0%	0%	4%	5%	13%	87%
<b>LaPorte County</b>	Population	111,280	104,645	89,437	12,030	246	556	10	64	2,302	6,635	21,843	89,437
	Percentage	100%	94%	80%	11%	0%	1%	0%	0%	2%	6%	20%	80%
<b>City of Michigan City</b>	Population	31,412	29,504	19,222	8,694	78	310	8	26	1,166	1,908	12,190	19,222
	Percentage	100%	94%	61%	28%	0%	1%	0%	0%	4%	6%	39%	61%

Source: U.S. Census Bureau 2015a

Figure 3-1. Minority Populations in the Project Area





### 3.2 LOW-INCOME POPULATIONS

Table 3-2 shows the percentages of low-income individuals (that is, those with 2015 household income below the DHHS federally established poverty level) within a half mile of the Project alignment, the counties, and the municipalities in the Project Area.

**Table 3-2. Low-Income Population by County, Community, and Project Area**

Location	Population	Low-Income Population	Non-Low Income Population
	Percentage	Percentage	Percentage
<b>Within Half Mile of Project Alignment (Project Area)</b>	41,266	12,218	29,048
	100%	30%	70%
<b>Lake County</b>	485,813	87,203	398,610
	100%	18%	82%
<b>Gary</b>	77,701	28,792	48,909
	100%	37%	63%
<b>Porter County</b>	162,742	172,071	143,892
	100%	12%	88%
<b>Ogden Dunes</b>	1,203	46	1,157
	100%	4%	96%
<b>Portage</b>	36,835	5,990	30,845
	100%	16%	84%
<b>Burns Harbor</b>	1,317	142	1,175
	100%	11%	89%
<b>Dune Acres</b>	188	3	185
	100%	2%	98%
<b>Porter</b>	4,887	635	4,252
	100%	13%	87%
<b>Chesterton</b>	14,026	1,216	12,810
	100%	9%	91%
<b>Beverly Shores</b>	547	17	530
	100%	3%	97%
<b>Town of Pines</b>	732	186	546
	100%	25%	75%
<b>LaPorte County</b>	102,066	17,792	84,274
	100%	17%	83%
<b>Michigan City</b>	28,339	7,871	20,468
	100%	28%	72%

Source: U.S. Census Bureau 2015b

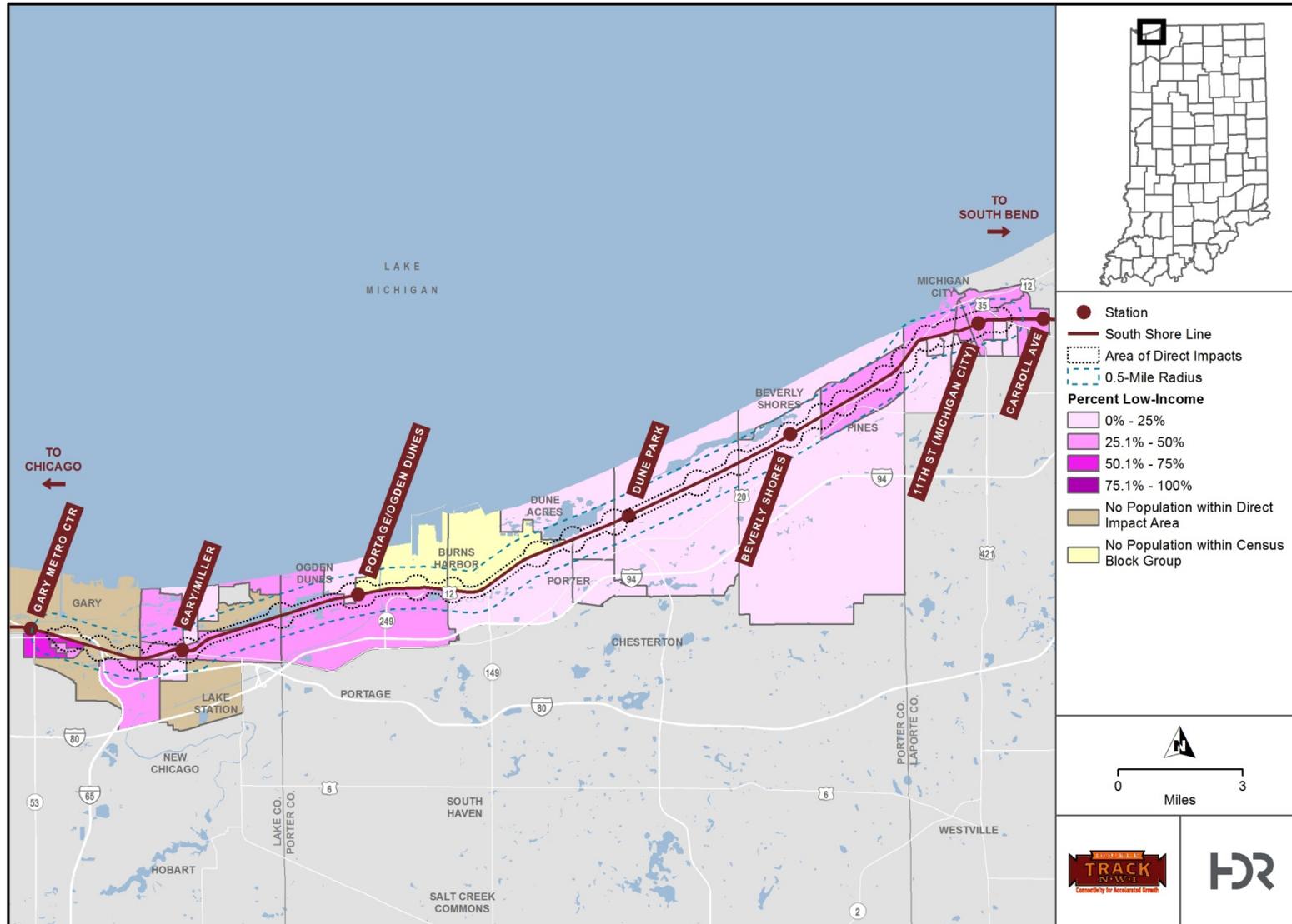


The 2011-2015 ACS data indicate that within a half mile of the alignment, 30 percent of the population is considered low income. This is higher than in any of the counties, which range from 12 percent in Porter County to 18 percent in Lake County.

There is a wide range of incomes within a half mile of the Project alignment. **Figure 3-2** shows the distribution of the low-income population throughout the Project Area. The table in **Appendix A** of this memorandum provides the tabular data at the Census block group level.

Geographically, low-income populations within a half mile of the alignment are dispersed somewhat equally across the corridor. Within a half mile of the alignment, 30 percent of the population is considered low income. This is higher than any of the counties, with 12 percent in Porter County, 17 percent in LaPorte County, and 18 percent in Lake County. **Figure 3-2** shows that there are several Census block groups with 25 to 50 percent low-income populations within a half mile of the alignment. These are located in Gary, Portage, the Town of Pines, and Michigan City. The two block groups with more than 50 percent low-income residents are located at the far western end of the Project Area in Gary.

Figure 3-2. Low-Income Populations in the Project Area



## 4.0 PUBLIC ENGAGEMENT

While the U.S. Census and ACS are useful tools to help characterize a neighborhood or other geographic region, they are not comprehensive and do not incorporate the communities' views on the composition of their neighborhoods and potential issues of concern. The proposed Project's outreach program has helped to identify communities, neighborhoods, and groups with minority and low-income status outside the purview of Census analysis from early in the planning process. **Appendix IV – Agency Coordination** of the EA includes a summary of the outreach activities for the proposed Project.

NEPA-phase public involvement has included targeted outreach to EJ communities identified through the Census analysis, as well as follow-up communications and outreach to newly identified EJ populations. For the proposed Project, public outreach has been an iterative process, initiated by meetings and events to get to know the communities and has included additional organizations, businesses, individuals, and other community groups as the proposed Project progressed. Initial mapping to identify minority and low-income populations has aided in the identification of neighborhoods within the Project Area that would benefit from enhanced, pro-active, and non-traditional outreach. The sections that follow describe the outreach activities during preparation of the EA to identify EJ populations and actively engage them in the proposed Project.

### 4.1 OVERVIEW OF EARLY OUTREACH ACTIVITIES

In September 2016, NICTD issued a press release announcing Project kickoff and inviting community members to public workshops held in October 2016. In addition to the press releases, NICTD sent postcards to nearly 300 community members, sent e-mail invitations to 385 email addresses, posted flyers on rail cars and in Project Area stations, and distributed flyers to local businesses. NICTD contacted federal, state, and local elected officials and briefed them of the proposed Project status and open house meeting. Postcard notices were mailed to community- and faith-based organizations and educational institutions to be shared with members of minority and/or Limited English Proficiency (LEP) communities. NICTD also launched a Project website that included an online comment form, an online public meeting, and translation capability.

A follow-up press release was distributed on September 30, 2016 and an updated flyer was distributed on October 3, 2016. Multiple news outlets ran stories about the proposed Project and upcoming workshops, including, but not limited to the following:

- ABC 57 News
- NWI Times
- Lakeshore Public Radio (interview with Michael Noland, President of SSL)
- LaPorte County Life
- Chicago Post Tribune
- Chesterton Tribune
- Michigan City News Dispatch

In addition to the public workshops, NICTD presented at a number of community group meetings throughout fall and winter 2016/2017. Workshops and presentations were conducted to gather early input from the public on the proposed Project and determine areas of concern to be analyzed and documented within the EA. The public workshops were held in three accessible locations along the Project Area.

#### 4.2 ELECTED OFFICIAL BRIEFINGS

NICTD worked closely with U.S. and State of Indiana elected representatives, as well as local elected officials to inform them of the scheduled public workshops and provide an opportunity for a briefing about the proposed Project. Discussions with local officials and town councils have been ongoing, as the proposed Project continues to develop. **Appendix IV** of the EA lists federal, state, and local elected officials with whom NICTD has been in contact about the proposed Project.

#### 4.3 COMMUNITY GROUP MEETINGS

In addition to the public workshops, NICTD conducted outreach to local community groups to provide opportunities for understanding specific community needs and concerns. NICTD tailored the meeting formats to the audience and meeting type, ranging from more formal presentations with question-and-answer sessions to informal overviews of the proposed Project. **Table 4-1** shows the list of community group meetings.

**Table 4-1. Community Group Meetings**

<b>Community Group</b>	<b>Meeting Month and Year</b>
Unity Foundation	August 2016
Michigan City Police	September 2016
Glen Ryan Community Group	October 2016
Marquette High School	October 2016
Michigan City North End Advocacy Team	October 2016
Michigan City NOW	October 2016
Rotary Club of Portage	October 2016
Franciscan Hospital	October 2016
Elston Grove Community Group	November 2016
Green Drinks – Gary	November 2016
Lakefront Career Network	November 2016
National Parks Conservation Association	November 2016
Rotary Club of Michigan City	November 2016
South Shore Clean Cities	November 2016
Miller Planning Group	December 2016
Century 21 Realtors	January 2017
Miller Beach Arts & Creative District	January 2017
South Shore Leadership Center	January 2017
Rotary Club of Crown Point	February 2017
Christ Baptist Church	March 2017
LaPorte County Realtors	March 2017
League of Women Voters of LaPorte County	March 2017
Michigan City Mainstreet Association	March 2017
St. Mary’s Church	March 2017
Valparaiso Rotary Club	April 2017
Chesterton Rotary Club	April 2017
Aetna (Gary) Neighborhood Meeting	April 2017
Partners for Clean Air	April 2017
Indiana Department of Corrections	May 2017

**Table 4-1. Cont.**

Community Group	Meeting Month and Year
<b>Politics, Art, Roots and Culture organization, Michigan City Main Street Association, and Michigan City Social Justice Group</b>	August 2017

#### 4.4 PROPERTY DISPLACEMENT OUTREACH

NICTD sent postcards to property owners and lessees potentially affected by the property displacements required as part of the proposed Project inviting them to participate in the public workshops. At the workshops, property owners and lessees were provided with a brochure outlining relocation rights, requirements, and processes, and anticipated timelines were discussed. NICTD invited all Michigan City property owners and lessees potentially affected by the proposed Project to an informational meeting on June 28, 2017, at City Hall to answer questions related to property acquisition. Michigan City property owners and tenants that would be impacted by land acquisition were invited by certified letter and follow up phone calls to attend the meeting. Approximately 75 people attended the meeting. NICTD staff described the project, funding structure, timelines, and the anticipated schedule for acquisition should the project be approved; the acquisition and relocation process, and the Uniform Real Estate and Relocation Act. Brochures were handed to individuals and a question/answer session took place. Questions were asked and answered regarding the operational changes to the SSL, how the value of properties to be acquired were established, the duration of acquisition for specific property types, whether personal property would be included in acquisition, and relocation benefits.

NICTD also presented the project on August 28, 2017 to Michigan City’s P.A.R.C. (Politics, Art, Roots and Culture) organization, the Michigan City Main Street Association, and the Michigan City Social Justice Group. The event was publicized through invitations to community organizations, through NICTD’s mailing and email list, the Michigan City Main Street Facebook open page, the Michigan City Social Justice Group’s closed Facebook page, and other sources. The meeting, which was hosted by P.A.R.C. in their community center, lasted for about 1 ½ hours including a PowerPoint presentation on the Project and the NEPA process followed by a question and answer session. NICTD representatives remained after the formal presentation to answer questions of individuals in attendance and to generally converse with the public regarding the Project.

Most questions asked centered around the acquisition process for homes in Michigan City. Other questions focused on the previous 2013 NICTD/Michigan City rail alignment study, the project schedule and funding, the number of jobs to be created, and wetlands mitigation issues. NICTD representatives encouraged community members to stay involved in the Project through communication with NICTD and Michigan City throughout the process. Media coverage by the Michigan City News Dispatch was published the following day.

Specific outreach will continue through Project development and design to engage potentially displaced residents and/or businesses, including community-specific meetings to discuss the process under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 United States Code [USC] § 4601), as amended (Uniform Act).



#### 4.5 PUBLIC WORKSHOPS AND COMMENTS

Public workshops were held in Gary, Porter, and Michigan City on October 3, 4, and 5, 2016, respectively. The workshops included a formal presentation by the NICTD Project team that provided a history, purpose, and need for the proposed Project, environmental considerations, alternatives, and schedule. An open house followed the presentation. Meeting attendees viewed exhibit boards, including right-of-way (ROW) maps, and were able to review specific areas of concern with Project team members. Attendees could comment in writing during the open houses or submit their comments after the open house via e-mail or mail. There were 227 attendees at the public workshops. Copies of the presentation and display boards are provided in Appendix V of the EA.

**Meeting Attendance**  
**Miller – 75 attendees**  
**Porter – 46 attendees**  
**Michigan City – 106 attendees**

In addition to the public workshops, an online public meeting was posted on the Project website to allow those unable to attend a meeting in person to view all information presented at the meeting and comment. The online meeting is archived at <http://www.doubletracknwimeeting.com/>. All comments submitted through the website were acknowledged and responses to substantive comments were provided. Sixty-three comments were received.

There were numerous comments supporting the proposed Project noting that the increased efficiency, service, and capacity would provide faster and more convenient service for those traveling through the Project Area. Some commenters expressed concerns about property displacements and traffic impacts. Commenters also discussed potential impacts on the surrounding neighborhoods in Michigan City and ADA accessibility in Gary. All of these comments informed the EJ analysis, as these potential impacts are primarily located in EJ communities. Comments and responses are provided in **Appendix V** of the EA.

#### 4.6 OTHER PUBLIC OUTREACH ACTIVITIES

NICTD also attended and participated in several events sponsored by others, distributing project information, and taking comments. During the development of the EA, the Northwestern Indiana Regional Planning Commission (NIRPC) also held a 30-day public comment period on its 2018-2021 Transportation Improvement Program (TIP), Amendment #4 to its 2040 Comprehensive Regional Plan (CRP) Update Companion. This took place March 14, 2017, to April 13, 2017. The DT-NWI Project is one of the key projects added to the TIP and CRP. During NIRPC's public comment period on the TIP, they hosted five public open houses, three of which are within the DT-NWI Project Area communities. NICTD has reviewed comments received during the NIRPC public comment period for consideration during Project development and design.



#### 4.7 FOCUSED ENVIRONMENTAL JUSTICE OUTREACH ACTIVITIES

**Table 4-2** lists organizations that support traditionally underserved populations that were contacted during the development of the EA.

**Table 4-2. Organizations Contacted**

Group
A.K. Smith Center JV
AARP /Chapter 4387
Acts for Serving Citizens
Acts for Serving Citizens, Inc.
African American Achievers Youth Corps/IUN
American Legion Post 279
Ark Shelter for Homeless
Augsburg Evangelical Lutheran Church
Brothers Keeper
Catholic Charities
Century 21 Realtors
Christ Baptist Church
City Clerk, City of Gary
Community Organizations for Families and Youth
Community Service Center
Consumer Credit Counseling Service of NWI
Corinthian Christian Center
Crisis Center
Duneland Chamber of Commerce
Edgewater Systems for Balanced Living
Elston Grove Community Group
Faith CDC/Progressive Community Church
Franciscan Hospital
Gary - Aetna neighborhood
Gary Chamber of Commerce
Gary Commission for Women
Gary Community Health Center, Inc.
Gary Life Education Initiative
Gary Neighborhood Service



**Table 4-2. Cont.**

<b>Group</b>
Glen Ryan Community Group
Green Drinks – Gary
Hobart Chamber of Commerce
Housing Opportunities
Indiana Department of Corrections (State Prison)
Indiana Legal Services, Inc.
International Institute
Keys to Hope Resource Center
Kids Peace National Center
Kim Robinson, Calumet Township Trustee
Lake Ridge Fire Protection District
Lakefront Career Network
LaPorte County Realtors
League of Women Voters – Lake Michigan Chapter
League of Women Voters – Michigan City
Legacy Foundation
Marquette High School
Methodist Hospital Midlake
Methodist Hospital Northlake
Metro Corps of Gary
Michigan City Chamber of Commerce
Michigan City Mainstreet Association
Michigan City North End Advocacy Team
Michigan City NOW
Michigan City Social Justice
Michigan City Social Justice Group
Miller Beach Arts & Creative District
Miller Business Association
Miller Citizens Corporation
Miller First Baptist Church
New Beginnings Life Center
North Central Community Action Agency



**Table 4-2. Cont.**

<b>Group</b>
Northwest IN Environmental Justice Resource Center – IUN
Northwest Indiana Adult Guardianship Services, Inc.
Northwest Indiana Community Action
Northwest Indiana Community Action, WIC
Northwest Indiana Dialysis Center
Northwest Indiana Federation
Northwest Indiana Federation of Interfaith Organizations
Northwest Indiana Head Start
Northwest Indiana Sickle Cell
Northwestern Indiana Regional Planning Commission
Peace Baptist Church
Politics, Art, Roots and Culture Organization
Portage Chamber of Commerce
Rainbow Shelter
Rotary Club of Crown Point
Rotary Club of Michigan City
Rotary Club of Portage
Salvation Army
Senior Companion Program
Sinai Temple
Social Security Administration of NWI
Sojourner Truth House
South Shore Clean Cities
South Shore Leadership Center
St. Ann of the Dunes Church
St. Joseph County Economic Development Commission
St. Mary's Immaculate Conception Parish
St. Paul's Church and School
Temple Israel Sisterhood Temple Israel
Tradewinds Services
Unity Foundation of LaPorte County
University Park Medical Center

**Table 4-2. Cont.**

Group
Washington Street Neighborhood Association
Westside Improvement Group
WIC Program
Willow Glen Academy of IN
YMCA
Young Person’s Theater Group at Elston Middle School

The Project outreach team led or participated in over 50 events with members of the public and local stakeholders since October 2016, including a variety of committee/board meetings, meetings with community organizations and neighborhood groups, Project workshops, and individual meetings with property owners and other interested persons.

In addition, outreach staff participated in a number of events sponsored by others, distributing Project information, and taking comments. NICTD conducted specialized outreach to reach EJ populations to heighten awareness of the proposed Project improvements and, most importantly, to provide opportunities for EJ populations to have meaningful participation in the review of the proposed Project and respective benefits and impacts. Methods of affording these opportunities included coordination with community leaders and targeted distribution of Project information. A summary of these outreach events is provided in **Table 4-3**.

**Table 4-3. Summary of EA Outreach Events**

General Location	Number of Outreach Events	Meetings with Property Owners	Meetings with Community/ Business Organizations	Committee, Council, or Board Meetings	Project Workshops	Meetings with Other Interested Individuals/ Groups
<b>Gary/Miller Station Area</b>	11	X	X	X	X	X
<b>Michigan City</b>	25	X	X	X	X	X
<b>Porter County</b>	10	X	X	X	X	X
<b>Outside Proposed Project Area</b>	10		X	X	X	X

The aforementioned outreach events occurred throughout the development of the EA. Feedback received from the meeting or event attendees was recorded and shared with the proposed Project team and considered in the refinement of the proposed Project and analysis of its environmental and social impacts. This iterative process engaged a wide cross-section of the Project Area, including EJ communities identified through initial U.S. Census Bureau demographic data, as well as those identified through the outreach process. **Table 4-4** summarizes the major EJ issues considered and addressed during the development of the EA. These issues were identified from comments received at the public workshops and through the course of Project development and outreach activities that were conducted.



Commenters had concerns about transportation and traffic impacts, property displacements, noise impacts, and visual and aesthetics impacts. There was discussion regarding impacts on Michigan City neighborhoods and ADA accessibility was specifically mentioned in Gary. These concerns helped inform and guide the level and type of outreach and development of the Project. The table also shows the proposed Project actions in response to the concerns.



**Table 4-4. Identified Environmental Justice Issues and Project Actions**

Area of Concern	Major Issues	Project Actions	Method of Identification of Issue
<b>Transportation and Traffic in Michigan City</b>	<p>Concern about increases in traffic from converting 11<sup>th</sup> Street to one-way travel, closing crossings, and potential loss of parking.</p>	<p>The City of Michigan City indicated that the roadways in the Project Area do not currently carry large amounts of traffic. The traffic study showed that there would be minimal increases in traffic and travel time for motorists, and no additional roadway improvements were necessary. Many north-south crossings would remain open, and on street parking along 11<sup>th</sup> Street, between Kentucky and Franklin Streets, would remain.</p> <p>NICTD would work with Michigan City to inform the public of the changes in traffic patterns, during and after construction.</p>	<p>During Initial Public Workshop Comment Period (10/2016)</p> <p>Comments at community meetings</p>
	<p>Concern about bus, pedestrian and station connections</p>	<p>NICTD would work with Michigan City and MC Transit to identify specific strategies to reach EJ populations to inform residents, businesses, and public transit users of the proposed Project, and changes to the transportation system.</p> <p>NICTD would develop maintenance of traffic (MOT) plans that would indicate detour routes, including those that accommodate buses, safe pedestrian-friendly crossings, and accessible business, residential, and community facilities. NICTD would also inform SSL commuters of any temporary changes to service or travel times during construction. The construction outreach plan would contain specific strategies to reach EJ populations before and during construction.</p> <p>NICTD would coordinate with MC Transit regarding the temporary changes to Routes 1 and 3, the permanent changes to Route 2 and continuance of serving the 11<sup>th</sup> Street (Michigan City) Station, during and after construction.</p> <p>The 11<sup>th</sup> Street (Michigan City) station area would have sidewalks and would be compliant with the ADA.</p>	
<b>Transportation and Traffic Gary/Miller Station</b>	<p>Gary/Miller Station design needs to be fully ADA accessible</p>	<p>All improvements in the proposed Project would be compliant with the ADA</p>	<p>During Initial Public Workshop Comment Period (10/2016)</p>
	<p>Station must integrate with other transit (bus) service provided by Gary Public Transportation Corporation</p>	<p>Gary Public Transportation Corporation (GPTC) Route 13 would be temporarily re-routed during construction of the track realignment and Gary/Miller Station improvements, but would still serve the station. The station would be designed with a bus stop off Lake Street, similar to its current location.</p> <p>NICTD would coordinate with Gary and GPTC to inform the public of the changes in traffic patterns and bus access, during and after construction.</p>	<p>During Initial Public Workshop Comment Period (10/2016)</p>



**Table 4-4. Identified Environmental Justice Issues and Project Actions (cont.)**

Area of Concern	Major Issues	Project Actions	Method of Identification of Issue
<b>Land Acquisition and Relocations</b>	Concern about specific property acquisitions in Michigan City; property values in general	<p>All acquisitions would be conducted in accordance with the Uniform Act, which requires that property owners be paid fair market value for the acquired property as well as equitable compensation normally associated with relocating.</p> <p>NICTD has conducted specific outreach with affected property owners, as well as through community groups. This would continue during the acquisition and construction phases. NICTD will provide notices to the affected EJ community with the relocated business' new location (if a suitable relocation was identified) with transit options to access the new business location, and/or other options to meet their needs.</p> <p>It is possible that property acquisitions and displacements would affect some property owners and tenants whose primary language is not English. Accordingly, property acquisition and relocation discussions would be conducted in alternate languages whenever necessary.</p>	<p>During Initial Public Workshop Comment Period (10/2016)</p> <p>Comments at community meetings</p> <p>Comments on NICTD's Real Estate hotline</p>
<b>Neighborhoods, Communities, and Businesses</b>	<p>Changes to Gary/Miller station area</p> <p>Business impacts related to decreased traffic near Gary/Miller Station Area</p>	<p>Station area plans would be subject to public review as part of the community planning process. NICTD would work with the City of Gary to actively inform and solicit input from the EJ populations during the public review process.</p> <p>NICTD would implement a construction outreach plan to include specific techniques to communicate with neighborhoods and businesses to prepare for construction.</p>	<p>During Initial Public Workshop Comment Period (10/2016)</p> <p>Comments at community meetings</p>
<b>AND Land use/Economic Development</b>	Changes to 11 <sup>th</sup> Street/Michigan City and station area	<p>Station area plans would be subject to public review as part of the community planning process. NICTD would work with the City of Michigan City to actively inform and solicit input from the EJ populations during the public review process, including changes to the historic districts.</p> <p>NICTD would implement a construction outreach plan to include specific techniques to communicate with neighborhoods and businesses to prepare for construction.</p>	<p>During Initial Public Workshop Comment Period (10/2016)</p> <p>Comments at community meetings</p> <p>Comments from Section 106 Consulting Parties</p>



**Table 4-4. Identified Environmental Justice Issues and Project Actions (cont.)**

Area of Concern	Major Issues	Project Actions	Method of Identification of Issue
	<p>Direct and indirect impacts to churches and schools</p>	<p>There are nine churches and seven schools located within 0.5 mile of the proposed Project. Only those in Michigan City would have direct or indirect impacts.</p> <p>The Bride Church at 11<sup>th</sup> and Cedar Streets would be acquired for the Project. This church was damaged by lightning in 2016, the congregation has moved to another facility, and the building is currently vacant and available for NICTD to purchase.</p> <p>St. Mary's Church and Marquette High School are located north of 11<sup>th</sup> Street between Manhattan and Wabash Streets. There would be minor changes in traffic patterns for patrons from south of 11<sup>th</sup> Street. The proposed Project would reduce train-related noise from current levels. Air quality during construction activities would be considered in a Construction Management Plan.</p> <p>NICTD would implement a construction outreach plan to include specific techniques to communicate with church and school patrons to prepare for construction.</p>	<p>Comments at community meetings and discussions with Church leaders</p>
<p><b>Visual and Aesthetics</b></p>	<p>Design of stations should be consistent with the context of the surrounding area</p>	<p>Design of the proposed station improvements would be coordinated with local communities and in accordance with their guidelines and standards, including historic preservation standards and aesthetics.</p> <p>Station area plans would be subject to public review as part of the community planning process. NICTD would work with the City of Gary and the City of Michigan City to actively inform and solicit input from the EJ populations during the public review process, including changes to the historic districts.</p>	<p>During Initial Public Workshop Comment Period (10/2016)</p> <p>Comments at community meetings</p> <p>Comments from Section 106 Consulting Parties</p>
<p><b>Noise</b></p>	<p>Existing noise levels in Michigan City are already very high from wayside train noise and the use of train horns.</p>	<p>By removing the in-street tracks, eliminating at-grade railroad crossings in Michigan City, implementing quiet zones, and reducing the decibel level of the train horn, noise would be reduced up to 20 dBA from existing conditions. This would result in a benefit to the community.</p>	<p>During Initial Public Workshop Comment Period (10/2016)</p> <p>Comments at community meetings</p>

## 5.0 ENVIRONMENTAL JUSTICE IMPACT ANALYSIS

The FTA Circular (August 2012) defines a disproportionately high and adverse effect on human health or the environment to include an adverse effect that:

- Is predominantly borne by a minority population and/or a low-income population; or,
- Would be suffered by the minority population and/or low-income population and is appreciably more severe or greater in magnitude than those suffered by the non-minority population and/or low-income population.

FTA Circular (Section 2.C.2, *Determining Whether Adverse Effects are Disproportionately High*) states that, in making determinations regarding disproportionately high and adverse effects on minority and low-income populations, mitigation and enhancement measures that would be implemented and all offsetting benefits to the affected minority and low-income populations may be taken into account. This is particularly important for public transit projects because they often involve both adverse effects (such as short-term construction impacts and increases in traffic) and positive benefits (such as improved transportation options and connectivity, or overall improvement in air quality).

All environmental categories were reviewed to identify those environmental categories that would not result in any adverse effects, based on the analysis described in Chapters 3, 4, and 5 of the EA. The environmental categories with no adverse effects identified were not considered for additional EJ analysis due to having no adverse effects and thus no potential for disproportionately high and adverse effects to EJ populations. Environmental categories that would result in adverse effects were retained to determine if and to what extent these adverse effects would affect EJ populations (that is, have the potential to be disproportionately high and adverse or predominantly borne by EJ populations). **Table 5-1** includes all environmental categories and shows whether each requires additional EJ analysis. The rationale for the selection of these categories is also provided.

The following sections provide a description of additional EJ analysis for the seven environmental categories identified as having potential for disproportionately high and adverse effects predominantly borne by EJ populations, including a summary of the EJ finding for each of the environmental categories evaluated. These EJ findings assess whether the anticipated impacts of the environmental categories evaluated would likely result in disproportionately high and adverse impacts on minority and low-income populations. This assessment includes consideration of offsetting benefits the proposed Project would have on minority and low-income populations, as well as consideration of mitigation measures identified in the EA. The proposed Project's final project-wide EJ finding is included in **Section 6**.

**Table 5-1. Environmental Categories Requiring Additional Environmental Justice Analysis**

Resource	EJ Analysis Required (Yes/No)	Rationale
<b>Transportation (Section 3.1)</b>	Yes	Changes to roadways and transit routes. Public comments received.
<b>Land Acquisition and Relocations (Section 4.1)</b>	Yes	Acquisition of residential property and businesses. Public comments were received.
<b>Land Use and Economic Development (Section 4.2)</b>	No	No adverse impacts since all improvements would be consistent with local and regional land use and economic development plans.
<b>Neighborhoods, Communities, and Businesses (Section 4.3)</b>	No	Public comments were received but all issues are addressed in other resource categories.
<b>Historic, Archaeological, and Cultural Resources (Section 4.4) and Section 4(f) (Chapter 5)</b>	Yes	Adverse effects to historic properties and districts (Section 106 and Section 4(f)) Section 4(f) <i>de minimus</i> impacts to two trails.
<b>Visual/Aesthetics (Section 4.5)</b>	Yes	Change to visual environment in Gary/Miller station area and in Michigan City. Public comments were received.
<b>Noise (Section 4.6)</b>	Yes	With mitigation, the proposed Project would not cause noise impacts.
<b>Vibration (Section 4.7)</b>	Yes	With mitigation, vibration impacts would be minimized.
<b>Hazardous/ Regulated Materials (Section 4.8)</b>	No	No adverse impacts with implementation of mitigation.
<b>Coastal Zone Management (Section 4.15.5)</b>	No	No adverse impacts.
<b>Biological Resources (Section 4.9)</b>	No	Impacts to biological resources are spread throughout the corridor. Likewise, mitigation planning would be developed in various locations throughout the corridor.
<b>Water Resources (Section 4.10)</b>	No	Impacts to wetlands and water resources are spread throughout the corridor. Likewise, mitigation planning would be developed in various locations throughout the corridor.
<b>Geology, Soils, and Karst (Section 4.15.6)</b>	No	No adverse impacts.
<b>Section 6(f) (Section 4.11)</b>	No	No impacts.
<b>Safety and Security (Section 4.13)</b>	No	No adverse impacts.
<b>Construction Impacts</b>	Yes	With mitigation, construction impacts would be minimized.



NICTD and FTA recognize that without mitigation, some of the specific impacts of the proposed Project could disproportionately affect EJ populations. All adverse impacts associated with the proposed Project would be mitigated and FTA would monitor compliance with environmental commitments during Project implementation. Additionally, targeted outreach and coordination with community organizations is necessary to maintain continued engagement with EJ populations as the proposed Project advances.

## 5.1 TRANSPORTATION

The proposed Project would change the transportation environment for residents, business patrons, motorists, pedestrians and bicyclists, and transit users. There would be temporary and permanent impacts, but there would also be permanent benefits. The majority of the improvements would take place in the communities of Gary and Michigan City, both of which have higher percentages of minorities and low-income households.

There would be temporary changes to roadways and transit during construction, such as re-routing of buses that are within the construction alignment or serve stations, disruption during construction of new parking lots, and closing of crossings or roadways to construct track and crossing improvements. There would also be permanent changes, including the re-routing vehicular traffic due to road closures or at-grade crossing closures.

### GARY TRANSPORTATION IMPACTS AND MITIGATION

Changes to traffic patterns in Gary's roadway network would result from the consolidation of U.S. 12 and U.S. 20 being completed separately by Indiana Department of Transportation (INDOT). The construction of additional parking lots at the Gary/Miller Station would add minimal traffic to the completed U.S. 20. GPTC's Route 13, which serves the Gary/Miller Station at Lake Street, would remain intact during and after construction, but there could be temporary disruption or relocation of the station stop during the track and crossing construction over Lake Street. NICTD would work with GPTC regarding these changes, and would ensure that Route 13 would continue to serve the Gary/Miller Station, during and after construction.

### MICHIGAN CITY TRANSPORTATION IMPACTS AND MITIGATION

The road conversion of 11<sup>th</sup> Street to one-way eastbound and the closure of several north/south roads would change traffic patterns. Many of the crossing closures occur in areas identified as low-income or minority. The traffic studies conducted for the proposed Project indicate that the Michigan City roadways to which traffic would be re-routed are able to accommodate the increase in traffic. Motorists would not need to travel far out of their way to find the next available north-south crossing. No adverse effects to traffic would occur and no mitigation is proposed.

Michigan City Transit Routes 1 and 3, which use 10<sup>th</sup> Street, Willard Avenue, and Chicago Street would be temporarily re-routed during construction. The 11<sup>th</sup> Street (Michigan City) Station is currently served by Michigan City Transit Route 2 via Pine Street. In the future, Pine Street will be closed at the SSL tracks, but Franklin Street (to the west) would remain open and could continue to serve the station. NICTD would coordinate with Michigan City Transit regarding the temporary changes to Routes 1 and 3, and the permanent changes to Route 2, and continuance of serving the 11<sup>th</sup> Street (Michigan City) Station, during and after construction.

St. Mary's Church and Marquette High School are located north of 11<sup>th</sup> Street between Manhattan and Wabash Streets. There would be minor changes in traffic patterns for patrons from south of 11<sup>th</sup> Street. Air quality during construction activities would be considered in a Construction Management Plan.



Construction would take place within existing ROW and properties acquired to accommodate the expanded ROW for the proposed Project. Temporary detours or road closures may occur but would have minimal impact on community resources because alternate routes would be provided to ensure access during construction.

NICTD would work with these communities and Michigan City Transit to identify specific strategies to reach EJ populations to inform residents, businesses, and public transit users of the proposed Project, and changes to the transportation system. NICTD would develop maintenance of traffic (MOT) plan that would indicate detour routes, including those that accommodate buses, safe pedestrian-friendly crossings, and accessible business, residential, and community facilities. NICTD would also inform SSL commuters of any temporary changes to service or travel times during construction. The construction outreach plan would contain specific strategies to reach EJ populations before and during construction.

The proposed Project would result in benefits to the EJ residents, commuters, and patrons in Michigan City, in terms of safety and improved access to transit. Michigan City currently has some of the highest automobile/train accident rates in the state of Indiana. In all, the proposed Project would remove 21 of the 39 at-grade crossings, including closure of 3 roads and modification of 10 intersections to remove conflicts between automobiles and trains, would remove the embedded in-street track, and would upgrade remaining open crossings with safety equipment, which is a beneficial impact.

The development of a safer, more reliable, and faster transit connection between Michigan City and Chicago would directly benefit all residents of Gary and Michigan City by providing better access to jobs and recreation. Additional analysis of U.S. Census data for Gary and Michigan City reveals that there are higher percentages of disabled individuals and zero-vehicle households within one half mile of the proposed alignment than their respective counties (see **Table 5-2**). Access to transit is most critical to populations that have limited or no access to personal vehicles. These populations would directly benefit from improvements to the overall transit system that would result from implementation of the proposed Project.

**Table 5-2. Transit-Dependent Populations**

Location		Elderly (Age 65+)	Disabled	Zero-Vehicle Households
<b>Within Half Mile of Project Alignment</b>	Population	5,937	5,501	2,215
	Percentage	13%	<b>18%</b>	<b>13%</b>
<b>Lake County</b>	Population	69,742	61,034	15,996
	Percentage	14%	<b>17%</b>	<b>9%</b>
<b>Gary</b>	Population	11,208	12,872	5,977
	Percentage	14%	<b>23%</b>	<b>19%</b>
<b>LaPorte County</b>	Population	16,947	12,758	3,377
	Percentage	15%	<b>16%</b>	<b>8%</b>
<b>Michigan City</b>	Population	4,175	4,160	1,604
	Percentage	13%	<b>19%</b>	<b>13%</b>

Source: U.S. Census Bureau 2015c, d, e

### 5.1.1 FINDING

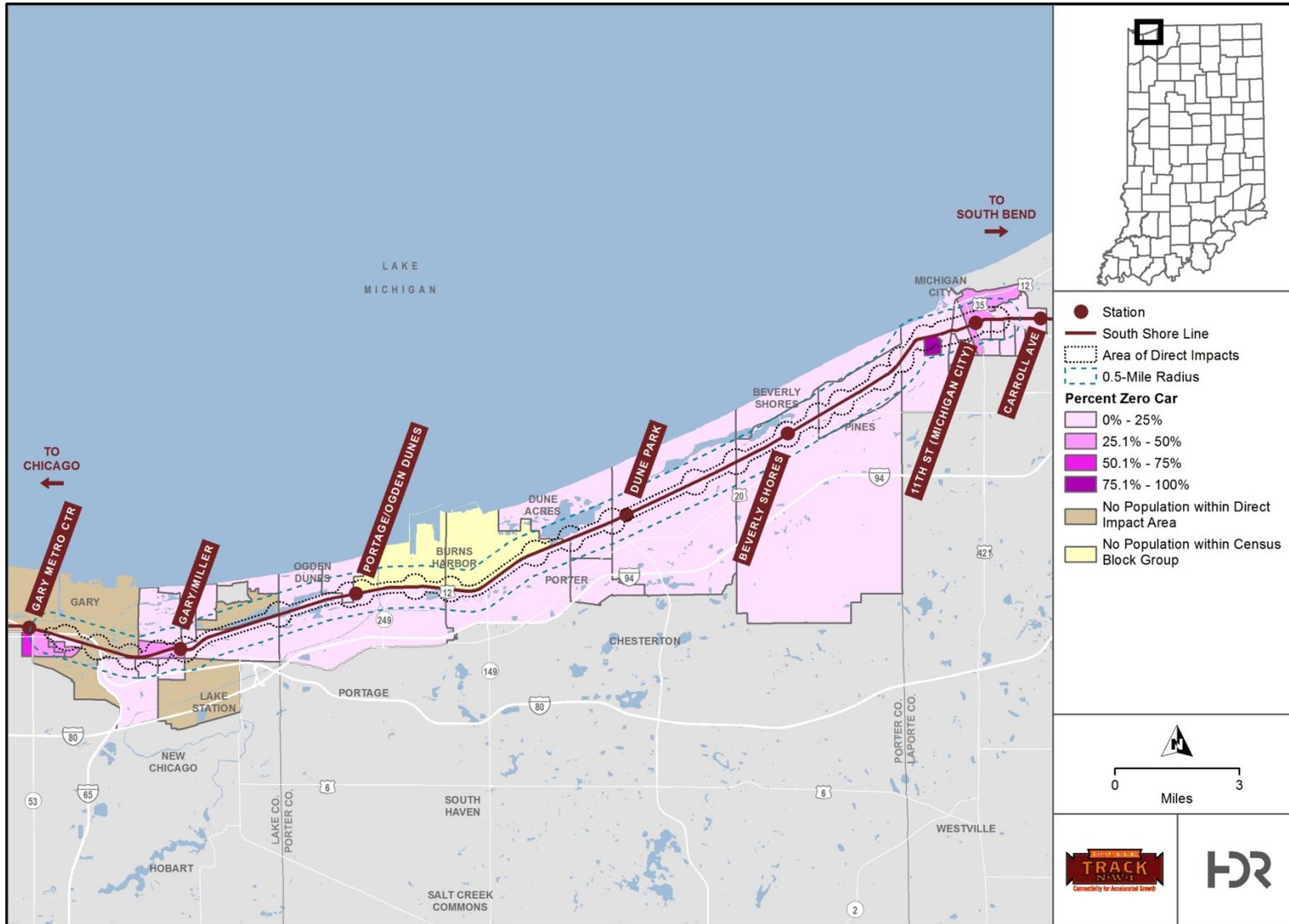
The area served by the proposed Project would benefit from implementation of the proposed DT-NWI Project. The proposed Project would serve the EJ communities in Gary and Michigan City by enhancing



stations, improving safety, and providing faster, safer, and more reliable SSL service. For transit-dependent populations, which are often low-income and minority, the enhanced transit connectivity provides greater access to employment opportunities, services, shopping, and recreation.

There would be some changes to traffic patterns at U.S. 12/U.S. 20 in Gary and within Michigan City, but traffic studies indicate that none of the changes would rise to the level of adverse effect. NICTD would work with Michigan City Transit regarding changes to bus service to the 11<sup>th</sup> Street (Michigan City) Station. Changes to traffic patterns and bus routes would be communicated to the public, with specific strategies developed to engage EJ populations. With these measures, potential adverse impacts would be minimized, and **the proposed DT-NWI Project would not result in disproportionately high and adverse effects on EJ populations related to transportation.**

Figure 5-1. Transit Dependent (Zero-Vehicle) Households



## 5.2 LAND ACQUISITION AND RELOCATIONS

Table 5-2 indicates that 158 properties would be permanently acquired for the proposed Project. Most of the properties are located in Gary and Michigan City.

**Table 5-3. Permanent Property Acquisitions, by Land Use**

Land Use Type	Number	Acreage
<b>Commercial</b>	Parcel (land only) -47 Building - 15	15.00
<b>Residential</b>	Parcel (land only) - 29 Building – 52*	9.76
<b>Industrial</b>	0	0.00
<b>Transportation, Communication, Utilities (TCU) (includes railroads, INDOT, NIPSCO)</b>	9	18.31
<b>Municipal (includes City and County)</b>	7	1.02
<b>Public (includes federal and state that are not INDOT)</b>	0	0.00
<b>Total</b>	<b>158</b>	<b>44.09</b>

\*one parcel has two buildings on it, which will both be acquired.

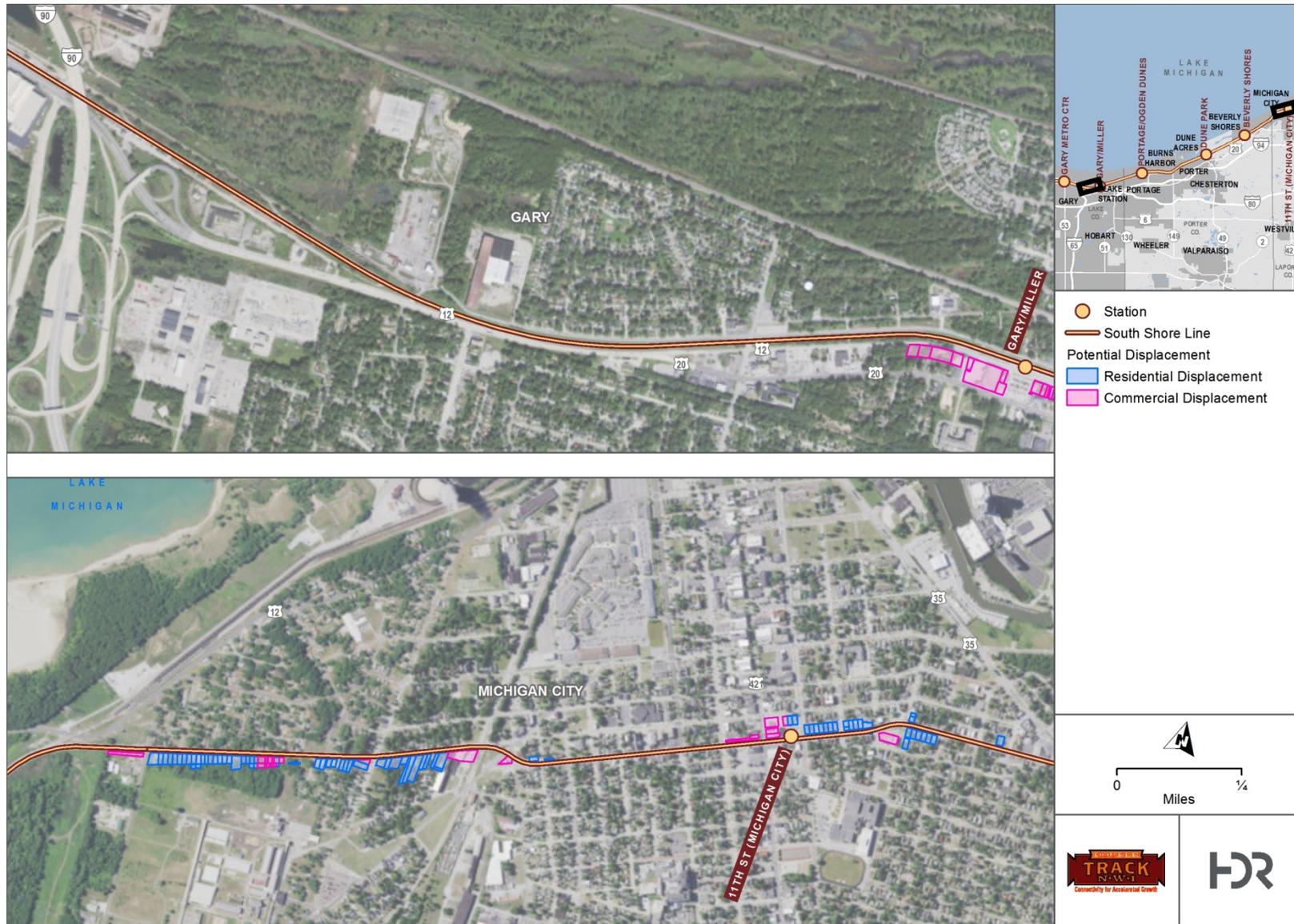
### 5.2.1 RESIDENTIAL

Eighty residential properties would be required. All but one is in Michigan City, along 10<sup>th</sup> or 11<sup>th</sup> Street (see Table 5-3 and Figure 5-2). There are 52 residential buildings and the remaining properties are vacant parcels of land. Based on census data, it is likely that some of these residences are owned or leased by minority and/or low-income individuals.

**Table 5-4. Permanent Residential Acquisitions**

Community	Parcels with Buildings	Vacant Parcels	Total
<b>Gary</b>	0	1	<b>1</b>
<b>Portage</b>	0	0	<b>0</b>
<b>Michigan City</b>	51	28	79
<b>Total</b>	<b>51</b>	<b>29</b>	<b>80</b>

Figure 5-2. Potential Displacements



BACKGROUND SOURCE: ESRI, DIGITALGLOBE, GEOEYE, EARTHSTAR GEOGRAPHICS, CNES/AIRBUS DS, USDA, USGS, AEX, GETMAPPING, AEROGRIID, IGN, IGP, SWISSTOPO, AND THE GIS USER COMMUNITY

## 5.2.2 BUSINESSES

Sixty-two commercial properties would be acquired. Thirty-seven are located in Gary, 2 are in Portage along U.S. 12, and 23 are in Michigan City. Of the commercial properties, 15 have buildings and 47 are parcels only. Of the 58 commercial properties that would be acquired, 8 house active businesses. This includes two in Gary, one in Portage, and five in Michigan City, as shown in **Table 5-4**. Some of these businesses are owned by minority individuals.

**Table 5-5. Permanent Commercial Acquisitions**

Community	Parcels with Occupied Building	Vacant Buildings	Vacant Parcels	Total
Gary	2	4	31	37
Portage	1	0	1	2
Michigan City	5	3	15	23
Total	8	7	47	62

## EFFECTS ON BUSINESSES

The eight buildings occupied with businesses that would be permanently acquired are described in **Table 5-5**.<sup>2</sup> These are also referenced by their map number, and correspond with the exhibit in **Appendix II** of the EA.

**Table 5-6. Business Displacements and Environmental Justice Owner Status (if known)**

Map Number	Location	Name of Displaced Business or Property	EJ Owner or Tenant?	Serving EJ Community?
C9	5705 Dunes Highway, Gary	Roxy's Bar	Unknown	Yes
C10	5704 E. Melton Road, Gary	M & M Beauty Supply and Pay Day Loan	Unknown	Yes
C72	5873 U.S. 12, Portage	McColly Real Estate – Lakeshore Team	No	No
C58	506 Chicago Street, Michigan City	Grant's Body Shop	Unknown	Yes
C60	117 W. 11 <sup>th</sup> Street, Michigan City	RAE Auto Sales	Yes	Yes
C62	1015 Franklin Street, Michigan City	Reprographic Arts, Inc.	No	No
C66	1010 Franklin Street, Michigan City	Studio II Tattoos	Yes	Yes
C67	106 E. 11th Street, Michigan City	One owner, 3 tenants: Dough Boys Pizza 3 <sup>rd</sup> Degree Burn BBQ Andrea Italian Beef	Yes	Yes

<sup>2</sup>The full acquisitions listed do not necessarily match the number of displacements, since several of the full acquisitions are vacant parcels that are zoned commercial or residential. A vacant parcel is counted as an acquisition in the category that matches how the parcel is zoned, but is not counted as a displacement since there is no residence or business to be displaced.



As described in more detail in **Section 4.1 of the EA**, loss of private property would be mitigated by payment of fair market compensation and provision of relocation assistance in accordance with the Uniform Relocation Assistance and Real Property Acquisition Act (Uniform Act). For these non-residential displacements, the following would be provided to both EJ and non-EJ business operators:

- Relocation advisory services
- Minimum 90 days written notice to vacate prior to requiring possession
- Reimbursement for moving and reestablishment expenses

## EFFECTS ON EMPLOYEES AND CUSTOMERS

In addition to the property and business owners, displacement of businesses also has the potential to affect employees and customers of these establishments. All businesses that would be displaced are located within or adjacent to EJ areas, and thus may have minority or lower-income employees and/or customers. As described above, displaced businesses would be provided assistance with relocation and reestablishment expenses. Employees of each of the businesses may be minority or lower-wage hourly workers that would potentially have a longer or different commute to the new business site after the relocation or may opt for alternate employment. The potential effects of the displacement of businesses with the proposed Project on their customers are described below.

- **Roxy's Bar** is a local bar and restaurant serving the residents of the EJ community in which it is located as well as other patrons near the Gary/Miller Station.
- **M&M Beauty Supply / Pay Day Loan** provides beauty supplies and other items, specializing in ethnic beauty care, and serves the EJ community in which the business is located.
- **McColly Real Estate – Lakeshore Team** is a realtor specializing in lakefront properties. It is not located in an EJ community.
- **Grant's Body Shop** provides automotive body repairs and may serve the EJ community in which the business is located.
- **RAE Auto Sales** specializes in providing quality and affordable pre-owned vehicles and may serve the EJ community in which the business is located.
- **Reprographic Arts, Inc.** prints wide-format documents such as plan sets, signs, and banners. They also provide apparel screening and embroidery service. This business likely has a mix of EJ and non-EJ customers but does not specifically serve the EJ community in which it is located.
- **Studio II Tattoos** provides tattoo services to customers and may serve the EJ community in which it is located.
- The building at 106<sup>th</sup> East 11<sup>th</sup> Street has three separate businesses that are all restaurants serving the EJ community as well as other patrons. These include:
  - **Andrea Italian Beef**
  - **Dough Boys Pizza**
  - **3<sup>rd</sup> Degree Burn BBQ**

The analysis also determined that comparable businesses that serve similar markets and functions were available within one-half mile of all of the business to be displaced.



### 5.2.3 FINDING

- FTA and NICTD would conduct the acquisition process in accordance with the Uniform Act, as amended. The Uniform Act requires that property owners be paid fair market value for the acquired property and be provided equitable compensation for expenses normally associated with relocating. It is possible that property acquisitions and displacements would affect some property owners and tenants whose primary language is not English. Accordingly, property acquisition and relocation discussions would be conducted in other appropriate languages whenever necessary. Therefore, **the proposed Project would not result in disproportionately high and adverse effects on EJ property owners and renters displaced by the proposed DT-NWI Project.**
- Both EJ and non-EJ business and property owners would be compensated consistent with state and federal requirements. NICTD will identify relocation sites by working with the business owners, homeowners and tenants through the ROW acquisition process. Relocation sites shall be considered based on the business owners' preferences to retain their client base and/or continue to serve a similar population, and based on the homeowner or tenant's preferences. Relocation expenses shall be considered consistent with state and federal requirements. Therefore, **the proposed Project would not result in disproportionately high and adverse effects on EJ business owners displaced by the proposed DT-NWI Project.**
- All of the businesses to be acquired have suitable replacement property available in their respective communities. Since it is unknown at this time whether businesses would relocate within the same community, the result of the displacements of the businesses may have an adverse effect on EJ populations in the communities currently served by the businesses. However, in all cases, comparable businesses were within one-half mile of the business that would be displaced to and they would be able to continue to serve the EJ population.
- NICTD has already conducted outreach with property owners and would continue to do so. NICTD will provide notices to the affected EJ community with the business' new location (if a suitable relocation was identified) with transit options to access the new business location, and/or other options to meet their needs. With these measures, potential adverse impacts would be minimized. Therefore, **the proposed Project would not result in disproportionately high and adverse effects on EJ employees or customers.**

### 5.3 HISTORIC, ARCHAEOLOGICAL, AND CULTURAL RESOURCES AND SECTION 4(F) RESOURCES

#### HISTORIC AND ARCHAEOLOGICAL RESOURCES

The architectural survey resulted in the survey of 613 architectural resources constructed in or prior to 1969 in the APE: 243 in Lake County, 46 in Porter County, and 324 in LaPorte County. In total, there are 31 surveyed historic properties in the APE.

There are 257 previously recorded archaeological sites within 1 mile of the direct APE, none of which are in the direct APE— 3 in Lake County, 242 in Porter County, and 12 in LaPorte County. The Section 106 investigation employed for the DT-NWI Project resulted in the identification of four additional sites during the investigation; none of these was recommended eligible for listing in the NRHP. Therefore, there are no adverse EJ impacts to archaeological resources.



## **LAKE AND PORTER COUNTY HISTORIC RESOURCES**

As determined through the Section 106 consultation process, although there are historic buildings and districts present within low-income and/or minority communities in Lake and Porter Counties, the proposed Project would have no direct impacts to them (such as demolition), or indirect impacts (such as noise and vibration).

## **LAPORTE COUNTY (MICHIGAN CITY) HISTORIC RESOURCES**

As determined through the Section 106 consultation process, the proposed Project would directly impact 27 historic properties in Michigan City through demolition. All of these are located in areas with higher EJ populations.

## **PARKLANDS AND TRAILS**

The proposed Project would have no permanent impacts to parkland property. As part of wetland mitigation, properties within the Indiana Dunes National Lakeshore (that are outside of the Project Area) would be enhanced. Minor impacts due to the relocation of two trails (Calumet Trail and Dunes Kankakee Trail) would result. The agencies with jurisdiction over these trails (Porter County, NIPSCO, Town of Porter, and National Park Service) have agreed that these impacts are considered *de minimis* and therefore, no mitigation is required.

### **5.3.1 CONSTRUCTION PHASE (SHORT-TERM) IMPACTS AND MITIGATION**

#### **HISTORIC RESOURCES**

Construction impacts resulting from the Project would typically include construction noise, staging areas, temporary closure of streets, and re-routing of traffic that would result in temporary, indirect effects on historic properties. Although these components would introduce atmospheric and audible impacts on historic properties, these impacts are temporary and do not rise to the level of an adverse effect.

#### **PARKLANDS AND TRAILS**

Access roads leading to the Indiana Dunes National Lakeshore and Indiana Dunes State Park would be temporarily impacted while the new track is installed at crossings. NICTD would stage this construction so that access to the parks is maintained, and would inform park users of detours. Likewise, the Calumet Trail and Dunes Kankakee Trail would remain open, although there could be some detours during construction.

### **5.3.2 OPERATION PHASE (LONG-TERM) IMPACTS AND MITIGATION**

#### **HISTORIC RESOURCES**

Twenty-four historic resources and three historic districts would be adversely affected by demolition. Affected properties include individually eligible resources as well as the Elston Grove Historic District, the boundary expansion of the Elston Grove Historic District, the Franklin Street Commercial Historic District, and contributing resources to these historic districts. The loss of buildings near the south side of the Elston Grove Historic District and the edges of the Franklin Street Commercial Historic District, compounded with street closures and the creation of cul-de-sacs, would result in fractures to the districts' historic and architectural cohesion. It would also alter views sheds and streetscapes, resulting in adverse effects to the historic districts. Without mitigation, the EJ populations within these districts would be disproportionately affected.

FTA and NICTD, in consultation with the SHPO and consulting parties, have developed and would execute an MOA to mitigate the adverse effects on historic properties. The stipulations of the MOA

describe what NICTD, FTA, and SHPO agree as mitigation of the adverse effects to cultural resources. include the Indiana Landmarks' review and comment on the design plans of the new station or other infrastructure that would be located in the historic districts; appropriate documentation of historic structures prior to demolition; creation of interpretive exhibits and displays in public places; and re-use of the historic façade of the 11<sup>th</sup> Street (Michigan City) Station. See **Section 4.4, Chapter 5, and Appendix VII** of the EA for specific details regarding the stipulations of the MOA.

Additionally, all demolitions, new construction, and changes within the historic districts must be reviewed and approved by the City of Michigan City's Historic Review Board. This is a public process whereby input from local citizens is taken into consideration on final decisions. NICTD would work with the City of Michigan City to actively inform and solicit input from the EJ populations during the public review process regarding any changes to the historic districts and/or eligible properties that result from the proposed Project. With these measures, potentially disproportionately high and adverse effects to EJ populations as they relate to Section 106 and Section 4(f) resources would be minimized.

### 5.3.3 FINDING

Based on a review of the distribution of Project-related cultural resource and Section 4(f) impacts throughout the Project Area and after the consideration of mitigation to be implemented by the proposed DT-NWI Project, the cultural resource and Section 4(f) impacts are not disproportionately borne by EJ populations or appreciably higher than those experienced by the non-EJ populations. Therefore, **the proposed DT-NWI Project would not result in disproportionately high and adverse effects on EJ populations related to cultural resources and Section 4(f) resources.**

## 5.4 VISUAL AND AESTHETICS

Project implementation would not result in a substantial change to the visual character of the Project Area as a whole. The majority of visual quality changes resulting from the proposed DT-NWI Project are considered "neutral" (either before or after mitigation) or "beneficial." Most changes would occur in station areas.

### 5.4.1 CONSTRUCTION PHASE (SHORT-TERM) IMPACTS AND MITIGATION

Visual impacts from construction of the proposed DT-NWI Project may include the temporary presence of heavy equipment, transport, and delivery of construction materials and equipment, pedestrian and traffic control measures and detours, and other construction activities such as the use of staging areas. Staging areas would be restored to pre-project conditions after completion. Particularly noticeable construction activities to sensitive viewer groups, in areas with concentrated EJ populations, include:

- Construction work associated with the second track in Gary, from the west end of the proposed Project to the bridge over the Norfolk Southern tracks.
- Construction of the Gary/Miller Station
- Construction work associated with the track re-alignment and replacement on 10<sup>th</sup> and 11<sup>th</sup> Streets
- Construction of the 11<sup>th</sup> Street (Michigan City) Station

Implementation of mitigation measures would help to reduce the impacts of construction of the proposed Project on sensitive viewer groups in the proposed DT-NWI Project Area. Mitigation measures during construction include limiting pre-construction clearing, preserving existing vegetation wherever possible, re-vegetating after construction, avoiding locating staging areas adjacent to high-sensitivity receptors, and minimizing light disturbance during construction.



#### 5.4.2 OPERATION PHASE (LONG-TERM) IMPACTS AND MITIGATION

Several parcels in the Gary/Miller Station area would be purchased to realign the tracks to the south, add gauntlet and storage tracks, and construct additional and reconstructed parking lots, consistent with transit-oriented development (TOD) plans for the area. Construction of the high-level platforms and warming shelters would create some changes in views from the street but would be within the context of the existing station area. The storage tracks would be constructed east of the immediate station area within a vacated section of U.S. 12 and would require an 800-foot-long, approximately 14-foot-high retaining wall between the storage tracks and the realigned NICTD/CSS railroad tracks. Views of the SSL storage tracks would be looking east from Lake Street and the SSL trains, and would be consistent with the character of a railroad station area.

The visual character of the immediate station areas would change due to the removal of existing buildings, including some historic buildings, on some of the purchased parcels, as well as a limited number of trees. The context of the immediate area would be changed only to the extent that the footprint of the station area, associated tracks, and parking would be expanded.

There would be visual changes resulting from the track realignment and roadway modifications between Sheridan Avenue and Michigan Boulevard in Michigan City along 10<sup>th</sup> Street. The existing street-running tracks would be realigned to the south of the roadway. Homes along the south side of this segment of 10<sup>th</sup> Street would be removed to accommodate the new alignment. This would change the visual character of the south side of the roadway from residential to a pedestrian path with new landscaping and lighting. The railroad tracks, OCS, and short (approximately 3-foot) barrier wall would be visible from the street and homes to the north of 10<sup>th</sup> Street but would be buffered by new landscaping. Much of this area along 10<sup>th</sup> Street is considered low income and/or minority.

Construction of the high-level platforms and parking structure at the 11<sup>th</sup> Street (Michigan City) Station would alter the visual setting of the station area. The high-level platforms require grade changes on the approaches to the station that could block views of the existing surroundings as viewed from the street, businesses, and residences on the south side of 11<sup>th</sup> Street. Removal of structures on 11<sup>th</sup> Street and construction the platforms would affect the views of the historic buildings and streetscapes that contribute to the Elston Grove Historic District.

Visual effects of the proposed Project would be mitigated by developing the improvements according to the local communities' design standards. This may include landscaping, lighting, re-using building façades, and/or using building construction materials, colors, and architectural styles consistent with station sites' surroundings, to the extent possible. Measures to mitigate potential adverse visual impacts affecting the integrity of historic properties would be developed in consultation with the local historic planning commissions and/or Indiana SHPO, as part of the Section 106 consultation process (see **Section 5.4**).

The proposed Project would have positive visual impacts for the EJ populations located in Gary and Michigan City, especially in the station areas. Because there are buildings and trees that would be removed on some of the purchased parcels, the visual character of the immediate station areas would be changed; however, the station and parking improvements would be designed with attractive landscaping and visual features to mitigate the loss of existing fabric and vegetation, and the community would also have the opportunity to create positive visual changes with attractive landscaping and design. Station area plans would be subject to public review as part of the community planning process. NICTD would work with the cities of Gary and Michigan City to actively inform and solicit input from the EJ populations during the public review process, including changes to the historic districts, as applicable. With these measures, visual impacts to EJ populations would be minimized.



### 5.4.3 FINDING

Based on a review of the distribution of Project-related visual quality impacts throughout the Project Area and after the consideration of visual quality mitigation to be implemented by the proposed DT-NWI Project, the visual quality impacts are not disproportionately borne by EJ populations or appreciably higher than those experienced by the non-EJ populations. Therefore, **the proposed DT-NWI Project would not result in disproportionately high and adverse effects on EJ populations related to visual quality.**

## 5.5 NOISE

### 5.5.1 CONSTRUCTION PHASE (SHORT-TERM) IMPACTS AND MITIGATION

Elevated noise levels from construction activities are, to a degree, unavoidable for this type of project. The proposed Project would require that construction equipment be properly muffled and in proper working order. While the proposed Project construction contractors are exempt from local noise ordinances, they would comply with applicable local noise restrictions and ordinances to the extent that is reasonable. Advanced notice would be provided to affected communities of any planned abnormally loud construction activities. It is anticipated that night construction may sometimes be required to minimize traffic impacts and to improve safety; however, construction would be limited to daytime hours as appropriate.

Noise-generating construction activities would occur at multiple locations in the Project Area, and in both EJ and non-EJ areas. The primary means of mitigating noise from construction activities is to require the contractors to prepare a detailed Noise Control Plan. Key elements of the plan would include:

- Contractor's specific equipment types
- Schedule and methods of construction
- Maximum noise limits for each piece of equipment with certification testing
- Prohibitions on certain types of equipment and processes during the nighttime hours without local agency coordination and approved variances
- Identification of specific sensitive sites near construction sites
- Methods for projecting construction noise levels
- Implementation of noise control measures where appropriate
- Methods for responding to community complaints

### 5.5.2 OPERATION PHASE (LONG-TERM) IMPACTS AND MITIGATION

Due to the fact that the SSL trains and freight trains have been operating in this corridor for several decades, the entire corridor and the communities in which it passes through already experience relatively high noise levels ranging from 68 dBA to 76 dBA. The noise is primarily due to the sounding of the NICTD train horn at grade crossings. The train horn is currently 105 dBA, much higher than typical transit horns (93 dBA).

In Michigan City, the proposed Project would close 13 cross streets, eliminating the need for trains to sound their horns at these locations. For the remaining grade crossings, NICTD would work with Michigan City and FRA to implement a quiet zone between Sheridan Avenue and Carroll Avenue. As a result, neither NICTD nor freight trains would need to sound their warning horns on a routine basis. Residents of

Michigan City, both EJ and non-EJ, would benefit from a reduction in train horn noise by up to 20 dBA with this measure.

Outside of Michigan City, there are three moderate noise impacts projected to occur because of the proposed Project. Two are in Beverly Shores that do not impact an EJ population. One moderate impact is in Gary, in an area that is both low-income and minority. The noise is caused by train horns at crossings, and would be mitigated by lowering the train horn decibel level on NICTD trains. This measure would eliminate the one impact in Gary, reduce the magnitude of the noise impact at the two impacts in Beverly Shores to a level less than significant, and further benefit other noise-sensitive receptors along the corridor.

### 5.5.3 FINDING

Based on the analysis described above, the impacts are not disproportionately borne by the EJ population or appreciably higher than those experienced by the non-EJ population. Therefore, **the proposed DT-NWI Project would not result in disproportionately high and adverse effects on EJ populations related to noise.**

## 5.6 VIBRATION

### 5.6.1 CONSTRUCTION PHASE (SHORT-TERM) IMPACTS AND MITIGATION

By virtue of their nature, construction activities generate some degree of vibration, although usually the impacts are temporary and unavoidable. Vibration-generating construction activities would occur at multiple locations in the Project Area, and in both EJ and non-EJ areas. An effective method to limit vibration impacts during construction is to include vibration performance specifications in the construction contract documents. Examples of vibration control measures include, but are not limited to, the following:

- Rerouting construction-related truck traffic along roadways that would cause the least disturbance to residents.
- Performing a preconstruction survey near sites where vibration activities would occur in order to document the preconstruction conditions of potentially affected structures.
- Restricting the use of certain vibration-producing equipment near sensitive structures.
- Conducting vibration monitoring during construction to verify compliance with the limits.
- Establishing a complaint resolution procedure to rapidly address any problems that may develop during construction.
- Coordinating with the community where the construction occurs.

### 5.6.2 OPERATION PHASE (LONG-TERM) IMPACTS AND MITIGATION

A total of eight vibration impacts would potentially occur as a result of the increased number of trains: one in the Town of Pines, two in Beverly Shores and five in Michigan City. These impacts are attributable to train wheels rolling on the rail. The impacts occurring in the Town of Pines and in Michigan City occur in areas identified as EJ populations.

To mitigate the projected vibration impacts, NICTD will install crosstie pads, ballast mats, resilient fasteners, or other track support system modifications. These materials would be evaluated for effectiveness at impacted receptors and for durability in a shared freight corridor during the final design phase of the Project; final mitigation measure selection will be performed at that time. With this mitigation, vibration would be reduced to a level less than significant.

### 5.6.3 FINDING

Based on a review of the distribution of Project-related vibration impacts throughout the Project Area and after the consideration of vibration mitigation to be implemented by the proposed DT-NWI Project, the vibration impacts are not disproportionately borne by EJ populations or appreciably higher than those experienced by the non-EJ populations. Therefore, the proposed DT-NWI Project *would not result in disproportionately high and adverse effects on EJ populations related to vibration.*

### 5.7 CONSTRUCTION IMPACTS

The Build Alternative would result in temporary adverse construction impacts on neighborhoods surrounding the proposed Project. Construction impacts would be similar throughout the proposed Project Area. No disproportionately high and adverse effects due to construction are anticipated, because impacts would be experienced by EJ and non-EJ communities alike. Construction, including staging areas, would primarily occur within railroad ROW or on properties acquired for the proposed Project, which would limit street closures and other neighborhood and community impacts.

NICTD would limit noise effects during construction by including noise and vibration performance specifications in construction contract documents that are consistent with local jurisdictional ordinances. Construction contractors would be required to develop a construction noise and vibration management plans, which include coordinating with project stakeholders to minimize intrusive construction effects.

To reduce adverse air quality impacts during construction, NICTD would direct 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. Additionally, the contractor would be required to follow the USEPA's Construction Emission Control Checklist. Several mitigation measures would be employed including limiting idling of construction equipment during periods of inactivity, maintaining construction equipment in proper working condition, and limiting dust-producing construction activities near sensitive receptors, such as schools and residential areas, where feasible. Additionally, the construction contractor would employ at least one environmental staff member responsible for monitoring construction activities within residential areas to help ensure that construction does not become a nuisance to nearby residences.

Construction would cause temporary changes to roadways and transit near stations and during construction of track and crossing improvements. NICTD would work with communities and public transit agencies to inform the public of the changes in traffic patterns, during and after construction. Specific outreach to residents in the immediate area would be conducted, as well as to transit users. NICTD would work with communities to identify specific strategies to reach EJ populations as part of the construction outreach plan to inform residents, businesses, and public transit users of the proposed Project, construction duration, and changes to the transportation system during construction.

#### 5.7.1 FINDING

Based on a review of the distribution of Project-related construction impacts throughout the Project Area and after the consideration of mitigation to be implemented, the construction impacts are not disproportionately borne by EJ populations or appreciably higher than those experienced by the non-EJ populations. Therefore, **the proposed DT-NWI Project would not result in disproportionately high and adverse effects on EJ populations related to construction.**



## 6.0 ENVIRONMENTAL JUSTICE FINDING

In summary, the resource-specific conclusions are:

- **Transportation** – no disproportionately high and adverse impacts on EJ populations
- **Displacements of Residences and Businesses** – no disproportionately high and adverse impacts on EJ businesses, employees, or customers
- **Visual/Aesthetics** – no disproportionately high and adverse impacts on EJ populations
- **Historic Resources and Section 4(f)** – no disproportionately high and adverse impacts on EJ populations
- **Noise** – no disproportionately high and adverse impacts on EJ populations
- **Vibration** – no disproportionately high and adverse impacts on EJ populations
- **Construction Impacts** – no disproportionately high and adverse impacts on EJ populations

### 6.1 PROJECT-WIDE ENVIRONMENTAL JUSTICE FINDING

NICTD and FTA recognize that some of the specific impacts of the proposed DT-NWI Project may adversely affect both EJ and non-EJ populations, and additional outreach and coordination with community organizations would be necessary to maintain continued engagement with EJ populations as the proposed DT-NWI Project advances. As NICTD prepares final plans for station and track designs in EJ areas, including Gary and Michigan City, public input would be sought as part of the local review process. NICTD would work with communities to include specific outreach to EJ populations. If additional adverse effects are found during this process, NICTD would consider additional mitigation to offset the effects.

After examining the proposed DT-NWI Project holistically, taking into account the adverse impacts on EJ populations, and mitigation measures committed to by NICTD, FTA has concluded that **the proposed DT-NWI Project would not result in disproportionately high and adverse impacts to EJ populations.**



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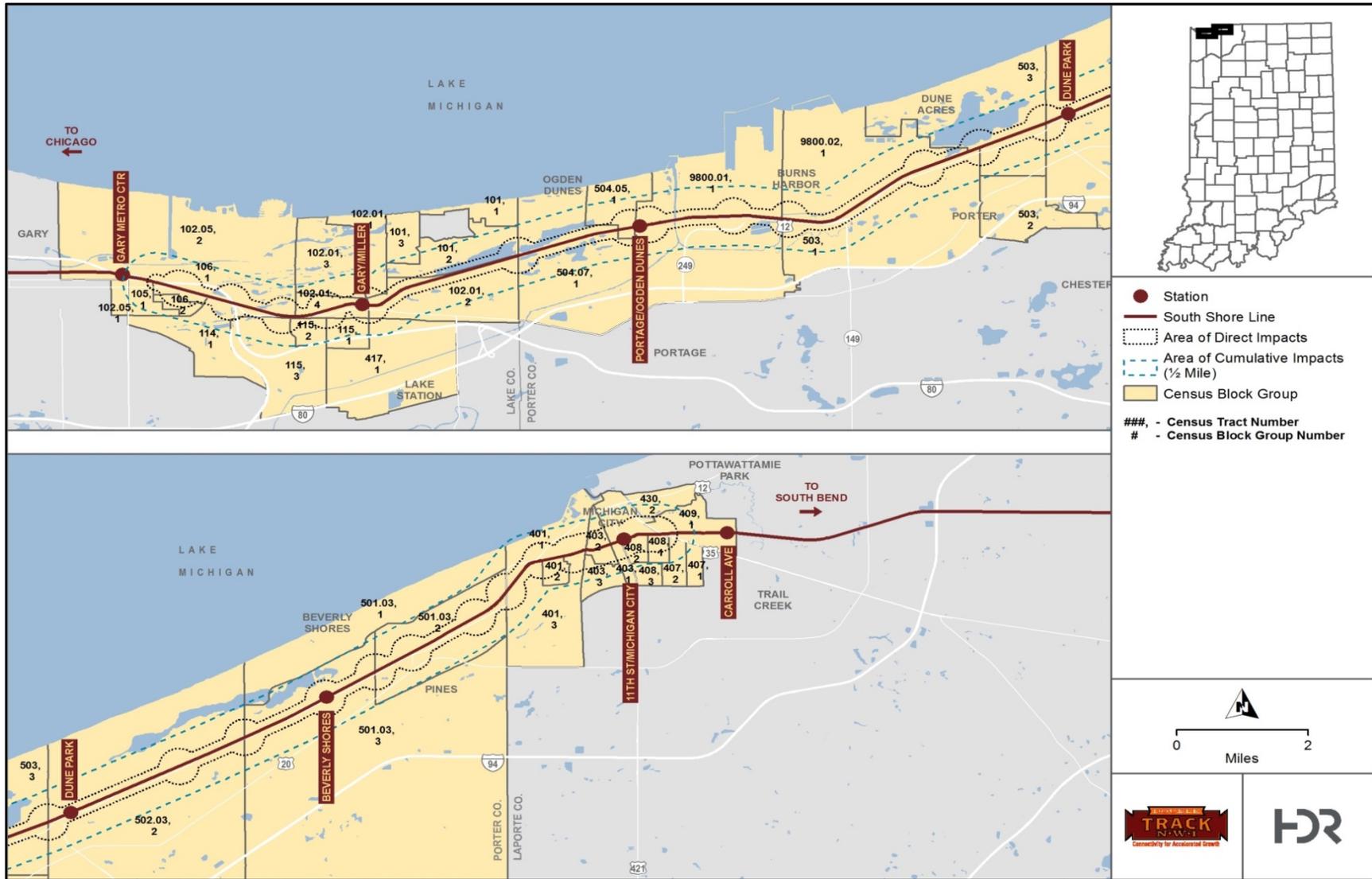
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# **APPENDIX A**

## Block Group Demographic Data



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Block Group Name	Percent of Block Group within Half Mile of Project	Population	Households	Minority	Minority Percent	Low-Income	Low-Income Percent	Transit Dependent (Zero-Vehicle) Households	Transit Dependent Percent	Seniors (Age 65+)	Senior Percent
<b>Lake County</b>											
BG 1, CT 101	0%	1,138	556	601	53%	413	36%	83	15%	191	17%
BG 2, CT 101	82%	1,271	527	1,105	87%	79	7%	18	3%	389	31%
BG 3, CT 101	11%	886	491	704	80%	32	4%	7	1%	223	25%
BG 1, CT 102.01	10%	1,318	614	1,087	83%	131	10%	77	13%	278	21%
BG 2, CT 102.01	71%	1,644	847	1,559	95%	740	45%	108	13%	150	9%
BG 3, CT 102.01	23%	1,355	617	1,210	89%	558	41%	133	22%	94	7%
BG 4, CT 102.01	100%	1,402	476	1,039	74%	657	47%	174	37%	256	18%
BG 1, CT 102.05	10%	638	397	633	99%	363	57%	212	53%	129	20%
BG 2, CT 102.05	16%	634	209	523	83%	244	51%	18	9%	224	35%
BG 1, CT 105	80%	1,121	347	1,036	92%	711	63%	102	29%	125	11%
BG 1, CT 106	100%	863	224	851	99%	607	72%	52	23%	98	11%
BG 2, CT 106	100%	672	286	618	92%	253	38%	78	27%	72	11%
BG 1, CT 114	24%	973	319	973	100%	709	73%	124	39%	35	4%
BG 1, CT 115	60%	997	328	926	93%	93	9%	60	18%	199	20%
BG 2, CT 115	99%	865	288	815	94%	220	25%	35	12%	121	14%
BG 3, CT 115	23%	1,011	295	980	97%	486	48%	62	21%	49	5%
BG 1, CT 417	5%	1,308	422	424	32%	399	31%	7	2%	186	14%
<b>Porter County</b>											
BG 1, CT 501.03	5%	542	276	10	2%	17	3%	2	1%	229	42%
BG 2, CT 501.03	95%	823	308	132	16%	217	26%	18	6%	109	13%
BG 3, CT 501.03	12%	1,189	449	0	0%	43	4%	0	0%	243	20%
BG 2, CT 502.03	26%	1,776	741	399	23%	255	15%	36	5%	334	19%
BG 1, CT 503	43%	1,028	401	111	11%	161	16%	31	8%	133	13%
BG 2, CT 503	0%	1,913	582	134	7%	442	23%	13	2%	86	5%
BG 3, CT 503	28%	1,075	553	19	2%	28	3%	14	3%	181	17%
BG 1, CT 504.05	27%	1,203	542	94	8%	46	4%	3	1%	318	26%
BG 1, CT 504.07	34%	1,206	341	212	18%	487	40%	33	10%	57	5%
BG 1, CT 9800.01	28%	0	0	0	0%	0	0%	0	0%	0	0%
BG 1, CT 9800.02	36%	0	0	0	0%	0	0%	0	0%	0	0%



Block Group Name	Percent of Block Group within Half Mile of Project	Population	Households	Minority	Minority Percent	Low-Income	Low-Income Percent	Transit Dependent (Zero-Vehicle) Households	Transit Dependent Percent	Seniors (Age 65+)	Senior Percent
<b>LaPorte County</b>											
<b>BG 1, CT 401</b>	43%	1,027	314	706	69%	370	37%	56	18%	99	10%
<b>BG 2, CT 401</b>	100%	2,685	7	1,556	58%	0	0%	7	100%	63	2%
<b>BG 3, CT 401</b>	31%	616	269	58	9%	127	21%	17	6%	70	11%
<b>BG 1, CT 403</b>	65%	381	190	126	33%	102	27%	60	32%	58	15%
<b>BG 2, CT 403</b>	93%	1,044	385	257	25%	430	41%	83	22%	76	7%
<b>BG 3, CT 403</b>	50%	931	356	285	31%	206	22%	24	7%	81	9%
<b>BG 1, CT 407</b>	7%	907	353	378	42%	229	25%	14	4%	125	14%
<b>BG 2, CT 407</b>	35%	701	248	200	29%	94	13%	34	14%	54	8%
<b>BG 1, CT408</b>	100%	961	421	221	23%	80	8%	26	6%	159	17%
<b>BG 2, CT 408</b>	100%	1,326	522	636	48%	377	29%	73	14%	51	4%
<b>BG 3, CT 408</b>	11%	828	336	254	31%	101	12%	7	2%	100	12%
<b>BG 1, CT 409</b>	36%	2,364	1,006	1,832	78%	914	39%	99	10%	329	14%
<b>BG 2, CT 430</b>	50%	1,706	789	1,132	66%	797	49%	215	27%	163	10%

Sources: U.S. Census Bureau 2015a, b, c, d

BG = Block group

CT = Census tract



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