

# **APPENDIX IV**

## Agency Coordination



## List of Agencies Contacted

Agency	Department
<b>Federal</b>	
<b>U.S. Army Corps of Engineers</b>	Chicago District
<b>United States Environmental Protection Agency</b>	Office of Enforcement and Compliance Assurance
<b>U.S. Fish &amp; Wildlife Service</b>	Bloomington Field Office
<b>U.S. Fish &amp; Wildlife Service</b>	Ecological Services-Northern Indiana
<b>United States National Park Service</b>	Indiana Dunes National Lakeshore
<b>State</b>	
<b>State of Indiana</b>	Department of Transportation
<b>State of Indiana</b>	Department of Natural Resources, Division of Historic Preservation & Archeology
<b>State of Indiana</b>	Department of Natural Resources, Division of Water, Coastal Zone Management
<b>State of Indiana</b>	Department of Natural Resources, Division of Fish and Wildlife - Central Office
<b>State of Indiana</b>	Department of Environmental Management, Office of Water Quality, Surface Water, Operations & Enforcement Branch; Wetlands and Stormwater Section
<b>State of Indiana</b>	Department of Environmental Management, Northwest Indiana Regional Office
<b>State of Indiana</b>	Department of Corrections
<b>State of Indiana</b>	Office of the Governor
<b>Local</b>	
<b>City of Gary</b>	Mayor's Office
<b>City of Gary</b>	Planning and Development
<b>Town of Ogden Dunes</b>	Town Council
<b>City of Portage</b>	Office of the Mayor
<b>City of Portage</b>	Economic Development
<b>City of Portage</b>	Administration and Emergency Management
<b>Town of Porter</b>	Community Development
<b>Town of Beverly Shores</b>	Town Council
<b>City of Michigan City</b>	Office of the Mayor
<b>City of Michigan City</b>	Sanitary District



## List of Agencies Contacted

Agency	Department
City of Michigan City	Planning and Redevelopment/Inspection
City of Michigan City	Town Council
City of South Bend	City Council
LaPorte County	Board of County Commissioners
Northwestern Indiana Regional Planning Commission	Environmental Management & Policy Committee
Northwestern Indiana Regional Planning Commission	Technical Policy Committee
Northwestern Indiana Regional Planning Commission	Executive Director
Michiana Area Council of Governments	Executive Director
Northwest Indiana Regional Development Authority	President
Northern Indiana Regional Development Authority	
Other	
CSX Railroad	Public Projects
Norfolk Southern Railway	Public Improvement
Amtrak	
Canadian National Railway	
Northern Indiana Public Service Company (NIPSCO)	Electric Engineering



Meetings and Presentations  
September 18, 2017

Organization(s)	Date/Time	Est. # attendees	Type
NIPSCO / NICTD Coordination Meeting	8/25/2016		Utilities
National Park Service	9/7/2016		Agency
US Army Corps of Engineers	9/8/2016		Agency
Indiana Dunes National Lakeshore	9/12/2016		Agency
Field visit with USACE and USFWS	9/16/2016		Agency
Michigan City drainage	9/19/2016		Agency
NIRPC	9/19/2016		Agency
City of Gary / Milwaukee meeting	9/20/2016		Agency
City of Gary TOD meeting	9/20/2016		Agency
Michigan City Police	9/20/2016		Agency
NICTD Board	9/23/2016		Agency/Elected
NIPSCO / NICTD Coordination Meeting	9/28/2016		Utilities
City of Gary	9/29/2016		Agency/Elected
NIRPC	10/14/2016		Agency
Indiana Dunes National Lakeshore and Indiana Dunes State Park	10/17/2016		Agency
Michigan City NOW	10/20/2016	150	Agency/Elected
NIRPC	10/20/2016		Agency
Michigan City - City Council Meeting	11/1/2016		Agency/Elected
NIRPC - Technical Policy Committee	11/1/2016		Agency
FTA Workshop - HDR and NICTD	11/2/2016	40	Agency
INDOT, various railroads, MPO	11/15/2016	10	Agency
NICTD Board	11/19/2016	30	Agency
CTA	11/21/2016	15	Agency
INDOT/City of Gary/Structurepoint	11/29/2016	15	Agency
NIRPC - Environmental Management & Policy Committee	12/1/2016	20	Agency
St. Joseph County Economic Development Commission	12/2/2016	50	Agency/Elected
City of Portage	12/12/2016	7	Agency
Michiana Area Council of Governments (MACOG)	12/14/2016	25	Agency
Mayor Buttigieg (South Bend)	1/4/2017	2	Agency/Elected
Governor Holcomb, Various Indiana Senators and Representatives	1/11/2017		Agency/Elected
Environmental Agencies	2/7/2017	19	Agency
INDOT / NICTD Meeting	2/28/2017		Agency
Porter County / NIPSCO / NICTD Meeting	4/12/2017	7	Utilities
Town of Porter / NICTD Coordination Meeting	4/17/2017	6	Agency
NPS / NICTD Coordination Meeting	4/27/2017	9	Agency
NPS / IDEM / USACE / NICTD Coordination Meeting	5/8/2017		Agency
Consulting Parties Bus Tour	5/11/2017		Agency
National Park Service/INDU	5/16/2017	10	Agency
Consulting Parties Conference Call	6/8/2017	10	Agency
USEPA/USACE	8/21/2017		Agency

## **Multiple Agencies**



# Final Meeting Minutes

Project: NICTD South Shore Double Track

Subject: Agency Kick-off Meeting

Date: Wednesday, June 15, 2016

Location: NICTD Offices, 33 U.S. 12, Chesterton, IN

Attendees: **FTA (In Person)**

Susan Orona

Jay Ciavarella

Hayley Falk

**USACE (By Phone)**

Paul Leffler

**USEPA (By Phone)**

Jennifer Blonn

**USFWS (In Person)**

Elizabeth McCloskey

**USNPS (In Person)**

Paul Labovitz

Chris Pergiel

**INDNR – Div. of Fish & Wildlife (By Phone)**

Brian Boszor

**INDNR DHPA (By Phone)**

Mitch Zoll

John Carr

Chad Slider

**INDOT (By Phone)**

Brian Jones

Tom Rishoff

**NICTD (In Person)**

Michael Noland

John Parsons

Chris Beck

Bjarne Henderson

**NICTD (By Phone)**

Gerald Hanas

**Save the Dunes (In Person)**

Nicole Barker

**NIPSCO (In Person)**

Steve Barker

**HDR (In Person)**

Janice Reid

Michael Shostak

Victor Van Santen

Sara Merchan Paniagua

Brandon Gabler

**HDR (By Phone)**

Chad Blackwell

Zach Hartjes

**Wight & Company**

Robin Martel

**METRIC (By Phone)**

Amy Smith

Nolan Hahn

Vince Epps

Alex Effinger

**Lochmueller (By Phone)**

Tom Cervone

**ESI (By Phone)**

Dale Sparks

## Introductions

Each person attending in person or by phone introduced themselves and their role in the project.

## Project Presentation

1. After the introductions, Janice Reid (HDR) ran through a PowerPoint presentation to describe the project to attendees (see accompanying pdf).

## Discussion Items

1. Paul Labovitz (USNPS) suggested that future need of infrastructure and/or utilities be assessed now to avoid redoing work.
2. Steve Barker (NIPSCO) informed that NIPSCO will be doing construction improvements in the area adjacent to the NICTD improvements in 2018– He will coordinate with NICTD.
3. Paul Labovitz said USNPS has information/data for the project area and his agency is willing to share all the survey results with the project team. Eric Ehn is the USNPS person to contact to get this information

([Eric Ehn@nps.gov](mailto:Eric_Ehn@nps.gov)).

4. Elizabeth McCloskey (USFWS-Northern Indiana Field Office) ran through the list of federally listed species with potential to occur in the project area.
  - a. Hine's Emerald Dragonfly and Eastern Prairie Fringed Orchid – Not present in the area; no need to survey
  - b. Mitchell's Satyr Butterfly – Not present in Michigan City
  - c. Pitcher's Thistle – Only present in the dunes along the lakeshore; no need to survey
  - d. Mead's Milkweed – Only in Lake County
  - e. Karner Blue Butterfly – Population has crashed, but it's still assumed to be present in the area. Small populations since 2012; not considered extirpated from Indiana. However, it is anticipated to occur only in the double-tracked portion of the project, where no work will be performed.
  - f. Eastern Massasauga rattlesnake – Has been found near the tracks, on the Beverly Shores Station platforms, and on the Calumet Trail.
  - g. Indiana Bat and Northern Long-eared Bat – Only a concern if clearing trees. Elizabeth suggested we conduct emergence surveys only on those trees to be removed. Bats are likely to be present near South Bend. However, that area is not part of the project. Bats do not generally prefer to nest or breed in areas of higher activity, such as this corridor.
  - h. Elizabeth is not aware of federal or state threatened and endangered (T&E) species around Miller station.
  - i. Although state-listed plants are thought to be present in the area, USFWS does not think it will be an issue if work does not occur outside the ROW.
5. Michael Noland (NICTD) stated that the second high-level platform at the Ogden Dunes station will be part of a separate project but will be studied under this NEPA document. The Beverly Shores station will have low-level platforms, whereas the 11<sup>th</sup> Street station will have high-level platforms and will become NICTD's main station in Michigan City.
6. Michael Noland also stated that the relocation of U.S. 12 to U.S. 20 at Miller Station that INDOT is leading is a separate project. The NICTD realignments would occur after the INDOT's relocation study and work are completed.
7. The right of way varies, but is approximately 66'-100' wide. Chris Beck (NICTD) pointed out that NICTD only needs about 40 feet of ROW for the two tracks. Nicole Barker (Save the Dunes) asked whether those 40 feet included temporary construction too. It is likely that the 40 feet does not include temporary construction. If this is the case, Paul Labovitz does not believe the project will cause that much impact, and will work with NICTD.
8. Nicole Barker suggested that, as part of a public engagement strategy, state-listed species that are impacted by the project (if any) could be transplanted into the Dunes for propagation.
9. Paul Labovitz will provide Janice Reid (HDR) with the point of contact at USGS Research facility with a vast knowledge of plants.
10. Nicole Barker will send Janice Reid the information for Joe Exl with the Northwestern Indiana Regional Planning Commission (NIRPC) who can provide digital files of the managed lands in the area. It was also suggested NIRPC (spell out) be added as a participant at full community meetings.
11. Chris Pergiel (USNPS) asked whether the number of trains will be increasing and/or the train delay will be decreasing. Michael Noland responded that both will happen as a result of the project. The number of trains will increase from 30 trains per day to up to 52. Delays will decrease by providing the necessary infrastructure that is proposed.
12. Nicole Barker stated that constant communication with local populations is needed to reduce friction. "People want to know what to expect to see."
13. Nicole also said that Save the Dunes is developing ecological and political sensitivity area maps to understand in which areas along the corridor residents want to be constantly informed
14. Paul Leffler (USACE) suggested that an outline be prepared listing agency coordination for each step and reviews are scheduled appropriately. Paul would also like to know when field crews will be conducting wetland surveys as he may want to accompany them. Surveys are expected to begin in July and conclude this summer. Fatal flaws will be identified while conducting field work. There is no need to flag

wetlands; taking GPS points is sufficient.

15. Michael Noland (NICTD) explained the goal of the project is to reduce travel time between Chicago and northwest Indiana. The intent is to have the NEPA document approved by mid 2017, start construction in 2019, and begin new service on the double track in 2020. Initially, no additional equipment will be used – they will be able to make better use of under-utilized existing equipment. However, NICTD plans on getting more equipment in the future. He encouraged the entire project team and agencies to work closely together and move along as this is a very important project for the region. NICTD forecasts 8,000 new riders as a result of these improvements.
16. Jen Blonn (USEPA) recommended that a robust analysis of indirect impacts be prepared. She also offered to send the project team information from the Great Lakes Restoration Initiative (GLRI). Jen also directed the team to use the USEPA reference manual for the Environmental Justice analysis. Jen also indicated USEPA has staff in Gary who has been working with Gary on the new Miller station concept and land use planning. Vince Epps (METRIC) also stated he is working with them.
17. Jen Blonn also asked when the project team would like to receive responses to the scoping letters. Janice Reid replied that, if possible, in about 2-3 weeks. Michael Noland suggested 2 weeks instead. Jen replied the typical timeframe is 30 days, but she will try to have the letter ready in 2-3 weeks.
18. Amy Smith (METRIC) inquired whether wetland and stream habitat assessments are necessary. Paul Leffler replied that a good description of the area will suffice including, but not limited to, erosion issues, plants growing along each stream, ordinary high water mark (OHWM), etc. Brian Boszor (IDNR-Division of Fish & Wildlife) agreed with the approach.
19. Amy Smith also asked what T&E species we need to survey. Elizabeth McCloskey replied that the Eastern massasauga rattlesnake should be surveyed and the two bat species, if trees will be cleared.
20. Brian Boszor (INDNR-DFW) suggested that HDR contact Derek Nimetz with the INDNR, Division of Nature Preserves. Brian will be sending out an email with this contact information.
21. Paul Labovitz suggested the U.S. Geological Survey (USGS) be also included as an agency. There is a USGS research facility close to the NICTD offices.
22. Elizabeth McCloskey asked whether there will be new tracks in the Mineral Springs area. Michael Shostak (HDR) responded that it is likely that a third track will be added to accommodate the freight traffic. The plan is to have all freight trains on the north side in order to increase efficiency and safety.
23. Steve Barker stated NIPSCO has already surveyed the corridor. Paul Leffler said it is ok with the USACE if NIPSCO shares these wetland delineations with the project team.
24. HDR/Wight & Company will send out a schedule of document review times to USACE and USEPA to keep the project moving along.

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Final meeting minutes were prepared by Sara Merchan Paniagua (HDR).

Copies to: All meeting attendees



## Meeting Notes

Subject: NICTD/INDU/IDSP Coordination Meeting and Field Visit

Date: Monday, October 17, 2016

Location: NICTD Offices, 33 U.S. 12, Chesterton, IN

Attendees: **NPS/INDU**

Eric Ehn  
Paul Labovitz  
Dan Mason  
Chris Pergiel  
Dan Plath  
Gia Wagner

**Indiana DNR – Dunes State Park**

Brandt Baughman  
Mickey Rea

**NICTD**

Nicole Barker  
Christopher Beck  
Michael Noland

**HDR**

Rajat Das  
Zachary Hartjes  
Sara Merchan Paniagua  
Janice Reid

**Shrewsberry**

Sam Robertson

1. All attendees introduced themselves by name and organization.
2. Every attendee was given a 4-page mapbook focusing on the Bailly area (sheets 28 through 31). The main focus of this meeting was to discuss the Bailly area since a portion of the footprint goes past the right-of-way (ROW) and into adjacent NPS property.
3. Janice Reid (HDR) asked the group whether everybody was familiar with the project. Everybody was. She described the items depicted in the 57-page mapbook on a screen.
4. Michael Noland summarized the project schedule:
  - The Environmental Assessment (EA) is to be completed in summer 2017.
  - The EA will be submitted to FTA in fall 2017.
  - Construction is scheduled to begin in 2019.
  - Project will be implemented and operations will resume in 2020.

### Discussion Items

#### Bailly Area Impacts

1. Paul Labovitz (NPS) asked whether the impact area in the mapbook is “potential” or if the project will really be impacting this NPS land (sheet 28). Zach Hartjes (HDR)

responded that right now, it is considered a potential impact, but until design is further progressed and future maintenance concerns (described below) are determined, it could result in a more permanent impact. Today's meeting was to talk through the issues to determine NPS' issues and concerns with regards to an impact of this land.

2. Eric Ehn (NPS) wanted to know if impacts in the NPS land in the Bailly area will be temporary or permanent. Zach replied that 4 tracks and a drainage ditch are needed in the Bailly area. Because the area in this portion of the corridor is very tight to fit 4 tracks and a ditch, an easement from the NPS might be required. Nicole Barker (NICTD) thinks impacts will be temporary since the easement is required for drainage purposes only. However, there will also be catenary poles, which impose maintenance concerns of the nearby vegetation. While cleared vegetation can be replanted at a later time (temporary impact), NICTD would not want trees to be replanted due to interference with the catenary equipment. Chris Beck stated that the minimum required distance between trees and tracks is 10 feet, although 25 feet is preferred to avoid interference with catenary equipment. It is unclear then if this would constitute a permanent impact.

Paul Labovitz stated that the temporary 15-foot encroachment area looks acceptable to NPS for clearing vegetation and as a laydown area. However, Paul would like NPS and HDR staff to walk this area in order to identify valuable native plants and/or sensitive areas.

3. Paul Labovitz asked what the distance between each catenary pole is. Zach said it is between 160 and 200 feet approximately. Regardless, vegetation trimming will need to occur along the entire easement area. A more defined footprint should be ready in about a month as this design is being refined.
4. Dan Mason (NPS) said there are wet prairies and loamy soils in this area. Janice suggested that as part of the design, sustainable elements, such as vegetated swales, could be incorporated to restore the area to its historic habitat.
5. GLRI restoration projects were shown on the maps as well. Janice said that the Double Track NWI project will not be impacting a GLRI restoration project that is located north of the NIPSCO ROW.
6. Dan Mason said that NPS has conceptual plans for work they would like to do to restore or enhance wetland areas within the INDU. It is possible that such restoration or enhancement could be part of a mitigation strategy for the impacts of the Double Track project. Dan will send information on these plans to Janice as soon as possible.
7. Eric Ehn asked where equipment will be staged during the ditch grading. Zach replied it will be staged inside the footprint that is being surveyed. Janice added that the footprint was meant to capture all areas of disturbance, including construction impacts.
8. Dan Mason asked how deep the construction will go to support the trackbed. Zach explained they will go approximately 2.5 feet deep. Dan Mason replied that ground water would likely not be impacted by this since it flows below that depth.
9. Dan Plath (NPS) asked what will happen to the soil that will be excavated for the ditch. Zach responded it will be tested to ensure it is suitable for disposal.
10. The team will consider Best Management Practices (BMPs) in the drainage design of

the proposed parking areas in order to avoid/minimize flooding.

### Field Visit to Bailly Area

11. Eric Ehn asked if NICTD will have an environmental coordinator on site to monitor construction activities. Nicole Barker replied that they have been discussing this idea. Janice added that it could be added as a commitment in the NEPA document, and would need to be carried forward into the design and construction phases.
12. Sheet 28 of the mapbook shows the parcel west of the ArcelorMittal entrance as part of NPS property. However, this parcel is owned by ArcelorMittal. HDR will adjust the NPS boundary on the mapbook.
13. There is a Swedish Heritage property located on NPS land around MP 46.4 (sheet 28). Vegetation will need to be cleared in this area to allow for construction and maintenance of the ditch. Gia Wagner (NPS) and Paul would like the team to incorporate a tree buffer for this property, for visual and noise effects. HDR will need to coordinate this further with the State Historic Preservation Officer.
14. Janice brought up lands that were purchased with Land and Water Conservation (LAWCON) funds. Since both NPS and DNR used many LAWCON grants to purchase parcels in the Indiana Dunes National Lakeshore and State Park, it was agreed by all parties that the approach moving forward is to assume the entire National Lakeshore and State Park are subject to Section 6(f). NICTD/HDR will begin coordination with Kelly Pierce of the NPS Water Division.

### Drainage Issues

15. It was noted that culverts at the waterway on sheet 36, east of Tremont Road, are not lined up.
16. Rajat Das (HDR) asked the team whether it will be correct to assume that if a proposed culvert pushes more water to the north it will be considered a negative impact for wetlands. Is there a volume or water budget calculation for the wetlands that we need to consider? Brandt Baughman (IN Dunes State Park) said that no volume calculation has been done. It would be considered an impact if water levels are increased significantly downstream (north) (beaver activity would increase as a result too). Brandt said the ideal situation would be to keep things as close as possible to existing conditions. He will discuss this with the DNR Water Division and the Nature Preserve Division and let HDR know what they conclude. Brandt also said he will share hydrologic/hydraulic data they have (if available). HDR said that coordination with these agencies has already begun and will continue. Chris Beck informed the team that there have been no records of flooding from this culvert (sheet 36).
17. The NPS indicated that the area around State Route 49; the ditch along Kemil Road, and the area near Calumet Trail at Waverly Road offer potential for enhancement that can be considered for mitigation. It was also noted that NICTD recently acquired the block factory property.
18. Paul Labovitz raised a concern about hydrological issues related to flooding in the Bailly area. He said that based on recent and frequent storm events and climate

change concerns, we need to consider more than the 100-year flood event to avoid flooding Waverly Rd. or Mineral Springs Rd. He is concerned with water movement in the future, and after the project has been implemented, as flooding does not occur overnight. Rajat said that in this preliminary phase of project design, HDR/Shrewsbury will search available rainfall data and use the most intense rainfall event which generally happens in the last 10 to 15 years. Preliminary sizing of the proposed cross-drainage structures will be performed using flood discharge volumes computed using standard hydrological computational methods. However, the flood discharge volume generated by the most intense rainfall event will be computed and evaluation will be performed as to its applicability and feasibility towards the proposed structure design.

19. Rajat stated that agencies' concerns will be considered. However, since the current scope of work required H&H design to be performed at approximately 10% level of engineering details, detailed hydrologic and hydraulic analysis will be performed at a later stage. NPS and DNR will send Rajat all their drainage concerns. HDR/Shrewsbury drainage staff should also get in touch with NIPSCO drainage staff to coordinate with what they are proposing to do with their upcoming project.

#### Indiana Dunes State Park

20. The project will slightly impact the portion of the Indiana Dunes State Park located along State Route 49, west of the Dune Park station, in order to relocate the Calumet Trail. Brandt replied that that portion is not a Nature Preserve.
21. Brandt informed us that the State Park boundary as depicted in the mapbook is not accurate. The state park does not encompass the NIPSCO ROW. HDR will adjust the boundary. Brandt also said that NIPSCO will be selectively clearing trees back along the State Park boundary as part of their upcoming project.

Final meeting minutes were prepared by Sara Merchan Paniagua (HDR).

Copies to: All meeting attendees

# Draft Meeting Minutes

Project: NICTD DT-NWI

Subject: Mitigation Meeting

Date: Tuesday, February 07, 2017

Location: NICTD Offices, 33 U.S. 12, Chesterton, IN

<b>Attendees:</b>	<b>FTA (In Person)</b> Mark Assam Elizabeth Breiseth Susan Weber <b>USACE (In Person)</b> Paul Leffler <b>USEPA (In Person)</b> Jennifer Tyler Sue Elston <b>USEPA (By Phone)</b> Kathy Kowal <b>USFWS (In Person)</b> Elizabeth McCloskey <b>NPS (In Person)</b> Eric Ehn Dan Mason Dan Plath	<b>IDEM (In Person)</b> Marty Maupin <b>IDNR (In Person)</b> Brandt Baughman Michael Rea Stephanie Trapp <b>NICTD (In Person)</b> Nicole Barker Michael Noland <b>HDR (In Person)</b> Sara Merchan Paniagua Janice Reid Michael Shostak Kim Slaughter <b>HDR (By Phone)</b> Zach Hartjes <b>METRIC (By Phone)</b> Angela Kattmann Amy Smith
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## Introductions

Each person attending in person or by phone introduced themselves.

## Waters of the U.S., Biological Resources, and Mitigation Strategies Presentation

1. After the introductions, Janice Reid (HDR) ran through a PowerPoint presentation to summarize the methodology and results of the Waters of the U.S. and biological resources reports that were provided to each agency on January 13, 2017. The presentation is attached to these notes. The presentation also covered mitigation strategies discussed with regulatory agencies in the preliminary stages of the project. Janice asked for any comments on the reports to be returned to her by February 10, 2017.
2. Dan Mason (NPS) presented potential mitigation sites within the Indiana Dunes National Lakeshore. NPS presentation is also attached to these notes.
3. An open discussion started afterwards.

## Various Discussion Items

1. Liz McCloskey (USFWS) asked about the third track in the Bailly area. Nicole Barker (NICTD) replied that NICTD was still in discussions with Chicago South Shore Freight (CSS) regarding the alignment at Bailly. She said that NICTD is purchasing the Illiana Block property in Pines for use as a new yard. During construction, this area can be used for equipment and materials staging and storage, which will minimize the construction footprint. This action is being performed separate from the DT-NWI project, because the yard will ultimately be used by NICTD for train storage/maintenance.
2. Paul Leffler (USACE) asked whether NPS has any concerns with construction in the Bailly area. Eric Ehn (NPS) said there are several concerns:
  - o Contractors staying within the construction footprint

- Ditch lines relocations onto properties
  - Potential hydrology changes as a result of the project – Sue Elston (USEPA) would like to discuss any changes in water flow and how it would potentially affect wetlands. Nicole explained that IDNR and Rajat Das (HDR) discussed at a previous meeting leaving hydrological conditions as is (and not directing more water to the area). Brandt Baughman (IDNR) recommended that conditions be left as is. Nicole also informed that there will be more meetings on the subject as NIPSCO is also modifying culverts.
3. Eric Ehn previously talked with Chris Beck (NICTD) in regards to potential options in the Bailly area. Michael Shostak (HDR) informed that NICTD is still in conversations with CSS. However, Michael Shostak said the preferred option is to go south of the existing tracks.
  4. Janice asked about the possibility of grading a ditch on NPS property in the Bailly area. Dan Mason suggested that NICTD be creative in terms of adding sustainable elements to the ditch (i.e., filter strips, vegetation). Eric added that NPS cannot convey right-of-way (ROW).

#### **Indiana Bat and Northern Long-eared Bat**

5. Liz McCloskey provided HDR with a copy of the *Revised Programmatic Biological Opinion for Transportation Projects in the Range of the Indiana Bat and Northern Long-Eared Bat* and the *Range-wide Programmatic Consultation for Indiana Bat and Northern Long-eared Bat* that was released in December 2016. She said to follow these avoidance and minimization measures for bats. Liz also informed the team there are no known maternity roost trees in the project area. No individual coordination with USFWS in regards to bats is necessary. Acoustic surveys are not required either. NICTD will need to include a commitment in the EA and FONSI to restrict tree clearing to winter.

#### **Amphibians and Reptiles**

6. Liz recommends installing drift nets in active construction areas before the massasaugas, spotted turtle, and northern leopard frogs come out in the spring. The construction area will need to be surveyed daily before work starts. In addition, a qualified herpetologist with state and federal permits needs to be available to relocate any individuals outside the construction area. These will all be included as commitments in the EA and FONSI.
7. Stephanie Trapp (IDNR) stated that Kirtland's snakes are found everywhere. Therefore, IDNR's recommendation is to set up drift nets even in those areas not classified as moderate- or high-quality habitats. Liz said Kirtland's snakes are not present in industrial areas. If any individual is found, follow the same protocol as for the eastern massasauga rattlesnake.

#### **Birds**

8. Liz said that clearing trees only in winter is also appropriate to avoid impacts to migratory birds.
9. Stephanie informed that one bird species (golden wing warbler) was identified in the project area as part of their Environmental Review. However, the warbler does not nest in Indiana. She recommends the same protocol be used for the golden wing warbler as for bats and migratory birds (i.e., clearing trees only in winter).

#### **State-listed Plant Species**

10. Stephanie also said Derek Nimetz/IDNR is in charge of reviewing projects for impacts to state species. Derek did receive the reports previously.
11. Paul recommends that any listed plants in the construction footprint be relocated to a new mitigation site (yet to be determined).
12. Stephanie asked whether any of the draft reports included a table with areas in the corridor with Floristic Quality Index (FQI) of or above 30. At the end of the meeting, Sara Merchan Paniagua (HDR) directed Stephanie to this information included as a table in Appendix C of the *Floristic Quality Assessment, Threatened and Endangered Species Plant Survey, and Woodland Characterization Investigation* report.

## Wetlands

13. Jennifer Tyler (USEPA) is concerned with how indirect impacts to wetlands will be assessed in the Environmental Assessment (EA). USEPA would like to discuss further before the EA is made available to the public. To this regard, Paul Leffler is most worried about linear and narrow wetlands for which a narrow portion is proposed to be impacted for a long area. A follow-up meeting with FTA, USEPA, USACE, and NICTD was scheduled on February 16 to discuss indirect impacts to wetlands. Nicole added that she would also like to discuss environmental justice, as this was one of USEPA's initial concerns back in June 2016.
14. Paul explained the anticipated mitigation ratios for impacted wetlands:
  - FQI  $\leq$ 20, mitigation ratio is 1.5:1.
  - FQI > 20, mitigation is 3:1 or higher for restoration in the impact area.
15. This ratio will vary for enhancement or preservation as these mitigation measures do not provide as much credit. For instance, enhancement is about 10% credit only and it has to be in-kind enhancement. To illustrate the different mitigation ratios depending on the strategy used, Paul Leffler said that for four (4) acres of wetland impacts at a 3:1 ratio, NICTD could create 4 acres of wetlands and an additional 8 acres of enhanced wetlands. Because only a 10% credit is given for enhancement (10:1 ratio), 80 acres of enhancement would be required.
  - Paul stated that mitigation strategies need to be discussed, but he anticipates the mitigation ratio to be 3:1 at a minimum for high-quality aquatic resources.
16. USEPA prefers reestablishment of wetlands rather than creation of new ones. USEPA also pointed out that restoration is not to take place in a site where federal funds (e.g., GLRI) are already being used for the same purposes.
  - A discrete mitigation area should be established for the NICTD Double Track NWI project so that it is clear there is no overlap of federal funds.
17. Dan Plath (NPS) said NPS would like to make mitigation efforts on NPS land as easy and streamlined as possible, as it will benefit all interests involved.
18. Nicole asked whether mitigation for the Double Track-NWI and West Lake projects could take place in the same area for both projects.
  - IDNR replied mitigation is to occur in the same watershed as where impacts occur. Stephanie said she will check if both projects in the same watershed. If so, IDNR would be open to discussing mitigation in the Indiana Dunes State Park if it makes sense from an ecological standpoint.
  - Paul Leffler also stated that USACE prefers that mitigation occur close to the impact area.
  - Liz McCloskey said that the updated Programmatic Biological Opinion (provided by Liz at the meeting) discusses mitigation for tree loss – it varies per county. This also needs to be considered in the mitigation strategy.
19. Marty Maupin (IDEM) would like to review an outline/scope of each mitigation opportunity for when USACE and IDEM sit down to discuss mitigation options. This outline would assist them in determining which options would work and which ones would not. This outline should include NPS' priorities if possible.
  - If enhancement is chosen, good baseline data would be required.
  - Removing old foundations could also be part of the mitigation plan.
20. USEPA will not put a price on the mitigation credit. The mitigation plan should discuss performance standards and long-term monitoring.

## NPS Mitigation Sites

21. Dan Mason went over potential sites on NPS land that could be used for mitigation:
  - Pepon Ditches – Area between Wagner and Waverly Road, north of the tracks, would be a good mitigation area as it would provide wetland restoration as well as suitable habitat for amphibians and reptiles (including listed species). This area is wet mesic prairie and contains a diverse mix of soil types. Porter County is setting up a mitigation site for their improvements to the Calumet Trail. However, it will not be completed until 2019.
  - Kurz – Historically, there were no trees. However, when the park was commissioned, lots of homes

and trees were established. There is a ditch along Waverly Road and several others throughout the Kurz unit. This mitigation site is available for wetland creation and restoration.

- Great Marsh/ Brown-Kintzele Ditch – It is a 700-acre site with many ditches and was historically utilized to grow cranberries. It is believed that the soon-to-be-acquired NICTD Pines Yard was the location of the cranberry processing plant. By 1920s, the area was totally disturbed. This area has several platted roads within the Town of Pines. It is a site with great restoration potential as structures could be created to divert water to target areas. Beavers present in the area have already done that to some extent. NPS is investigating where hydric soils are present.
- Peopoon and Kurz are more defined than Great Marsh, which is still conceptual and may be too large for NICTD's needs.

22. NPS is planning to do an EA for work at the Great Marsh, although a timeframe was not given.

#### **IDNR Mitigation Sites**

23. Brandt Baughman said the IDNR State Park has more opportunities for restoration of wetlands and habitat than for creation of wetlands.

The area of the State Park located west of Kemil Road contains cattail, common reed, and other invasive species. This area offers mitigation opportunities.

24. IDNR has concerns about beavers slowing down water flow in this area. IDNR does not want to have more water flow in this area as this area is already facing some flooding issues (wetland in the area has raised the water level and threatens the boardwalk). Brandt asked whether water flow would change if all the biomass present in the area were to be removed. Dan Mason replied that there would not be evapotranspiration from plants and, therefore, water would increase in the area. Brandt mentioned he will discuss this issue with Derek Nimetz.

25. IDNR would want to make sure that any mitigation project set up in the State Park could be maintained over the years.

26. Paul Leffler said it makes sense to mitigate in either NPS or IDNR land as long as long-term maintenance is provided.

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Draft meeting minutes were prepared by Sara Merchan Paniagua (HDR).

Copies to: All meeting attendees



# Draft Meeting Minutes

Project: NICTD DT-NWI

Subject: Wetland Indirect Effects and Environmental Justice Meeting

Date: Thursday, February 16, 2017

Location: U.S. EPA Offices, 77 W Jackson Blvd, Chicago, IL

**Attendees: FTA (In Person)**

Mark Assam

Susan Weber

**USACE (In Person)**

Paul Leffler

**USEPA (In Person)**

Jennifer Tyler

Sue Elston

**NICTD (In Person)**

Nicole Barker

**HDR (In Person)**

Rajat Das

Sara Merchan Paniagua

Janice Reid

## Introductions

Attendees introduced themselves.

### 1. Indirect Effects on Wetlands

Janice Reid (HDR) explained the purpose of the meeting was to address any remaining concerns on indirect impacts to wetlands that may result from the project. HDR environmental and drainage staff were present to discuss potential impacts to wetlands, water quality, and hydrology. During construction, appropriate Best Management Practices (BMPs) will be in place.

Rajat Das (HDR) continued saying that, out of the 21 proposed culvert crossings, 15 are smaller pipes and 6 are larger. Four of these 21 crossings are located within a floodplain.

Rajat informed the team that there are no FEMA-designated floodways in the corridor and that FEMA has no regulatory models developed.

Rajat explained that the team has been coordinating with IDNR from the start of the project. The project team met with IDNR on August 16, 2016 to discuss hydrology and hydraulics (H&H) and permitting and to consider IDNR's H&H concerns. Rajat stated that proposed structures are being designed to meet capacity requirements, avoid frequent overtopping of the track embankment and to minimize adverse impacts upstream of the waterway crossing locations. In general, proposed water surface elevations upstream of the crossings are lower than existing water surface elevations thereby satisfying 'no-rise' conditions. Proposed replacement structures are generally larger in size compared to existing structures due to flood discharge capacity requirements, keeping discharge velocities lower than erosive velocities, and to prevent frequent overtopping of the tracks. All structures will be designed consistent with IDNR's permitting requirements.

Channel alignments immediately upstream and downstream will be minimally modified to provide efficient channel alignments with the proposed replacement structures which will be generally located adjacent to the existing structure. Existing structures will be filled and abandoned in place after the proposed replacement structure is built.

Meetings have also taken place with the U.S. National Park Service regarding existing and proposed hydrology conditions in the corridor.

Jack-and-bore installation methods will likely be used for construction, wherever feasible, as existing tracks need to remain operational during construction.

A question was raised as to whether longitudinal encroachment of the floodplain has been evaluated yet. Rajat replied that longitudinal encroachment to floodplains are not considered to be significant; however, detailed evaluation will be performed in the next phase of the project.

Rajat also explained that swales are being proposed to avoid flooding of the embankment. There will certainly be some disturbance in NICTD right-of-way (ROW) during construction. Sensitive wetlands downstream would need to be evaluated. Retention mechanisms may be needed to slow down the water flow to these sensitive wetlands. Sub-drainage areas will not be changed due to the project.

IDNR has emphasized that the project should avoid sending more water to the Indiana Dunes State Park. There have already been concerns from local communities with the volume of water that already exists in the project area. Therefore, it is expected that communities might ask for this project to alleviate flooding issues. It was agreed that it is not this project's responsibility to solve all of the hydrology issues for the area, but that this project cannot make it worse.

Paul Leffler (USACE) does not believe the project will generate a large amount of stormwater because much of the corridor is pervious. NICTD is proposing some detention in the Gary/Miller, Ogden Dunes, and Dune Park station areas as part of the parking design. Therefore, no additional stormwater is anticipated in these areas.

NICTD is proposing to construct swales and ditches, which will be designed later in the project. Swales will form in the embankment naturally due to the tracks being placed at a higher elevation. NICTD could also include sustainability features such as filter strips or native vegetation, among others, to minimize effects to downstream waters.

Jennifer Tyler (USEPA) asked whether there are dune and swale complexes in the project area. Janice explained that the wetland investigation did not indicate any such wetlands.

A long discussion began regarding indirect impacts to remaining wetlands and waters after construction. This phase of the project includes conceptual drainage plans (10%) that could be developed to meet permit requirements. Mark Assam (FTA) said that NICTD is obligated to look at direct impacts to wetlands during the NEPA phase. Secondary effects are harder to define. However, the EA could disclose the types of impacts that *could* happen. As such, the EA would not quantify indirect impacts, but will include commitments to study the secondary effects as the design progresses.

Sue Elston (USEPA) noted that there are many high-quality aquatic resources (HQAR) in the project area. In most cases, the project will require taking slivers of several wetlands, rather than large portions of a single wetland. She acknowledged that it may be too early to discuss mitigation strategies for such impacts at this point. USEPA is mainly concerned with duration and quantity of water reaching wetlands. Mark said commitments will be included in the EA to study volumetric changes to HQAR. It will also be part of the Section 404 permitting process with the USACE.

Since wetlands in the project area are usually part of a large wetland complex, Jennifer would like to see the EA discuss how much of a particular wetland would be impacted, effects to the entire wetland complex, and commitments for the construction phase (e.g., staging areas will be contained within the construction footprint, etc.). NICTD should identify wetlands that may lose their functions and values due to the project if impacting a large portion of it.

Paul stated that wetlands closer to the Indiana Dunes National Lakeshore have higher quality than those closer to the railroad tracks. Paul will be sending out a lit of BMPs when the project is closer to the

construction phase. He said he is not overly concerned about indirect impacts due to the construction materials and methods used for transit projects.

Sue inquired about the survey area for wetland delineations. Janice stated that it varied throughout the project area, but it was generally between 50 and 75 feet on each side of the tracks. Sue would like NICTD to survey wetlands within a larger footprint (i.e., 100 feet beyond the construction footprint).

Mark said that the EA w commitments will acknowledge that NICTD must remain cognizant of potential secondary effects as the design is refined; describe the types of secondary effects that *could* occur, and what could potentially be done to mitigate these effects during the design and construction of the project. He suggested checking academic articles that discuss how to address indirect impacts to wetlands. HDR will do this, and will also consult with experts within the company. FTA further said that the EA and FONSI language should be very direct in the mitigation section when describing commitments (i.e., describe mitigation as “NICTD will” as opposed to “NICTD could/would”).

Nicole Barker (NICTD) would like to continue having meetings with the regulatory agencies, contractors and subconsultants when construction starts.

Nicole explained that it would be very helpful to provide an approximate mitigation cost as part of the overall project cost estimate.

- Paul said it would be, at a minimum, a 3:1 ratio for HQAR and 1.5:1 for low-quality wetlands. Sue said USEPA cannot provide a cost at the conceptual level.

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## 2. Environmental Justice

Nicole said that the USEPA’s initial letter in June 2016 raised questions about environmental justice (EJ) and how it was being handled. Janice said that there are EJ communities in both Gary and Michigan City. Janice said that the many impacts of the project are property displacements and noise. She said that preliminary information from the noise analysis was showing that there could potentially be severe noise impacts in Michigan City as a result of the train horn noise; however, by closing many of the crossings and implementing quiet zones, the impacts are reduced substantially, even from existing conditions. Michigan City would need to apply to the Federal Railroad Administration (FRA) for a quiet zone, but because so many crossings would be closed, it would likely be approved.

Janice further explained that the noise analysis for future conditions considered the worst-case scenario (i.e., trains blowing their horns all through the Michigan City portion of the corridor, which is similar to the condition today). Under this scenario, severe noise impacts would occur as a result of the project. When the team evaluated the use of wayside horns at the crossings that remain open as a mitigation measure, new noise impacts were being created on side streets (as opposed to the first row of houses closest to the tracks).

Mark was concerned that the mitigation strategy appeared to be dependent on FRA’s approval of a quiet zone. Mark said that, if after applying mitigation, severe noise impacts still remain (even if they are severe now too), they could be considered significant, and a FONSI could not be achieved. Janice suggested that a commitment is included in the EA that Michigan City will be a quiet zone pending FRA’s approval. To this regard, Susan Weber (FTA) suggested FTA discusses this issue with FRA.

Janice also explained that there will be numerous acquisitions in environmental justice populations. There are opportunities to relocate them within the community, and affordable housing is available in Michigan City, where most impacts would occur.

Nicole said that the Michigan City re-alignment study done a few years ago included extensive public



involvement, and the project was seen as an economic development tool for the community. USEPA acknowledged that they have been working with the U.S. Department of Housing and Urban Development and the City of Gary on the station area/economic development planning for the Gary/Miller station.

Nicole continued explaining that no community centers will be acquired, but one church will be acquired. This church is damaged and the church leaders want to sell the property to NICTD. NICTD is working with this church.

NICTD has been working with community leaders to identify EJ populations, and to go to these communities to discuss the project. It was recommended that this and any other public involvement/outreach/relocation efforts are documented thoroughly in the EA.

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Draft meeting minutes were prepared by Sara Merchan Paniagua (HDR).

Copies to: All meeting attendees



## Draft Meeting Notes

Subject:	DT-NWI Mitigation Meeting	
Date:	Monday, May 08, 2017	
Location:	HDR Offices – 30 N. LaSalle St., Ste. 3220, Chicago, IL	
Attendees:	<b>HDR (In Person)</b> Janice Reid Samantha Primer Rich Christopher Rajat Das <b>HDR (By Phone)</b> Zach Hartjes Michael Shostak <b>NICTD (In Person)</b> Nicole Barker <b>Metric (By Phone)</b> Amy Smith	<b>National Park Service (In Person)</b> Dan Mason Dan Plath <b>IDEM (By Phone)</b> Marty Maupin <b>US Army Corps of Engineers (In Person)</b> Paul Leffler <b>Lochmueller (By Phone)</b> Rusty Yeager <b>ESI (By Phone)</b> Dale Sparks

### Opening Remarks

1. Janice Reid (HDR) opened the meeting. The purpose of this meeting is to present mitigation options discussed at the 4/24 mitigation meeting with NPS to the USACE.

### Wetland Impacts Update

1. Amy Smith (Metric) said that both she and Rusty Yeager (Lochmueller) had been in the field surveying the additional wetland areas and did not really find anything new or different from the previous survey, as expected.
2. The revisions increase the total permanent impact from 4.68 ac to 5.27 ac (+0.59 ac). Temporary impacts increase from 0.69 ac to 1.0 ac (+0.31 ac). Total wetland impacts are 6.27 ac. High quality wetland impacts total 5.44 ac.
3. Metric will have associated reports done by May 24<sup>th</sup> and HDR will submit them to FTA, NICTD, USACE and IDEM for review.

### Mitigation Ratios

1. Nicole said that in the past, USACE has indicated that high quality wetlands would likely be mitigated at a 3:1 ratio. High quality is defined as an FQ1 > 20 or a native mean C value of 3.5. Generally speaking, the few wetlands those on the west end of the project are of lower quality. However, those that are adjacent to Miller Woods are of a higher quality.
2. Mitigation ratios for creating and restoring wetlands would be assumed at 3:1, and for enhancement would be 10:1. Paul agreed that NICTD could assume this for planning purposes. He said that this could change depending on the mitigation that is proposed at the time of the permit application. For the NEPA document, NICTD will assume these ratios.

## **Draft Mitigation Strategy**

1. Janice passed out a copy of the Draft Mitigation Plan to meeting attendees. She explained that this is an updated copy of the Mitigation Plan from the version distributed at the April 24<sup>th</sup> meeting with NPS to include the additional mitigation sites discussed at that meeting.
2. Janice explained that the Mitigation Plan is based on the USACE checklist and outlines what NICTD plans to do for the next phase of design.
3. NPS would provide a letter of intent (LOI) from NPS to NICTD that states that they agree to allow NICTD to mitigate wetland impacts on NPS land and will continue to work with NICTD to implement the mitigation strategy.
4. Paul Leffler (USACE) mentioned that the LOI should include some justification of why mitigation is needed in the Indiana Dunes National Lakeshore. It should cite NPS' funding constraints and provide examples of the limitations that NPS faces when trying to improve wetlands. Paul said that the mapping of invasive species in Miller Woods ten years ago without any follow up is a good example of why mitigation here is justification.
5. Nicole Barker (NICTD) confirmed that what she is hearing is that justification is a big part of what should be included in the letter and asked Paul if we could give it to him to review ahead of time.
6. Paul was receptive to the idea and mentioned that the letter doesn't need a lot of detail – just general constraints.

### **A. Miller Area**

1. Dan Mason (NPS) said that invasive species have been mapped out in this area about ten years ago. Currently, this area is not being managed.
2. Dan Plath (NPS) said that NPS has invested a lot of resources into the uplands, but not as much in the wetlands.

### **B. Bailly South**

1. Janice reminded Paul that this is the area that we've talked about needing to drain into NPS property.
2. Dan Mason showed the area on Google Earth. He explained that there were Maumee soils which are hydric soils between ArcelorMittal, Mineral Springs and Wagner Roads. He also said that this area had some fill – mostly soil and junk. He said that the area is roughly six acres, but he is not sure how much of the area is wetland vs. fill. Much of the area is wooded with non-native species. A wetland delineation would need to be done.
3. Dan Mason explained the hydrology of the area and how there is a breach in some of the built up area and that we could work to restore this area so people passing on the bike trail could see something more natural.
4. Dan Plath said that this could be a great opportunity to show off restoration efforts in the Park to the public. There are a lot of really good restoration projects that are being done within the park, but many of these are out of sight to the general public. This restoration effort would be at a high visibility area – near the road and the bike trail – where people could see what is happening.

5. Paul asked if this area was jurisdictional. Nicole replied that it is. Paul asked if the land south of the tracks is NPS land. Janice said that it is.
6. Paul asked Dan Mason if he thought this area could revert back to wetlands if the hydrology is changed. Dan Mason said that he absolutely thought that it could. Dan thinks that mitigation of this area would be about half creation/half restoration.
7. Dan Mason said that north of the tracks, between Mineral Springs and Wagner Roads at the base of the Oakville soils, there are culverts under the railroad and along Mineral Springs Road. There are many old roads and fill that could be removed. These roads may be under the jurisdiction of the Town of Porter, and we Nicole said that you would need Porter's permission to remove these roads. Dan Mason replied that you do not need permission if the road is platted – only if it is constructed.

### **C. Pepoon Ditches**

1. Dan Mason proposed that some of the mitigation work here include tree removal as the trees are not natural here and are of very low quality (honeysuckle). Dan Mason suggested building some groundwater replenishment zones where the water could fill and go into spillways when it goes too high. This site would improve the viewshed after mitigation.
2. Dan Mason mentioned that at this location, the point is not to restore to the original state – there's been too much done to this area in the past that supported homes, buildings, and infrastructure. We would be restoring this area as best as possible.
3. Rajat Das (HDR) said that on the north side of the track there are high quality wetlands. Based on soil and trees it was a wet mesic prairie. He said that he is bringing this up because of the number of shallow culverts for the railroad that go from south to north. Since it is all flat the culvert equalizes things, and something would need to be done to make the water drain properly. The current design would have some water flow on the north side. Rajat wanted to know if this design would be acceptable to NPS. Specifically, Rajat wanted to know if the NPS is okay with converging the flow from two subregions and using a berm to spread the water back out again. Dan Mason replied that this option should be considered.
4. Rajat said to temper the approach – because this area is really flat and wet - HDR would need to use small pipes and consolidate them. There is certain grading work that would need to happen on NPS land.
5. Dan Mason replied to Rajat that if the ditch is removed and this is done right it could qualify as wetland creation.
6. Paul asked what it meant to “get rid of the ditch.” Dan Mason said that NPS would like to plug the ditch, but NPS had been reprimanded in the past doing this. It was seen as a negative impact.
7. Paul asked Dan Mason if plugging the ditches would improve habitat. Dan Mason replied that plugging the ditch and thinning trees in the area would improve habitat for a variety of species including the eastern massasauga and birds.
8. Paul said that this would lead to some big changes in hydrology and that NICTD and HDR would need to show that drainage work would be ok here. He asked if NPS had any hydrology information on the area or would want to install a piezometer. He also asked if there is background information for this area. Dan Mason said that NPS has monitoring wells that provide weekly measurements.
9. Rajat said something else to consider is how much water is needed in the area. Holding water above the track line is not an option. Dan Mason said that recently NPS did very similar work just west of Mineral Springs Road and that there have been no complaints.
10. Dan Mason said that from Mineral Springs Road to Route 12 there is about 12 acres of more intensive mitigation work that would include a combination of creation, restoration, and

enhancement. To the north there is 27 acres of less intensive mitigation work that would be considered enhancement. There are no SHPO concerns in this area.

**D. Kurz**

1. Dan Mason said that this area has been highly ditched. He explained that it had homes on it in the past that had been removed. However, it was not the cleanest removal and there is still a lot of debris that could be cleaned up.
2. Dan Mason explained the historical hydrology of the area and how it had been changed to support the construction of Waverly Road. However, Waverly Road is often flooded, and Dan Mason suggested making more of a meandering path for the water to spread it out and reduce flooding. This area has a lot of trees of low quality (honeysuckle, privet). Work in this unit would require extensive grading. NPS does have some vegetation information for this area.
3. Dan Mason said that this area is about 60 acres not including land in the State Park. He said that he thinks this area could encompass creation, restoration, and enhancement. He also mentioned that there is some fill associated with an old house.
4. Paul said that the work in this location seems more in line with hydrology issues and drainage rather than wetland mitigation, so it might be harder to make a case here for the need to do this work as part of a wetland mitigation strategy.

**E. Great Marsh**

1. Dan Plath mentioned that NPS plans to do a lot of work in this area.
2. Nicole said that this might be on the table for West Lake because the West Lake schedule would be looking into mitigation options at a later date than the DT-NWI project since it will be constructed later. Dan Plath said NPS is planning meeting with Porter County. He thought this could be a good spot for West Lake mitigation – it is a great project, but it is not shovel ready. It could be ready by the time West Lake is looking at mitigation options.
3. Dan Mason said that the southern Great Marsh area is an option as well. There are ditches there that could be modified (by road N 300). Dan Mason said in the past that ditch had been plugged and things were looking good, but the plug gave way.

**Next Steps**

1. Nicole asked Marty Maupin (IDEM) what he thought so far. Marty replied that there are several options. He said it is a little hard to follow everything over the phone, and asked that we submit a draft mitigation plan. Nicole asked Marty if he had preferences. Marty replied that he did, but it would be easier to express them after he sees a draft.
2. Paul said that Miller Woods, Bailly South and Pepoon seem to have great potential. He said that HDR should include how these mitigation sites could be connected to other areas and other mitigation projects, such as the one that Porter County is undertaking for the Calumet Trail improvements. Paul also mentioned the Bailly area seemed like a great place for mitigation and the Kurz unit might be a little too heavy on hydrology
3. .EA Schedule
  - a. EA will be published in mid-July 2017
    - i. Before publishing NICTD will want the Letter of Intent from NPS that ranks the mitigation options based on conceptual preference. Dan Plath said he will get together with Paul Labovitz and Chris Piergel and rank the proposed mitigation options based on what will provide the most bang for the buck.

- ii. Paul said that the NPS mitigation goals might be different than the NICTD mitigation goals, but overall they should be similar.
- iii. Rich Christopher (HDR) said that the mitigation plan should be reviewed by all entities working together on this project. Paul said that NICTD could coordinate with these entities as part of the public and agency comment review period after publication as long as there is still the flexibility to change the document if needed before the FONSI.
- iv. Rich suggested that the Letter of Intent not be signed until after the comment period in case changes need to be made based on public comment. Dan Plath replied that it could be a signed letter that includes some text regarding the potential for changes based on public comment.
- v. Dan Plath asked when NICTD would want to see a draft Letter of Intent. Nicole replied that she would like it as soon as possible.
- vi. Janice said that the agency comment period is usually concurrent with publication, but in this case HDR and NICTD may want to coordinate with the agencies before this. Nicole agreed and said she didn't see much harm in taking this approach. She said at the very least HDR and NICTD should coordinate with NPS before publication.
- vii. Rajat asked Paul how much hard engineering the USACE needs to see for this stage of the mitigation process. Paul replied that at the planning stage hard engineering is typically not required by USACE. This can be a later process as the design progresses.
- b. Public Hearings are scheduled for July 25 and 26, 2017
  - i. Nicole asked that NPS attend the public hearings to answer questions about why mitigation is needed on NPS land.
    - 1. At the public hearing Nicole would like to say – there are limited options outside the National Park. From an ecological standpoint this is the crown jewel of the area and mitigating here would provide funding for NPS to make needed ecological improvements.
- c. FONSI is anticipated mid-October 2017
- d. Permit applications would begin in late 2018

## Concluding Remarks

- 1. Nicole mentioned that whatever mitigation strategy we come up with any potential surveys, wetland delineations, or fieldwork will have to happen this year so permitting can begin in 2018. She mentioned that while the actual mitigation work has not been budgeted for or proposed yet, if the areas outlined by the mitigation plan are not delineated this field season, the overall project schedule could suffer since there are seasonal constraints to field work.



Draft meeting minutes were prepared by Samantha Primer (HDR)

Copies to: All meeting attendees

# **U.S. Army Corps of Engineers**

**From:** Leffler, Paul M LRC <Paul.M.Leffler@usace.army.mil>  
**Sent:** Wednesday, June 22, 2016 9:49 AM  
**To:** Merchan Paniagua, Sara; MAUPIN, MARTY  
**Cc:** Reid, Janice; Angela Kattmann (angelak@metricenv.com)  
**Subject:** RE: NICTD Double Track - Wetlands under IDEM's Jurisdiction

Hi Sara,

For most lengthy corridor projects the applicant's assume all wetlands are federally jurisdictional. To prevent delays I recommend doing the same here. Making those determinations take a lot of time and are not all that useful, as our 404 and 401 permit requirements will likely be the same either way. If we can assume the wetlands are federally jurisdictional then we can focus on the wetland boundaries and the project impacts.

Sincerely,

Paul M. Leffler  
U.S. Army Corps of Engineers  
Chicago District, Regulatory Branch  
(312)846-5529  
<http://www.lrc.usace.army.mil/missions/regulatory>

-----Original Message-----

From: Merchan Paniagua, Sara [<mailto:Sara.MerchanPaniagua@hdrinc.com>]  
Sent: Wednesday, June 22, 2016 8:59 AM  
To: MAUPIN, MARTY <[MMAUPIN@idem.IN.gov](mailto:MMAUPIN@idem.IN.gov)>  
Cc: Leffler, Paul M LRC <[Paul.M.Leffler@usace.army.mil](mailto:Paul.M.Leffler@usace.army.mil)>; Reid, Janice <[Janice.Reid@hdrinc.com](mailto:Janice.Reid@hdrinc.com)>;  
Angela Kattmann ([angelak@metricenv.com](mailto:angelak@metricenv.com)) <[angelak@metricenv.com](mailto:angelak@metricenv.com)>  
Subject: [EXTERNAL] RE: NICTD Double Track - Wetlands under IDEM's Jurisdiction

Marty,

Paul is requiring we take GPS points. We don't need to flag wetlands. Could we use the same protocol when delineating isolated wetlands?

Also, we typically don't delineate wetlands outside of our project limits although we indicate in our report that the wetland extends farther. Would this be considered acceptable under IDEM's standards?

Thanks,

Sara Merchán Paniagua

D 773.867.7217 O 773.380.7900

hdrinc.com/follow-us <Blockedhttp://hdrinc.com/follow-us>

From: MAUPIN, MARTY [<mailto:MMAUPIN@idem.IN.gov>]  
Sent: Tuesday, June 21, 2016 3:07 PM  
To: Merchan Paniagua, Sara  
Cc: 'Leffler, Paul M LRC ([Paul.M.Leffler@usace.army.mil](mailto:Paul.M.Leffler@usace.army.mil))' ([Paul.M.Leffler@usace.army.mil](mailto:Paul.M.Leffler@usace.army.mil))  
Subject: RE: NICTD Double Track - Wetlands under IDEM's Jurisdiction

Sara,

For protocols on wetland delineation you should follow what Paul is requiring of you. Saying that, if he considers a particular wetland isolated you may be required to complete the delineation on the other side of the track. Indiana's isolated wetland law and how it looks and exemptions requires that IDEM know the size of each individual isolated wetland. Unless it would be a logistical nightmare, at this time I would like areas to be flagged. I am not requiring any ORAM or InWrap assessments.

Marty

Marty Maupin

Office of Water Quality

Phone: 317-409-7579

E-Mail: [mmaupin@idem.in.gov](mailto:mmaupin@idem.in.gov) <<mailto:mmaupin@idem.in.gov>>

From: Merchan Paniagua, Sara [<mailto:Sara.MerchanPaniagua@hdrinc.com>]  
Sent: Tuesday, June 21, 2016 12:14 PM  
To: MAUPIN, MARTY  
Cc: [John.Parsons@nictd.com](mailto:John.Parsons@nictd.com) <<mailto:John.Parsons@nictd.com>> ; Reid, Janice; Angela Kattmann ([angelak@metricenv.com](mailto:angelak@metricenv.com) <<mailto:angelak@metricenv.com>> ); [nicolebarker06@gmail.com](mailto:nicolebarker06@gmail.com) <<mailto:nicolebarker06@gmail.com>>  
Subject: NICTD Double Track - Wetlands under IDEM's Jurisdiction  
Importance: High

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Dear Mr. Maupin,

I am sending this email as a follow up to the agency kick-off meeting for the NICTD Double Track project that took place on June 15, and the agency notification letter sent on May 26, 2016. The meeting minutes and a PDF of the presentation are attached for your convenience.

At the meeting, Mr. Leffler with the U.S. Army Corps of Engineers gave us some direction on wetland delineation protocols. We would like to get similar information from IDEM on isolated wetlands.

- \* It was discussed at the meeting that construction activities will happen along various areas of the track. If construction activities only happen along one side of the track, should the wetland delineation only take place on the side that would be disturbed by construction activities? Or would the field investigation on both sides be required?
- \* Do wetland areas need to be flagged or will GIS shapefiles and provided aerial maps within the report be sufficient?
- \* Are any wetland habitat assessments (ORAM or InWRAP) or stream habitat assessments (QHEI/HHEI) required?

Here is a short project description:

The total project length is approximately 25 miles. Approximately 7.9 miles of active passing sidings exist in the corridor and will become part of the second main track. No improvement to the existing mainline is anticipated. In addition, NICTD will construct necessary track and platform improvements at the following five existing stations: Miller (Gary), Portage/Ogden Dunes, Dune Park, Beverly Shores, and 11th Street/Michigan City.

The project has two construction segments. The first is a double-tracking and platform upgrade project that will occur mostly, if not fully, within NICTD-owned ROW. This segment begins just west of Tennessee Street in Gary and ends at Sheridan Road in Michigan City (23 miles). The second segment would begin at Sheridan Road and end just west of Michigan Boulevard in Michigan City. The second segment will replace the existing in-street track and will require new ROW.

Our crews are anticipating heading to the field in the next few weeks. Before this occurs, we would like to get IDEM's input on how to best delineate wetlands in the field. We would greatly appreciate if you could give us some direction in the next week or so.

Thank you very much for your time and attention to this matter.

Sincerely,

Sara Merchán Paniagua

Environmental Scientist II

HDR

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# Final Telephone Record

Date: Wednesday, July 06, 2016

Project: NICTD – Double Track

Project No: 10034929

Call to: Conference Call with Paul Leffler (USACE) and subs

Phone No:

Call from: Sara Merchan Paniagua

Phone No:

Subject: Wetland Delineations

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## **Discussion, Agreement, and/or Action:**

Conference call attendees:

USACE – Paul Leffler

HDR – Sara Merchan Paniagua

Metric – Angela Kattmann, Amy Smith, Alex Effinger, Nolan Hahn

*Notes prepared by Sara Merchan Paniagua/HDR*

I asked Paul whether we would need to survey both sides of the tracks or only the side where construction will take place. He said it depends. If we don't delineate both sides it may affect the project. We and he would not know what wetland resources are located on the other side, which could be difficult to avoid the most impacts or impacts to high-quality resources. He mentioned the Westlake project where not the entire corridor was delineated because there was really only one Preferred Alternative. There would've been more impacts to wetlands and impacts to high-quality wetlands if the alignment had moved. As a result, the Corps was fine with delineating only certain areas.

Paul asked if there are really several alternatives or it is mainly one. He also said if we decide not to delineate the entire corridor, then we need to take a hard look at aerial maps to find any wetlands close to our corridor and provide these maps.

Amy Smith (Metric) said they will do stream habitat assessments and those assessments will record all the info the Corps requests/needs.

Paul said it is important to note high-quality areas and measures to avoid impacts to these. If these areas are impacted, the Corps will need to coordinate with NPS.

Paul asked whether Metric will be providing a Floristic Quality Index (FQI) as part of the wetland delineation. Amy Smith replied they were not planning to. Paul said it is a requirement of the Chicago District as the FQI was specifically developed for the Illinois counties they cover in addition to Lake, Porter, and LaPorte counties in Indiana. The FQI helps them differentiate low- and high-quality wetlands. Amy said they could delineate the wetlands now and go back to the site to get the FQI only for those wetlands that will be impacted. Paul was hesitant to not include the FQI in the delineation report, but then said he would not require it at this point.

Paul would like to walk the area with Metric towards the end of the growing season. He would like to go after the delineation has been done. Amy Smith said the delineation report will likely be done by the end of September. He suggested an in-person meeting be scheduled to review the delineated wetlands and identify which areas he would visit. Paul does not want to walk the entire corridor, but only certain areas. Paul would like to touch base with the team in August.

He also asked whether the project will impact sensitive areas. For mitigation purposes, Paul suggested we coordinate with NPS. NPS has many available projects that will give mitigation credits. NPS often has not enough money to carry out these projects.

Paul agrees that we should use NIPSCO's previous delineation. Paul walked the area last summer and the results from that delineation are still valid.

Paul also asked whether the project will be impacting houses/buildings along the corridor. I replied that it will in Gary and Michigan City. He replied this is something the Corps looks at closely as relocating residents is a major issue.

# **U.S. Environmental Protection Agency**



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD

CHICAGO, IL 60604-3590

JUL 13 2016

REPLY TO THE ATTENTION OF: E-19J

Mark Assam  
Federal Transit Administration  
200 W. Adams Street, Suite 320  
Chicago, Illinois 60606

Michael Nolan  
Northern Indiana Commuter Transportation District  
33 East U.S. Highway 12  
Chesterton, Indiana 46304

**Re: Scoping Comments for the South Shore Commuter Rail Line Improvement Project,  
Gary to Michigan City, Indiana**

Dear Mr. Assam and Mr. Nolan:

The U.S. Environmental Protection Agency is providing scoping comments to inform the Draft Environmental Assessment (EA) for the above referenced project. Our comments are provided pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality's NEPA Implementing Regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act. The Federal Transit Administration (FTA) is the lead agency for this project under NEPA, and the Northern Indiana Commuter Transportation District (NICTD) is the project proponent.

The proposed project calls for improvements along the South Shore Commuter Rail Line between Gary and Michigan City, Indiana. Project components include constructing a second mainline, improving five stations, and removing 2 miles of in-street embedded track in Michigan City. The corridor is 25 miles long, and 8 miles are already double tracked. Sensitive resources in the project vicinity include wetlands, the Indiana Dunes National Lakeshore, and the Indiana Dunes State Park. We stress the importance of making clear commitments in the EA to avoid impacting these important resources. We also recognize that well-planned improvements to the rail system could result in long-term air quality benefits. Our enclosed scoping comments are based on the limited information EPA has received to date, and we look forward to reviewing and commenting on additional information when it becomes available.

We thank FTA and NICTD staff and consultants for meeting with EPA and other agencies on June 15, 2016 to discuss this project, and we appreciate the opportunity to provide scoping comments. If you have any questions or would like to discuss our recommendations, please contact Jen Blonn, the lead reviewer for this project, at 312-886-6394 or [blonn.jennifer@epa.gov](mailto:blonn.jennifer@epa.gov).

Sincerely,



Kenneth A. Westlake  
Chief, NEPA Implementation Section  
Office of Enforcement and Compliance Assurance

Enclosures: EPA's Detailed Scoping Comments  
Construction Emission Control Checklist

Cc via email: Paul Leffler, U.S. Army Corps of Engineers, Chicago District  
Shawn Cirton, U.S. Fish and Wildlife Service, Chicago Field Office  
Liz McCloskey, U.S. Fish and Wildlife Service, Chesterton Sub-Office  
Mike Riley, Indiana Department of Transportation  
Laura Hilden, Indiana Department of Transportation  
Marty Maupin, Indiana Department of Environmental Management

## ENCLOSURE 1

EPA'S DETAILED SCOPING COMMENTS ON THE SOUTH SHORE COMMUTER RAIL LINE IMPROVEMENT PROJECT, GARY TO MICHIGAN CITY, INDIANA, JULY 13, 2016

### **Great Lakes Restoration Initiative (GLRI)**

GLRI is a multi-agency effort to strategically target the biggest threats to the Great Lakes ecosystem and accelerate progress toward long term restoration goals. Since beginning in 2010, GLRI resources have funded over 2,000 projects to improve water quality, protect and restore native habitat and species, prevent and control invasive species, and address other Great Lakes environmental problems. Several GLRI projects are in the vicinity of the proposed project.

#### *Recommendations:*

- Use the GLRI website ([www.glri.us](http://www.glri.us)) to identify GLRI projects that could be directly or indirectly impacted by the proposed project. Describe these GLRI projects and potential impacts from the proposed action in the Environmental Assessment (EA).
- Ensure that the proposed rail project does not harm GLRI restoration efforts or hinder progress toward restoration goals. If needed, consider project alternatives and design features to avoid adverse impacts. Describe potential impacts and protective measures in the EA.
- If the project team would benefit from additional information on GLRI projects, beyond what is available at the GLRI website, contact EPA's John Perrecone at [Perrecone.john@epa.gov](mailto:Perrecone.john@epa.gov) and 312-353-1149.

### **Parklands**

The project is adjacent to Indiana Dunes National Lakeshore and the Indiana Dunes State Park. From the agency meeting on June 15, 2016, EPA understands that the project proponent is working to keep the proposed project within the existing rail right-of-way, with the exception of new trackway in Michigan City. EPA remains concerned with the potential for indirect impacts to parklands, and in particular, to globally-rare dune and swale wetland systems within parks.

#### *Recommendations:*

- Identify all direct and indirect impacts to parklands.
- Identify all dune and swale wetlands that could be impacted by the proposed project, both within and outside of established parklands. Include information on the importance of dune and swale wetlands, including ecosystem services, their functions and values, and information on their rarity and uniqueness.
- Commit to protective measures to avoid direct and indirect impacts to parklands and dune and swale wetlands, both within and outside of protected parklands.
- Describe how the proposed project would meet the requirements of Section 4(f) of the Department of Transportation Act and Section 6(f) of the Land and Water Conservation Act.

### **Clean Water Act (CWA) Section 404**

The proposed project may require permits for the placement of dredged or fill materials into Waters of the U.S. (Waters) under Section 404 of the CWA. The EA should support compliance

with the CWA Section 404(b)(1) Guidelines (40 C.F.R. Part 230), which are summarized as follows:

- Least Environmentally Damaging Practicable Alternative (LEDPA) – There must be no practicable alternative to the proposed discharge which would have less adverse impacts on the aquatic ecosystem, so long as the alternative does not have other significant adverse environmental consequences;
- No Violation of Other Laws – The proposed project must not cause or contribute to violation of state water quality or toxic effluent standards, and must not jeopardize the continued existence of federally-listed endangered or threatened species or their critical habitat(s);
- No Significant Degradation – The project must not cause or contribute to significant degradation of Waters;
- Impact Avoidance and Minimization – The project must include appropriate and practicable steps to avoid impacts to Waters. “Practicable” under the CWA 404(b)(1) Guidelines means available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes. Where impacts are unavoidable, there must be documentation on how impacts have been minimized; and
- Compensatory Mitigation – Compensatory mitigation, including on-site and off-site permittee-responsible mitigation, mitigation banks, and in-lieu fee programs, must be used to offset unavoidable impacts to wetlands and other aquatic resources. This is consistent with the 2008 “Compensatory Mitigation for Losses of Aquatic Resources” Final Rule (Mitigation Rule), which upholds the long standing national goal of “no net loss” of wetland acreage and function. The project must demonstrate that it has followed the sequence of avoid first, then minimize, then mitigate for impacts that could not be avoided and minimized.

While we offer the following comments to inform the EA, EPA reserves its right to provide additional comments when more information is available during future CWA Section 404 permitting processes for this project.

*Recommendations:*

- Quantify Waters within the project area and adjacent areas using U.S. Army Corps of Engineers preliminary or approved jurisdictional determinations. Include clear maps and describe water quality, functions, and values.
- Quantify and describe direct, indirect and cumulative impacts to Waters within and surrounding the project area that may result from the proposed project. Examples of indirect impacts include increases in runoff and changes to hydrology of the remaining portions of wetlands and streams. Cumulative impacts are discussed below.
- Summarize or include a draft Section 404(b)(1) analysis, or, at a minimum, describe how this project will satisfy CWA Section 404 permitting and Section 401 Water Quality Certification requirements.
- If impacts to wetlands are unavoidable, consider the following measures to minimize impacts during construction:
  - Perform construction in wetlands during frozen ground conditions, if feasible.
  - Minimize width of temporary access roads.
  - Use easily-removed materials for construction of temporary access roads and staging areas (e.g., swamp/timber mats) in lieu of materials that sink (e.g., stone, rip-rap, wood chips).

- Use swamp/timber mats or other alternative matting to distribute the weight of the construction equipment, which will minimize soil rutting and compaction.
- Use vehicles and construction equipment with wider tires or rubberized tracks, or use low-ground-pressure equipment to further minimize impacts during construction access and staging.
- Use long-reach excavators, where appropriate, to avoid driving or staging in wetlands.
- Place mats under construction equipment to contain any spills.
- Discuss any proposed mitigation, including mitigation sequencing per the CWA Section 404(b)(1) Guidelines, and describe of how mitigation will comply with the 2008 Mitigation Rule. Include information on mitigation ratios and type(s) of wetlands that will be restored or created and how wetland hydrology and wetland plant communities will be established at mitigation sites. If a mitigation bank will be used, identify the name and location of the bank and status of available credits.

### **Surface Water and Groundwater**

The EA should fully discuss potential direct, indirect and cumulative impacts from the proposed project to surface and groundwater quality. Lake Michigan and multiple streams in the project area within the Little Calumet-Galien Watershed are listed as impaired under CWA Section 303(d).

#### *Recommendations:*

- Identify all water bodies that are listed by the State of Indiana as impaired under CWA Section 303(d) and could be directly or indirectly impacted by this project. Describe each water body's specific impairments, the causes of the impairments, and whether a Total Daily Maximum Load (TMDL) plan is in place.
- Analyze project impacts on impaired waters and TMDLs. Commit to any necessary mitigation measures to avoid further impairment or delay timely remediation.
- Discuss plans for managing stormwater and complying with the National Pollution Discharge Elimination System under CWA Section 402.
- Describe flood risks and discuss siting and design elements to protect against flood risks.
- Identify any streams that are designated as "legal drains" in Indiana. Ensure that work in a legal drain, specifically any proposed modification to a stream designated as a legal drain, receives authorization from the applicable county surveyor's office.

### **Environmental Justice (EJ)**

Executive Order 12898 directs federal agencies to identify and address disproportionately high and adverse human health or environmental effects of their actions on minority and low-income populations. Tools are available to assist the project team in their EJ analysis for the EA. A multi-agency federal workgroup recently released a report entitled, "Promising Practices for EJ Methodologies in NEPA Reviews."<sup>1</sup> The report details examples of methodologies used across the federal government for EJ analyses in the NEPA process. In addition, EPA released

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<sup>1</sup> Environmental Justice Interagency Working Group "Promising Practices for EJ Methodologies in NEPA Reviews" is available at: <https://www.epa.gov/environmentaljustice/ej-iwg-promising-practices-ej-methodologies-nepa-reviews>

“EJSCREEN,” which is a publically available mapping tool designed to screen for potential impacts to communities living with or vulnerable to EJ concerns.

*Recommendations:*

- Consider the “Promising Practices for EJ Methodologies in NEPA Reviews” report. Discuss its applicability to this project and any best practices utilized from the report.
- Use EPA’s “EJSCREEN” tool<sup>2</sup> to screen for potential impacts to communities living with or vulnerable to EJ concerns.
- Include a detailed community outreach strategy aimed at gaining input from communities along the corridor, and specify targeted activities to reach low-income and minority communities. Describe how input would be used to inform project development.
- Identify low-income and minority populations that may be adversely and/or positively impacted by the proposed project. Compare percentages of low-income and minority residents in the project area to an appropriate reference community to determine whether the project could have disproportionately high and adverse effects. Include clear maps and summary tables.
- Commit to specific protective measures to avoid, minimize, and mitigate any anticipated adverse impacts to communities.

### **Station Area Development**

EPA, the U.S. Department of Housing and Urban Development, and other federal agencies are working closely with the City of Gary to promote the City’s vision for community revitalization. As discussed at the June 15, 2016 agency meeting for this project, this includes land use planning around Miller Station in Gary. EPA strongly encourages upfront planning to promote pedestrian, bicycle, and transit oriented development at each of the five stations included in the proposed project. We recognize that well-planned rail stations can serve as hubs within communities and generate economic activity, along with other community benefits.

*Recommendations:*

- Discuss local plans for each of the five stations, if available, and ways in which the proposed project would support local goals.
- Partner with local governments and seek input from the community to inform station designs.
- Discuss opportunities to make stations pedestrian and bicycle friendly and link to local modes of transit.
- Discuss parking policies for each of the five stations.
- Coordinate with the inter-agency team working with the City of Gary on Miller Station plans. Contact Jim der Kloot of EPA at 312-353-3161 and [vanderkloot.james@epa.gov](mailto:vanderkloot.james@epa.gov).

### **Air Quality**

The proposed project would result in temporary fugitive dust and diesel exhaust emissions from construction activities, such as material hauling and use of heavy machinery. Operating

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<sup>2</sup> EPA’s EJSCREEN Environmental Justice and Mapping Tool is available at: <https://www.epa.gov/ejscreen>

additional trains could make the commuter train a more viable alternative to driving, which could potentially result in a net air quality benefit.

In 2002, EPA classified diesel emissions as a likely human carcinogen, and in 2012 the International Agency for Research on Cancer concluded that diesel exhaust is carcinogenic to humans. Diesel exhaust can also lead to other serious health conditions and can worsen heart and lung disease, especially in vulnerable populations, such as children and the elderly. Construction emissions should be fully evaluated and considered in developing protective measures for this project.

Lake and Porter Counties are not in attainment status for the 8-hour ozone standard. Projects funded or approved by Federal Transit Administration (FTA) in areas that do not meet or previously have not met the NAAQS are subject to Transportation Conformity Regulations.<sup>3</sup>

*Recommendations:*

- Provide a detailed discussion of existing air quality conditions and criteria pollutant nonattainment areas in the project study areas.
- Include a thorough analysis of direct, indirect, and cumulative air quality impacts (positive and negative) from each alternative. Include estimates of all criteria pollutant emissions and any anticipated exceedances of NAAQS.
- Specify how impacts to sensitive receptors, such as children, elderly, and the infirm will be minimized. For example, commit to locate construction equipment and staging zones away from sensitive receptors and fresh air intakes to buildings and air conditioners.
- Discuss the project's compliance with transportation conformity requirements.
- Commit to require construction contractors to use measures from the enclosed Diesel Emissions Control Checklist when applicable.

**Climate Change**

The U.S. Global Change Research Program's National Climate Assessment<sup>4</sup> section on the Midwest provides a useful starting place for analyzing changing climate conditions. It provides an in-depth look at climate change impacts on the U.S. now and in the future. The report was produced by a team of over 300 experts guided by a 60-member Federal Advisory Committee and was extensively reviewed by the public and experts, including federal agencies and a panel of the National Academy of Sciences. The report finds that, in the Midwest, extreme heat, heavy downpours, and flooding will affect infrastructure, health, air and water quality, and more.<sup>5</sup>

*Recommendations:*

- Discuss climate change and assess ongoing and reasonably foreseeable effects of climate change relevant to the project study area. Use the U.S. Global Change Research Program's National Climate Assessment to inform the discussion.

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<sup>3</sup> Information on Transportation Conformity is available at: <https://www3.epa.gov/otaq/stateresources/transconf/>

<sup>4</sup> <http://www.globalchange.gov/>

<sup>5</sup> U.S. Global Change Research Program, 2014 National Climate Assessment, available at: <http://nca2014.globalchange.gov/report>

- Based on the project team’s assessment of climate change impacts and consistent with federal policy,<sup>6</sup> incorporate resiliency and adaptation to changing climate conditions into project siting, design, and mitigation decisions, including stormwater management strategies and capacities.
- Since all releases of GHG emissions contribute to the global challenge of climate change, commit to specific best practices to minimize GHG emissions from construction. Assess energy efficiency, renewable energy, electrification of equipment, and cleaner diesel strategies for inclusion in planning documents and construction contractor scopes of work. Consider that reducing diesel emissions has the added benefit of reducing black carbon emissions, which have climate forcing effects orders of magnitude larger than carbon dioxide on a per mass basis.

### **Threatened and Endangered Species and Other Wildlife**

Section 7 of the Endangered Species Act (ESA) directs all federal agencies to ensure that any action they authorize, fund, or carry-out does not jeopardize the continued existence of a threatened or endangered species or proposed or designated critical habitat.

#### *Recommendations:*

- Describe the presence of ESA-listed threatened and endangered species, candidate species, migratory birds, and critical habits in the project area. Describe the extent and nature of potential direct, indirect and cumulative project impacts.
- Describe how the proposed project would comply with ESA Section 7 requirements, and document coordination with the U.S. Fish and Wildlife Service (FWS).
- Coordinate with the Indiana Department of Natural Resources (DNR) to determine if any state-listed species could be impacted by the proposed project, and document coordination in the EA.
- Commit to specific best practices to minimize impacts to federally and state-listed species.

### **Native and Invasive Plant Species**

Executive Order 13112 on Invasive Species calls for the restoration of native plant and tree species. The proposed project would disturb vegetation in the right-of-way and in nearby staging areas, which could introduce non-native invasive plant species. Early recognition and control of infestations is essential to stopping the spread of invasive plants and avoiding future widespread use of herbicides, which could have adverse impacts on biodiversity and nearby water quality.

#### *Recommendations:*

- Commit to specific best practices to avoid introducing and, over the long-term, to control invasive species in the project area.
- Describe how the project will meet the intent of Executive Order 13112.

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<sup>6</sup> Executive Order on “Preparing the United States for the Impacts of Climate Change” is available at: <https://www.whitehouse.gov/the-press-office/2013/11/01/executive-order-preparing-united-states-impacts-climate-change>

- Commit to best practices to create pollinator friendly habitat along the right-of-way, in line with the 2014 Presidential Memorandum entitled, “Creating a Federal Strategy to Promote the Health of Honey Bees and Other Pollinators.”<sup>7</sup>

### **Cumulative Impacts**

Cumulative impacts are defined in the Council on Environmental Quality’s NEPA regulations as the impact on the environment that results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions, regardless of what agency (federal or non-federal) or person undertakes such actions (40 CFR § 1508.7). These actions include both transportation and non-transportation activities.

#### *Recommendations:*

- Identify the current condition of resources in the project area as a measure of past impacts, such as the percentage of wetlands lost to date. This information forms the baseline for assessing potential cumulative impacts.
- Consider the future condition of resources in the project area based on likely impacts of reasonably foreseeable projects or actions added to existing conditions and current trends.
- Assess the cumulative contribution of the proposed alternatives to impacts on human health and the environment.
- Include measures to avoid, minimize, and mitigate cumulative impacts.

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<sup>7</sup> “Creating a Federal Strategy to Promote the Health of Honey Bees and Other Pollinators” Presidential Memorandum is available at: [www.whitehouse.gov/briefing-room/presidentialactions/presidential-memoranda](http://www.whitehouse.gov/briefing-room/presidentialactions/presidential-memoranda)

**U.S. Environmental Protection Agency**  
**Construction Emission Control Checklist**

**Mobile and Stationary Source Diesel Controls**

Purchase or solicit bids that require the use of vehicles that are equipped with zero-emission technologies or the most advanced emission control systems available. Commit to the best available emissions control technologies for project equipment in order to meet the following standards.

- On-Highway Vehicles: On-highway vehicles project should meet, or exceed, the U.S. EPA exhaust emissions standards for model year 2010 and newer heavy-duty, on-highway compression-ignition engines (e.g., long-haul trucks, refuse haulers, shuttle buses, etc.).<sup>8</sup>
- Non-road Vehicles and Equipment: Non-road vehicles and equipment should meet, or exceed, the U.S. EPA Tier 4 exhaust emissions standards for heavy-duty, non-road compression-ignition engines (e.g., construction equipment, non-road trucks, etc.).<sup>9</sup>
- Locomotives: Locomotives servicing infrastructure sites should meet, or exceed, the U.S. EPA Tier 4 exhaust emissions standards for line-haul and switch locomotive engines where possible.<sup>10</sup>
- Marine Vessels: Marine vessels hauling materials for infrastructure projects should meet, or exceed, the latest U.S. EPA exhaust emissions standards for marine compression-ignition engines (e.g., Tier 4 for Category 1 & 2 vessels, and Tier 3 for Category 3 vessels).<sup>11</sup>
- Low Emission Equipment Exemptions: The equipment specifications outlined above should be met unless: 1) a piece of specialized equipment is not available for purchase or lease within the United States; or 2) the relevant project contractor has been awarded funds to retrofit existing equipment, or purchase/lease new equipment, but the funds are not yet available

Consider requiring the following best practices through the construction contacting or oversight process:

- Use onsite renewable electricity generation and/or grid-based electricity rather than diesel-powered generators or other equipment.
- Use ultra-low sulfur diesel fuel (15 ppm maximum) in construction vehicles and equipment.
- Use catalytic converters to reduce carbon monoxide, aldehydes, and hydrocarbons in diesel fumes. These devices must be used with low sulfur fuels.
- Use electric starting aids such as block heaters with older vehicles to warm the engine.
- Regularly maintain diesel engines to keep exhaust emissions low. Follow the manufacturer's recommended maintenance schedule and procedures. Smoke color can

<sup>8</sup> <http://www.epa.gov/otaq/standards/heavy-duty/hdci-exhaust.htm>

<sup>9</sup> <http://www.epa.gov/otaq/standards/nonroad/nonroadci.htm>

<sup>10</sup> <http://www.epa.gov/otaq/standards/nonroad/locomotives.htm>

<sup>11</sup> <http://www.epa.gov/otaq/standards/nonroad/marineci.htm>

signal the need for maintenance (e.g., blue/black smoke indicates that an engine requires servicing or tuning).

- Retrofit engines with an exhaust filtration device to capture diesel particulate matter before it enters the construction site.
- Repower older vehicles and/or equipment with diesel- or alternatively-fueled engines certified to meet newer, more stringent emissions standards (e.g., plug-in hybrid-electric vehicles, battery-electric vehicles, fuel cell electric vehicles, advanced technology locomotives, etc.).
- Retire older vehicles, given the significant contribution of vehicle emissions to the poor air quality conditions. Implement programs to encourage the voluntary removal from use and the marketplace of pre-2010 model year on-highway vehicles (e.g., scrappage rebates) and replace them with newer vehicles that meet or exceed the latest U.S. EPA exhaust emissions standards.

### **Fugitive Dust Source Controls**

- Stabilize open storage piles and disturbed areas by covering and/or applying water or chemical/organic dust palliative, where appropriate. This applies to both inactive and active sites, during workdays, weekends, holidays, and windy conditions.
- Install wind fencing and phase grading operations where appropriate, and operate water trucks for stabilization of surfaces under windy conditions.
- When hauling material and operating non-earthmoving equipment, prevent spillage and limit speeds to 15 miles per hour (mph). Limit speed of earth-moving equipment to 10 mph.

### **Occupational Health**

- Reduce exposure through work practices and training, such as turning off engines when vehicles are stopped for more than a few minutes, training diesel-equipment operators to perform routine inspection, and maintaining filtration devices.
- Position the exhaust pipe so that diesel fumes are directed away from the operator and nearby workers, reducing the fume concentration to which personnel are exposed.
- Use enclosed, climate-controlled cabs pressurized and equipped with high-efficiency particulate air (HEPA) filters to reduce the operators' exposure to diesel fumes. Pressurization ensures that air moves from inside to outside. HEPA filters ensure that any incoming air is filtered first.
- Use respirators, which are only an interim measure to control exposure to diesel emissions. In most cases, an N95 respirator is adequate. Workers must be trained and fit-tested before they wear respirators. Depending on the type of work being conducted, and if oil is present, concentrations of particulates present will determine the efficiency and type of mask and respirator. Personnel familiar with the selection, care, and use of respirators must perform the fit testing. Respirators must bear a NIOSH approval number.



August 15, 2017

Ms. Jennifer Tyler  
NEPA Implementation Section  
USEPA Region 5  
77 W. Jackson Blvd.  
Chicago, IL 60604

Dear Ms. Tyler,

Thank you for the comments to the minutes from the February 16, 2017 meeting we had with you, FTA and USACE regarding the Double Track Northwest Indiana (DT-NWI) project's indirect effects to wetlands. The team at the Northern Indiana Commuter Transportation District (NICTD), operator of the South Shore Line, appreciates your input.

As we discussed, the proposed project will remain primarily in NICTD or South Shore Freight (CSS) right-of-way, but will have some direct impacts to wetlands. The final construction footprint would have 5.73 acres of impact. Paul Leffler of the USACE has instructed NICTD to consider all of the impacted wetlands under federal jurisdiction and subject to a Section 404 Permit, Section 401 water quality certification, and state/local stormwater permits.

The linear corridor has wetlands on both sides of the existing track, and is bordered by US 12, freight tracks, the NIPSCO utility corridor (which is currently under construction) and trails. Areas to the north of the tracks have a more direct connection to the wetland complexes associated with the Indiana Dunes and Lake Michigan. South of the tracks, the wetlands are associated with ditches along the existing SSL and U.S. 12 and are generally of a lesser quality. These relationships are discussed in the EA that is currently under preparation. There are few locations – primarily at the stream crossings – where the DT-NWI project may indirectly affect the larger wetland complexes downstream. NICTD has worked diligently on the design of the project to minimize the areas where indirect impacts to the northern wetlands would occur. This includes such measures as placing new track south of the existing South Shore Line in many places, keeping construction within the railroad right-of-way as much as possible, installing Best Management Practices (BMPs) such as vegetated swales, filter strips, detention areas and erosion control, and working with the National Park Service (NPS) to develop mutually beneficial drainage strategies.

USEPA's comments focused on the mapping and *quantification* of indirect impacts to wetlands, where the filling of more than 50% of a wetland area could cause the remainder of the wetland to lose its function. NICTD analyzed the wetlands that were impacted to determine if more than 50% was being filled and did not find any such cases. The majority of the wetland impacts were to slivers of larger wetlands that line the corridor. Culverts under the tracks that provide the source water to the wetlands would either be enlarged or replaced in accordance with state policies.

The EA fully discloses the proposed Project's direct impacts to wetlands, and discusses the indirect impacts that could occur. This could include increased pollutants from impervious surfaces and compacted soil, decreased pollutant filtration, increased water temperatures as a result of riparian vegetation removal, and export of pollutants from motor vehicles using Park-and-Ride lots and other associated infrastructure. To visually depict the project's potential for indirect wetland impacts, the larger wetland complexes are mapped in the EA. A sample is attached for reference.

In the final design of the proposed Project, NICTD would include BMPs to filter runoff and control releases, such as vegetated swales and filter strips. Indirect impacts are less likely if regulatory permit and specified conditions are followed and erosion control plans are developed.

August 15, 2017

Page 2

Appropriate mitigation for the identified wetland impacts will also be included in the EA. NICTD and FTA have discussed partnering with the NPS to mitigate the project's wetland impacts by restoring and enhancing portions of the larger wetland areas contained in the Indiana Dunes National Lakeshore. This strategy would enhance the hydrology and function of the remaining wetlands rather than cause additional harm. USACE has been involved in these mitigation strategy discussions as well.

Additionally, contract documents would include BMPs to protect adjacent wetland areas from accidental intrusion during construction. This would include installation of silt fence, employing an on-site environmental protection specialist to monitor construction activities. The proposed project has the potential to indirectly impact three impaired waterways (Dunes Creek, Brown Ditch, and Kintzele Ditch) as well as wetlands and floodplains. NICTD would include BMPs related to erosion control, vegetation and water quality in the construction documents to minimize these impacts.

We value EPA's continued involvement in this project and look forward to discussing this further on August 21<sup>st</sup>. Please contact me with any questions.

Respectfully,

A handwritten signature in black ink that reads "Nicole Barker". The signature is written in a cursive, flowing style.

Nicole Barker  
Director of Capital Investment and Implementation

Enclosure

cc: Paul Leffler, USACE  
Ken Westlake, USEPA  
Kathleen Kowal, USEPA  
Kerryann Weaver, USEPA  
Susan Weber, FTA  
Janice Reid, HDR



# **U.S. Fish and Wildlife Service**

## Merchan Paniagua, Sara

---

**From:** Reid, Janice  
**Sent:** Friday, June 24, 2016 9:34 AM  
**To:** McCloskey, Elizabeth  
**Cc:** Merchan Paniagua, Sara  
**Subject:** Re: NICTD Double Track - Species of Concern and Critical Habitat

Thank you Elizabeth.

Janice

Janice Reid  
Sent from my iPhone

On Jun 24, 2016, at 9:31 AM, McCloskey, Elizabeth <[elizabeth\\_mccloskey@fws.gov](mailto:elizabeth_mccloskey@fws.gov)> wrote:

Good morning Janice, please consider these emails as the USFWS scoping response.

Thank you.

Elizabeth McCloskey  
U.S. Fish and Wildlife Service  
Northern Indiana Suboffice  
Ecological Services

----- Forwarded message -----

**From:** **McCloskey, Elizabeth** <[elizabeth\\_mccloskey@fws.gov](mailto:elizabeth_mccloskey@fws.gov)>  
**Date:** Fri, Jun 24, 2016 at 8:22 AM  
**Subject:** Re: NICTD Double Track - Species of Concern and Critical Habitat  
**To:** "Merchan Paniagua, Sara" <[Sara.MerchanPaniagua@hdrinc.com](mailto:Sara.MerchanPaniagua@hdrinc.com)>  
**Cc:** "[Scott Pruitt@fws.gov](mailto:Scott.Pruitt@fws.gov)" <[Scott.Pruitt@fws.gov](mailto:Scott.Pruitt@fws.gov)>, "Reid, Janice" <[Janice.Reid@hdrinc.com](mailto:Janice.Reid@hdrinc.com)>, "Angela Kattmann ([angelak@metricenv.com](mailto:angelak@metricenv.com))" <[angelak@metricenv.com](mailto:angelak@metricenv.com)>, "[nicolebarker06@gmail.com](mailto:nicolebarker06@gmail.com)" <[nicolebarker06@gmail.com](mailto:nicolebarker06@gmail.com)>

Sorry I forgot the Pitcher's thistle - it is only in the dunes along the Lake Michigan shoreline and not near the NICTD tracks, so no surveys are necessary.

Liz McCloskey

On Thu, Jun 23, 2016 at 3:28 PM, Merchan Paniagua, Sara <[Sara.MerchanPaniagua@hdrinc.com](mailto:Sara.MerchanPaniagua@hdrinc.com)> wrote:

Liz,

Thank you very much for your reply. I noticed you did not mention the pitcher's thistle. Is it only found in the dunes and so no surveys are necessary either?

We did contact Mr. Grundel, but we have not received a reply yet. We also submitted a request to the IDNR Heritage Data Center and today I received the list of documented species along the corridor. Our hope is that Mr. Grundel can help us determine which habitat is/may be present in our project area. I will contact Alan Resetar too. The IDNR list included a few reptile/amphibian species.

Thanks for your assistance!

Sara Merchán Paniagua

D 773.867.7217 O 773.380.7900

[hdrinc.com/follow-us](http://hdrinc.com/follow-us)

**From:** McCloskey, Elizabeth [mailto:[elizabeth\\_mccloskey@fws.gov](mailto:elizabeth_mccloskey@fws.gov)]  
**Sent:** Thursday, June 23, 2016 3:05 PM  
**To:** Merchan Paniagua, Sara  
**Cc:** [Scott\\_Pruitt@fws.gov](mailto:Scott_Pruitt@fws.gov); Reid, Janice; Angela Kattmann ([angelak@metricenv.com](mailto:angelak@metricenv.com)); [nicolebarker06@gmail.com](mailto:nicolebarker06@gmail.com)  
**Subject:** Re: NICTD Double Track - Species of Concern and Critical Habitat

Good afternoon Sara,

Hine's emerald dragonfly and eastern prairie fringed orchid were historically present in northwest Indiana but are no longer extant, so no surveys are necessary.

Mitchell's Satyr is listed for LaPorte County but is not found anywhere in the vicinity of this project, nor is it found in Porter and Lake Counties; therefore, no surveys are necessary.

Mead's milkweed was planted at a central Lake County nature preserve owned by the Indiana Division of Nature Preserves some years ago as an experimental population. This species is not present anywhere within the proposed project area so no surveys are needed.

The Karner blue butterfly habitat adjacent to the NICTD tracks is in the vicinity of Ogden Dunes and County Line Road, between the NICTD tracks and the Norfolk Southern tracks. That entire area is already double-tracked. There is no KBB habitat elsewhere along the NICTD line so no surveys are necessary.

I have attached a report on the eastern massasauga study at INDU from about 10 years ago. It is my understanding that someone was looking for them here last year as well, but I do not know any particulars about that; you will need to contact INDU for that information. Since they have been found in the vicinity of the NICTD tracks a survey will be necessary if suitable habitat is present, but drift fence surveys need to be done in the fall and spring when the animals are moving between summer and winter habitats; visual walking surveys can be done during the summer but really should have started in April to get sufficient data. The current survey protocol document is also attached. Dr. Ralph Grundel at the local USGS office and Alan Resetar of Valparaiso and the Field Museum (I don't know if he is retired - Nicole might know) can be contacted for local information on the habitats of this and other rare herp species, such as Indiana listed turtles and frogs.

Bat surveys are not necessary unless large areas of trees would be removed, which is unlikely. If specific trees that could potentially be roost trees need to be removed, emergence surveys could be done; if no bats emerge the tree can be cut as soon as possible. Emergence survey protocols are in our 2016 Indiana Bat Survey Guidelines on the FWS Midwest Region Webpage. General habitat surveys along the NICTD right-of-way should identify any potential bat roost trees.

The only Critical Habitat in northwest Indiana is for the endangered piping plover, which is about 10 km of the Lake Michigan beach in Porter County. Since the project will not be near the beach, there is no concern about this habitat.

Concerning surveys along 1 or both sides of the existing track, that depends upon the presence of suitable habitats in those areas. Even though at this time NICTD might think the new track should go in a certain area, continuing engineering and planning may show that it should be put on the other side. Therefore it makes sense to check both sides now rather than have to come back and look at the other side. That might be more of a concern for Indiana listed species, like plants, than for the massasauga (which is also Indiana endangered).

If you need any other information, please let me know.

Elizabeth McCloskey

U.S. Fish and Wildlife Service

Northern Indiana Suboffice

Ecological Services

Chesterton, Indiana

219-983-9753

[elizabeth\\_mccloskey@fws.gov](mailto:elizabeth_mccloskey@fws.gov)

On Tue, Jun 21, 2016 at 9:20 AM, Merchan Paniagua, Sara  
<[Sara.MerchanPaniagua@hdrinc.com](mailto:Sara.MerchanPaniagua@hdrinc.com)> wrote:

Dear Ms. McCloskey and Mr. Pruitt,

I am sending this email as a follow up to the agency kick-off meeting for the NICTD Double Track project that took place on June 15, and the agency notification letter sent on May 26, 2016. We appreciate your agency's involvement and cooperation in helping NICTD implement this important project. The meeting minutes and a PDF of the presentation are attached.

At that meeting, Ms. McCloskey informed us that, of the several federally-listed species with potential to occur in the corridor, there are some that are not present in the corridor, or in parts of the corridor:

- Hine's Emerald dragonfly and the Eastern Prairie Fringed Orchid are not present in the area and, therefore, there is no need to survey for these species or their habitat.
  
- Mitchell's Satyr Butterfly is not present in Michigan City. We are unsure if survey is needed for the rest of the corridor.
  
- Pitcher's Thistle is only present in the dunes along the lakeshore; therefore, there is no need to survey.
  
- Mead's Milkweed is only in Lake County. We are unsure if we are required to survey in the Lake County portion of the project.
  
- Karner Blue Butterfly is anticipated to occur only in the double-tracked portion of the project, where no work will be performed. Are surveys required for this species and its habitat?
  
- Eastern Massasauga rattlesnake has been found near the tracks, on the Beverly Shores Station platforms, and on the Calumet Trail. Survey is needed.
  
- Indiana Bat and Northern Long-eared Bat – Acoustic surveys may not be necessary if the project does not take several trees. Elizabeth suggested we conduct emergence surveys only on those trees to be removed. Bats do not generally prefer to nest or breed in areas of higher activity, such as this corridor.

Our crews are anticipating heading to the field in the next few weeks. Before this occurs, we would like to get confirmation that they will not need to survey for the Hine's Emerald dragonfly, Eastern Prairie Fringed Orchid, and Pitcher's Thistle. As project plans progress, we will know more regarding the number of trees that may be impacted and where, which will help determine if acoustic surveys for the two bat species will need to be conducted. The intent is to keep most or all construction activities within the existing ROW.

Also, are there any areas along the NICTD project corridor that is considered critical habitat for federal species?

Lastly, it was discussed at the meeting that construction activities will happen along various areas of the track. If construction activities only happen along one side of the track, should the field investigation only take place on the side that would be disturbed by construction activities? Or would survey on both be required?

We would appreciate if you could kindly reply to this email request in the next week so that we may conduct surveys during this survey season.

Sincerely,

[Sara Merchán Paniagua](#)

*Environmental Scientist II*

HDR

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[hdrinc.com/follow-us](http://hdrinc.com/follow-us)

# Final Telephone Record

Date: Wednesday, July 06, 2016

Project: NICTD – Double Track

Project No: 10034929

Call to: Conference Call with Liz McCloskey (USFWS) and subs

Phone No:

Call from: Sara Merchan Paniagua

Phone No:

Subject: Federal-listed Species Surveys

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## **Discussion, Agreement, and/or Action:**

Conference call attendees:

USFWS – Liz McCloskey

HDR – Sara Merchan Paniagua

Metric – Angela Kattmann, Amy Smith, Alex Effinger, Nolan Hahn

ESI – Dale Sparks, Rob Jean, Tim Brust

Lochmueller – Tom Cervone, Rusty Yeager

*Notes prepared by Sara Merchan Paniagua/HDR*

I set up this conference call to discuss with Liz concerns the subs had on surveys necessary for the eastern massasauga and the Indiana and Northern Long-eared bats.

### **Eastern Massasauga**

Dale (ESI) explained that their scope included habitat assessments. He knows the area around the Calumet Trail contains suitable habitat for the species.

His concern is having to conduct presence/absence surveys right before construction starts.

Liz said she has heard the listing of the rattlesnake will occur in September of this year (the species is proposed as threatened). Now is not a good time to be conducting surveys to look for the snake. Plus she doesn't know how much suitable habitat is present in the NICTD ROW. She has not walked the ROW so she is unsure. As such, this year's survey efforts should focus on identifying and mapping areas of suitable habitat.

If suitable habitat is present, future efforts should include the use of drift fences in which can be set up the February prior to construction. A qualified monitor should walk the fence daily and move any rattlesnake. The service recommends the same method be used for other species as well (especially those that are state listed). Liz pointed out that other species may be listed between now and construction. Blanding's turtle is undergoing a status review and may also be listed by the time construction starts.

Dale confirmed that is the approach he was considering too. Liz said to first confirm what type of habitat is within the NICTD ROW.

### **Indiana Bat and NLEB**

I asked Liz if the surveys were for both bat species, which she confirmed. Liz does not think there will be suitable habitat for the bats.

Rusty Yeager, Lochmueller, asked what the approach should be to conduct surveys. If there is suitable habitat, do we conduct presence/absence surveys or do we assume presence? Liz replied that if there is suitable habitat, we should discuss in more detail with her as to if acoustic surveys will likely be required if bat habitat will be affected. Or we could assume presence and no acoustic surveys will be necessary.

If suitable habitat is present and presence is assumed, conduct emergence surveys on those trees that have the potential to be roosting trees. The emergence survey would be included as a NEPA commitment to be performed prior to any tree clearing activities, but not conducted as part of the EA surveys. If there is suitable habitat, we should include in the EA the amount of this type of habitat in our project area.

**Reid, Janice**

---

**From:** McCloskey, Elizabeth <elizabeth\_mccloskey@fws.gov>  
**Sent:** Wednesday, November 30, 2016 3:43 PM  
**To:** Merchan Paniagua, Sara  
**Subject:** Re: NICTD DT NWI - Bat and Eastern Massasauga Rattlesnake Habitat Assessment Reports

Good afternoon, thank you for letting me know that the reports won't be available until next year. It is fine with the USFWS for us to review these documents in place of a full Biological Assessment, with the understanding that additional information may be necessary depending upon the results discussed in the documents.

Elizabeth McCloskey  
U.S. Fish and Wildlife Service  
Northern Indiana Suboffice

On Wed, Nov 30, 2016 at 3:08 PM, Merchan Paniagua, Sara <[Sara.MerchanPaniagua@hdrinc.com](mailto:Sara.MerchanPaniagua@hdrinc.com)> wrote:

Hi Liz,

In regards to the habitat assessment reports, I did not take into consideration the time necessary for NICTD and FTA review. We are scheduled to send you these reports for your review on January 9, 2017. I just wanted to let you know so you are not expecting them this week.

Please confirm you are ok with us submitting these reports in place of a Biological Assessment with the understanding that you may require additional information.

Thanks!

**Sara Merchán Paniagua**

D 773.867.7217 O 773.380.7900

[hdrinc.com/follow-us](http://hdrinc.com/follow-us)

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**From:** Merchan Paniagua, Sara  
**Sent:** Tuesday, November 29, 2016 2:10 PM  
**To:** [Elizabeth\\_McCloskey@fws.gov](mailto:Elizabeth_McCloskey@fws.gov)  
**Cc:** Reid, Janice  
**Subject:** NICTD DT NWI - Bat and Eastern Massasauga Rattlesnake Habitat Assessment Reports  
**Importance:** High

Liz,

Thanks for taking the time to speak with me over the phone. As we discussed, I will be sending you the link to the two habitat assessment reports in lieu of a Biological Assessment. They will most likely be ready this Friday or early next week. They are under review now.

As you mentioned, if you need additional information, just let me know and we'll provide it to you. Thanks.

Regards,

**Sara Merchán Paniagua**

*Environmental Scientist II*

**HDR**

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## Sims, Kelly

---

**From:** McCloskey, Elizabeth [mailto:elizabeth\_mccloskey@fws.gov]  
**Sent:** Tuesday, March 21, 2017 9:58 AM  
**To:** Nicole Barker <nicole.barker@nictd.com>  
**Cc:** Grundel, Ralph <rgrundel@usgs.gov>  
**Subject:** Re: Rusty Patched Bumble Bee?

Good morning Nicole, I just checked on the bumble bee in relation to NICTD's 2 projects and neither one includes the species. So it won't be necessary to do surveys for it.

I still don't know exactly where it is in Lake County, but it is somewhere south of US 30.

Liz

On Wed, Mar 15, 2017 at 11:59 AM, Nicole Barker <[nicole.barker@nictd.com](mailto:nicole.barker@nictd.com)> wrote:

Thanks a million, Liz – this is immensely helpful news. Please let me know what you find out when that Lake County instance is up on the map so we can be sure it doesn't intersect with either project.

We really appreciate the help you and Ralph have provided.

**Nicole Barker**

Director of Capital Investment and Implementation

South Shore Line

[nicole.barker@nictd.com](mailto:nicole.barker@nictd.com)

O: 219.926.5744 x 313

M: 219.921-4263

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**From:** McCloskey, Elizabeth [mailto:[elizabeth\\_mccloskey@fws.gov](mailto:elizabeth_mccloskey@fws.gov)]  
**Sent:** Wednesday, March 15, 2017 11:11 AM  
**To:** Nicole Barker  
**Cc:** Grundel, Ralph  
**Subject:** Re: Rusty Patched Bumble Bee?

Hi Nicole and Ralph,

FWS had an internal conference call about the bumble bee this morning. Yes, it is going to be listed on Match 21st. We are only going to be dealing with it in locations where it is currently found and buffers around those, not within all the historic range, which included most of Indiana except the southwest end. In this area it is known at 1 location in Lake County - nothing in Porter or LaPorte. I don't know where that site is, but they are going to be putting up general location polygons on an FWS Website by the 21st, so I'll be able to compare that to the NICTD project areas. I strongly believe that it won't be within the Double Track project area because the Lake County site is not in that part of the county. I am pretty sure the West Lake Corridor won't be in it either, but have to wait until the 21st to know for sure.

So, I'll let you know next week.

Liz

On Mon, Mar 13, 2017 at 2:18 PM, Nicole Barker <[nicole.barker@nictd.com](mailto:nicole.barker@nictd.com)> wrote:

Thanks for this quick reply, Ralph. I don't know Rob Jean unfortunately – this looks like great research. Our Double Track NWI project runs from just east of the Gary Metro Station to roughly Carroll Ave in Michigan City (as you likely know).

We're trying to figure out a plan if USFWS does indeed list the RPBB next week. We have a tight schedule for the project, and in order to keep things on track we would need to act quickly to send a habitat survey crew out. I'm copying Liz here too so she knows you had a 2011 survey that didn't show any RPBB's here.

And a heads-up that if it is listed next week, we will hope to get quick feedback from the Federal Transit Administration on whether we need to do a field survey, so your input may be sought quickly thereafter.

Thanks again for your help – we truly appreciate it!

**Nicole Barker**

Director of Capital Investment and Implementation

South Shore Line

[nicole.barker@nictd.com](mailto:nicole.barker@nictd.com)

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M: 219.921-4263

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**From:** Grundel, Ralph [mailto:[rgrundel@usgs.gov](mailto:rgrundel@usgs.gov)]

**Sent:** Monday, March 13, 2017 2:03 PM

**To:** Nicole Barker

**Subject:** Re: Rusty Patched Bumble Bee?

Hi Nicole,

There could be habitat for the rusty patched currently existing or restorable in NW Indiana. I'm not aware of specific records of this species in Lake/Porter counties Indiana but there might be records. I know in our recent bee surveys, we specifically noted the lack of *B. affinis* (see attached), assuming that it could occur here, at least historically.

Do you know Rob Jean and his work?

Ralph

On Mon, Mar 13, 2017 at 1:42 PM, Nicole Barker <[nicole.barker@nictd.com](mailto:nicole.barker@nictd.com)> wrote:

Hi Ralph-

I hope all is well. I was just talking with Liz McCloskey about whether she knows if the rusty patched bumble bee will end up being listed as planned by USFWS. The USFWS website says it will act on it next week.

Anyway, she wasn't sure if they had any habitat up here in/around INDU. Do you happen to know from any of your work, or from working with other scientists, whether there is or could be any habitat for them here?

We want to know for Double Track NWI planning.

Thanks very much.

**Nicole Barker**

Director of Capital Investment and Implementation

South Shore Line

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--

Ralph Grundel

U.S. Geological Survey

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Chesterton, IN 46304

e-mail: [rgrundel@usgs.gov](mailto:rgrundel@usgs.gov)

Phone: 219-926-8336, ext 422

FAX: 219-929-5792

# **U.S. National Park Service**

**From:** Agustin\_PerezMaldonado@nps.gov  
**Sent:** Monday, July 18, 2016 9:16 AM  
**To:** Merchan Paniagua, Sara  
**Cc:** eric\_ehn@nps.gov  
**Subject:** NICTD Double Track - GIS Files and Any Other Relevant Data  
**Attachments:** Bitdefender.txt

**You have received 1 secure file from [Agustin\\_PerezMaldonado@nps.gov](mailto:Agustin_PerezMaldonado@nps.gov).**

Use the secure link below to download.

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Hi Sara,

I have attached copy of some of the requested information for your analysis at the Greenbelt area.

1. True park boundaries - (The attached file shows the park boundary created by our park from the parcel map obtained from the Indiana Map website. Take into consideration that this information is not the official data. This file was created to solve the projection limitation that our official data has at this time. The official data is managed by our Land Resources Division (Contact Roger Johnson - 970-484-6428)
2. Trail true boundaries and ownership information - See previous comments.
3. Ecologically sensitive lands/areas - Most of this information can be obtained from the following link: <http://science.nature.nps.gov/im/inventory/veg/project.cfm?ReferenceCode=1049315> for additional information contact Gia Wagner ((219) 395-1552) /Resources Management Division.
4. Cultural resource (archaeological, architecture) spatial data that may not be available through Indiana's SHAARD or site files - This information is consider a sensitive information and can not be provided. One time the environmental permit is created our Archeological Division will evaluate the areas and determine if there will be any archeological impacts.
5. Cultural resource survey reports (PDF) or information about what process we should go through to access paper files that NPS maintains for the Dunes. Contact Gia Wagner for this information ((219) 395-1552)

**Secure File Downloads:**

Available until: **17 August 2016**

Click link to download:

[20160628\\_NIPSCO\\_GREENBELT\\_002.mpk](#)

482.26 MB, Fingerprint: 1e94f501615ab447e574e5dd48caf480 ([What is this?](#))

You have received file link(s) sent via NPS Secure File Transfer (hosted by Accellion). To retrieve the file(s), please click on the file name (link) above.

Reid, Janice

---

**From:** Agustin\_PerezMaldonado@nps.gov  
**Sent:** Wednesday, August 31, 2016 10:58 AM  
**To:** Merchan Paniagua, Sara  
**Cc:** eric\_ehn@nps.gov  
**Subject:** Segment Files  
**Attachments:** Bitdefender.txt

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**You have received 4 secure files from [Agustin\\_PerezMaldonado@nps.gov](mailto:Agustin_PerezMaldonado@nps.gov).**

Use the secure links below to download.

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Hi Sara,

I have attached copy of the Tract Number files related to this project. The attached drawings are not properly projected and need to be corrected. Please contact Eric Ehn to discuss about the correct property boundaries. Eric Phone Number is 219-395-8525, also I have copy him on this email.

Thanks,

**Secure File Downloads:**

Available until: **30 September 2016**

Click links to download:

[20110519\\_indusm13.pdf](#)

14.93 MB, Fingerprint: d9f0db640bdbfc04dcf2ba29e8994b7f ([What is this?](#))

[20111012\\_indusm100.pdf](#)

8.28 MB, Fingerprint: ace6066d77f34f93b4fd49c0e5119bc2 ([What is this?](#))

[20130110\\_indusm101.pdf](#)

5.16 MB, Fingerprint: 7ded4ed2e6ecba2281a6762bbe91a921 ([What is this?](#))

[20151202\\_indusm09.pdf](#)

1.63 MB, Fingerprint: d2c16e9f90aeb1a56ecba73583f2eb61 ([What is this?](#))

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**From:** Daniel Plath [mailto:daniel\_plath@nps.gov]  
**Sent:** Thursday, January 19, 2017 5:36 PM  
**To:** Nicole Barker  
**Cc:** Daniel\_Mason@nps.gov; Reid, Janice  
**Subject:** Re: NICTD Double Track NWI - Meeting Notes 20161017

This sounds fantastic. I sure we have plenty of project possibilities in the Great Marsh. I will touch base with Dan tomorrow on this. Thanks again

Dan

Sent from my iPhone

On Jan 19, 2017, at 3:09 PM, Nicole Barker <[nicole.barker@nictd.com](mailto:nicole.barker@nictd.com)> wrote:

Hi Dan and Dan –

I hope all is well with you both. I am sending the thread of emails below as a refresher. Thanks for providing us with data and leads to gather other data.

One outstanding item is the need to get Dan Mason's plan for the Great Marsh restoration work. I think we had specifically talked about Great Marsh and a forthcoming possible EA for that work if memory serves?

Anyway, since we are gathering so many federal and state agencies in one room on 2/7 from 12-2 to talk about potentially mitigating in the National Lakeshore and/or State Park, it would be so helpful to get a sense of what wetland restoration projects you have identified at INDU, and any plans you have for this work. Is the Great Marsh plan something that is in a state ready to share? Or perhaps it is being funded through a different (e.g. GLRI) mechanism and you don't need help? We just want to have some solid ideas of possible wetland projects if we choose together to mitigate at INDU. Perhaps there are other wetland restoration projects you have lined up as well. If we can help with any of them, that'd be great.

I'm also going to ask IDSP if they have plans at the State Park as well.

Please let me know what you think. Ideally, we would have you show maps of the proposed restoration areas at the meeting.

Thanks so much.

-Nicole

**Nicole Barker**

Director of Capital Investment and Implementation

South Shore Line

[nicole.barker@nicted.com](mailto:nicole.barker@nicted.com)

O: 219.926.5744 x 313

M: 219.921-4263

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**From:** Mason, Daniel [[mailto:daniel\\_mason@nps.gov](mailto:daniel_mason@nps.gov)]

**Sent:** Tuesday, November 15, 2016 9:05 AM

**To:** Nicole Barker

**Cc:** Reid, Janice; Mike Shostak; [daniel\\_plath@nps.gov](mailto:daniel_plath@nps.gov)

**Subject:** Re: FW: FW: NICTD Double Track NWI - Meeting Notes 20161017

Nicole

below are three links to reports provided by investigations via USGS

<http://pubs.usgs.gov/sir/2013/5186/> organic waste water compounds in and near restored wetlands, Great Marsh

<http://pubs.usgs.gov/sir/2013/5003/> Long Lake

[pubs.usgs.gov/sir/2011/5073/](http://pubs.usgs.gov/sir/2011/5073/) Hydrology Beverly shores

The link to the Brown-Kintzele ditch report was provided by DNR

I will try and locate the report by Olyphant.

Concerning data Paul Buszka and Dave Lampe with USGS would be folks to contact.

[dclampe@usgs.gov](mailto:dclampe@usgs.gov)

317-600-2742

[pmbuszka@usgs.gov](mailto:pmbuszka@usgs.gov)

317-600-2779

Dan

On Fri, Nov 11, 2016 at 10:46 AM, Nicole Barker <[nicole.barker@nictd.com](mailto:nicole.barker@nictd.com)> wrote:

Thanks Dan. How can I get my hands on the reports? I'm happy to come by with a thumb drive to copy those that are digital and I can take the hard copies and bring them here to scan and return them right away.

Do you have the point of contact (and contact information) for the USGS person?

I'm copying our consultant team that is seeking the information.

**Nicole Barker**

Director of Capital Investment and Implementation

South Shore Line

[nicole.barker@nictd.com](mailto:nicole.barker@nictd.com)

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**From:** Mason, Daniel [mailto:[daniel\\_mason@nps.gov](mailto:daniel_mason@nps.gov)]

**Sent:** Thursday, November 10, 2016 2:06 PM

**To:** Nicole Barker

**Cc:** [daniel\\_plath@nps.gov](mailto:daniel_plath@nps.gov)

**Subject:** Re: FW: NICTD Double Track NWI - Meeting Notes 20161017

Hi Nicole (Barker)

There are several reports - Long Lake, Beverly shores, Brown-Kintzele Ditch, which may be of assistance. At least one/two reports predate the digital age and would have to be scanned.

Also we have been collecting, through the Indianapolis USGS group, hydrology data at other locations that communicate via surface water with train track location; for example Wieland Ditch. I suspect that this data may be of interest to your engineers.

I will give you a call to gain more knowledge pertaining to your needs. It may be beneficial to contact USGS concerning the data. Some of the data may be accessible via internet and some of it may not be accessible.

Dan

On Wed, Nov 9, 2016 at 10:34 AM, Nicole Barker <[nicole.barker@nictd.com](mailto:nicole.barker@nictd.com)> wrote:

Hi Dan (Mason) - with a copy to Plath –

I wanted to ask again to see if INDU/NPS was going to share the drainage information we discussed at the meeting and field visit. We are hoping to get it soon to inform our next stage of design. DNR has provided information; we just need NPS's now.

Thanks much for your help and input.

**Nicole Barker**

Director of Capital Investment and Implementation

South Shore Line

[nicole.barker@nictd.com](mailto:nicole.barker@nictd.com)

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M: 219.921-4263

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## Draft Meeting Notes

Subject: Mitigation Meeting

Date: Monday, April 24, 2017

Location: Indiana Dunes National Lakeshore, 1100 N. Mineral Springs Road, Porter, IN

<p>Attendees: <b>HDR</b> Janice Reid Samantha Primer Rich Christopher <b>NICTD</b> Nicole Barker</p>	<p><b>National Park Service</b> Dan Mason Eric Ehn Dan Plath Gia Wagner Chris Pergiel</p>
--	---

### Opening Remarks

1. Nicole Barker (NICTD) opened the meeting. She mentioned that the meeting attendees have met before, but never together as a team. The purpose of this meeting is to gather available mitigation options and to memorialize the outcomes of this meeting.

### Wetland Impacts Update

1. Janice Reid (HDR) said that surveys of three additional wetland areas were complete and impacts are being calculated. She did not anticipate a large change from the 4.6 acres that had been delineated so far. This meeting is to further discuss the impacts and a draft mitigation strategy.

### Draft Mitigation Strategy

#### A. NEPA Phase vs. permitting phase

1. Janice clarified the NEPA phase from the permitting phase:
  - The NEPA phase is what we are currently in and the permit phase takes place when final design will occur.
    - The NEPA phase is where we show impacts from the Project and what we will need to mitigate. .
    - NICTD and HDR expect that the FTA will issue a Finding of No Significant Impact (FONSI) for the EA. To do this they need to know that the agencies we're coordinating with, including the NPS, are in agreement on a Draft Mitigation Plan. We do not need to



have a full Memorandum of Agreement, just a general agreement that lays out the tenants of the plan and agrees to continue working together during design to fully develop the plan. When NICTD gets to the next phase of design more detailed plans would be developed, and this would go into the Section 404 permit application. Janice said design would start next year because NICTD wants to start construction in 2019.

## **B. Creation vs. Restoration vs. Enhancement**

1. Janice said that the Indiana Dunes State Park has indicated that wetland creation was not a great option. Dan Plath replied that this may be because they do not have a lot of great areas for wetland creation, and because they do not want to add more water to the area. Dan Mason also said that the EPA preferred restoration, but he would prefer a combination of restoration and enhancement.
2. Janice and Dan said that the mitigation ratio for creation and restoration would likely be 3:1 (for high quality impacts; 1.5:1 for lower quality impacts); and the mitigation ratio for enhancement is 10:1, so our total acreage for mitigation depends on which approach is taken.
3. Dan explained that restoration typically involves rehydrating an area that is currently not a jurisdictional wetland to turn it into one. Enhancement is for cleanup of existing jurisdictional wetlands.

## **C. Application of Special Use Permit**

1. Nicole said that she is organizing this meeting now to try to get agreement in place in this phase, and asked if the NPS special use permit was the appropriate mechanism. Gia Wagner (NPS) mentioned that the newly developed Project Review Form that NPS is now using would probably be a better tool to use.
2. Eric Ehn (NPS) said the Project Review Form is an internal INDU document, so review would go fairly quickly. Dan Plath (NPS) and Chris Pergiel agreed.
3. Dan will send the Project Review Form to Nicole to fill out, send back, and present for review at the next monthly review meeting, which is May 16<sup>th</sup> 2017.
4. Dan Mason asked when mitigation for the Project is expected. Nicole replied that it would most likely occur in 2019 or 2020.

## **D. Mitigation Strategies Proposed by INDU**

1. Dan Mason said that the wetlands in our project area are mostly linear. If you have a 50 foot wetland and you take away 25ft the rest might not be functional. Janice replied that this was discussed in the previous meeting with the USACE and the USEPA and that we would be doing qualitative assessments of impacts rather than quantitative assessments. She agreed that most of the wetlands that will be impacted are the linear swaths. Indirect impacts would be documented in the NEPA document.
2. Nicole said that Paul/USACE was enthusiastic about mitigating in the INDU and may want the West Lake impacts to be mitigated in the INDU as well. She mentioned that the West Lake project may not be able to mitigating impacts in the same area where they occur could be difficult since there the impacts are spread throughout the corridor.
3. GARY AREA: Janice mentioned that one wetland area Paul Leffler of USACE seemed to be concerned about is north of the tracks in the Gary area, just east of I-90. He thought that it would not be able to handle too many indirect effects and still be functional. Because it is important to try to have mitigation take place near where impacts would occur, Janice asked if INDU had any potential mitigation sites in the Gary area. Gia said that there are INDU areas along the tracks in

Gary that they have not worked in, and Chris agreed that there could be some mitigation options there. Dan Mason said mitigation work in this area would be considered enhancement.

Chris referred to the USEPA's statement at the agency coordination meeting, where they indicated that areas that have had Great Lakes Restoration Initiative (GLRI) funding could not be used as mitigation for another federal project, such as this. Dan Mason did not believe that that is incorrect, but they would look into it more.

Gia added that the location of wetland impacts and mitigation sites also needs to consider Environmental Justice, and having some mitigation sites in the Gary area would help in that regard.

4. BAILLY AREA: Dan Mason said that he checked the southern side of the tracks in the Bailly area, generally between Mineral Springs Road and Waverly Road, for a potential mitigation site. He said that this area had hydric, Maumee soils and that it is all either wetland or upland that was historically wetland. He said that most trees in this area are of low quality or invasive (box elder and honeysuckle). Restoring and enhancing this area by removing invasive trees and restoring wetland could be a mitigation strategy. Given the size of the area, it could satisfy all needs for the project.
5. Janice said that she thinks that we will have more than one site – a mix between the new site that Dan Mason mentioned, a potential site in Gary, and some on the three sites that had been identified prior to this meeting, as discussed below.
6. KERR UNIT is roughly 40 acres of restoration, creation, and enhancement. This could be of interest to Porter County because they have flooding problems on Waverly Road. The issue is that the county owns the roads but they are not being used, but they might be open to a mitigation strategy that removes roads to help with flooding. Nicole asked if they are platted. Dan Mason said they are not platted- there used to be neighborhoods there but the homes have since been removed. Dan Mason said that the mitigation strategy could include cleaning up debris, and diverting unnatural ditches, The site is about 30-40 acres. Nicole said that this could be a good option if we are looking for a one stop shop.
7. PEPOON DITCHES UNIT: Dan Mason said that if NICTD wanted to do individual areas, they could mitigate the areas south of the railroad near Bailly, and ditch removal in the Pepon Ditches Unit which are just to the north. This could be a combination between restore and enhance. Immediately west of Pepon is the Porter County Calumet Trail mitigation project (where they are removing tile drains). If the Pepon ditches are filled, then the County's mitigation site would flood. Janice and Nicole said that the County's project has been delayed several years due to the NIPSCO gas lines. Dan Mason replied that they could do mitigation at anytime.
8. GREAT MARSH: Nicole asked about Great Marsh area, but recognized that this area could be more difficult to do work. Dan Mason said that there are areas of interest particularly north of the new NICTD yard and which he thought could be worked in without NPS doing an Environmental Assessment first. Dan Mason said that in the past, INDU was reluctant to remove platted roads. Eric said that when it comes to Beverly Shores, flooding platted roads, even if not built, is not ideal. Rich Christopher (HDR) said that there appears to be a reluctance to go into Beverly Shores, and all agreed.

Chris said that future mitigation in Beverly Shores might be ok and suggested keeping it on the table for now, especially for potential mitigation areas for West Lake.

Nicole said that NICTD has a meeting with the USACE on May 8<sup>th</sup> in Chicago and asked if a ballpark summary of the mitigation options would be possible for that meeting. She said a hand

drawn map would even be okay – just some idea to get the ball rolling on this. Chris said that would be possible. Dan Mason replied that he will prepare it, and he and Dan Plath would also attend the meeting on May 8<sup>th</sup>.

9. MITIGATION STRATEGY AGREEMENTS: Rich asked that – whenever we reach an agreement – does the NPS have a land management plan that can be amended to memorialize mitigation decisions other than a special use permit? Chris said that there is no comprehensive strategy for the entire park. Dan and Gia are making plans for individual units. Dan Mason said that the USACE has not been too concerned with this when it comes to the National Park Service. There have been four mitigations on National Park Service land in the past, and the USACE was ok with it. Gia said that there is a difference between land management and site management plans. For site management plans, they do not need to do individual NEPA review.

Janice said that for the NEPA document and for the FONSI to be issued, NICTD would only need a draft mitigation plan that would be further refined during the design phase, and a general agreement that this is acceptable to the parties. Nicole suggested having a palette of options that we can nail down closer to the design phase and that the May 8<sup>th</sup> meeting with the USACE will make the mitigation acreage requirements more clear. Janice said that this would be included in the draft mitigation plan. Dan Plath will give Nicole a sample mitigation plan that they have used.

Rich suggested that he could draft a “letter of intent” from NICTD to NPS and USACE that outlined the draft plan, that we have general concurrence, and are waiting to move forward. This would then be included in the NICTD’s NEPA document. Chris said the INDU superintendent could sign it, which would make it easier to proceed with the USACE. Eric and Gia agreed and thought that this would be ok from a NEPA compliance standpoint for now. She added that it depends on the work to be done, and she has not thought about it much for the Gary area. If we are just spraying weeds, that is ok. But if we are moving earth we probably need more to ensure compliance...

Nicole asked if there is an area that INDU considers most important from an ecological standpoint. Gia said she thought the bigger wetland complexes are the most important ecologically.

### **Bailly Potential Temporary Impacts to INDU Land**

1. Janice said that NICTD anticipates temporary impacts to NPS INDU land for approximately 1.5 miles in length and about three acres total in order to clear some trees and grade a new drainage swale. Janice said that constructing this ditch would change the landscape somewhat, but it would not be very different than it is today, and would not restrict the use of the parkland. Nicole said that although this has been discussed with INDU previously, she wanted to bring it up again to double check that NPS/INDU is okay with it.

Janice said that the drainage swale starts just west of the Oscar and Irene Nelson homestead to approximately Waverly Road. Nicole said that this is the same area that Dan Mason just described, located south of the tracks. It used to be wetlands, but is no longer because it is heavily wooded, with some invasive species. The existing tracks are drained on railroad property, but with the addition of the second track to the south, the drainage swale would need to be moved onto NPS property.

Eric asked if this would include anything permanent such as posts or catenary. Janice replied that there would be no NICTD assets on NPS property, just the swale. Eric said that anything seen as a permanent improvement to an entity other than NPS will send a red flag, and suggested that the swale be coordinated with the restoration work that Dan Mason described previously. All agreed this would be a good solution. Janice said this would be discussed further with USACE in the May 8<sup>th</sup> meeting. She would discuss it with HDR's design and drainage leads as well. Dan Plath said that he has seen this work well on other projects in the region. Eric said that if NICTD would need to do maintenance of the swale they would just need an access approval from INDU, which is done locally, so it should be quick.

### **Dunes Kankakee Trail Shift**

1. Janice said that NICTD needs to relocate the Dunes Kankakee Trailhead by Mineral Springs Road south of its current location. This would constitute a Section 4(f) de minimis impact, and therefore needed approval from the officials with jurisdiction. The trail is located on NPS land, but maintained by the Town of Porter through an agreement. NICTD and HDR discussed with the Town of Porter and they are okay with it. Eric did not see a problem as long as Michael Barry from the Town of Porter is okay with it. Gia asked that this item be put in the Project Review Form, so they can do a quick plant survey.

Janice said HDR would draft a letter saying that we have met with the Officials with Jurisdiction and that they agree to the de minimus finding. This would be draft letter and the final version would not need to be signed until after the public hearing on July 25<sup>th</sup> and 26<sup>th</sup>. HDR would put this draft letter in the package for the Project Review Form.

2. Nicole mentioned that the Calumet Trail would also be slightly relocated under the SR 49 bridge. This is not NPS land, but she wanted them to know.

### **Concluding Remarks**

1. Nicole said that she will send meeting invite to Dan Mason and Dan Plath for the May 8<sup>th</sup> meeting with the USACE.

Draft meeting minutes were prepared by Samantha Primer (HDR)

Copies to: All meeting attendees



## United States Department of the Interior

NATIONAL PARK SERVICE  
Indiana Dunes National Lakeshore  
1100 N. Mineral Springs Rd.  
Porter, Indiana 46304-1299

IN REPLY REFER TO:

June 7, 2017

Marisol Simon  
Regional Administrator  
Federal Transit Administration  
20 W. Adams Street, Suite 320  
Chicago, IL 60606

Subject: Northern Indiana Commuter Transportation District Double Track Project (DT-NWI)

Dear Administrator Simon:

This letter concerns the Federal Transit Administration's (FTA's) preliminary finding under Section 4(f) of the DOT Act (49 USC 303) that the DT-NWI Project will have a *de minimis* impact on the Dunes Kankakee Trail. The affected portion of the Dunes Kankakee Trail is owned by the National Park Service and is part of the Indiana Dunes National Lakeshore. The National Park Service concurs with the preliminary finding.

The Double Track Project requires the relocation of the trail approximately five feet to the south, where it intersects Mineral Springs Road. This is due to the addition of the second track to the south of the existing track, closest to the trail.

The Dunes Kankakee Trail is approximately 10.1 miles long. The affected portion of the Dunes Kankakee Trail is only approximately 50 feet. The trail will remain open during construction. This relocation will not affect the features, attributes or activities of the Dunes Kankakee Trail that qualify the trail for protection under Section 4(f). The relocation will be performed by NICTD pursuant to trail relocation plans that have been approved by the National Park Service. If you have any questions concerning this letter, please contact Deputy Superintendent Chris Pergiel at 219.395.1882.

Sincerely,

Paul Labovitz  
Superintendent,  
Indiana Dunes National Lakeshore

Copy: Nicole Barker, NICTD  
Janice Reid, HDR



IN REPLY REFER TO:

# United States Department of the Interior

## NATIONAL PARK SERVICE

Indiana Dunes National Lakeshore  
1100 N. Mineral Springs Road  
Porter, Indiana 46304-1299

June 27, 2017

(INDU)

Ms. Marisol Simon  
USDOT / Federal Transit Administration Region V  
Regional Administrator  
200 W Adams Street, Suite 320  
Chicago, IL 60606

Dear Ms. Simon,

The National Park Service (NPS) at Indiana Dunes National Lakeshore (INDU) is working in cooperation with the Northern Indiana Commuter Transportation District (NICTD), operator of the South Shore Line Railroad, as part of its Double Track Northwest Indiana project (the Project). The Indiana Dunes National Lakeshore understands that the Project would impact approximately 6.5 acres of wetlands outside of the Indiana Dunes National Lakeshore property along NICTD's rail corridor. These wetland impacts will require mitigation to comply with Section 404 of the Clean Water Act. We agree that mitigation for these wetland impacts can be accommodated on INDU property under supervision of NPS staff. These mitigation activities proposed within the Indiana Dunes National Lakeshore are for preservation or enhancement of the National Lakeshore's resources. It is important to note that at this time, the Indiana Dunes National Lakeshore does not have sufficient resources to conduct this work; this mitigation provides a good opportunity to improve the natural resources within the park under separate funding.

At this time, we understand that the specific ratios for wetland creation, restoration and enhancement are being discussed with the U.S. Army Corps of Engineers (USACE) and other federal and state agencies. INDU would continue to work with NICTD to develop the final mitigation plan including location, ecological approach, timing, and contractual requirements during the final design for the Project. This is expected to take place in 2018.

It is our understanding that the responsibility for the mitigation, including the monitoring and maintenance requirements that would be stipulated in the USACE Section 404 permit, rests with NICTD. The project will require NICTD's contractor to obtain a Special Use Permit through the National Park Service. We look forward to working with you to restore these valuable wetlands within the National Lakeshore. If you have questions, please contact Eric Ehn at 219-395-8525.

Sincerely,

Paul Labovitz  
Superintendent  
Indiana Dunes National Lakeshore

# **Indiana Department of Transportation**

**From:** Bradsky, Charles [mailto:CBradsky@indot.IN.gov]  
**Sent:** Monday, January 23, 2017 12:23 PM  
**To:** Mitchell, Jennifer  
**Subject:** FW: NICTD DT-NWI, Arcelor Mittal at US HWY 12

Jennifer,

I was mistaken in my earlier email. These turning movements and counts at these intersections are not a necessary input to our project and thus not part of the scope. Also, since we have contracted out all of the design work, our engineers are not planning on collecting any intersection data for this area.

Sorry for any confusion,

Never wish that life were easier, wish that you were better. J. Rohn

*Charles J. Bradsky*

**Project Manager**

Indiana Department of Transportation  
LaPorte District  
315 East Boyd Boulevard  
LaPorte, IN 46350

**Office:** (219) 325-7589

**Cell:** (219) 851-9287

**Email:** [cbradsky@indot.in.gov](mailto:cbradsky@indot.in.gov)



**From:** Bradsky, Charles  
**Sent:** Monday, January 23, 2017 9:49 AM  
**To:** 'Jennifer.Mitchell@hdrinc.com' <[Jennifer.Mitchell@hdrinc.com](mailto:Jennifer.Mitchell@hdrinc.com)>  
**Subject:** FW: NICTD DT-NWI, Arcelor Mittal at US HWY 12

Jennifer,

Below is INDOT's response to your questions. We are working on getting the turning movement counts at the intersections listed below in your #3.

Have a good week!

Never wish that life were easier, wish that you were better. J. Rohn

*Charles J. Bradsky*

**Project Manager**

Indiana Department of Transportation

LaPorte District

315 East Boyd Boulevard

LaPorte, IN 46350

**Office:** (219) 325-7589

**Cell:** (219) 851-9287

**Email:** [cbradsky@indot.in.gov](mailto:cbradsky@indot.in.gov)



**From:** Holderread, Alan

**Sent:** Monday, January 23, 2017 8:55 AM

**To:** Bradsky, Charles <[CBradsky@indot.IN.gov](mailto:CBradsky@indot.IN.gov)>; Marker, Tim <[TMARKER@indot.IN.gov](mailto:TMARKER@indot.IN.gov)>

**Subject:** RE: NICTD DT-NWI, Arcelor Mittal at US HWY 12

Answers below

**From:** Bradsky, Charles

**Sent:** Friday, January 20, 2017 2:44 PM

**To:** Holderread, Alan <[AHolderread@indot.IN.gov](mailto:AHolderread@indot.IN.gov)>; Marker, Tim <[TMARKER@indot.IN.gov](mailto:TMARKER@indot.IN.gov)>

**Subject:** FW: NICTD DT-NWI, Arcelor Mittal at US HWY 12

Alan,

Can you please review the items that Ms. Mitchell is asking for? Arcelor Mittal would like our concurrence on this before they will approve it. This location is just east of SR 149. For #2, please give me any comments that you wish to share.

Tim,

Can you give me the traffic movements for: US Hwy 12 at Clay St. and Lake St. and US Hwy 20 at Clay St. and Lake St. as listed in #3 below.

Thanks

Never wish that life were easier, wish that you were better. J. Rohn

*Charles J. Bradsky*

**Project Manager**

Indiana Department of Transportation

LaPorte District

315 East Boyd Boulevard

LaPorte, IN 46350

**Office:** (219) 325-7589

Cell: (219) 851-9287

Email: [cbradsky@indot.in.gov](mailto:cbradsky@indot.in.gov)



**From:** Mitchell, Jennifer [<mailto:Jennifer.Mitchell@hdrinc.com>]

**Sent:** Friday, January 20, 2017 1:57 PM

**To:** Bradsky, Charles <[CBradsky@indot.IN.gov](mailto:CBradsky@indot.IN.gov)>

**Cc:** Shostak, Michael J. <[Michael.Shostak@hdrinc.com](mailto:Michael.Shostak@hdrinc.com)>; Van Santen, Victor E.

<[Victor.VanSanten@hdrinc.com](mailto:Victor.VanSanten@hdrinc.com)>

**Subject:** NICTD DT-NWI, Arcelor Mittal at US HWY 12

**\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\***

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Mr. Bradsky,

I am working with NICTD to evaluate traffic and roadway modifications for the Double Tracking project of the South Shore Line. We were recently at a coordination meeting regarding the Gary area together. HDR will be coordinating with INDOT for various topics, however I would like to discuss the following: 1) Arcelor Mittal at US Hwy 12, 2) TN Street and OH Street in Gary, and 3) US Hwy 12 Relocation at Miller Station.

- 1) Enclosed for your review and concurrence is the Traffic Operations Analysis for the Arcelor Mittal entrance at US Hwy 12. An evaluation was performed to determine if any negative impacts occurred due to the addition of the DT-NWI. Our analysis indicates no significant change over existing conditions. We respectfully request you to provide comment by the close of business of Friday January 27. If this schedule is unattainable, please advise.

**I concur**

- 2) At the meeting for Gary, we discussed the potential closure of either the TN Street or OH Street crossing and consolidation for a two-way street. We are still evaluating and will advise as to NICTD's position as soon as possible.

**Tim and I met with Patrick Engineering to discuss this. We generally support the consolidation.**

- 3) US Hwy 12 Relocation at Miller Station –. We have to evaluate the parking and access needs for parking. We are aware of your selection of American Structurepoint to perform the design study and would like to know if traffic data was yet collected? If so, would you be able to share traffic count data collected for the US Hwy 12 Relocation study? We are looking for the following peak hour intersection turning movement counts: US Hwy 12 at Clay St. and Lake St. and US Hwy 20 at Clay St. and Lake St.

**No traffic data has been collected by INDOT staff at this time. Not sure if Structurepoint has collected anything. They might have as they were involved on the scoping/planning process of this project.**

Thank you and we look forward the continued collaboration of this exciting project.

Should you require a paper document instead of this electronic document, please let me know how many copies.

**Jennifer Mitchell**, PE, PTOE  
*Senior Project Manager, Professional Associate*

**HDR**  
8550 West Bryn Mawr Avenue, Suite 900  
Chicago, IL 60631-3223  
**D** 773-867-7225 **M** 630-523-4220  
[jennifer.mitchell@hdrinc.com](mailto:jennifer.mitchell@hdrinc.com)

[hdrinc.com/follow-us](http://hdrinc.com/follow-us)

**Reid, Janice**

---

**From:** Mitchell, Jennifer  
**Sent:** Tuesday, May 30, 2017 1:51 PM  
**To:** Reid, Janice  
**Subject:** FW: NICTD DT-NWI INDOT Review

---

**From:** Bradsky, Charles [mailto:CBradsky@indot.IN.gov]  
**Sent:** Tuesday, May 23, 2017 4:23 PM  
**To:** Mitchell, Jennifer  
**Cc:** Shostak, Michael J.; Van Santen, Victor E.; Hartjes, Zachary; Newland, Joyce (FHWA)  
**Subject:** RE: NICTD DT-NWI INDOT Review

Jennifer,

First, my apologies, I thought I sent this email out last week.

Most of your plans that you sent to INDOT do not pertain to us, thus we will refrain from commenting on those. The following are the only comments that we have to the plans that you sent to me.

- At the crossing of US 12/County Line Road our only comment is that pavement markings and signage on the SOUTH side of the crossing are relocated or added as necessary. (Sheet 10 of 10 in file DT-NWI\_At-Grade Crossing profile adjustments.pdf)
- I want to caution you about your design for the storage tracks in Miller. Until our designer has come with a Stage2 plans with the re-location of US 12, you can't accurately place your tracks. American Structurepoint will be submitting Stage 1 plans in mid-August and Stage 2 plans in early December of this year. I will of course share those plans with you and NICTD when I receive them. (DT-NWI\_Station Access Improvements.pdf).
- All other plan sheets need approval from a city or town that they pertain to.

If you have other questions please feel free to call me.

Never wish that life were easier, wish that you were better. J. Rohn

*Charles J. Bradsky*

**Project Manager**

Indiana Department of Transportation  
LaPorte District  
315 East Boyd Boulevard  
LaPorte, IN 46350

**Office:** (219) 325-7589

**Cell:** (219) 851-9287

**Email:** [cbradsky@indot.in.gov](mailto:cbradsky@indot.in.gov)



---

**From:** Mitchell, Jennifer [mailto:[Jennifer.Mitchell@hdrinc.com](mailto:Jennifer.Mitchell@hdrinc.com)]

**Sent:** Saturday, April 22, 2017 11:39 AM

**To:** Bradsky, Charles <[CBradsky@indot.IN.gov](mailto:CBradsky@indot.IN.gov)>

**Cc:** Shostak, Michael J. <[Michael.Shostak@hdrinc.com](mailto:Michael.Shostak@hdrinc.com)>; Van Santen, Victor E. <[Victor.VanSanten@hdrinc.com](mailto:Victor.VanSanten@hdrinc.com)>; Hartjes, Zachary

<[Zachary.Hartjes@hdrinc.com](mailto:Zachary.Hartjes@hdrinc.com)>

**Subject:** NICTD DT-NWI INDOT Review

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

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Charles,  
Per our discussion earlier this week, HDR, on behalf of NICTD, is submitting the following documents for INDOT review and concurrence. The documents below are excerpts from our overall plan and are related only to INDOT jurisdiction.

- 1) Draft Parking - Traffic Technical Memorandum associated with expanded and new parking in Gary, Ogden Dunes, and Dune Park. This document is not finalized and will have a discussion added for the Michigan City station, which will be coordinated with Michigan City.
- 2) Station Access Improvement plans that supplement the findings of the Draft Parking – Traffic Technical Memorandum. These plans reflect where access permits will be needed from INDOT.
- 3) At-Grade Crossing Improvement plans where crossing improvements are made, a profile is adjusted, and profile or grading improvements are needed on a road under State jurisdiction.
- 4) Trail improvement plan at SR 49. The existing trail is currently located between the two north piers. The trail is proposed to be moved north of the north pier and the new track being located between the two north piers. Subsequently a retaining wall is proposed for the slope to provide for the trail.

We request you to review the documents and indicate if the scope as defined may be reduce, is sufficient and approved, if modifications are needed, or if you need additional information. Please do not hesitate to contact me if you have questions. We would appreciate if you could provide a response by Friday April 28.

Thank you,

**Jennifer Mitchell**, PE, PTOE  
*Senior Project Manager / Professional Associate*



**HDR**  
8550 West Bryn Mawr, Suite 900  
Chicago, IL 60631  
D 773.867.7225 M 630.523.4220  
[jennifer.mitchell@hdrinc.com](mailto:jennifer.mitchell@hdrinc.com)

[hdrinc.com/follow-us](http://hdrinc.com/follow-us)

## Sims, Kelly

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**Subject:** FW: 1601716 NICTD DT (Double Track Project)

**AMServiceURLStr:** <https://slingshot.hdrinc.com:443/CFSS/control?view=services/FTService>

**From:** Holderread, Alan [<mailto:AHolderread@indot.IN.gov>]

**Sent:** Monday, July 10, 2017 9:34 AM

**To:** Mitchell, Jennifer

**Subject:** RE: 1601716 NICTD DT (Double Track Project)

The comments in my first email as well as the concern with what the US12 cross-section would look like around the Tennessee and Ohio intersections (understood that INDOT will receive at a later time) are the only INDOT comments on this set of plans.

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**From:** Mitchell, Jennifer [<mailto:Jennifer.Mitchell@hdrinc.com>]

**Sent:** Monday, July 10, 2017 7:42 AM

**To:** Holderread, Alan <[AHolderread@indot.IN.gov](mailto:AHolderread@indot.IN.gov)>

**Subject:** RE: 1601716 NICTD DT (Double Track Project)

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Hi Alan,

I am just checking in to determine the status of the DOT's review? I know we had gone back and forth on some initial comments. I believe we left it where we weren't making any subsequent submittals until we received all your comments.

Thank you,

Jennifer Mitchell, PE, PTOE

Senior Project Manager / Professional Associate



HDR  
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**From:** Holderread, Alan [<mailto:AHolderread@indot.IN.gov>]

**Sent:** Friday, June 02, 2017 2:08 PM

**To:** Mitchell, Jennifer

**Subject:** 1601716 NICTD DT (Double Track Project)

Hi Jennifer,

I am doing review of preliminary plans Charles Bradsky sent me. I will be forwarding the plans along to a few others.

My initial comments are:

What is the proposal to get pedestrians from the south side of US12 to the Ogden Dunes Station?

Are any improvements on US12 proposed with the new drive for expanded parking at Dune Park Station?

**Alan Holderread, P.E.**

***District Traffic Engineer***

315 East Boyd Boulevard

LaPorte, IN 46350

**Office:** (219) 325-7426

**Cell:** (219) 851-0080

**Email:** [aholderread@indot.in.gov](mailto:aholderread@indot.in.gov)



**Indiana Department of Natural Resources,  
Division of Nature Preserves &  
Division of Fish and Wildlife**

# Final Telephone Record

Date: Thursday, July 07, 2016

Project: NICTD – Double Track

Project No: 10034929

Call to: Conference Call with Indiana DNR and subs

Phone No:

Call from: Sara Merchan Paniagua

Phone No:

Subject: State-listed Species Surveys

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## **Discussion, Agreement, and/or Action:**

Conference call attendees:

DNR – Brian Boszor, Ron Hellmich, Derek Nimetz, Tom Swinford, Matt Wyrick

HDR – Sara Merchan Paniagua

Metric – Angela Kattmann, Amy Smith, Alex Effinger, Nolan Hahn

Lochmueller – Tom Cervone, Rusty Yeager

*Notes prepared by Sara Merchan Paniagua/HDR*

I briefly summarized the project since some Indiana DNR (DNR hereafter) attendees were not familiar with it. I then mentioned the list of species that Ron Hellmich sent me documenting the species observed within 150 feet of the centerline.

Derek explained the long sedge is found in woodland forests with standing water for a period of time. He does not think there is suitable habitat in the NICTD ROW. Instead, this habitat is present in the National Lakeshore or State Park land.

Angela suggested that, instead of discussing each specific species, we discuss them based on the habitat in which they are usually found. Tom Cervone explained Lochmueller did some desktop analysis and concluded 12 of the 13 plant species on the list are wetland dependent. They mapped the likely location for each species, flowering time, and wetland status indicator and found that 12 of these species are OBL or FACW. One species is FAC. He also added that 8 species have already flowered. Reptiles on the list are wetland dependent also.

In response to Rusty's question, Ron explained that if any of these species is found during the surveys, we need to inform the DNR. These surveys would also give us an idea of the likelihood that the project will impact any of the species on the list.

DNR would like the project to stay away from wetlands by using erosion control fences and other measures to avoid impacts to wetland species.

Angela explained that we will be conducting wetland delineations and flora surveys. If any of the state-listed species is found during the wetland delineations, we will inform DNR. In addition, we will be calculating the Floristic Quality Index (FQI) of wetlands to be impacted by the project. The flora surveys

will identify trees (transects will be conducted as opposed to direct counts due to the extent of the corridor) and general land cover of areas where work is proposed. A habitat assessment for the listed reptiles and amphibian will be conducted and a report summarizing its findings will be prepared.

Angela asked DNR whether additional surveys would be required for the NEPA process. Ron said he didn't think it would be. Planned surveys seem appropriate to DNR.

There are more listed species on the north side (in the NIPSCO ROW). It would, therefore, be better to do work on the south side from a T&E perspective.

Brian said Scott Johnson (DNR) should be contacted for coordination purposes. He will review surveys proposed and will let us know if any other survey is required. He can be reached at 317.234.9586.

Ron would like Metric to invite Derek to go out with surveyors as he is very knowledgeable of species in the corridor.

Derek mentioned the spotted turtle has been documented recently. It has the potential to be present in the NICTD corridor. Derek also informed us that DNR has a dedicated nature preserve between Waverly Road and State Park Road.

DNR wanted to know whether we are coordinating with NPS since they have information on listed species. This information is supposed to be sent to DNR. However, it would be good to coordinate with NPS in case they have additional information. I responded that NPS is aware of the project and we are actively coordinating with Eric Ehn (NPS). Eric will be sending us GIS files that show the true park and trail boundaries. I also requested any listed species occurrences and suitable habitat information NPS may have available.

DNR also informed us that NIPSCO did previously survey its ROW for listed species and we should be also coordinating with them. I informed DNR that we are also coordinating with NIPSCO. NIPSCO has shared with us wetlands they previously delineated and have a coordination meeting scheduled with them to request more environmental data.

Endangered, Threatened and Rare Species Documented Within 150 Feet of the NICTD  
Double Track Project Area, Lake, Porter and LaPorte Counties, Indiana

Type	Species Name	Common Name	Fed	State	Town Range	Date	Comments
Vascular Plant	Carex folliculata	Long Sedge		SR	037N005W 18	8/17/1994	SEQ
Vascular Plant	Linum striatum	Ridged Yellow Flax		WL	037N005W 18	8/17/1994	SEQ
Vascular Plant	Scirpus expansus	Bulrush		SE	037N005W 18	9/23/1999	SEQ
Vascular Plant	Scirpus expansus	Bulrush		SE	037N005W 19	10/7/1995	NWQ NWQ NWQ
Vascular Plant	Scirpus expansus	Bulrush		SE	037N005W 17	10/16/2009	
<b>DUNES NATURE PRESERVE</b>							
Vascular Plant	Scirpus purshianus	Weakstalk Bulrush		SR	037N005W 16	10/1/1999	NWQ NWQ NWQ
Vascular Plant	Carex folliculata	Long Sedge		SR	037N005W 16	5/25/1989	NWQ NWQ NWQ
<b>IDNL - DUNE ACRES UNIT</b>							
Amphibian	Lithobates pipiens	Northern Leopard Frog		SSC	037N006W 23	9/18/1993	NEQ SEQ
Reptile	Clemmys guttata	Spotted Turtle		SE	037N006W 23	11/7/2013	NEQ SEQ
Reptile	Clonophis kirtlandii	Kirtland's Snake		SE	037N006W 23	1948	
Vascular Plant	Carex conoidea	Prairie Gray Sedge		ST	037N006W 27	1989	NEQ NEQ

Fed: LE = listed federal endangered; LT = listed federal threatened; C = federal candidate species

State: SE = state endangered; ST = state threatened; SR = state rare; SSC = state species of special concern; SG = state significant; WL = Watch List; no rank = unlisted species but tracked due to rarity concerns.

Type	Species Name	Common Name	Fed	State	Town Range	Date	Comments
Vascular Plant	Carex debilis var. rudgei	White-edge Sedge		SR	037N006W 23 SEQ	9/24/1999	
Vascular Plant	Carex leptoneuria	Finely-nerved Sedge		SE	037N006W 23 NEQ SEQ	5/30/1986	
Vascular Plant	Juncus articulatus	Jointed Rush		SE	037N006W 23 SWQ SWQ SWQ	9/22/1999	
Vascular Plant	Linum striatum	Ridged Yellow Flax		WL	037N006W 23 SEQ	10/1/1999	
Vascular Plant	Lycopodiella inundata	Northern Bog Clubmoss		SE	037N006W 23	6/19/1984	
Vascular Plant	Myosotis laxa	Smaller Forget-me-not		ST	037N006W 23 SEQ NWQ SEQ	9/29/1999	
<b>IDNL - KEISER UNIT</b>							
Vascular Plant	Carex alata	Broadwing Sedge		WL	037N005W 16	7/27/1988	
Vascular Plant	Carex flava	Yellow Sedge		ST	037N005W 16 NWQ NWQ	9/29/1988	
Vascular Plant	Viola primulifolia	Primrose-leaf Violet		ST	037N005W 10	5/22/2008	
Vascular Plant	Viola primulifolia	Primrose-leaf Violet		ST	037N005W 17 SWQ NEQ	5/14/2002	
<b>INDIANA DUNES NATIONAL LAKESHORE</b>							
Vascular Plant	Carex folliculata	Long Sedge		SR	037N005W 17 NWQ	9/30/1999	
Vascular Plant	Carex folliculata	Long Sedge		SR	037N005W 17 SEQ NEQ	9/30/1999	

Fed: LE = listed federal endangered; LT = listed federal threatened; C = federal candidate species

State: SE = state endangered; ST = state threatened; SR = state rare; SSC = state species of special concern; SG = state significant; WL = Watch List; no rank = unlisted species but tracked due to rarity concerns.

Type	Species Name	Common Name	Fed	State	Town Range	Date	Comments
Vascular Plant	Carex folliculata	Long Sedge		SR	037N005W 17 WH	10/4/1999	
Vascular Plant	Linum striatum	Ridged Yellow Flax		WL	037N006W 17 NWQ	9/30/1999	

Fed: LE = listed federal endangered; LT = listed federal threatened; C = federal candidate species

State: SE = state endangered; ST = state threatened; SR = state rare; SSC = state species of special concern; SG = state significant; WL = Watch List; no rank = unlisted species but tracked due to rarity concerns.

**THIS IS NOT A PERMIT**

**State of Indiana**  
**DEPARTMENT OF NATURAL RESOURCES**  
**Division of Fish and Wildlife**  
**Early Coordination/Environmental Assessment**

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**DNR #:** ER-19132

**Request Received:** June 28, 2016

**Requestor:** HDR Engineering Inc  
Sara Merchan-Paniagua  
8550 West Bryn Mawr Avenue  
Suite 900  
Chicago, IL 60631-3223

**Project:** Northwest Indiana Connectivity Plan South Shore Line Double Track: addition of a second track to the 23-mile segment between Gary & Michigan City, NICTD

**County/Site info:** Lake - LaPorte - Porter

The Indiana Department of Natural Resources has reviewed the above referenced project per your request. Our agency offers the following comments for your information and in accordance with the National Environmental Policy Act of 1969.

If our agency has regulatory jurisdiction over the project, the recommendations contained in this letter may become requirements of any permit issued. If we do not have permitting authority, all recommendations are voluntary.

**Regulatory Assessment:** This proposal may require formal approval(s) of our agency pursuant to the Flood Control Act (IC 14-28-1) for any proposal to construct, excavate, or fill in or on the floodway of a stream or other flowing waterbody which has a drainage area greater than one square mile. Please submit more detailed plans to the Division of Water's Technical Services Section if you are unsure whether or not a permit will be required.

\*NOTE: This project falls within the Lake Michigan Coastal Program's boundary; therefore, it may be subject to Federal Consistency (FC) review. For more information regarding items requiring Federal Consistency Review, please go to <http://www.in.gov/dnr/lakemich/files/20070214-IR-312070085NRA.xml.pdf>. If your project requires a Permit, Agency Action, or Funding as listed in Section III (pages 8-13) it must go through a FC Review. It is your responsibility to initiate a FC Review. Failure to do so may result in the Federal entity denying your project. Please follow the FC process outlined at <http://www.in.gov/dnr/lakemich/6041.htm>.

**Natural Heritage Database:** The Natural Heritage Program's data have been checked. A list of managed lands and species that have been documented within 150 feet of the project area as indicated in the 57 aerial sheets submitted is attached. To date, no plant or animal species listed as state or federally threatened, endangered, or rare have been reported to occur in the project areas shown on sheets 2, 3, 6, 7, 8, 21, 22, 23, 24, 25, 26, 54, 55, and 56.

The Division of Nature Preserves (DNP) recommends that construction activities be confined as much as possible near the Dunes Nature Preserve in order to have the smallest impact possible. However, as this is an ongoing project, more information is needed to make a full assessment of impacts to plants and nature preserves near the construction sites. Continue coordination with DNP to keep staff up-to-date with site surveys and project developments as they occur. Site visits by the DNP Regional Ecologist are planned.

**Fish & Wildlife Comments:** Avoid and minimize impacts to fish, wildlife, and botanical resources to the greatest extent possible, and compensate for impacts. As project plans develop, more details can be submitted for further environmental review, if needed. The following are recommendations that address potential impacts identified in the proposed project area:

**Attachments:** A - General Information

**State of Indiana**  
**DEPARTMENT OF NATURAL RESOURCES**  
**Division of Fish and Wildlife**  
**Early Coordination/Environmental Assessment**

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1) Animals:

a. Reptiles and Amphibians:

To minimize impacts to the massasauga, spotted turtle, and northern leopard frog, we recommend no digging/excavating or filling of wetlands occur during the inactive season which is from November 1 through March 1. Any other type of work may be conducted during that time frame without a silt fence. For work that occurs during the active season, a trenched-in silt fence should be installed around the sites where these species are found prior to March 1. The fencing should have a minimum distance of 0.5 mile and should curve at the ends. Any turtles or snakes encountered, regardless of species, should be removed, unharmed, and immediately placed outside the work area into nearby safe habitat.

b. Birds:

The project area no longer consists of suitable habitat for the American bittern, king rail, Virginia rail, and black-crowned night-heron. Also, the golden-winged warbler no longer breeds in Indiana. Therefore, we do not foresee any impacts to these species as a result of this project.

Any forest habitat clearing near sites on sheets 37 and 38 will impact tree nesting species that are federally protected by the Migratory Bird Treaty Act. Also, habitat near sites on sheets 44, 45, 46, and 52 may support hooded warblers as they prefer forested areas with some shrubby understory for nesting. Therefore, to minimize impacts to these species, we recommend construction activities take place outside of the breeding season from September to late March.

2) Stream Crossing:

For purposes of maintaining fish passage through a crossing structure, the Environmental Unit recommends bridges rather than culverts and bottomless culverts rather than box or pipe culverts. Wide culverts are better than narrow culverts, and culverts with shorter through lengths are better than culverts with longer through lengths. If box or pipe culverts are used, the bottoms should be buried a minimum of 6" (or 20% of the culvert height/pipe diameter, whichever is greater up to a maximum of 2') below the stream bed elevation to allow a natural streambed to form within or under the crossing structure. Crossings should: span the entire channel width (a minimum of 1.2 times the bankful width); maintain the natural stream substrate within the structure; have a minimum openness ratio (height x width / length) of 0.25; and have stream depth and water velocities during low-flow conditions that are approximate to those in the natural stream channel. The new, replacement, or rehabbed structure should not create conditions that are less favorable for wildlife passage under the structure compared to the current conditions.

3) Riparian Habitat:

We recommend a mitigation plan be developed (and submitted with the permit application, if required) if habitat impacts will occur. The DNR's Floodway Habitat Mitigation guidelines (and plant lists) can be found online at: <http://www.in.gov/legislative/iac/20140806-IR-312140295NRA.xml.pdf>.

Impacts to non-wetland forest of one (1) acre or more should be mitigated at a minimum 2:1 ratio. If less than one acre of non-wetland forest is removed in a rural setting, replacement should be at a 1:1 ratio based on area. Impacts to non-wetland forest under one (1) acre in an urban setting should be mitigated by planting five trees, at least 2 inches in diameter-at-breast height (dbh), for each tree which is removed that is 10" dbh or greater (5:1 mitigation based on the number of large trees).

**State of Indiana**  
**DEPARTMENT OF NATURAL RESOURCES**  
**Division of Fish and Wildlife**  
**Early Coordination/Environmental Assessment**

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4) Wildlife Passage:

The Environmental Unit emphasizes the importance of wildlife passage issues and transportation infrastructure projects. The following link has resources to consider in the design of the proposed project: <http://www.fs.fed.us/wildlifecrossings/library/>.

5) Site Boundary:

The information submitted for review mentioned the need for more accurate site boundary information for Indiana Dunes State Park as well as various trails near the project corridor. More detailed information can be found at <http://www.in.gov/dnr/parklake/2392.htm> and <http://www.in.gov/dnr/outdoor/>.

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6) Additional Resources:

Carl Wodrich (Director of Ecological Services, 317-232-1291, [cwodrich@dnr.in.gov](mailto:cwodrich@dnr.in.gov)) with the Division of Land Acquisition has been involved with some of the Great Lakes Restoration Initiative projects in the general area and may be a good resource in addition to EPA staff.

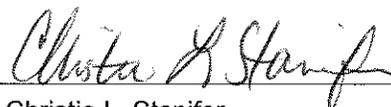
The additional measures listed below should be implemented to avoid, minimize, or compensate for impacts to fish, wildlife, and botanical resources:

1. Revegetate all bare and disturbed areas with a mixture of grasses (excluding all varieties of tall fescue), legumes, and native shrub and hardwood tree species as soon as possible upon completion.
2. Minimize and contain within the project limits inchannel disturbance and the clearing of trees and brush.
3. Do not work in the waterway from April 1 through June 30 without the prior written approval of the Division of Fish and Wildlife.
4. Do not cut any trees suitable for Indiana bat or Northern Long-eared bat roosting (greater than 3 inches dbh, living or dead, with loose hanging bark, or with cracks, crevices, or cavities) from April 1 through September 30.
5. Do not excavate in the low flow area except for the placement of piers, foundations, and riprap, or removal of the old structure.
6. Plant native hardwood trees along the top of the bank and right-of-way to replace the vegetation destroyed during construction.
7. Appropriately designed measures for controlling erosion and sediment must be implemented to prevent sediment from entering the stream or leaving the construction site; maintain these measures until construction is complete and all disturbed areas are stabilized.
8. Seed and protect all disturbed streambanks and slopes that are 3:1 or steeper with erosion control blankets (follow manufacturer's recommendations for selection and installation); seed and apply mulch on all other disturbed areas.

**Contact Staff:**

Christie L. Stanifer, Environ. Coordinator, Fish & Wildlife

Our agency appreciates this opportunity to be of service. Please contact the above staff member at (317) 232-4080 if we can be of further assistance.



**Date:** July 26, 2016

Christie L. Stanifer  
Environ. Coordinator  
Division of Fish and Wildlife

## ER-19132: Managed lands and species within 150 feet of the project sites, as indicated by the 57 aerial sheets submitted.

(NOTE: FE=Federally Endangered, FC=Federal Candidate, SE=State Endangered, SSC=State Special Concern, ST=State Threatened, SR=State Rare, WL=Watch List)

### MANAGED LANDS:

Indiana Dunes National Lakeshore, US National Park Service  
 Indiana Dunes State Park, DNR Division of State Parks  
 Dunes Nature Preserve, DNR Division of Nature Preserves

### SHEETS:

10-18, 27- 47, 51-53  
 33-36  
 36-40

### PLANTS:

Bulrush	<i>Scirpus expansus</i>	SE	36-38, 41
Northern Bog Clubmoss	<i>Lycopodiella inundata</i>	SE	32, 33
Finely-nerved Sedge	<i>Carex leptonevia</i>	SE	32, 33
Sand-heather	<i>Hudsonia tomentosa</i>	ST	19
Sticky Goldenrod	<i>Solidago simplex var. gillmanii</i>	ST	52
Primrose-leaf Violet	<i>Viola primulifolia</i>	ST	40, 44
Forked Bluecurl	<i>Trichostema dichotomum</i>	SR	1
Fire Cherry	<i>Prunus pennsylvanica</i>	SR	4, 5, 45-50, 52
Northern Bush-honeysuckle	<i>Diervilla lonicera</i>	SR	4, 5
Black-fruit Mountain-ricegrass	<i>Oryzopsis racemosa</i>	SR	17-20
Rushlike Aster	<i>Aster borealis</i>	SR	19
Baltic Rush	<i>Juncus balticus var. littoralis</i>	SR	30
Spoon-leaved Sundew	<i>Drosera intermedia</i>	SR	30
American Wintergreen	<i>Pyrola rotundifolia var. Americana</i>	SR	31
Long Sedge	<i>Carex folliculate</i>	SR	32, 33, 37-39, 41-43
White-edge Sedge	<i>Carex debilis var. rudgei</i>	SR	32, 33
Roundleaf Dogwood	<i>Cornus rugose</i>	SR	34-36
Blackseed Needlegrass	<i>Stipa avenacea</i>	SR	46, 47
Michaux's Stitchwort	<i>Arenaria stricta</i>	SR	52
Deep-root Clubmoss	<i>Lycopodium tristachyum</i>	SR	37, 38
Ridged Yellow Flax	<i>Linum striatum</i>	WL	32, 33, 37, 38
Dwarf Ginseng	<i>Panax trifolius</i>	WL	34, 35, 44-48
American Ginseng	<i>Panax quinquefolius</i>	WL	34, 35
Butternut	<i>Juglans cinerea</i>	WL	34, 35
Small Green Woodland Orchis	<i>Platanthera clavellata</i>	WL	37, 38
Broadwing Sedge	<i>Carex alata</i>	WL	41
Trailing Arbutus	<i>Epigaea repens</i>	WL	30

### INSECTS:

Karner Blue	<i>Lycaeides melissa samuelis</i>	FE & SE	19
A Pyralid Moth	<i>Pyla arenaeola</i>	SE	18, 19
Big Broad-winged Skipper	<i>Poanes viator viator</i>	ST	36-38, 40
Bunchgrass Skipper	<i>Problema byssus</i>	ST	9
Great Lakes dune spittlebug	<i>Philaenarcys killa</i>	SR	19

### ANIMALS:

Massasauga	<i>Sistrurus catenatus</i>	FC & SE	31, 40-43
Spotted Turtle	<i>Clemmys guttata</i>	SE	32, 33
American Bittern	<i>Botaurus lentiginosus</i>	SE	14-17
King Rail	<i>Rallus elegans</i>	SE	14-18, 42, 43
Virginia Rail	<i>Rallus limicola</i>	SE	40, 41
Golden-winged Warbler	<i>Vermivora chrysoptera</i>	SE	42-45
Black-crowned Night-heron	<i>Nycticorax nycticorax</i>	SE	57
Northern Leopard Frog	<i>Lithobates pipiens</i>	SSC	32, 33
Hooded Warbler	<i>Wilsonia citrina</i>	SSC	42-46

## Merchan Paniagua, Sara

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**From:** Rupp, Robin F <rripp@indiana.edu>  
**Sent:** Thursday, July 07, 2016 3:04 PM  
**To:** Merchan Paniagua, Sara  
**Cc:** Reinhart, Deann  
**Subject:** FW: NICTD Double Track - Request for Coordination  
**Attachments:** NICTD Double Track - Request for Coordination, Lake, Porter and LaPorte Counties.pdf  
**Importance:** High

Sara,

Please find the attached IGS assessment for the NICTD Double Track - Request for Coordination, Lake, Porter and LaPorte Counties, Indiana.

There should be no geological problems concerning this project.

Have a great afternoon,  
Robin

**Robin Rupp**  
Assistant Geologist  
812-855-3801



Indiana University | 611 N. Walnut Grove Avenue | Bloomington, IN 47405-2208  
[website](#) | [twitter](#) | [email](#) | 812-855-7636

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**From:** Merchan Paniagua, Sara [<mailto:Sara.MerchanPaniagua@hdrinc.com>]  
**Sent:** Tuesday, June 28, 2016 11:40 AM  
**To:** igsevir <[igsevir@indiana.edu](mailto:igsevir@indiana.edu)>  
**Cc:** Reid, Janice <[Janice.Reid@hdrinc.com](mailto:Janice.Reid@hdrinc.com)>  
**Subject:** NICTD Double Track - Request for Coordination  
**Importance:** High

Dear Ms. Hasenmueller,

HDR is assisting NICTD with their proposal to add a second track to the 23-mile segment between Gary and Michigan City. NICTD received entry into FTA's Core Capacity Program Project Development Phase in May 2016 and are jointly preparing an Environmental Assessment for this project.

I am emailing you to give you the opportunity to provide us with any comments you may have from a geological perspective. Below is some background on the project. Also, attached are two maps depicting the project area. The "workside" map shows in which areas work will occur on one side of the track, on both sides, or where no work will occur because it is already double tracked. The "connectivity" map depicts the rail line with details around Miller Station and Michigan City in an aerial background.

The total project length is approximately 25 miles. Approximately 7.9 miles of active passing sidings exist in the corridor and will become part of the second main track. No improvement to the existing mainline is anticipated. In addition, NICTD

will construct necessary track and platform improvements at the following five existing stations: Miller (Gary), Portage/Ogden Dunes, Dune Park, Beverly Shores, and 11th Street/Michigan City.

The project has two construction segments. The first is a double-tracking and platform upgrade project that will occur mostly, if not fully, within NICTD-owned ROW. This segment begins just west of Tennessee Street in Gary and ends at Sheridan Road in Michigan City (23 miles). The second segment would begin at Sheridan Road and end just west of Michigan Boulevard in Michigan City. The second segment will replace the existing in-street track and will require new ROW. The intent is to keep most or all construction activities within the existing ROW and within 75 feet from centerline on each side of the track.

Thank you very much for your time and attention to this matter.

Sincerely,

[Sara Merchán Paniagua](#)

*Environmental Scientist II*

HDR  
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Chicago, IL 60631  
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[sara.merchanpaniagua@hdrinc.com](mailto:sara.merchanpaniagua@hdrinc.com)

[hdrinc.com/follow-us](https://www.hdrinc.com/follow-us)

**From:** Baughman, Brandt [<mailto:BBaughman@dnr.IN.gov>]  
**Sent:** Thursday, November 03, 2016 3:26 PM  
**To:** Nicole Barker; Merchan Paniagua, Sara; [Eric\\_Ehn@nps.gov](mailto:Eric_Ehn@nps.gov); [gja\\_wagner@nps.gov](mailto:gja_wagner@nps.gov); [daniel\\_mason@nps.gov](mailto:daniel_mason@nps.gov); Michael Noland; Chris Beck; [dkplath@gmail.com](mailto:dkplath@gmail.com); [chris\\_pergiel@nps.gov](mailto:chris_pergiel@nps.gov); [Paul\\_Labovitz@nps.gov](mailto:Paul_Labovitz@nps.gov); [srobertson@shrewsusa.com](mailto:srobertson@shrewsusa.com)  
**Cc:** Reid, Janice; Shostak, Michael J.; Van Santen, Victor E.; Das, Rajat; Hartjes, Zachary  
**Subject:** RE: NICTD Double Track NWI - Meeting Notes 20161017

Good afternoon! Rather than sending out individual e-mails, I'll summarize who I reached out to and their general responses:

1. DNR Engineering: they could not locate any documents pertaining to flow or volume in Dunes Creek
2. DNR Water: "We have researched our files and we have no information on the existing culvert crossing referenced in Brandt's email. Additionally, there have been no hydrologic or hydraulic studies done for the stream in question. Depending on the date of the Dune Acres USGS Quadrangle Map the stream is known as either Munson Ditch or an unnamed tributary to Dunes Creek."
3. DNR Nature Preserves: no known info, but they put me in contact w/ David Lampe, USGS, who has done previous work in this general area
4. USGS: I looked within the USGS database to see if we ever had a gage established on Dunes Creek and it turns out we did. The link is: [http://waterdata.usgs.gov/nwis/dv?cb\\_00060=on&format=gif\\_default&site\\_no=04095050&refered\\_module=sw&period=&begin\\_date=1978-10-01&end\\_date=1982-01-31](http://waterdata.usgs.gov/nwis/dv?cb_00060=on&format=gif_default&site_no=04095050&refered_module=sw&period=&begin_date=1978-10-01&end_date=1982-01-31) Discharge was measured from 10/1/1978 through 1/31/1982. Looks like the gage was located at the N CR25 E bridge. Other than this, I don't believe I have seen other flow data for Dunes Creek. Derby Ditch and Kintzele Ditch were both gaged for a study we recently finished with NPS in the Brown Ditch basin, but both are pretty different streams when compared to Dunes Creek. A link to that study is included: <https://pubs.er.usgs.gov/publication/sir20155141>

I will be back in the office on Monday and Tuesday if anyone has any questions.

Thank you very much,

-b

Brandt Baughman

Property Manager

Indiana Dunes State Park

1600 North 25 E.

Chesterton, IN 46304

219.926.1952

fax 219.250.5419

[bbaughman@dnr.IN.gov](mailto:bbaughman@dnr.IN.gov)

**From:** Nicole Barker [<mailto:nicole.barker@nictd.com>]  
**Sent:** Monday, October 31, 2016 5:04 PM  
**To:** Merchan Paniagua, Sara <[Sara.MerchanPaniagua@hdrinc.com](mailto:Sara.MerchanPaniagua@hdrinc.com)>; [Eric\\_Ehn@nps.gov](mailto:Eric_Ehn@nps.gov); [gia\\_wagner@nps.gov](mailto:gia_wagner@nps.gov); [daniel\\_mason@nps.gov](mailto:daniel_mason@nps.gov); Michael Noland <[michael.noland@nictd.com](mailto:michael.noland@nictd.com)>; Baughman, Brandt <[BBaughman@dnr.IN.gov](mailto:BBaughman@dnr.IN.gov)>; Chris Beck <[chris.beck@nictd.com](mailto:chris.beck@nictd.com)>; [dkplath@gmail.com](mailto:dkplath@gmail.com); [chris\\_pergiel@nps.gov](mailto:chris_pergiel@nps.gov); [Paul\\_Labovitz@nps.gov](mailto:Paul_Labovitz@nps.gov); [srobertson@shrewsusa.com](mailto:srobertson@shrewsusa.com)  
**Cc:** Reid, Janice <[Janice.Reid@hdrinc.com](mailto:Janice.Reid@hdrinc.com)>; Shostak, Michael J. <[Michael.Shostak@hdrinc.com](mailto:Michael.Shostak@hdrinc.com)>; Van Santen, Victor E. <[Victor.VanSanten@hdrinc.com](mailto:Victor.VanSanten@hdrinc.com)>; Das, Rajat <[Rajat.Das@hdrinc.com](mailto:Rajat.Das@hdrinc.com)>; Hartjes, Zachary <[Zachary.Hartjes@hdrinc.com](mailto:Zachary.Hartjes@hdrinc.com)>  
**Subject:** RE: NICTD Double Track NWI - Meeting Notes 20161017

Hello –

I just received an update from DNR (Brandt/Mickey). They spoke with DNR staff downstate and USGS staff about whether any data is available. They have found out that the only USGS staff gage that existed for Dunes Creek last captured data 30+ years ago and much of the landscape has changed significantly since then. So at this time, they don't have data to share, but have asked us to keep hydraulic/hydrologic conditions as similar as possible to today, and to especially not design for more flow towards the State Park. As we all agreed, we will share plans and data as they develop with DNR (and INDU).

Brandt will forward his email exchange with DNR and USGS to me soon to keep on file.

Lastly, having HDR/subs look at the Dunes Creek Watershed Plan generated years ago may help. Here is a link to that report:  
<https://www.csu.edu/cerc/researchreports/documents/DunesCreekWatershedManagementPlan2006.pdf>

We look forward to receiving information from INDU/Dan Mason.

Thanks and have a great evening.

**Nicole Barker**

Director of Capital Investment and Implementation

South Shore Line

[nicole.barker@nictd.com](mailto:nicole.barker@nictd.com)

O: 219.926.5744 x 313

**From:** MAUPIN, MARTY <MMAUPIN@idem.IN.gov>  
**Sent:** Wednesday, June 22, 2016 9:16 AM  
**To:** Merchan Paniagua, Sara  
**Subject:** RE: NICTD Double Track - Wetlands under IDEM's Jurisdiction

Do what you normally do or what the Corps wants you to do. If I have issues with something I will figure it out later.

Marty Maupin  
Office of Water Quality  
Phone: 317-409-7579  
E-Mail: [mmaupin@idem.in.gov](mailto:mmaupin@idem.in.gov)

---

**From:** Merchan Paniagua, Sara [<mailto:Sara.MerchanPaniagua@hdrinc.com>]  
**Sent:** Wednesday, June 22, 2016 9:59 AM  
**To:** MAUPIN, MARTY  
**Cc:** 'Leffler, Paul M LRC ([Paul.M.Leffler@usace.army.mil](mailto:Paul.M.Leffler@usace.army.mil))' ([Paul.M.Leffler@usace.army.mil](mailto:Paul.M.Leffler@usace.army.mil)); Reid, Janice; Angela Kattmann ([angelak@metricenv.com](mailto:angelak@metricenv.com))  
**Subject:** RE: NICTD Double Track - Wetlands under IDEM's Jurisdiction

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Marty,

Paul is requiring we take GPS points. We don't need to flag wetlands. Could we use the same protocol when delineating isolated wetlands?

Also, we typically don't delineate wetlands outside of our project limits although we indicate in our report that the wetland extends farther. Would this be considered acceptable under IDEM's standards?

Thanks,

**Sara Merchán Paniagua**  
D 773.867.7217 O 773.380.7900

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**From:** MAUPIN, MARTY [<mailto:MMAUPIN@idem.IN.gov>]  
**Sent:** Tuesday, June 21, 2016 3:07 PM  
**To:** Merchan Paniagua, Sara  
**Cc:** 'Leffler, Paul M LRC ([Paul.M.Leffler@usace.army.mil](mailto:Paul.M.Leffler@usace.army.mil))' ([Paul.M.Leffler@usace.army.mil](mailto:Paul.M.Leffler@usace.army.mil))  
**Subject:** RE: NICTD Double Track - Wetlands under IDEM's Jurisdiction

Sara,

For protocols on wetland delineation you should follow what Paul is requiring of you. Saying that, if he considers a particular wetland isolated you may be required to complete the delineation on the other side of the track. Indiana's isolated wetland law and how it looks and exemptions requires that IDEM

know the size of each individual isolated wetland. Unless it would be a logistical nightmare, at this time I would like areas to be flagged. I am not requiring any ORAM or InWrap assessments.

Marty

Marty Maupin  
Office of Water Quality  
Phone: 317-409-7579  
E-Mail: [mmaupin@idem.in.gov](mailto:mmaupin@idem.in.gov)

---

**From:** Merchan Paniagua, Sara [<mailto:Sara.MerchanPaniagua@hdrinc.com>]  
**Sent:** Tuesday, June 21, 2016 12:14 PM  
**To:** MAUPIN, MARTY  
**Cc:** [John.Parsons@nictd.com](mailto:John.Parsons@nictd.com); Reid, Janice; Angela Kattmann ([angelak@metricenv.com](mailto:angelak@metricenv.com)); [nicolebarker06@gmail.com](mailto:nicolebarker06@gmail.com)  
**Subject:** NICTD Double Track - Wetlands under IDEM's Jurisdiction  
**Importance:** High

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Dear Mr. Maupin,

I am sending this email as a follow up to the agency kick-off meeting for the NICTD Double Track project that took place on June 15, and the agency notification letter sent on May 26, 2016. The meeting minutes and a PDF of the presentation are attached for your convenience.

At the meeting, Mr. Leffler with the U.S. Army Corps of Engineers gave us some direction on wetland delineation protocols. We would like to get similar information from IDEM on isolated wetlands.

- It was discussed at the meeting that construction activities will happen along various areas of the track. If construction activities only happen along one side of the track, should the wetland delineation only take place on the side that would be disturbed by construction activities? Or would the field investigation on both sides be required?
- Do wetland areas need to be flagged or will GIS shapefiles and provided aerial maps within the report be sufficient?
- Are any wetland habitat assessments (ORAM or InWRAP) or stream habitat assessments (QHEI/HHEI) required?

Here is a short project description:

The total project length is approximately 25 miles. Approximately 7.9 miles of active passing sidings exist in the corridor and will become part of the second main track. No improvement to the existing mainline is anticipated. In addition, NICTD will construct necessary track and platform improvements at the following five existing stations: Miller (Gary), Portage/Ogden Dunes, Dune Park, Beverly Shores, and 11th Street/Michigan City.

The project has two construction segments. The first is a double-tracking and platform upgrade project that will occur mostly, if not fully, within NICTD-owned ROW. This segment begins just west of Tennessee Street in Gary and ends at Sheridan Road in Michigan City (23 miles). The second segment would begin

at Sheridan Road and end just west of Michigan Boulevard in Michigan City. The second segment will replace the existing in-street track and will require new ROW.

Our crews are anticipating heading to the field in the next few weeks. Before this occurs, we would like to get IDEM's input on how to best delineate wetlands in the field. We would greatly appreciate if you could give us some direction in the next week or so.

Thank you very much for your time and attention to this matter.

Sincerely,

**Sara Merchán Paniagua**

*Environmental Scientist II*

**HDR**

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**Sims, Kelly**

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**Subject:** FW: Double Track NWI wetland mitigation

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**From:** Nicole Barker

**Sent:** Wednesday, May 17, 2017 12:40 PM

**To:** Baughman, Brandt <[BBaughman@dnr.IN.gov](mailto:BBaughman@dnr.IN.gov)>; [DNimetz@dnr.IN.gov](mailto:DNimetz@dnr.IN.gov); 'mrea@dnr.in.gov' <[mrea@dnr.in.gov](mailto:mrea@dnr.in.gov)>

**Subject:** Double Track NWI wetland mitigation

Hi DNR team –

I wanted to let you know that after our various meetings re: wetland mitigation ideas, we are moving ahead with plans to mitigate at INDU. I know we tentatively discussed doing some work at IDSP but it also sounded like you had hydrology concerns and other limitations.

If you want us to try to evaluate options in the future possibly for our West Lake Corridor Project at IDSP or another site, please let me know very soon so we can start those discussions. We don't have final mitigation acreage targets for either project, but know that Double Track will have around 6.5 acres of wetland impacts (all but 1 are permanent) and at least right now West Lake has 8 acres of impact.

**Nicole Barker**

Director of Capital Investment and Implementation

South Shore Line

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**Reid, Janice**

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**From:** Nicole Barker <nicole.barker@nicted.com>  
**Sent:** Tuesday, March 21, 2017 9:33 AM  
**To:** Reid, Janice; Armstrong, Roben  
**Cc:** John Parsons  
**Subject:** FW: Double Track draft EA language re: Coastal

Janice – edits from DNR re: the Coastal Program section in the EA. Copying Roben too in case this input is helpful for West Lake as well.

**Nicole Barker**

Director of Capital Investment and Implementation  
South Shore Line  
[nicole.barker@nicted.com](mailto:nicole.barker@nicted.com)  
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**From:** Molnar, Mike [mailto:mmolnar@dnr.IN.gov]  
**Sent:** Tuesday, March 21, 2017 9:32 AM  
**To:** Nicole Barker  
**Cc:** Molnar, Mike ; Byrne, Margaret A  
**Subject:** RE: Double Track draft EA language re: Coastal

Hello Nicole,

Thank you for your email.

I made a few minor corrections (see below). Your statement regarding Federal Consistency is correct, we could review it as part of a CWA Section 404 Permit. Or, if the Federal Funding Agency determines the Project has Coastal Effects, we could also review it under the Federal Funding action as part of the design process. The decision is up to the Federal Funding Agency to make that determination. If they do (did) not, then we would review it under the CWA 404 process.

The Federal Consistency Certification request should include one of the follow:

Letter should either state: "The proposed activity complies with Indiana's approved coastal management program and will be conducted in a manner consistent with such program" or "The proposed activity does not comply with Indiana's approved coastal management program."

Let me know if you have any questions.

Regards,

Mike

**From:** Nicole Barker [<mailto:nicole.barker@nicted.com>]  
**Sent:** Wednesday, March 15, 2017 11:07 AM  
**To:** Molnar, Mike <[mmolnar@dnr.IN.gov](mailto:mmolnar@dnr.IN.gov)>; Byrne, Margaret A <[MByrne@dnr.IN.gov](mailto:MByrne@dnr.IN.gov)>  
**Subject:** Double Track draft EA language re: Coastal

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Hi Mike and Maggie –

Just a heads-up that our first draft internal version of the Double Track EA says this re: Coastal. Can you tell me if you see anything amiss? Thank you!

DRAFT TEXT:

The Coastal Zone Management Act of 1972 (CZMA) (16 USC §§ 1451-1464) provides the basis for protecting the nation’s coastal resources and the Great Lakes. The National Coastal Zone Management Program is authorized through the CZMA and is overseen by a partnership of the National Oceanic and Atmospheric Administration and local or state agencies. As such, projects that are located within a CZMA boundary must be reviewed to ensure that the project is consistent with the CZMA. In Indiana, the Indiana Department of Natural Resources - Division of Nature Preserves (IDNR-DNP) manages their coastal zone management program through the Lake Michigan Coastal Program (LMCP), ~~with assistance from the Natural Resources Conservation Service (NRCS).~~

The Federal Consistency aspect of CZM is administered in Indiana as a networked program. The IDNR-~~DNP~~ LMCP evaluates whether a federal activity is consistent with the laws administered by the ~~IDNR~~ State, such as those related to Coastal Hazards, Water Quality, Water Quantity, Natural Areas, Fisheries, Wildlife, Native and Exotic Species, Recreation, Access, Cultural Resources, Economic Development, Pollution Prevention, Recycling, Reuse, Waste Management, Air Quality, and Property Rights.

The proposed Project is located within the LMCP coastal zone management boundaries. As such, a federal consistency review would be required. This consistency review would be completed by IDNR when final design plans are developed, during the Clean Water Act (CWA) Section 401/404 permitting process.

In Indiana, the LMCP is tasked with considering regional issues and trying to balance preservation, protection, restoration, and when possible, development (IDNR 2014). Information on the location of coastal zone management boundaries was obtained from IDNR. This information was obtained as a GIS dataset from the LMCP.

## EXISTING CONDITIONS

The proposed Project is located within the coastal zone management area associated with Lake Michigan as depicted in **Figure 3.9-1**

## ENVIRONMENTAL IMPACTS

The following sections summarize the potential coastal zone management area impacts of the No Build and Build Alternatives.

### *No Build Alternative*

The No Build Alternative would have no impacts on coastal zone management areas. There would be no change in existing conditions, no construction impacts, and no operational impacts.

### *Build Alternative*

#### *Permanent and Construction Impacts*

The entire Build Alternative is located within Indiana's coastal zone management area. The IDNR review would be conducted in coordination with the CWA permit reviews. Agency coordination has taken place with several state agencies responsible for the enforcement of these laws during the NEPA process, including several IDNR Divisions.

Because the proposed Project promotes sustainable and economic development and has minimal impacts related to the other coastal priorities, it is not expected that the proposed Project would have any impacts on coastal zone management in Indiana.

## MEASURES TO AVOID OR MINIMIZE HARM

There would be no impacts to coastal zone management areas as a result of construction or operation of the proposed Project. Therefore, no mitigation is proposed.

### **Nicole Barker**

Director of Capital Investment and Implementation

South Shore Line

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## **Community Coordination**



# Meeting Minutes

Project: NICTD Double Track NWI (DTNWI)

Subject: Gary, IN US 20/12 Realignment, TOD

Date: Tuesday, November 29, 2016

Location: Dune Park Station Offices, 33 E US Highway 12, Chesterton, IN

Attendees: SOUTH SHORE LINE: John Parsons, Nicole Barker, Chris Beck; HDR: Janice Reid, Jennifer Mitchell, Kim Slaughter, Victor Van Santen, Michael Shostak, Zachary Hartjes; CITY OF GARY: Bo Kemp, Jack Eskin, La’Kisha Girder; INDOT: Charles Bradsky, Jennifer Guard; AMERICAN STRUCTUREPOINT: Chris Murphy, Rich Zielinski, Eric Wolverton; PATRICK ENGINEERING: Glen Campbell, Steve Heath, Karie Koehneke; FTA: Susan Weber; OFFICE OF CONGRESSMAN VISCLOSKY: Liz Johnson; RDA: Bill Hanna

	<i>Topic</i>	<i>Facilitator</i>
1	Project Overview	Nicole Barker
2	US 12/20 Alignment	Chris Murphy

- American Structurepoint is entering into a contract with INDOT to design the realignment of the roads in Gary at Miller Station. Linear amenities will also be designed. INDOT has a budget of \$2.3M for the project and RDA has a budget of \$3M for the improvements along the highway alignment. A NEPA document is required. INDOT is using federal funds and land acquisition will be required. Expect to be ready to go to construction in 2019. INDOT is currently working on the alignment design.
- The Double Track NWI project is dependent on the INDOT project going to construction as scheduled. DT-NWI is scheduled to begin construction in 2019 also.
- Chuck Lukmann, NICTD’s attorney, is currently working with INDOT’s legal counsel to draft an agreement for the transfer of the ROW for the final design and construction of the DTNWI project. NICTD needs to have the plan and schedule for completion for all Third Party Agreements with the City of Gary and INDOT finalized by Fall of 2017. The agreements do not need to be finalized but need to be clearly defined with a schedule for completion. A Full Funding Grant Agreement cannot be awarded to

NICTD until all Third Party Agreements are signed.

- INDOT's letting of the construction contract is scheduled for November 2018. There may be some minor dirt movement thereafter but construction will begin in earnest in April 2019.
- The property relinquishment needs to be clearly defined by parcel and entity. The City of Gary is concerned about retaining the ability to retain parcels to build structured parking and other associated TOD. **Action Item: Nicole Barker will coordinate a follow-up meeting with Gary, INDOT and NICTD (and legal counsel) to ensure all parties understand the relinquishment process (INDOT does not relinquish ownership).**

---

3 Review of Current DTNWI Proposed Design

Zach Hartjes

- Will Gary Public Transit buses still have access to the station? Yes.
- What is the plans for the structured parking lot? The structured parking facility will be a future project once demand warrants. The project will begin with a surface lot.
- What is the purpose of acquiring the triangular-shaped property near the hotel? It is near a cemetery. All property acquisitions are proposed and potential at this point. The design will advance to minimize property takes.
- What is the number of parking spaces proposed for Miller? 1,000 at full build out; roughly 600 to start.

---

4 Utility Relocations

Nicole Barker

- American Structurepoint, Inc. (ASI) has not looked at the utility impacts in detail at this point. NIPSCO has power poles running along both sides of the alignment and lighting.
- The third party agreements with both NIPSCO and INDOT should take into consideration the impact and need for utility relocations in the general master agreements. The specifics of ownership, maintenance, and relocation of poles/lighting should be an addendum to the master agreements.
- The City of Gary, IN has a prescribed process for developing agreements with third parties. There may still be some push back on property takes even though they are vacant. An agreement may take from a minimum of six weeks and up to three months. The City of Gary refers to them as Land Disposition agreements. It needs to be determined whether the agreements need to go through the Gary Redevelopment Commission or the City of Gary. If it goes through the City of Gary, the process includes approvals from the Public Works division and the Planning Commission. The Gary Redevelopment Commission is a much faster approval process. **Action Item: Jack Eskin and Bo Kemp will determine which entity (or entities) this will go through.**

- The City of Gary has a priority to preserve the ability to build a structured parking facility and associated TOD. Gary approved a TIF district for this area about one year ago. The funds begin accruing in January 2017. **Action Item: Jack Eskin will send the boundaries of the TIF and the narrative to all attendees.**

5 Vacation of Platted Roads Chris Beck

- The City of Gary Department of Public Works have a process that must be followed and approved to vacate a platted road way. **Action Item: Jack Eskin will send Nicole Barker the Board of Works process that must be followed and approvals to be obtained.**

6 Ohio/Tennessee Street Crossings Zach Hartjes/

- Currently both intersections are signalized. If they are consolidated, one can be closed and one signal removed. Jennifer Mitchell
- Ohio Street - Minor number of trucks are using these intersections. Less than 10 vehicles per hour were observed as through trips. HDR has a technical report drafted that will be distributed for review and consideration.
- Tennessee Street – north leg two lanes in each direction and south leg would have one lane in each direction. Need to see the drawings and the full report for specifics lane configurations and operational assumptions.
- The closed crossings are not a requirement in order for the project to function, but it improves traffic flow and improves safety.
- Should talk to INDOT about impact to US 12/20. Al Holderead is the INDOT contact for this project. The City of Gary will also need to review. **Action Item: Jennifer Mitchell will provide a report and traffic flow information to INDOT, NICTD and the City of Gary for review.**

7 City of Gary TOD Plans Bo Camp

- Want to redirect traffic on US 20.
- Create pedestrian friendly environment. South of US 20, redirect streets so that they face US 20 and have a line of site to the train station. Want to increase population and commercial/retail development.
- Want to combine residential, retail, and commercial development between US 20 and US 12.
- Need to have:

- Structured parking
- Traffic calming
- A public square
- High density residential, retail, and commercial
- Have been talking to property owners. Have been working with firms to work through zoning related issues. Have a New York-based firm that redesigned a similar project.
  - Developed a draft prototype that will be presented to the City of Gary, IN city council in 2017 as a zoning overlay district package.
  - On the north side, the redevelopment will focus on Lake Street. On the south side, the vision is to create a community that does not exist today.
- Previous TIGER grant application has good information on what is envisioned for the area. The Miller Station would serve as a hub for redeveloping the beach front and access to the beach.
- Planning and economic development planning for this area has assumed the benefit of having a train station with an elevated station.
- Have put a façade rebate project for this area with funds from the City of Gary and the RDA.
- INDOT emphasized that US 20/12 is a heavy haul corridor.
- The City of Gary, IN will release a RFQ by the end of 2016 for Master Developers to create a regional development. **Action Item: Jack Eskin will share this RFQ with meeting attendees.**
- ASI is working with NICTD to develop aerial views of what the area could look like in 2030 to 2035. These renderings will be available to the public.
  - The City of Gary felt that the visuals of how the area can progress and transform over time would be very helpful to the public.

---

8 Other Issues

Nicole Barker

- Funding and Community Support
  - Please identify entities in Gary that would sign letters of support. **Action Item: Jack Eskin will determine if letter of support can be signed.**
  - Need these by the end of December 2016.
  - Should have a strategy meeting for approaching the State Legislature.

- Suggested that NICTD make a presentation to the Gary City Council. **Action Item: Bo Kemp will follow up with Nicole Barker to arrange a NICTD presentation to the Common Council.**
- Road Relinquishment/Funding
  - Charles Bradsky of INDOT would be the best first contact to discuss road relinquishment processes throughout the project. **Action Item: Nicole Barker will call a meeting to discuss this.**

#### SUMMARY OF ACTION ITEMS

- **Nicole Barker will coordinate a follow-up meeting with Gary, INDOT and NICTD (and legal counsel) to ensure all parties understand the relinquishment process (INDOT does not relinquish ownership).**
- **Jack Eskin and Bo Kemp will determine which entity (or entities) the Third Party agreements must go through – the City of Gary and/or the Redevelopment Commission.**
- **Jack Eskin will send the boundaries of the TIF and the narrative to all attendees.**
- **Jack Eskin will send Nicole Barker the Board of Works process that must be followed and approvals to be obtained.**
- **Jennifer Mitchell will provide a report and traffic flow information to INDOT, NICTD and the City of Gary for review.**
- **Jack Eskin will share this Master Developer RFQ with meeting attendees.**
- **Jack Eskin will determine if letter of support can be signed.**
- **Bo Kemp will follow up with Nicole Barker to arrange a NICTD presentation to the Common Council.**
- **Nicole Barker will call a meeting to discuss the road bounty with Charles Bradsky.**

## Mitchell, Jennifer

---

**From:** Charles G. Peller Jr. <cpeller@emichigancity.com>  
**Sent:** Friday, January 27, 2017 11:51 AM  
**To:** Mitchell, Jennifer; Craig Phillips  
**Cc:** Charles G. Peller Jr.; Shostak, Michael J.; Van Santen, Victor E.  
**Subject:** FW: NICTD DT-NWI, 10th St/11th St TIA  
**Attachments:** 2017-0127\_NICTD DT NWI 10\_11\_michigan City\_PEI.PDF

Jennifer:

I have reviewed the attached. I found the plans to be the same as the City has envisioned regarding relocating off of 10<sup>th</sup>, one way east bound on 11<sup>th</sup>, north south street closures, and north south streets remaining cross-intersections. Craig is extremely busy at this time and needs more time to review.

Craig:

Based on my comments please let Jennifer know if you want to comment.

thanks

Charles G. "Spike" Peller, Jr. P.E.  
CITY ENGINEER  
City of Michigan City - City Hall  
100 East Michigan Boulevard  
Michigan City, IN 46360  
219.873.1426 ext.333  
fax 219.873.1580  
web - [emichigancity.com](http://emichigancity.com)  
e-mail <mailto:cpeller@emichigancity.com>  
cell - 219.229.7132

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**From:** Mitchell, Jennifer [<mailto:Jennifer.Mitchell@hdrinc.com>]  
**Sent:** Friday, January 20, 2017 11:48 AM  
**To:** Charles G. Peller Jr. <[cpeller@emichigancity.com](mailto:cpeller@emichigancity.com)>; Craig Phillips <[cphillips@emichigancity.com](mailto:cphillips@emichigancity.com)>  
**Cc:** Shostak, Michael J. <[Michael.Shostak@hdrinc.com](mailto:Michael.Shostak@hdrinc.com)>; Van Santen, Victor E. <[Victor.VanSanten@hdrinc.com](mailto:Victor.VanSanten@hdrinc.com)>  
**Subject:** NICTD DT-NWI, 10th St/11th St TIA

Mr. Peller and Mr. Phillips,

I am working with NICTD to evaluate traffic and roadway modifications for the Double Tracking project of the South Shore Line. One area that we have evaluated is the 11th Street conversion from two-way traffic to one-way eastbound only. I am aware that the 11<sup>th</sup> Street typical section has been coordinated with your City. Enclosed for your review and concurrence is the Traffic Impact Analysis for the 10<sup>th</sup> and 11<sup>th</sup> Street Corridor. Should you require a paper document instead of this electronic document, please let me know who to mail it to and how many copies.

We respectfully request you to provided comment by the close of business of Friday January 27. If this schedule is unattainable, please advise. Thank you and we look forward the continued collaboration of this exciting project.

Jennifer Mitchell, PE, PTOE  
Senior Project Manager, Professional Associate

HDR

## Mitchell, Jennifer

---

**From:** Charles G. Peller Jr. <cpeller@emichigancity.com>  
**Sent:** Friday, February 10, 2017 11:06 AM  
**To:** Mitchell, Jennifer  
**Cc:** Shostak, Michael J.; Van Santen, Victor E.; nicole.barker@nicted.com; Charles G. Peller Jr.; Mayor Ron Meer; Kalon Kubik; Craig Phillips  
**Subject:** RE: NICTD DT-NWI, 10th St/11th St TIA

Jennifer:

I have reviewed the safety evaluation of the 10<sup>th</sup> Street and 11<sup>th</sup> Street intersections and the Traffic Impact Analysis (TIA). I find both to be satisfactory. Consider this to be the definitive reply from the City of Michigan City.

thanks

Charles G. "Spike" Peller, Jr. P.E.  
CITY ENGINEER  
City of Michigan City - City Hall  
100 East Michigan Boulevard  
Michigan City, IN 46360  
219.873.1426 ext.333  
fax 219.873.1580  
web - [emichigancity.com](http://emichigancity.com)  
e-mail <mailto:cpeller@emichigancity.com>  
cell - 219.229.7132

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**From:** Mitchell, Jennifer [<mailto:Jennifer.Mitchell@hdrinc.com>]  
**Sent:** Friday, February 03, 2017 8:28 AM  
**To:** Charles G. Peller Jr. <[cpeller@emichigancity.com](mailto:cpeller@emichigancity.com)>; Craig Phillips <[cphillips@emichigancity.com](mailto:cphillips@emichigancity.com)>  
**Cc:** Shostak, Michael J. <[Michael.Shostak@hdrinc.com](mailto:Michael.Shostak@hdrinc.com)>; Van Santen, Victor E. <[Victor.VanSanten@hdrinc.com](mailto:Victor.VanSanten@hdrinc.com)>; [nicole.barker@nicted.com](mailto:nicole.barker@nicted.com)  
**Subject:** RE: NICTD DT-NWI, 10th St/11th St TIA

Spike,

Thank you very much for your review. As I previously noted, we also completed a safety evaluation of the 10<sup>th</sup> Street and 11<sup>th</sup> Street intersections. I am enclosing the report for you and Craig's review. I understand Craig needs additional time for the review of the Traffic Impact Analysis (TIA). It is requested that response be provided for both the TIA and the enclosed safety report by Friday, 2/10/2017 to ensure submittals to the FTA. We appreciate your coordination and input on this project.

Jennifer Mitchell, PE, PTOE  
Senior Project Manager, Professional Associate

HDR  
8550 West Bryn Mawr Avenue, Suite 900  
Chicago, IL 60631-3223  
D 773-867-7225 M 630-523-4220  
[jennifer.mitchell@hdrinc.com](mailto:jennifer.mitchell@hdrinc.com)

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**Sent:** Friday, January 27, 2017 11:51 AM  
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**Cc:** Charles G. Peller Jr.; Shostak, Michael J.; Van Santen, Victor E.  
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**To:** Charles G. Peller Jr. <[cpeller@emichigancity.com](mailto:cpeller@emichigancity.com)>; Craig Phillips <[cphillips@emichigancity.com](mailto:cphillips@emichigancity.com)>  
**Cc:** Shostak, Michael J. <[Michael.Shostak@hdrinc.com](mailto:Michael.Shostak@hdrinc.com)>; Van Santen, Victor E. <[Victor.VanSanten@hdrinc.com](mailto:Victor.VanSanten@hdrinc.com)>  
**Subject:** NICTD DT-NWI, 10th St/11th St TIA

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Jennifer Mitchell, PE, PTOE  
Senior Project Manager, Professional Associate

HDR

FILED

OCT 27 2016

GALE A. NEULIEB  
CITY CLERK  
CITY OF MICHIGAN CITY

MICHIGAN CITY COMMON COUNCIL

RESOLUTION 4661

**APPROVING THE OPERATING AGREEMENT FOR THE NORTHWEST INDIANA DOUBLE TRACK PROJECT BETWEEN THE CITY OF MICHIGAN CITY, INDIANA AND THE NORTHWEST INDIANA COMMUTER TRANSPORTATION DISTRICT (NICTD) OPERATING THE SOUTH SHORE LINE**

**WHEREAS**, the Northwest Indiana Commuter Transportation District (NICTD) has for many years operated in the middle of 10<sup>th</sup> and 11<sup>th</sup> Streets in Michigan City over track that is embedded in asphalt which presents insurmountable obstacles to modernizing the South Shore Line; and

**WHEREAS**, issues that exist because of the present “in street” alignment of the South Shore Line are obstacles to NICTD’s ability to enhance safety, comply with the Federal Railway Safety Improvement Act of 2008, address the excessive number of grade crossings, modernize the signal and catenary systems, and provide a fully accessible passenger station; and

**WHEREAS**, NICTD is presently engaged in what is referred to as a “Core Capacity Project,” a four (4) county project benefiting Northwest Indiana that has an estimated cost of \$250,000,000, approximately half of which is expected to be utilized for modernizing and improving the South Shore Line’s facilities through Michigan City, Indiana; and

**WHEREAS**, the City supports the Core Capacity Project between the four (4) counties, which includes that portion of the project directly affecting Michigan City, which is referred to as the Double Track NWI (the “Project”); and

**WHEREAS**, the Project, which is in the environmental investigation and preliminary engineering phase, involves double tracking the South Shore Line from Tennessee Street in Gary to Michigan Boulevard in Michigan City; and

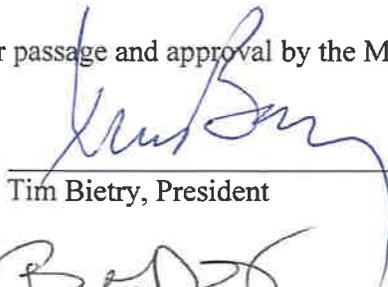
**WHEREAS**, the City reasonably believes that the Project will be of tremendous benefit to the City and its residents, businesses, and visitors by increasing ridership on the South Shore Line, increasing train frequency, reducing travel time, improvement of passenger service in downtown Michigan City, enhancing safety crossings, and reduction of track and road maintenance costs all of which will contribute to increasing economic development in Michigan City, including, but not limited to, transit oriented development.

**NOW, THEREFORE, BE IT ORDAINED** by the Common Council for the City of Michigan City, Indiana as follows:

1. The aforementioned “Whereas” sections are incorporated herein as if fully set forth herein.
2. The Operating Agreement for the Double Track Project Between the City of Michigan City, Indiana and the Northwest Indiana Commuter Transportation District (NICTD) operating the South Shore Line, which is attached hereto as Exhibit A, is hereby approved and adopted for the City of Michigan City, Indiana.
3. The Mayor and Council President are authorized to sign the Agreement on behalf of the City.

This Resolution shall be in full force and effect after passage and approval by the Mayor.

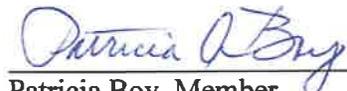
INTRODUCED BY:

  
\_\_\_\_\_  
Tim Bietry, President

  
\_\_\_\_\_  
Bryant Dabney, Member

2

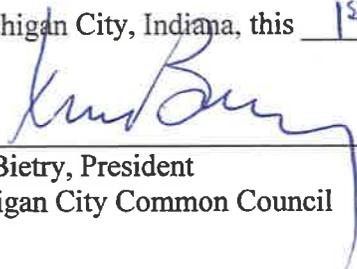
  
Candice Silvas, Member

  
Patricia Boy, Member

  
Sharon Carnes, Member

  
Allan Whitlow, Member

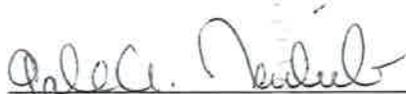
Passed by the Common Council of the City of Michigan City, Indiana, this 1<sup>ST</sup> day of NOVEMBER, 2016.

  
Tim Bietry, President  
Michigan City Common Council

Approved by me, this 2<sup>nd</sup> day of November, 2016

  
Ron Meer, Mayor  
City of Michigan City, Indiana

ATTEST:

  
Gale A. Neulieb, Clerk  
City of Michigan City, Indiana

FILED

NOV 01 2016

GALE A. NEULIEB  
CITY CLERK  
CITY OF MICHIGAN CITY

## AGREEMENT

**THIS AGREEMENT** between the City of Michigan City, Indiana, by and through its City Council and Mayor (hereinafter "Michigan City") and the Northern Indiana Commuter Transportation District operating the South Shore Line (hereinafter "NICTD") is to be effective as of the 1st day of November, 2016.

### **RECITALS**

- A. NICTD has for many years operated in the middle of 10<sup>th</sup> and 11<sup>th</sup> Streets in Michigan City over track that is embedded in asphalt which presents insurmountable obstacles to modernizing the Line .
- B. Issues that exist because of the present "in street" alignment of the South Shore Line are obstacles to NICTD's ability to enhance safety, comply with the Federal Railway Safety Improvement Act of 2008, address the excessive number of grade crossings, modernize the signal and catenary systems, and provide a fully accessible passenger station.
- C. NICTD is presently engaged in what is referred to as a "Core Capacity Project", a four county project benefiting Northwest Indiana that has an estimated cost of \$250,000,000, half of which is expected to be utilized for modernizing and improving the South Shore Line 's facilities through Michigan City, Indiana.
- D. The parties support and are committed to the Core Capacity Project which, for the purposes of this Agreement, is known as Double Track NWI (the "Project"). The Project, which is in the environmental investigation and preliminary engineering phase, involves double tracking the Line from Tennessee Street in Gary to Michigan Boulevard in Michigan City and is described generally as follows:
1. Construct 16.5 miles of new ballast, track and catenary
  2. Install 5 high speed crossovers
  3. Construct 4 new railroad bridges
  4. Construct new train storage tracks near the Miller Station
  5. Create a new highway connection from U.S. Highway 12 to U.S. Highway 20 in Miller
  6. Relocate the railroad tracks in Miller onto the vacated portion of US 12
  7. Construct 8-car, high-level boarding platforms at Lake Street in Miller, Ogden Dunes, Dune Park and 11<sup>th</sup> Street in Michigan City.
  8. Build a new commuter train station in downtown Michigan City with the

Exhibit<sup>1</sup> A

maximum number of commuter parking spots allowed by FTA as supported by the projected ridership.

The attached map, which is incorporated into this Agreement as Exhibit "A", shows the double tracking and re-alignment in Michigan City that may be further refined as the design advances to meet engineering and safety needs. In addition, Exhibit "B" to this Agreement shows the intended curb cut, drive lane, parking spaces, parkway width and sidewalk design along 11<sup>th</sup> Street.

The Project includes the acquisition of sufficient right-of-way, both public and privately owned, to complete the re-alignment and segregation of the railroad operations from street running between Sheridan Avenue and Michigan Boulevard. The railroad will be relocated to south of 10<sup>th</sup> Street and enable NICTD to construct a second track on 11<sup>th</sup> Street through Michigan City.

E. Michigan City and NICTD recognize the benefits of the Project which include, but are not limited to, the following:

1. Significantly reduced commute time to and from Chicago to Michigan City to approximately 67 minutes for limited stop express trains.
2. Increased train capacity, frequency, and reliability for the overall system.
3. Attract hundreds of new riders to Michigan City on a daily basis.
4. Enhance the effectiveness of NICTD's signal system.
5. Improve the passenger service in downtown Michigan City.
6. Provide a modern, fully accessible passenger station with up to (2) 8-car length, high level boarding platforms at or in close proximity to the current 11<sup>th</sup> Street Station, and capable of being integrated into a transit oriented development.
7. Provide multi-use parking near the 11<sup>th</sup> street station to accommodate vehicles for the passenger operation as well as downtown restaurants, retail stores, and other commercial activity.
8. Solidify downtown Michigan City as a focal point for transit oriented development and other economic opportunities.
9. Provide greater Americans with Disabilities ("ADA") access with high level boarding platforms.
10. Enhance safety by consolidating 29 grade crossings to 14 and installing active grade crossing warning devices.
11. Reduce track maintenance costs, improve ride quality, and extend the life of the track.
12. Permit the installation of a compound catenary design.
13. Create jobs as a result of the construction of this Project.
14. Reduce the City's road maintenance costs, extend the life of the street pavement, and improve the safety of motorists and pedestrians.
15. Make possible the retention and expansion of the NICTD maintenance operation at

near its current location in Michigan City.

**NOW, THEREFORE**, in consideration of the foregoing recitals, which are incorporated herein, and the mutual commitments contained herein, Michigan City and NICTD agree as follows:

1. The parties fully support and are committed to the Project.
2. The parties will cooperate with each other to ensure that all federally required studies for the Project are undertaken and completed, to investigate and obtain funding sources for the Project, and to secure the land necessary for the right-of-way for this Project. Pursuant to federal law, the acquisition of real estate acquired by NICTD for the Project must comply with Federal Transportation Administration policies and the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act).
3. Michigan City will cause the following crossings along the rail line to be closed:

- Carroll Avenue (DOT-AAR 870-442-E)
- Grace Street (DOT-AAR 870-449-C)
- Maple Street (DOT-AAR 870-454-Y)
- York Street (DOT-AAR 870-456-M)
- Cedar Street (DOT-AAR 870-458-B) \*\*\*
- Spring Street (DOT-AAR 870-675-B)
- Pine Street (DOT-AAR 870-676-H)
- Buffalo Street (DOT-AAR 870-680-X)
- Manhattan Street (DOT-AAR 870-681-E)
- Elston Street (DOT-AAR 870-682-L)
- Tennessee Street (DOT-AAR 870-684-A)
- Kentucky Street (DOT-AAR 870-686-N) \*\*\*
- Claire Street (DOT-AAR 870-690-D)
- Donnelly Street (DOT-AAR 870-692-S)
- Carlon Court (DOT-AAR 870-694-F)

\*\*\* Michigan City shall undertake the design and construction of the road work necessary to close all streets, including appropriate safety devices and landscaping, provided that all associated costs are to be funded by the Project. Michigan City and NICTD will work together to determine the most appropriate design for the railroad grade crossing in and near the immediate vicinity of Kentucky and Chicago Streets; and in and near the immediate vicinity of the railroad grade crossing near Cedar and Lafayette Streets.

4. Michigan City:
  - A. Grants to NICTD a permanent easement for railroad purposes on any public way

- A. Grants to NICTD a permanent easement for railroad purposes on any public way required for the project for the entire width of the Project as depicted on Exhibit "A". Legal descriptions, to the extent necessary for the easement, shall be supplied to Michigan City during the course of the Project. It is further agreed that, to the extent necessary, all private property acquisition for the Project will be rezoned for railroad purposes. NICTD recognizes the value of the public way it will receive from Michigan City as a contribution to project costs associated with this Agreement. Such value shall be determined by a certified appraiser.
  
- B. Shall acquire real estate for parking structure and surface parking near 11<sup>th</sup> Street Station consistent with approved number of spaces by the FTA. Michigan City shall make available to NICTD for the benefit of this project such land, which shall also be recognized by NICTD as a contribution to this project. Parking structure and lots shall be constructed in the immediate vicinity of the 11<sup>th</sup> Street train station building, which lots shall be within 1,200 feet of the train station building. It is expected that at some time in the foreseeable future there may be a need to expand said parking facilities to permit 1,000 parking spaces for South Shore commuters. South Shore commuters shall be given first priority in the use of the parking spaces paid for through the Project from Monday through Friday during the hours of 6:00 a.m. - 2:00 p.m. and for special events, at NICTD's request. Upon notice from NICTD that the parking facility has reached 85% capacity for South Shore commuters, Michigan City will undertake efforts to expand parking for South Shore commuters to 1,000 spaces as soon as is practicable and subject to funds being appropriated for that purpose. NICTD shall inform Michigan City when parking needs to be expanded to 1,000 spaces for South Shore Commuters. At its sole discretion, Michigan City may pay to have additional parking integrated with Project parking constructed during construction of the Project. Subject to NICTD approval, which shall not be unreasonably withheld, Michigan City may charge a reasonable parking fee and shall not differentiate between commuter and non-commuter use. Michigan City shall be responsible for operating and maintaining all parking facilities. Michigan City and NICTD shall enter into an Operations and Maintenance Agreement for the parking facilities to address such issues as operating cost sharing, maintenance standards, capital improvements, etc.
  
- C. In connection with construction of Phase II of the Project at a later date, agrees to close Carroll Avenue between Holliday and Rose streets, and grant NICTD a permanent easement for railroad purposes on this section of Carroll Avenue upon NICTD's request.

5. NICTD:

- A. Shall construct, own, operate and maintain a gateway railroad station on 11<sup>th</sup> Street between Franklin and Spring Streets with an enclosed wait area, HVAC, two restrooms, and ticket vending machines. NICTD recognizes the historical importance of the existing 11<sup>th</sup> Street station and agrees to use its best efforts to keep its façade and incorporate it into the new station, subject to engineering and financial feasibility. NICTD agrees to commit funding, up to \$1.5 million, to preserve the façade and incorporate it into the new station design. In the event the cost to preserve the structure exceeds \$1.5 million, Michigan City, at its option, agrees to fund the excess amount which shall not be a project cost, or work with NICTD on an alternative station façade design. NICTD and Michigan City shall jointly design the new station and parking structure and their integration into adjacent transit oriented development.
- B. NICTD shall construct a multi-level parking structure with up to 500 spaces and parking lots subject to the approved number of spaces by the FTA. NICTD agrees to design and construct the parking structure to accommodate retail uses on the first floor.
- C. Shall construct up to 2, 8-car long, high level boarding platforms to NICTD's standards plus ADA ramps in the immediate vicinity providing access to the train station and boarding platforms. NICTD and Michigan City agree to develop a joint landscaping work plan in and around the station and the platforms.
- D. Shall construct the double-track and install grade crossing warning devices pursuant to final engineering plans. In addition, NICTD shall be responsible for construction of the re-designed one-way road along 11<sup>th</sup> street, including associated curbs, gutters, parkway and sidewalks. Such work shall be consistent with the design contained in Exhibit B to this Agreement. In addition, NICTD agrees to work cooperatively with Michigan City on the streetscape design along 11<sup>th</sup> street.
- E. Shall acquire additional real estate necessary for this Project in accordance with federal and state law.
- F. Will operate trains throughout the City of Michigan City consistent with federal regulations and safe train operating standards.
- G. Shall maintain a railroad car maintenance facility in Michigan City for at least 20 years from the date of this Agreement with capacity substantially similar to current capacity or greater, provided that such capacity reflects the demands for passenger rail operations.

- H. Will work with Michigan City in order to make available access to and use of NICTD's fiber communications infrastructure whenever feasible and not in conflict with existing NICTD contracts.
- I. Shall keep its Carroll Avenue passenger station operational for a minimum of 10 years from the effective date of this Agreement.
- J. Will explore express South Bend Airport rail shuttle service to/from the new 11<sup>th</sup> Street Station.
- K. Consistent with demand for service, operate new limited stop express trains to and from 11<sup>th</sup> Street station and Millennium Station in Chicago.
- L. Shall provide promotional messaging opportunities on trains and at the 11<sup>th</sup> Street and Carroll Avenue stations, consistent with its policies and space availability, for the purpose of promoting tourism and the City of Michigan City. Michigan City may install public art such as sculptures and other forms of visual art at the 11<sup>th</sup> Street and Carroll Avenue stations, subject to NICTD's approval.
- M. To mitigate or compensate for the loss of traffic capacity on 11<sup>th</sup> Street as a result of the Project, NICTD shall, to the extent allowed by federal funding sources, include the construction of a new or improved western access point off of U.S. Highway 12 to be determined by Michigan City following the conclusion of a traffic study.
- N. Will allow for the placement of a bike share or bike rental kiosk at both the 11<sup>th</sup> Street and Carroll Avenue stations for better multi-modal access to/from the stations.
- O. Will attempt to reduce the frequency, duration and intensity of train whistles, by exploring the use of wayside horns (stationary horn located at a highway rail grade crossing, designed to provide, upon the approach of a locomotive or train, audible warning to oncoming motorists of the approach of a train), to the extent feasible and legally permissible. NICTD will investigate the feasibility of installing Quiet Zone technology and disclose to and discuss with the City the result of the investigation for the purpose of allowing the City to pay for the additional cost of the installation.
- P. As part of the Project, shall install vehicle barrier protection on the roadside of 11<sup>th</sup> street and decorative fencing on the non-roadside of 11<sup>th</sup> street. On the street side of the railroad right-of-way adjacent to 10<sup>th</sup> Street, NICTD shall install landscaping designed to discourage trespassers from venturing onto the tracks. From a point 100 feet west of Carlon Street to the point where NICTD will cross Amtrak, NICTD shall install such landscaping, or in the alternative decorative

fencing on both sides of the right-of way to discourage trespassers from venturing onto NICTD's tracks. NICTD will work cooperatively with Michigan City in the design and selection of the appropriate treatment along the right-of-way and NICTD shall be responsible for continually maintaining the selected treatment upon completion of the installation.

6. Construction of the Project and the parties' obligations contained herein are contingent upon NICTD receiving funding for construction of the Project within 20 years of the date of this Agreement.

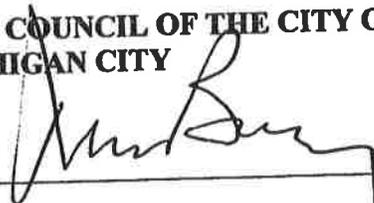
[Remainder of page intentionally left blank]

IN WITNESS WHEREOF, the parties indicate their acceptance and have executed this Agreement as of the date and year first written above.

**CITY OF MICHIGAN CITY, INDIANA**

By:   
Ron Meer, Mayor

**CITY COUNCIL OF THE CITY OF MICHIGAN CITY**

By:   
Its: President

**NORTHERN INDIANA COMMUTER TRANSPORTATION DISTRICT**

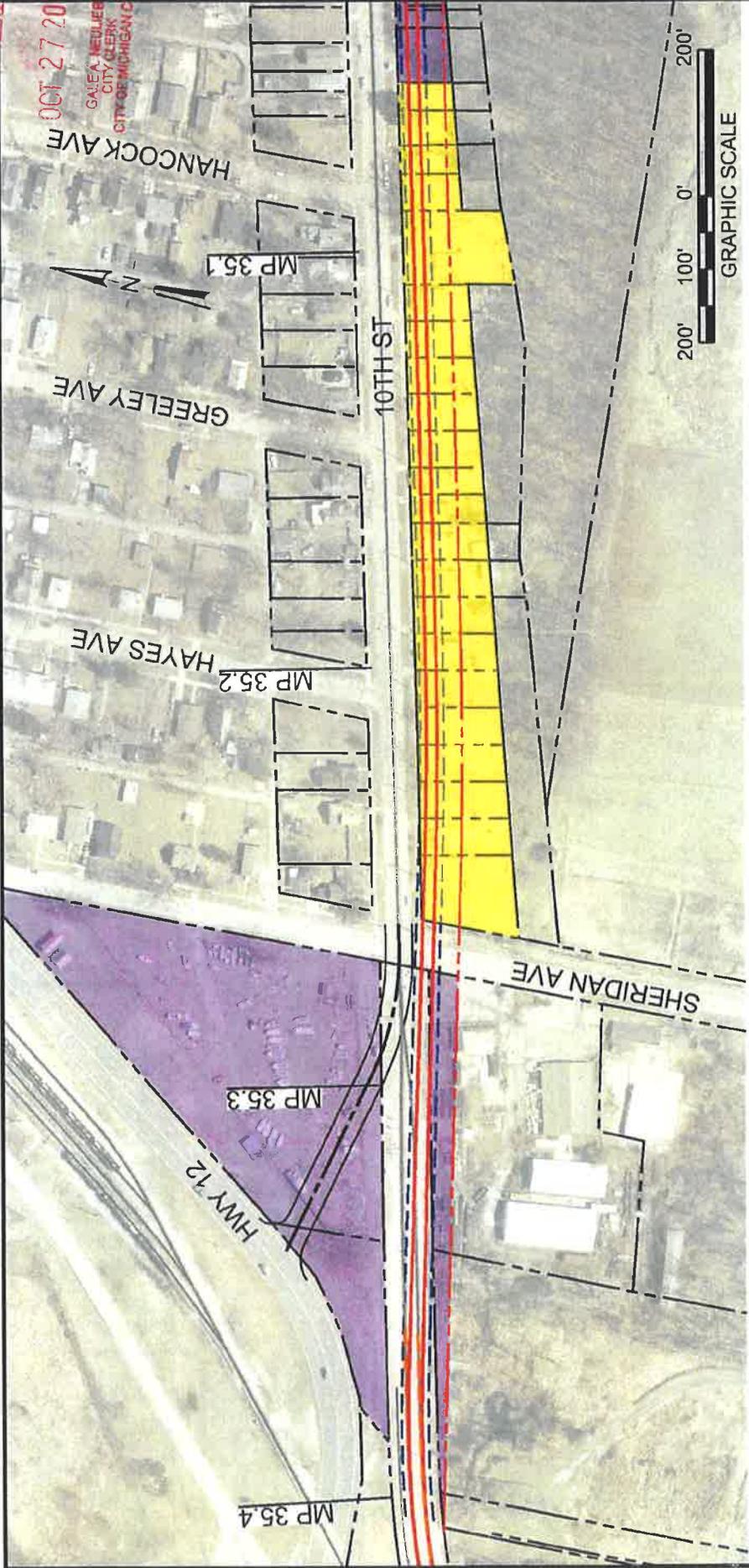
By:   
Michael Noland, President

FILED

OCT 27 2016

GALEA, NEELLES  
CITY CLERK  
CITY OF MICHIGAN CITY

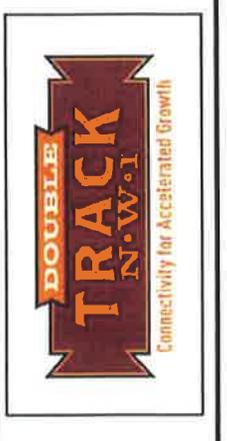
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LEGEND

- EXISTING TRACK
- PROPOSED TRACK
- PROPOSED TURNOUT
- REMOVE TRACK
- FUTURE TRACK
- PROPOSED PLATFORM
- PROPOSED ADA RAMP
- PROPOSED CATENARY
- ANTICIPATED PARCEL IMPACT - COMMERCIAL
- ANTICIPATED PARCEL IMPACT - RESIDENTIAL
- PROPOSED RIGHT-OF-WAY
- NEW CROSSING CLOSURE

MICHIGAN CITY  
 PROPOSED DOUBLE-TRACK  
 SHERIDAN AVE TO CARROLL AVE  
 PRELIMINARY 10/24/2016 1 OF 12



**NICTD**  
 NORTHERN INDIANA COMMUTER  
 TRANSPORTATION DISTRICT  
 33 East Highway 12  
 Chesterton, Indiana 46304

**HDR**  
 8550 W Bryn Mawr Ave  
 Suite 900  
 Chicago, IL 60631  
 www.hdrinc.com

A-2



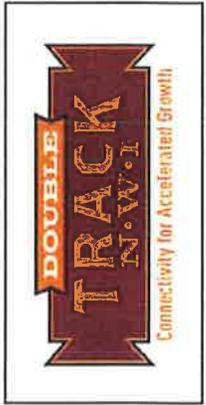
LEGEND

- EXISTING TRACK
- PROPOSED TRACK
- PROPOSED TURNOUT
- REMOVE TRACK
- FUTURE TRACK
- PROPOSED PLATFORM

- PROPOSED ADA RAMP
- PROPOSED CATENARY
- ANTICIPATED PARCEL IMPACT - COMMERCIAL
- ANTICIPATED PARCEL IMPACT - RESIDENTIAL
- PROPOSED RIGHT-OF-WAY
- NEW CROSSING CLOSURE

**HCR**  
 8550 W Bryn Mawr Ave  
 Suite 900  
 Chicago, IL 60631  
 www.hdrinc.com

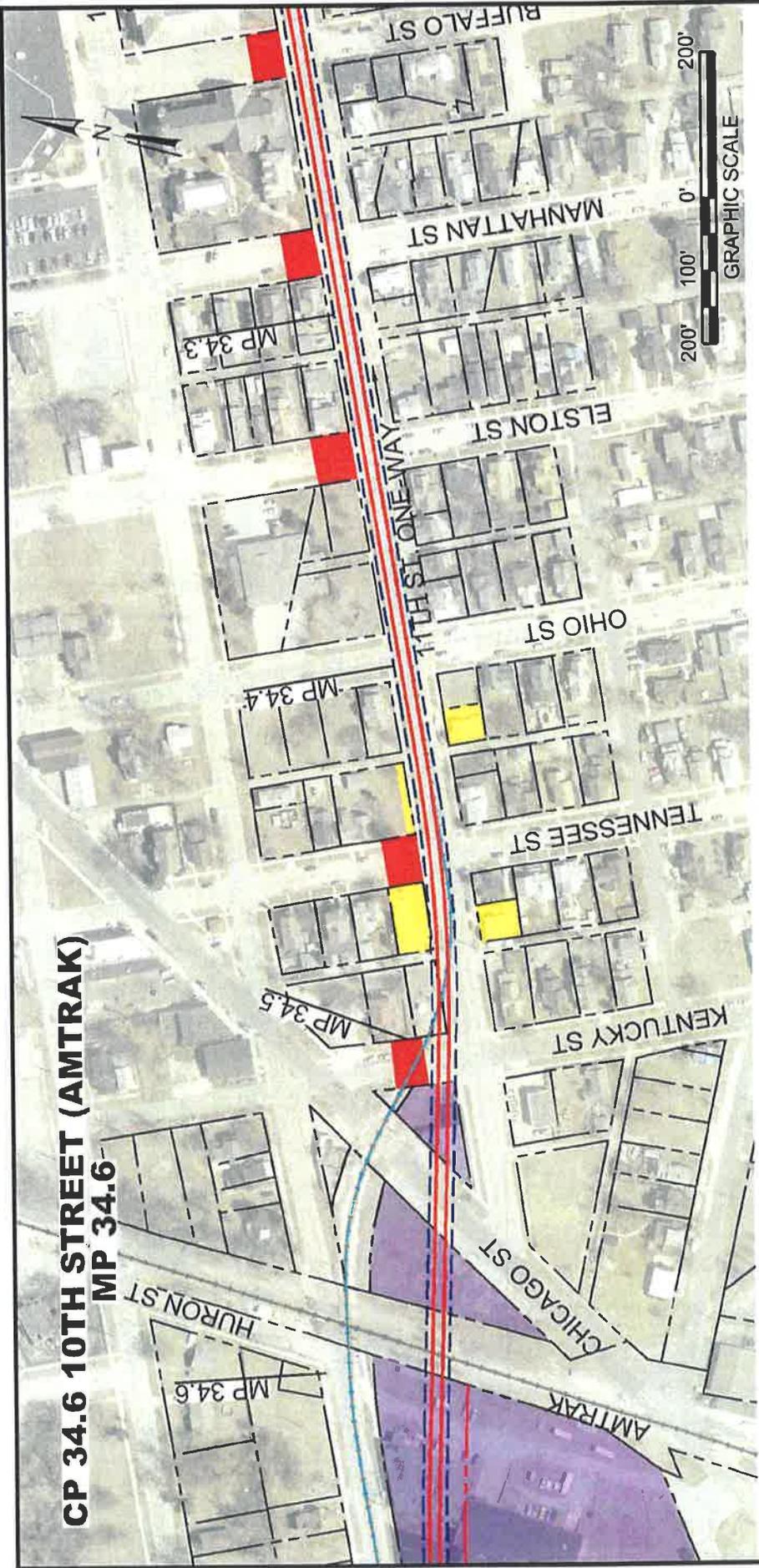
**NIPCO**  
 NORTHERN INDIANA COMMUTER  
 TRANSPORTATION DISTRICT  
 33 East Highway 12  
 Chesterton, Indiana 46304



MICHIGAN CITY  
 PROPOSED DOUBLE-TRACK  
 SHERIDAN AVE TO CARROLL AVE

PRELIMINARY 10/24/2016 2 OF 12

A-3



**CP 34.6 10TH STREET (AMTRAK)  
MP 34.6**

**LEGEND**

- EXISTING TRACK
- PROPOSED TRACK
- PROPOSED TURNOUT
- REMOVE TRACK
- FUTURE TRACK
- PROPOSED PLATFORM

- PROPOSED ADA RAMP
- PROPOSED CATENARY
- ANTICIPATED PARCEL IMPACT - COMMERCIAL
- ANTICIPATED PARCEL IMPACT - RESIDENTIAL
- PROPOSED RIGHT-OF-WAY
- NEW CROSSING CLOSURE

**HDR**  
8550 W. Bryn Mawr Ave  
Suite 900  
Chicago, IL 60631  
www.hdrinc.com

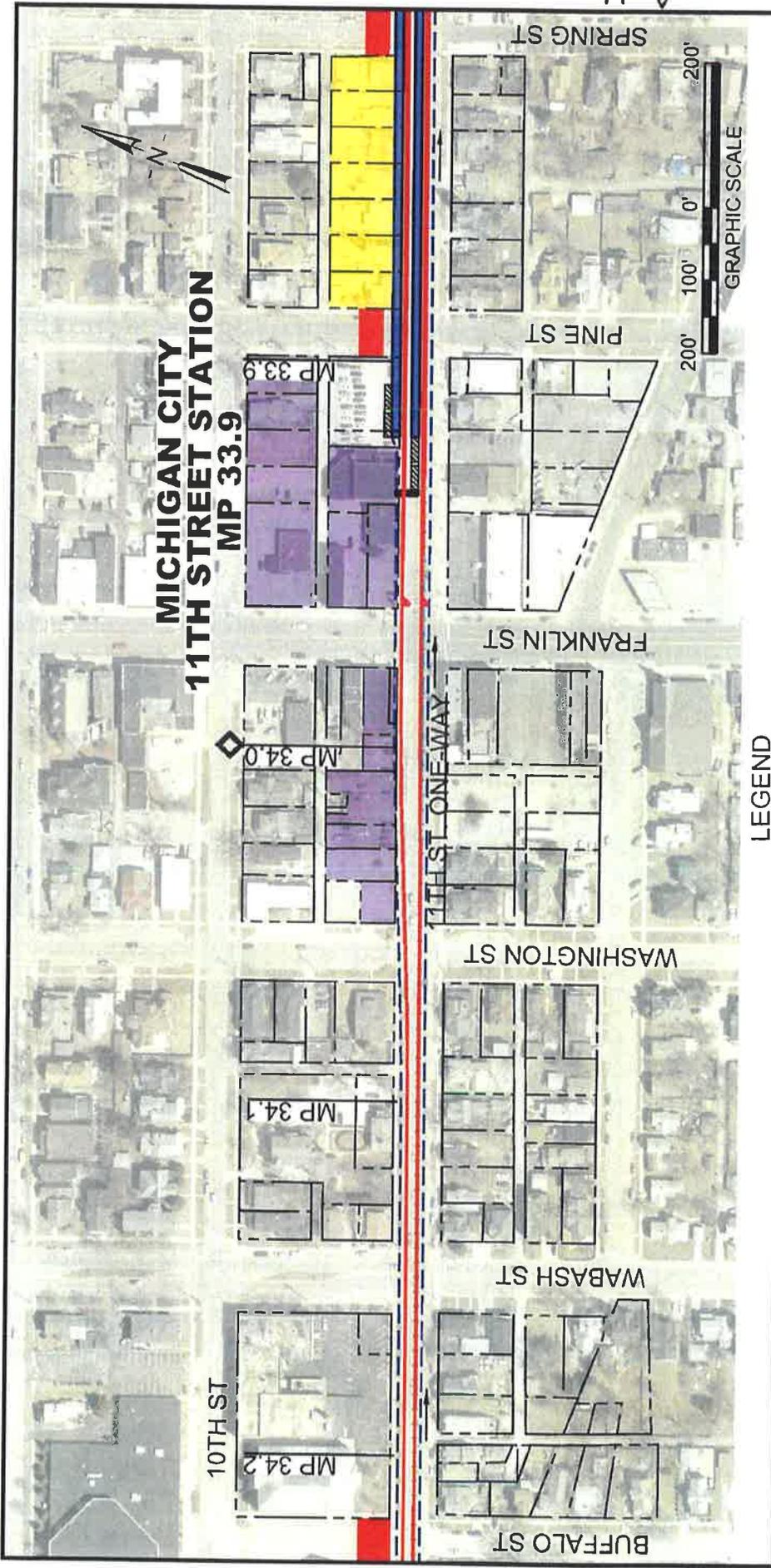
**NICD**  
NORTHERN INDIANA COMMUTER  
TRANSPORTATION DISTRICT  
33 East Highway 12  
Chesterton, Indiana 46304



**MICHIGAN CITY  
PROPOSED DOUBLE-TRACK  
SHERIDAN AVE TO CARROLL AVE**

**PRELIMINARY 10/24/2016 3 OF 12**

A-4



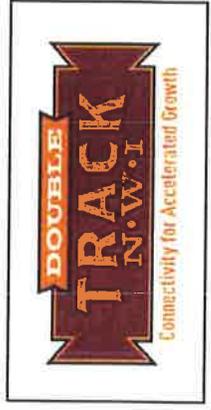
**MICHIGAN CITY  
11TH STREET STATION  
MP 33.9**

**LEGEND**

- EXISTING TRACK
- PROPOSED TRACK
- PROPOSED TURNOUT
- REMOVE TRACK
- FUTURE TRACK
- PROPOSED PLATFORM
- PROPOSED ADA RAMP
- PROPOSED CATENARY
- ANTICIPATED PARCEL IMPACT - COMMERCIAL
- ANTICIPATED PARCEL IMPACT - RESIDENTIAL
- PROPOSED RIGHT-OF-WAY
- NEW CROSSING CLOSURE

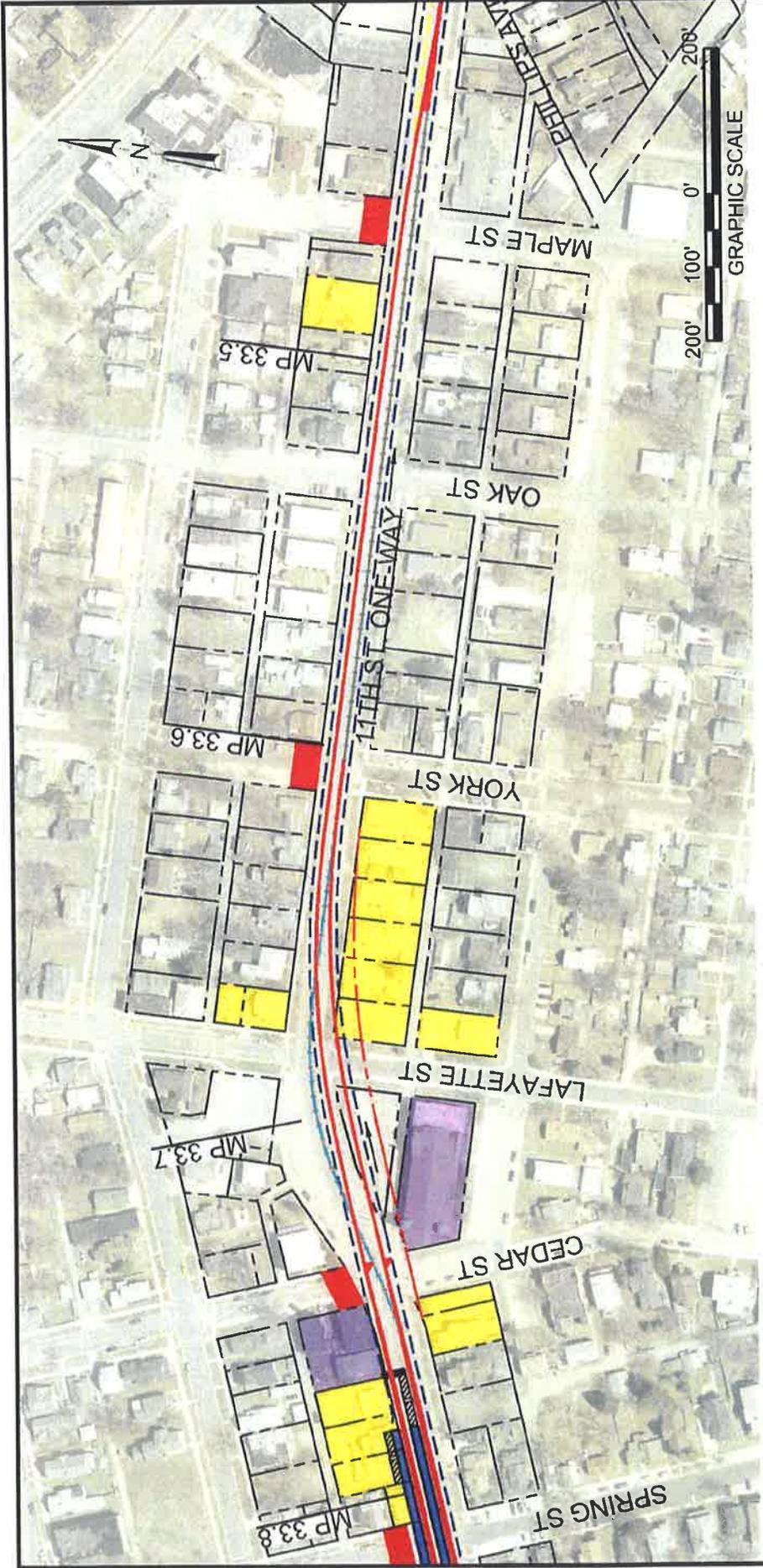
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**NICTD**  
NORTHERN INDIANA COMMUTER  
TRANSPORTATION DISTRICT  
33 East Highway 12  
Chesterton, Indiana 46304



MICHIGAN CITY  
PROPOSED DOUBLE-TRACK  
SHERIDAN AVE TO CARROLL AVE  
**PRELIMINARY** 10/24/2016 4 OF 12

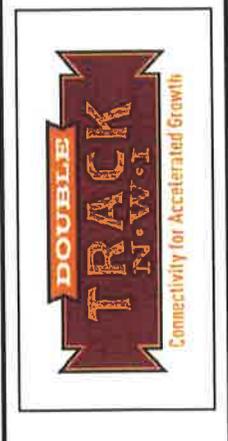
A-5



LEGEND

	EXISTING TRACK		PROPOSED ADA RAMP
	PROPOSED TRACK		PROPOSED CATENARY
	PROPOSED TURNOUT		ANTICIPATED PARCEL IMPACT - COMMERCIAL
	REMOVE TRACK		ANTICIPATED PARCEL IMPACT - RESIDENTIAL
	FUTURE TRACK		PROPOSED RIGHT-OF-WAY
	PROPOSED PLATFORM		NEW CROSSING CLOSURE

**MICHIGAN CITY**  
**PROPOSED DOUBLE-TRACK**  
**SHERIDAN AVE TO CARROLL AVE**

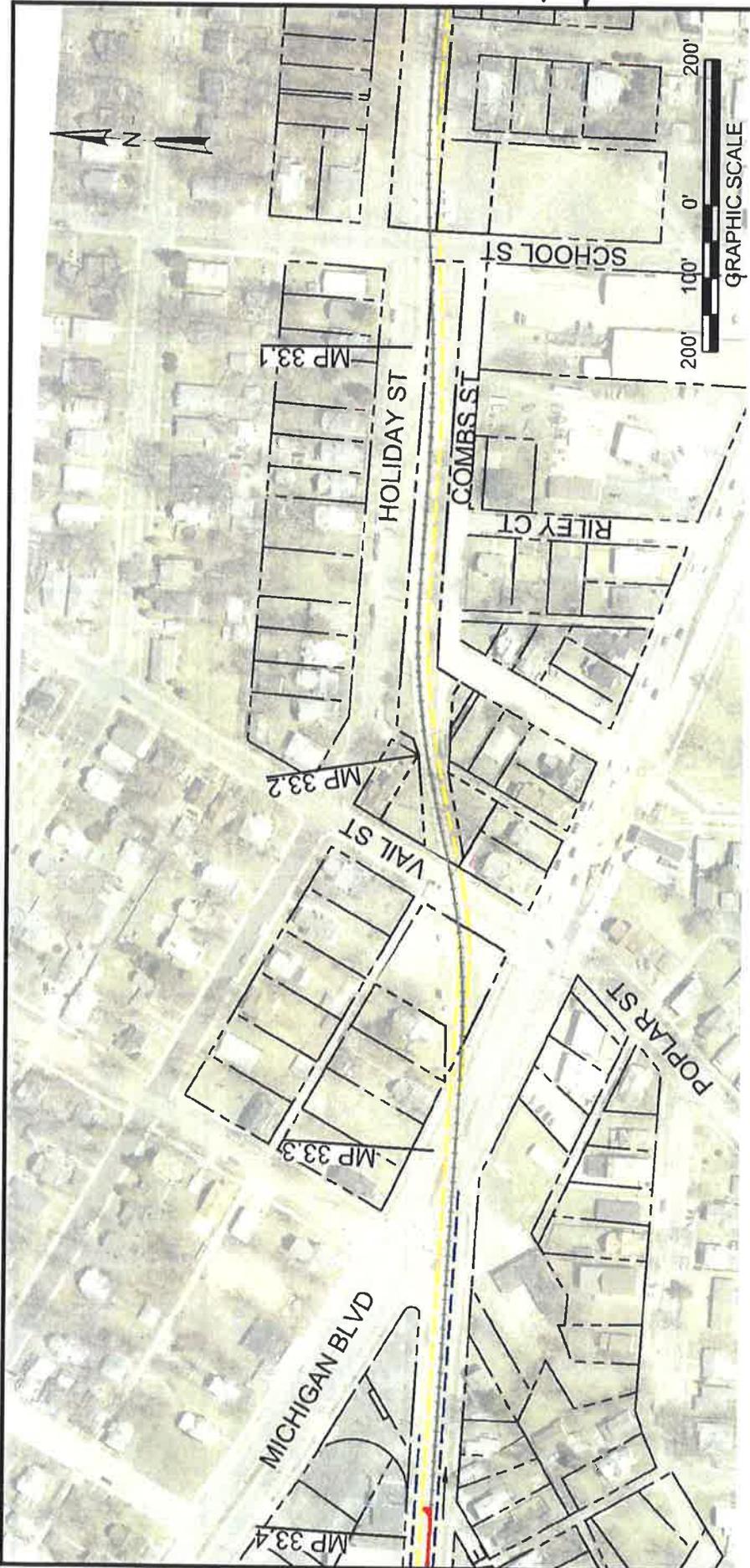


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 TRANSPORTATION DISTRICT  
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**PRELIMINARY** 10/24/2016 5 OF 12

A-6



LEGEND

- EXISTING TRACK
- PROPOSED TRACK
- PROPOSED TURNOUT
- REMOVE TRACK
- FUTURE TRACK
- PROPOSED PLATFORM

- PROPOSED ADA RAMP
- PROPOSED CATENARY
- ANTICIPATED PARCEL IMPACT - COMMERCIAL
- ANTICIPATED PARCEL IMPACT - RESIDENTIAL
- PROPOSED RIGHT-OF-WAY
- NEW CROSSING CLOSURE

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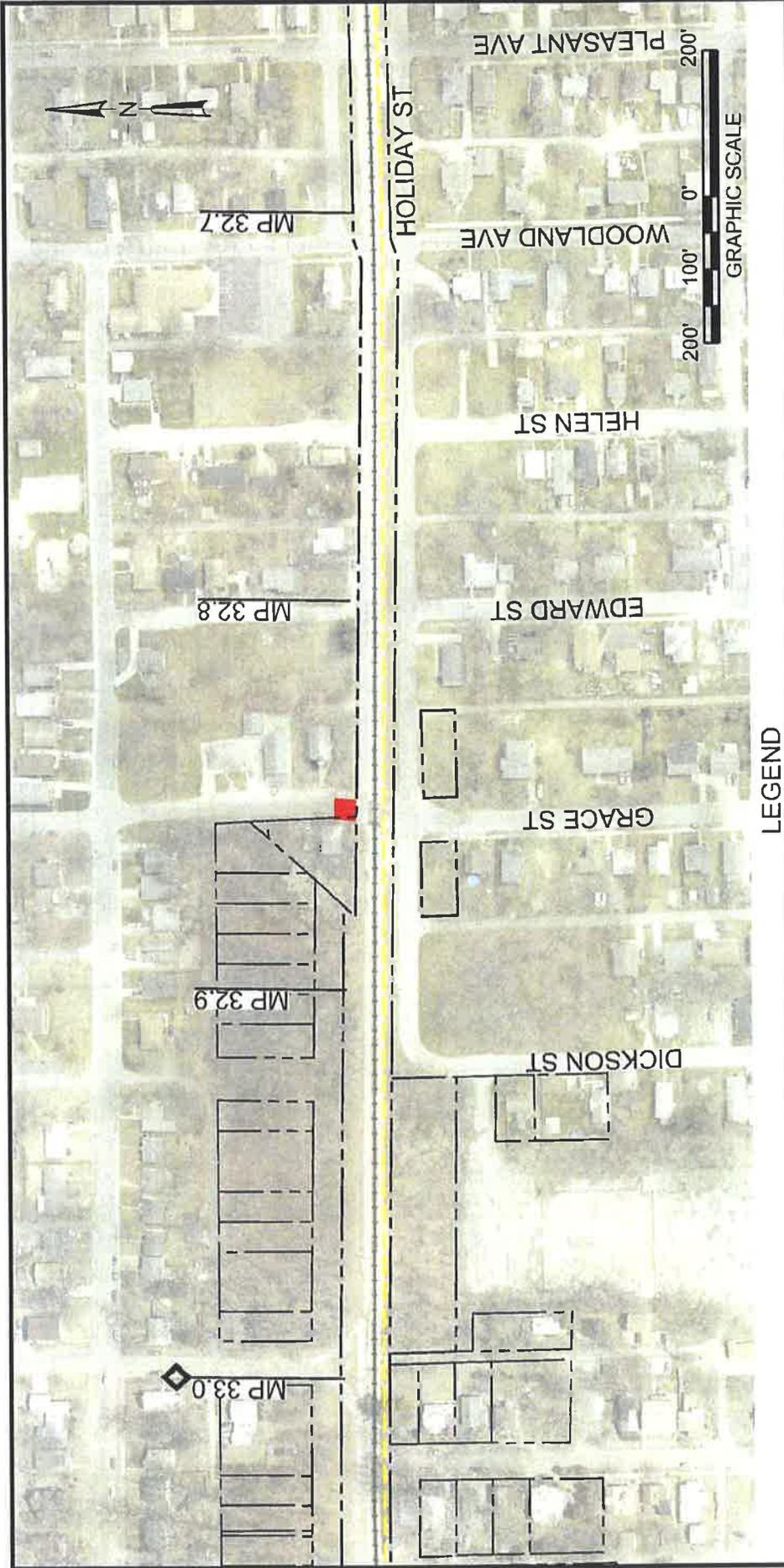
NORTHERN INDIANA COMMUTER  
TRANSPORTATION DISTRICT  
33 East Highway 12  
Chesterton, Indiana 46304

Connectivity for Accelerated Growth

MICHIGAN CITY  
PROPOSED DOUBLE-TRACK  
SHERIDAN AVE TO CARROLL AVE

PRELIMINARY 10/24/2016 | 6 OF 12

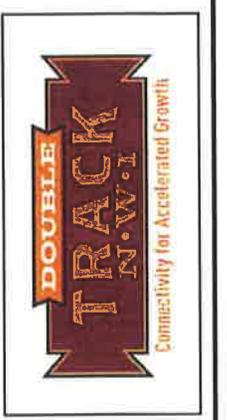
A-9



LEGEND

	EXISTING TRACK		PROPOSED ADA RAMP
	PROPOSED TRACK		PROPOSED CATENARY
	PROPOSED TURNOUT		ANTICIPATED PARCEL IMPACT - COMMERCIAL
	REMOVE TRACK		ANTICIPATED PARCEL IMPACT - RESIDENTIAL
	FUTURE TRACK		PROPOSED RIGHT-OF-WAY
	PROPOSED PLATFORM		NEW CROSSING CLOSURE

**MICHIGAN CITY**  
**PROPOSED DOUBLE-TRACK**  
**SHERIDAN AVE TO CARROLL AVE**

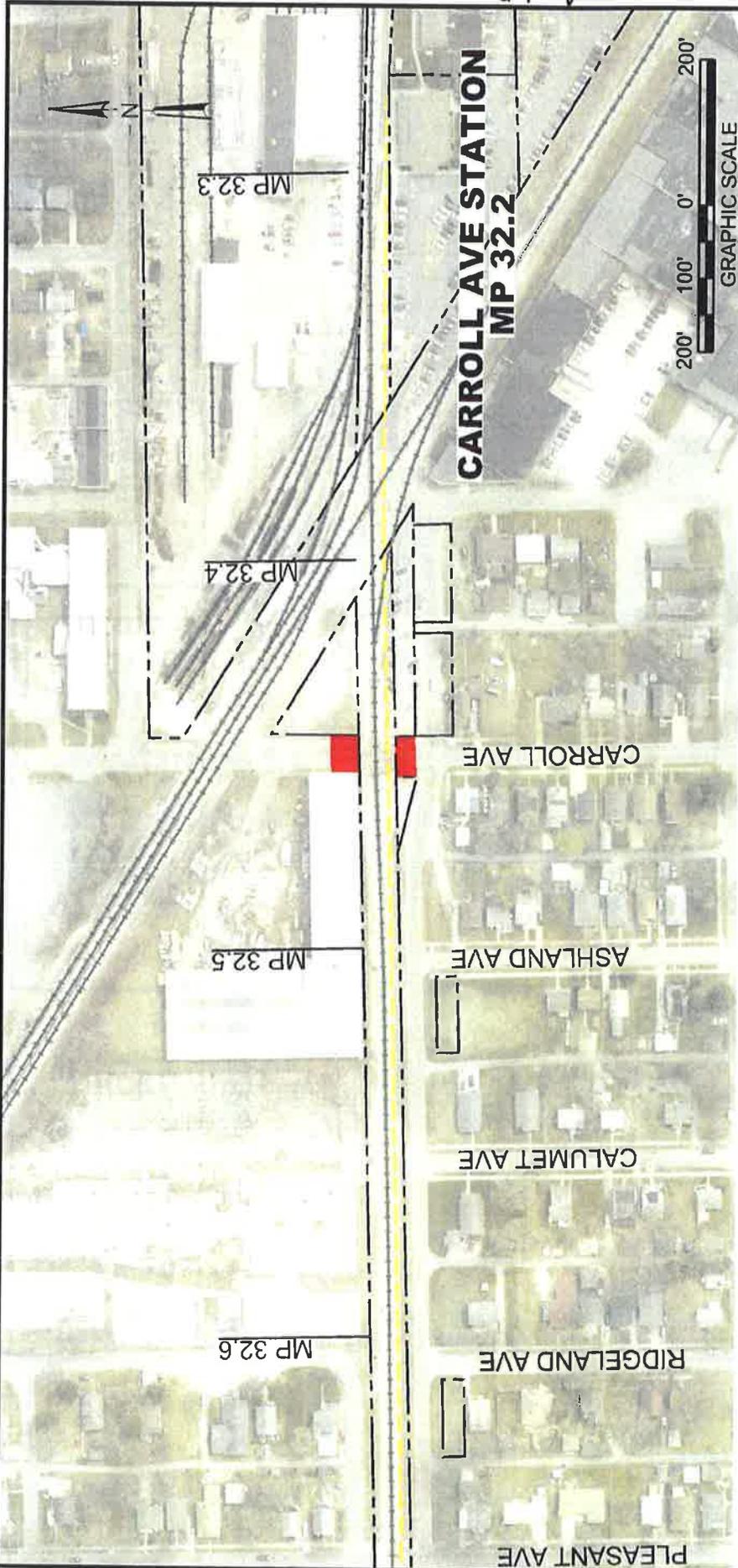


**NICTD**  
 NORTHERN INDIANA COMMUTER  
 TRANSPORTATION DISTRICT  
 33 East Highway 12  
 Chesterton, Indiana 46304

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**PRELIMINARY** 10/24/2016 | 7 OF 12

A-10



LEGEND

- EXISTING TRACK
- PROPOSED TRACK
- PROPOSED TURNOUT
- REMOVE TRACK
- FUTURE TRACK
- PROPOSED PLATFORM

- PROPOSED ADA RAMP
- PROPOSED CATENARY
- ANTICIPATED PARCEL IMPACT - COMMERCIAL
- ANTICIPATED PARCEL IMPACT - RESIDENTIAL
- PROPOSED RIGHT-OF-WAY
- NEW CROSSING CLOSURE



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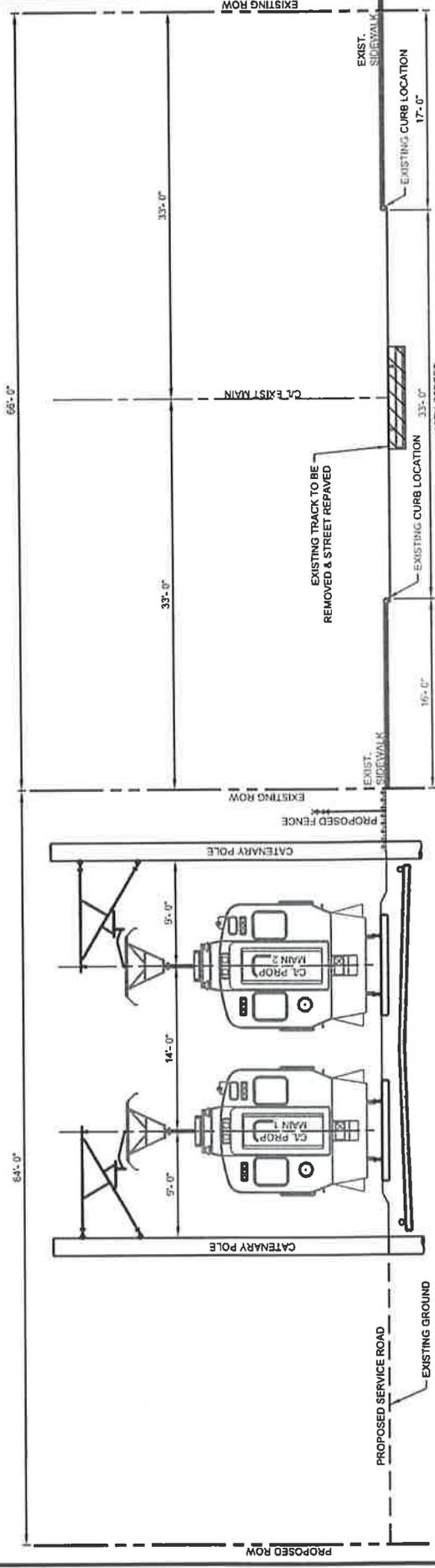
NORTHERN INDIANA COMMUTER  
 TRANSPORTATION DISTRICT  
 33 East Highway 12  
 Chesterton, Indiana 46304



MICHIGAN CITY  
 PROPOSED DOUBLE-TRACK  
 SHERIDAN AVE TO CARROLL AVE

PRELIMINARY 10/24/2016 8 OF 12

B-1



TYPICAL SECTION  
10TH STREET DOUBLE TRACK  
NOT TO SCALE

**HDR**  
 8550 W Bryn Mawr Ave  
 Suite 900  
 Chicago, IL 60631  
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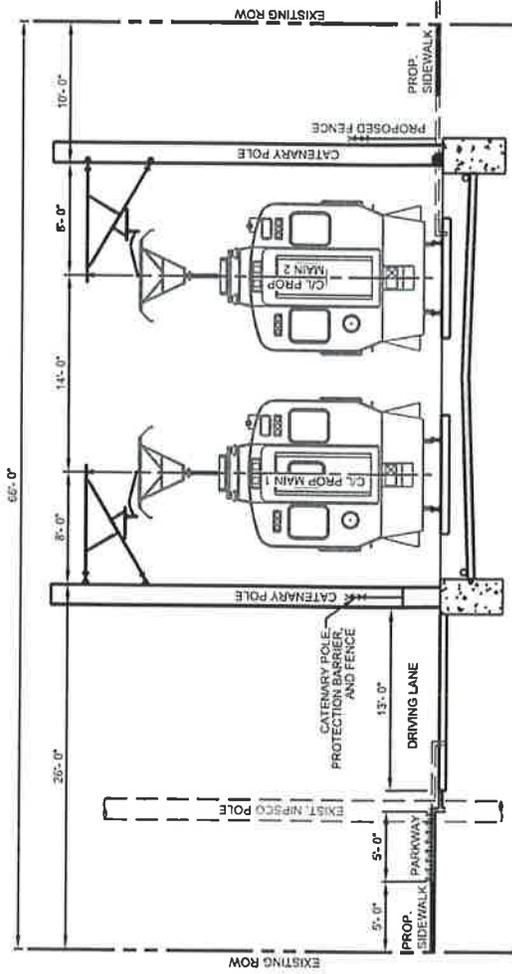
**NICTD**  
 NORTHERN INDIANA COMMUTER  
 TRANSPORTATION DISTRICT  
 33 East Highway 12  
 Chesterton, Indiana 46304



MICHIGAN CITY  
 PROPOSED DOUBLE-TRACK  
 SHERIDAN AVE TO CARROLL AVE

PRELIMINARY 10/24/2016 9 OF 12

7-D



TYPICAL SECTION  
11TH STREET DOUBLE TRACK  
NOT TO SCALE



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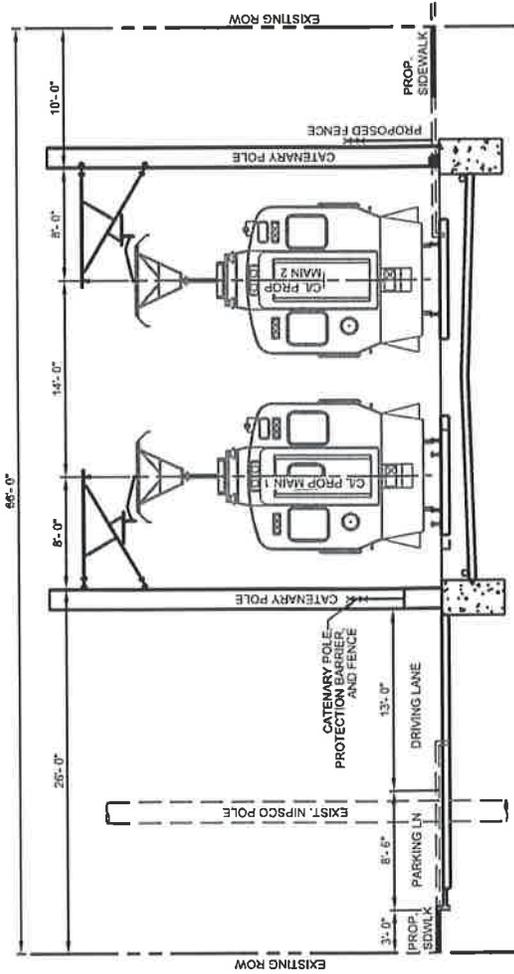
NORTHERN INDIANA COMMUTER  
TRANSPORTATION DISTRICT  
33 East Highway 12  
Chesterton, Indiana 46304



MICHIGAN CITY  
PROPOSED DOUBLE-TRACK  
SHERIDAN AVE TO CARROLL AVE

PRELIMINARY 10/24/2016 10 OF 12

B-3



TYPICAL SECTION  
 11TH STREET - WITH PARKING  
 NOT TO SCALE

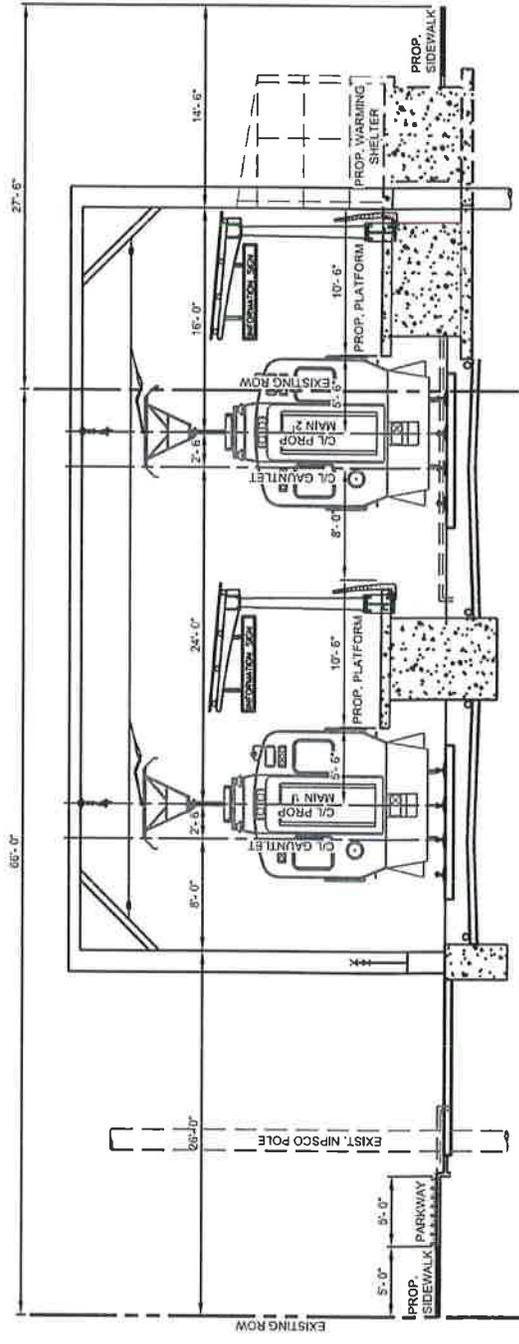
**NICD**  
 NORTHERN INDIANA COMMUTER  
 TRANSPORTATION DISTRICT  
 33 East Highway 12  
 Chesterton, Indiana 46304



MICHIGAN CITY  
 PROPOSED DOUBLE-TRACK  
 SHERIDAN AVE TO CARROLL AVE  
**PRELIMINARY** 10/24/2016 | 11 OF 12

**HDR**  
 8650 W Bryn Mawr Ave  
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 www.hdrinc.com

B-4



TYPICAL SECTION  
 11TH STREET STATION WITH TWO PLATFORMS  
 NOT TO SCALE

**HDR**  
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**NIPCO**  
 NORTHERN INDIANA COMMUTER  
 TRANSPORTATION DISTRICT  
 33 East Highway 12  
 Chesterton, Indiana 46304



MICHIGAN CITY  
 PROPOSED DOUBLE-TRACK  
 SHERIDAN AVE TO CARROLL AVE

PRELIMINARY 10/24/2016 | 12 OF 12

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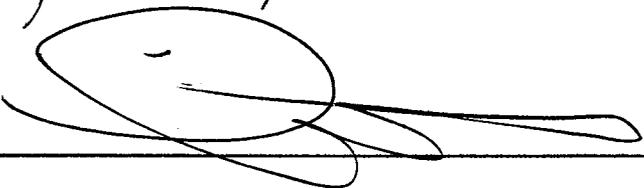
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**RESOLUTION**  
No. 4609-16

Passed by the Common Council of the City of South Bend, Indiana \_\_\_\_\_

\_\_\_\_\_ November 14, \_\_\_\_\_ 20\_\_16

Attest: *Karenah Love* \_\_\_\_\_ City Clerk

Attest:  \_\_\_\_\_ President of Common Council

Presented by me to the Mayor of the City of South Bend, Indiana \_\_\_\_\_

\_\_\_\_\_ November 15, \_\_\_\_\_ 20\_\_16.

*Karenah Love* \_\_\_\_\_ City Clerk

Approved and signed by me \_\_\_\_\_ November 16, \_\_\_\_\_ 20\_\_16.

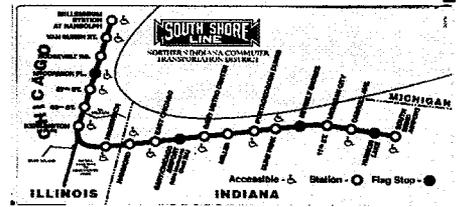
 \_\_\_\_\_ Mayor

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RESOLUTION NO. 4609-16



**A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA EXPRESSING ITS SUPPORT OF THE PROPOSED MAJOR IMPROVEMENTS AND UPGRADES OF THE NORTHERN INDIANA COMMUTER TRANSPORTATION DISTRICT WHICH OPERATES THE SOUTH SHORE LINE**

*Whereas*, the South Shore Line is a commuter rail line operated by the Northern Indiana Commuter Transportation District (NICTD), with a 10-member NICTD Board including St. Joseph County Commissioner Andrew Kostielney and St. Joseph County Council Member Mark Catanzarite, as part of the membership. For many decades, the South Shore Line has provided, and continues to provide vital transportation services from the South Bend International Airport to the Millennium Station in downtown Chicago. The South Shore services countless numbers of residents and businesses located in the following Indiana counties: Lake, Porter, LaPorte and St. Joseph; and

*Whereas*, NICTD's 20-Year Strategic Business Plan notes as part of the "Program Overview" that:

"Trip times from South Bend to Chicago would be reduced by 39 minutes, with smaller time savings from other stations. Two of the factors that have the greatest positive impact on ridership are better travel times and more frequent service. Therefore, these improvements will increase average daily ridership on the NICTD system by 38%, and would also greatly facilitate and enhance transit-oriented development and strengthen neighborhood redevelopment along the route"

and have identified \$15 million for the South Bend Realignment as part of the "Market Expansion Capital Costs" projections, and has further noted that:

"South Bend Realignment: South Shore trains currently navigate a circuitous reverse 'C' in order to access the South Bend Airport terminal from the east. The route is long and trains are slowed by 23 grade crossings. This realignment project would provide a more direct route to the west side of the airport terminal by eliminating three track miles, reducing travel time by up to 10 minutes, and cutting the number of grade crossings from 23 to 7" with a map of the expansion depicted on page 11 of the Executive Summary; and

*Whereas*, the NICTD has further proposed that the South Shore Line take the necessary steps to meet the National Environmental Policy Act (NEPA) requirements so that the proposed improvements and upgrades can meet the Federal Transit Administration's (FTA) "Core Capacity" funding guidelines, and collaborate on seeking the additional state and local funding necessary to positively move the transportation advancements forward; and

*Whereas*, the details on the "Double Track N.W. I – Connectivity for Accelerated Growth" for Michigan City where a double-track is proposed from Sheridan Avenue to Carroll Avenue were discussed at three (3) Public Workshops held at the Center for the Arts in Gary, Indiana on October 4<sup>th</sup>; at the Indiana Dunes Visitor Center in Porter, Indiana on October 5<sup>th</sup> and at the Michigan City Hall on October 6<sup>th</sup>, with more information being available at: <http://www.doubletrack-nwi.com/images/files/MichiganCityExhibitsforAgreement.pdf>; and

*Whereas*, on November 2, 2016, the Michigan City Common Council adopted a Resolution approving an operating agreement for the Northwest Indiana Double Track Project which also supports the "Core Capacity

Project” aimed at modernizing and improving the South Shore Line’s facilities through the four (4) Indiana counties of Lake, Porter, LaPorte and St. Joseph.

*Now, Therefore, be it resolved, by the Common Council of the City of South Bend, Indiana, as follows:*

Section I. The Common Council of the City of South Bend, Indiana, acknowledges that the 20-Year Strategic Business Plan of the Northern Indiana Commuter Transportation District (NICTD) was published in May of 2014. It proposes to include a four-point investment strategy addressing “baseline capital costs” to “keep the South Shore Line operating safely and efficiently” which would include:

- \$30 million for capital improvements on Metra Facilities
- \$43 million for positive train control
- \$98 million for double tracking
- \$250 million for new car orders

It would benefit tremendously the residents, businesses and visitors of St. Joseph, LaPorte, Porter and Lake counties in Indiana, resulting in increased ridership on the South Shore Line, increasing train frequency, significantly reducing travel time, improving and modernizing overall operations by reducing track and road maintenance costs by upgrading and realigning tracks, reducing the number of grade crossings, and improving South Shore Line facilities. An aggressive implementation schedule, with a majority of such proposed projects being completed by 2022 has been proposed. An Executive Summary of the Strategic Business Plan is available at: [https://www.in.gov/rda/files/Strategic\\_Business\\_Plan\\_20140528\\_Final.pdf](https://www.in.gov/rda/files/Strategic_Business_Plan_20140528_Final.pdf).

Section II. The Common Council believes that the proposed South Bend Realignment projected to cost approximately \$15 million would promote quality transit development and would contribute to increasing economic development not only in the South Bend and St. Joseph County area, but would be a significant catalyst for fostering positive growth in all of the four (4) counties between South Bend and downtown Chicago which are connected by the South Shore Line.

Section III. The Common Council pledges its support to collaborate with all elected and appointed public officials, the NICTD Board, and interested citizens so that the necessary steps to meet the National Environmental Policy Act (NEPA) requirements regarding the proposed improvements and upgrades can meet the Federal Transit Administration’s (FTA) “Core Capacity” funding guidelines.

Section IV. The Common Council believes that it is in the best interests of the City of South Bend, Indiana to positively move the transportation advancements forward.

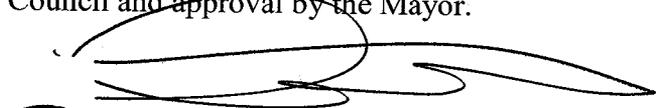
Section V. Upon the adoption of this Resolution, the Office of the City Clerk is directed to send a certified copy of this Resolution to:

Northern Indiana Commuter Transportation District (NICTD)  
33 East U.S. Highway 12  
Chesterton, Indiana 46304

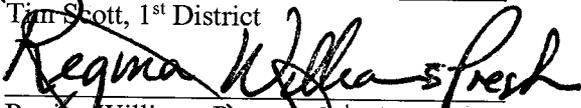
South Shore Line  
Attn: Double Track NWI  
33 East U.S. Highway 12  
Chesterton, Indiana 46304

so that it may be distributed to all NICTD Board Members, Nicole Barker of the South Shore Line, and to other interested community stakeholders and public officials served in the 4-county area of Indiana by the South Shore Line.

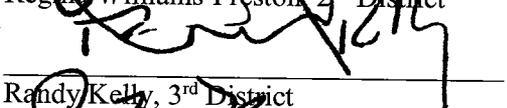
Section VI. This Resolution shall be in full force and effect from and after its adoption by the Common Council and approval by the Mayor.



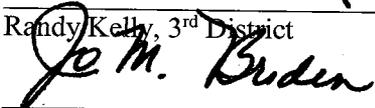
Tim Scott, 1<sup>st</sup> District



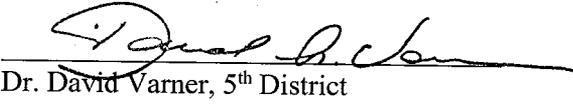
Regina Williams-Preston, 2<sup>nd</sup> District



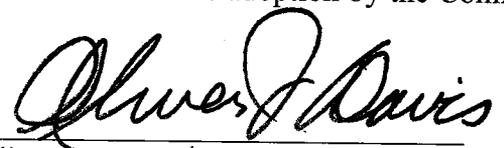
Randy Kelly, 3<sup>rd</sup> District



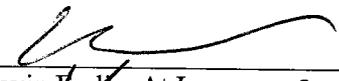
Jo Broden, 4<sup>th</sup> District



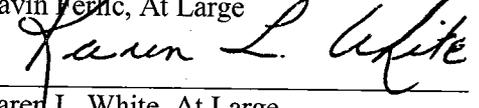
Dr. David Varner, 5<sup>th</sup> District



Oliver J. Davis, 6<sup>th</sup> District



Gavin Verlic, At Large



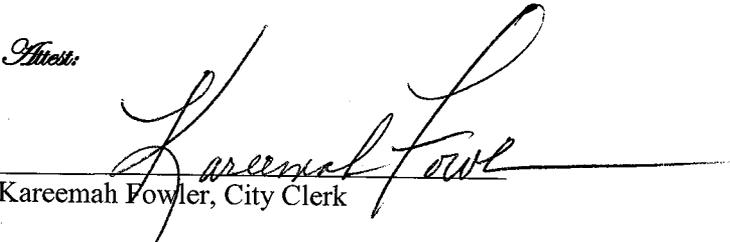
Karen L. White, At Large



John Voorde, At Large



Kathleen Cekanski Farrand, SBCC Attorney

*Attest:*  
  
Kareemah Fowler, City Clerk

*Approved this 16<sup>th</sup> day of November, 2016.*

  
Pete Buttigieg, Mayor

PRESENTED 11/14/16  
NOT APPROVED  
ADDED 11/14/16

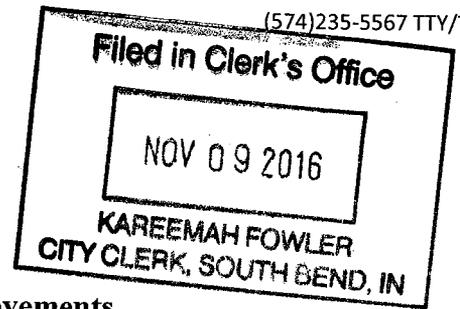
Filed in Clerk's Office  
NOV 09 2016  
KAREEMAH FOWLER  
CITY CLERK, SOUTH BEND, IN



**Common Council**  
City of South Bend Indiana  
4<sup>th</sup> Floor County-City Building  
227 West Jefferson Boulevard  
South Bend, Indiana 46601  
(574) 235-9173 Facsimile

(574) 235-9321

(574)235-5567 TTY/TDD



November 9, 2016

Members of the South Bend Common Council  
4<sup>th</sup> Floor County-City Building  
South Bend, Indiana 46601

**Re: Support for the South Shore Line Proposed Upgrades and Improvements**

Dear Council Members:

On November 2, 2016, U.S. Representative Peter J. Visclosky spoke before the Michigan City Common Council urging them to approve a proposed resolution approving an Operating Agreement for the Double Track Project between their city and the Northwest Indiana Commuter Transportation District (NICTD). The proposed upgrades of the South Shore Line in the Michigan City area is commonly referred to as the "Double Track NWI". It calls for a second set of tracks from Gary to Michigan City; as well as new high-level boarding platforms to improve boarding and disembarking from the South Shore Line trains.

The South Shore is applying for a federal grant which would pay for approximately one-half of the project's estimated \$210 million cost; and the competition for federal funding is very competitive.

The attached proposed Resolution sets forth detailed information on the NICTD's 20-Year Strategic Business Plan which sets forth proposals on updates and major improvements on the South Shore Line operations in the four (4) Indiana counties of St. Joseph, LaPorte, Porter and Lake. The capital plan upgrades include a proposed \$15 million upgrades identified as the "South Bend Realignment".

As Chairperson of the Council's Public Works and Property Vacation Committee, I believe that the Council's support of the attached Resolution addressing the proposed plan to upgrade and improve the South Shore Line may assist in the competitive federal grant application process. The many anticipated benefits of such upgrades to all communities served by the South Shore Line would contribute to all of their best interests. I have attached a copy of the Executive Summary of the 20-Year Strategic Business Plan for your review. I seek your support of this innovative plan which will boost transit and contribute to lasting and needed improvements. Thank you.

Most sincerely,

Council Member Jo (Maternowski) Broden  
4<sup>th</sup> District Common Council Member

Attachment

**LAPORTE COUNTY COUNCIL**

**RESOLUTION 2017-01**

**RESOLUTION SUPPORTING THE NORTHWEST INDIANA DOUBLE TRACK PROJECT FOR THE NORTHWEST INDIANA COMMUTER TRANSPORTATION DISTRICT (NICTD) OPERATING THE SOUTH SHORE LINE**

**WHEREAS**, the Northwest Indiana Commuter Transportation District (NICTD) has for many years operated in the middle of 10<sup>th</sup> and 11<sup>th</sup> Streets in Michigan City over track that is embedded in asphalt which presents insurmountable obstacles to modernizing the South Shore Line; and

**WHEREAS**, issues that exist because of the present “in street” alignment of the South Shore Line are obstacles to NICTD’s ability to enhance safety, comply with the Federal Railway Safety Improvement Act of 2008, address the excessive number of grade crossings, modernize the signal and catenary systems, and provide a fully accessible passenger station; and

**WHEREAS**, NICTD is presently engaged in what is referred to as a “Core” Capacity Project,” a four (4) county project benefiting Northwest Indiana that has an estimated cost of \$250,000,000, approximately half of which is expected to be utilized for modernizing and improving the South Shore Line’s facilities through Michigan City, Indiana; and

**WHEREAS**, LaPorte County supports the Core Capacity Project between the four (4) counties, which includes that portion of the project directly affecting Michigan City, which is referred to as the Double Track NWI (the “Project”); and

**WHEREAS**, the Project, which is in the environmental investigation and preliminary engineering phase, involves double tracking the South Shore Line from Tennessee Street in Gary to Michigan Boulevard in Michigan City; and

**WHEREAS**, LaPorte County reasonably believes that the Project will be of tremendous benefit to LaPorte County and its residents, businesses, and visitors by increasing ridership on the South Shore Line, increasing train frequency, reducing travel time, improvement of passenger service in LaPorte County, enhancing safety crossings, and reduction of track and road maintenance costs all of which will contribute to increasing economic development in LaPorte County, including, but not limited to, transit oriented development.

**NOW, THEREFORE, BE IT RESOLVED** by the LaPorte County Council as follows:

1. The aforementioned "Whereas" sections are incorporated herein as if fully set forth herein.
2. The LaPorte County Council resolves to work with all the necessary governmental entities in support of the construction of the Double Track Project as proposed by Northwest Indiana Commuter Transportation District (NICTD).

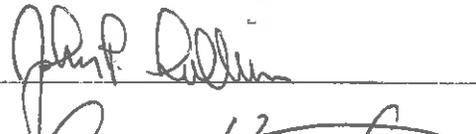
This Resolution shall be in full force and effect after passage and approval.

Passed by the LaPorte County Council, LaPorte County, Indiana, this \_\_\_ day January, 2017.

  
\_\_\_\_\_  
President

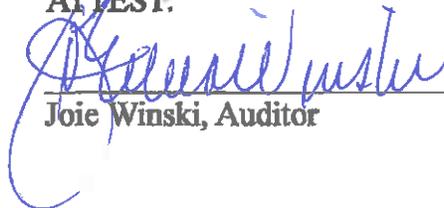
  
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**ATTEST:**

  
\_\_\_\_\_  
Joie Winski, Auditor



## Meeting Notes

Subject: Section 4(f) Coordination Meeting

Date: Wednesday, April 12, 2017

Location: Conference Call

<p>Attendees: <b>NICTD</b> Nicole Barker <b>Porter County</b> R. Thompson W. Lenckes <b>NIPSCO</b> R. Calinski</p>	<p><b>HDR</b> Janice Reid Michael Shostak Richard Christopher</p>
--	---

### Discussion Items

#### Introductions

The attendees introduced themselves

#### Purpose of Meeting

Nicole Barker stated that the purpose of the meeting was to establish duties related to changes that will be needed to the alignment of the Calumet Trail as part of the Double Track Project.

#### Overview

Nicole provided a summary of the Double Track Project. Rich Christopher provided some background on Section 4(f) of the DOT Act and why this statute comes into play for the relocation of the Calumet Trail. NICTD is proposing a finding of *de minimis* under Section 4(f) which means that the public use of the trail will not be adversely affected and the officials with jurisdiction over the trail (Porter County) agree with this finding.

#### Description of Exhibits

Janice Reid explained the exhibits attached to these minutes. These exhibits describe the relocation of the Calumet Trail and Dunes Kankakee Trail. Mr. Thompson explained that the Dunes Kankakee Trail was maintained by the Town of Porter, not Porter County. Nicole said NICTD would follow up with the Town of Porter.

#### Trail Impacts

Janice explained the impacts to the Calumet Trail. These are the realignment of the trail 20 feet to the north as the trail passes under the State Route 49 bridge to accommodate a second track on the South Shore Line and the relocation of the pedestrian railroad crossing to the Dune Park Station. Mr. Thompson pointed out that the State Route 49 bridge belongs to INDOT and that permission must be obtained from them to work on the highway right of way. Mr. Calinski pointed out that NIPSCO owned the land the trail occupies and that underground and overhead utilities needed to be avoided. Janice described the improvements to the railroad/road crossings at



Central Avenue and Waverly Road. There were no issues noted associated with this work.

**Next Steps**

Janice pointed out that a letter will be drafted to memorialize the *de minimis* findings and that the letter would be signed by Porter County after the public hearing, which is scheduled for July, 2017. Janice also pointed out that since the land is owned by NIPSCO, their approval of the relocation will also need to be obtained.

Copies to: All meeting attendees



## Meeting Agenda

Subject: Section 4(f) Discussion and Findings for Calumet and Dunes-Kankakee Trails

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Date: Wednesday, April 12, 2017

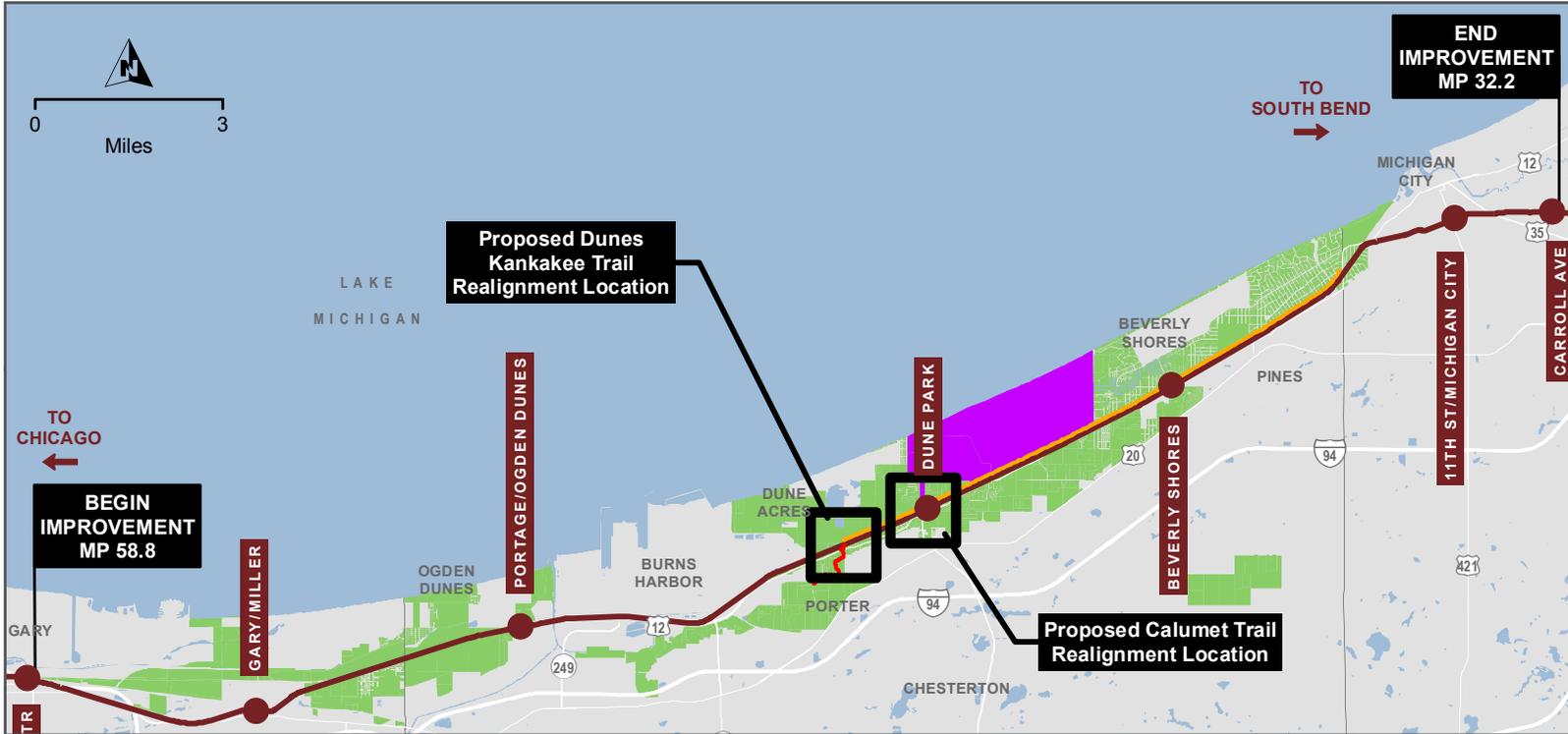
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Location: Conference Call 712-451-0484 passcode 814659

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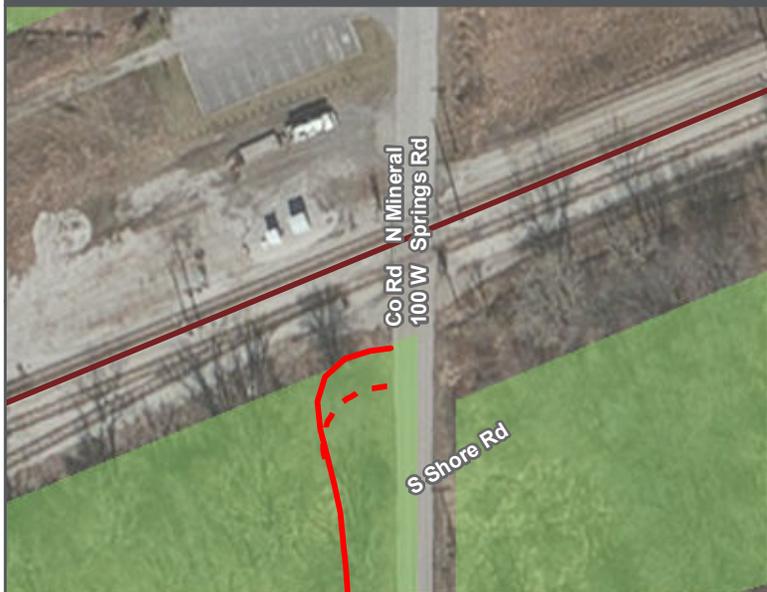
1. Introductions
2. Purpose of Meeting
3. Brief Overview of DT-NWI Project
4. Calumet and Dune Park Trail Impacts
  - a. Descriptions, maps
  - b. Confirm ownership and management of land and trails
  - c. Calumet Trail
    - i. Re-alignment under SR49 bridge & re-location of track crossing at Dune Park Station
    - ii. Roadway crossing improvements
      1. Central Avenue
      2. Waverly Road
      3. Mineral Springs Road/Parking Area Access
  - d. Dunes – Kankakee Trail
    - i. Slightly relocate trail head at Mineral Springs Road
5. Special considerations
6. Section 4(f) de minimus findings
7. Next Steps – Draft meeting minutes and letter from NICTD/FTA to Porter County for concurrence on de minimus finding

**END OF MEETING**

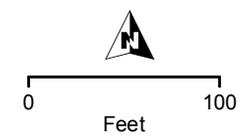


- Station
- South Shore Line
- Indiana Dunes National Lakeshore
- Indiana Dunes State Park
- Existing Dunes Kankakee Trail
- - - Proposed Dunes Kankakee Trail Realignment
- Existing Calumet Trail
- - - Proposed Calumet Trail Realignment

**PROPOSED DUNES KANKAKEE TRAIL REALIGNMENT**

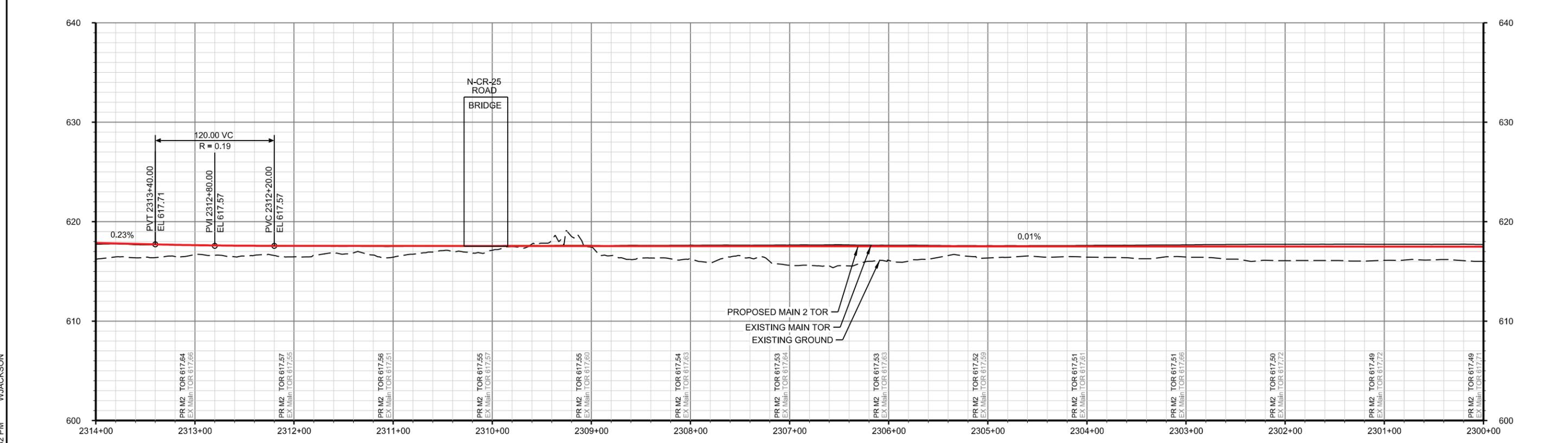
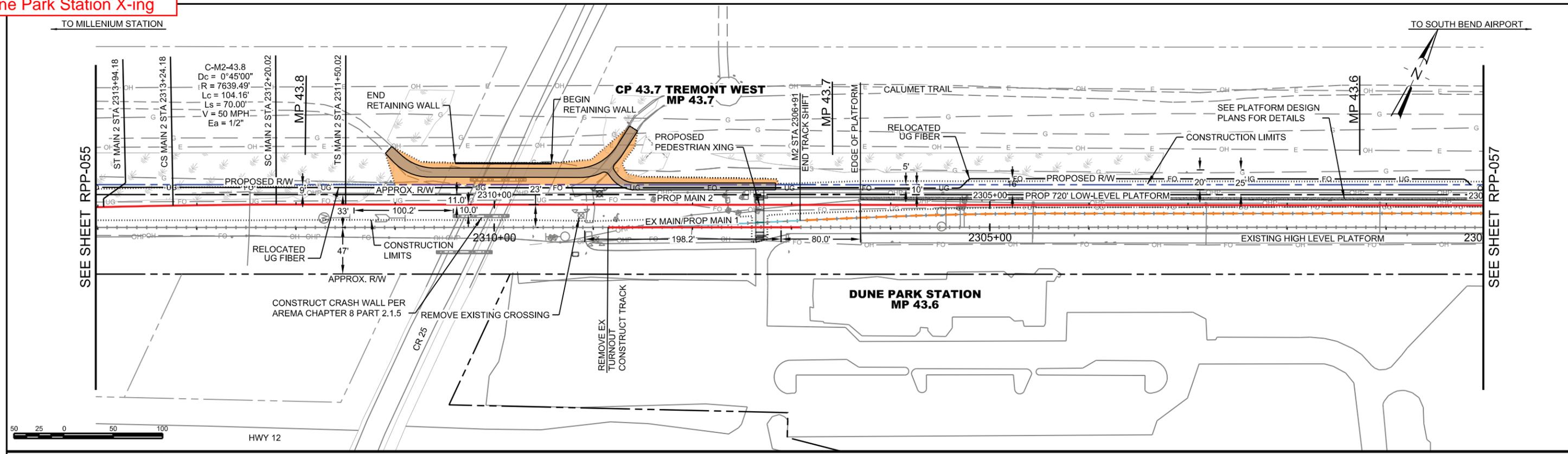


**PROPOSED CALUMET TRAIL REALIGNMENT**



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

**Calumet Trail Under SR 49  
and Dune Park Station X-ing**



PLOT DATE: 3/14/2017 4:56:52 PM WJACKSON



ISSUE	DATE	DESCRIPTION
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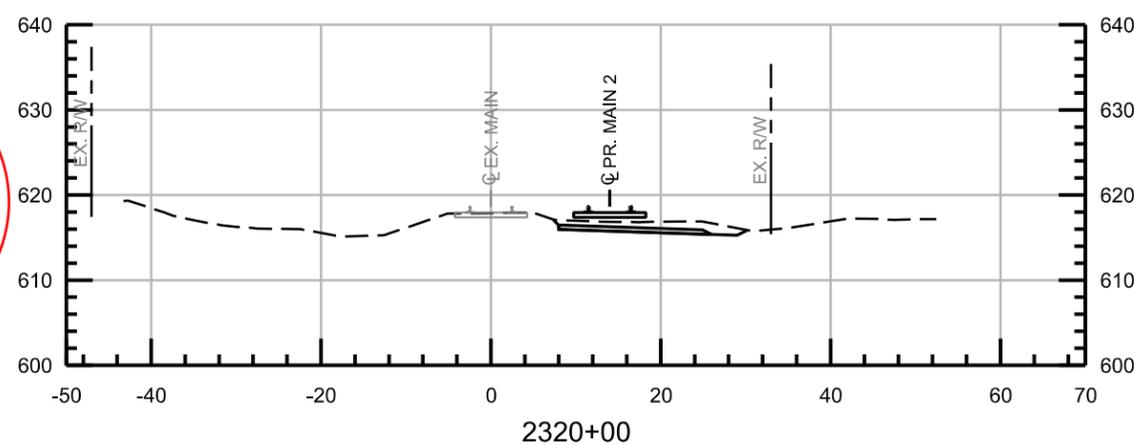
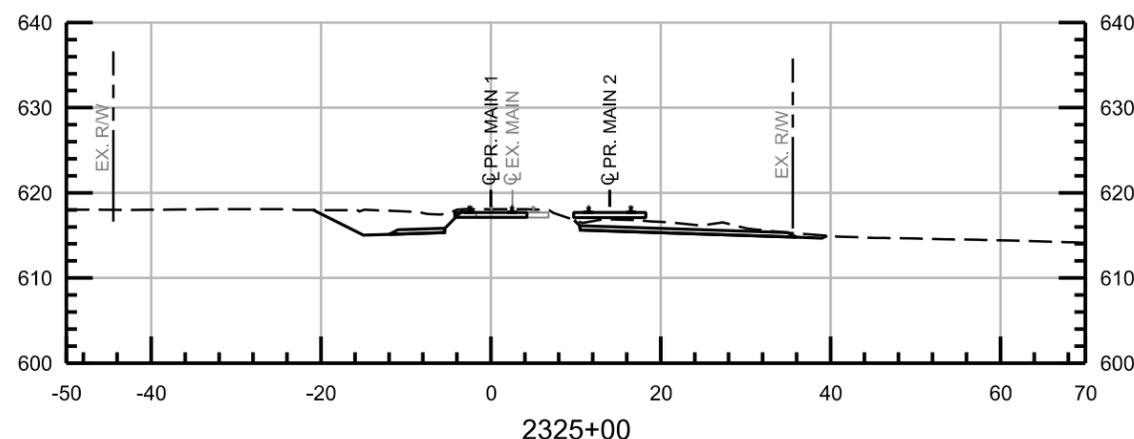
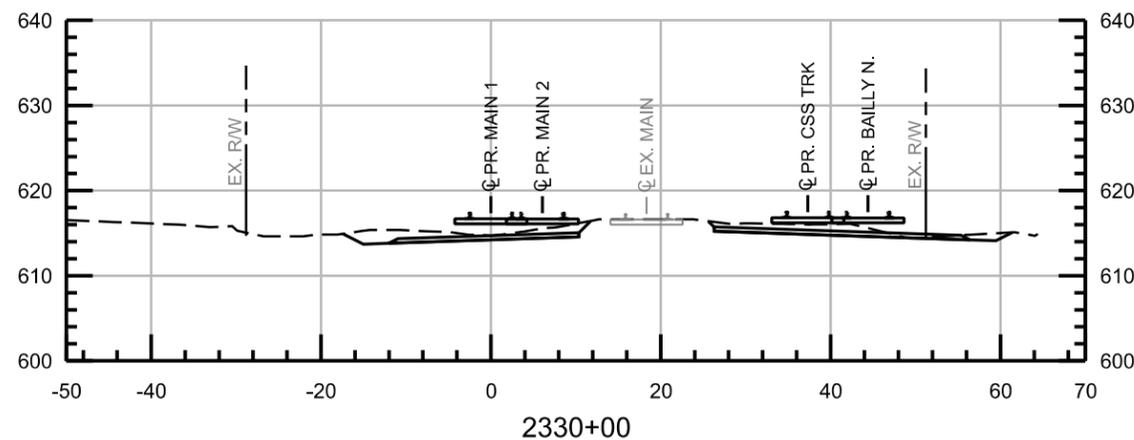
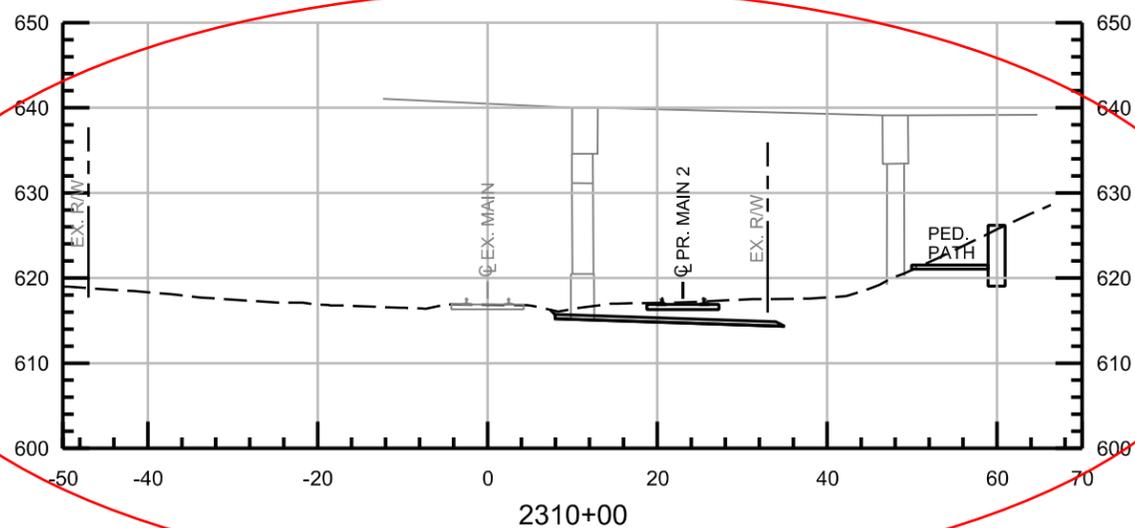
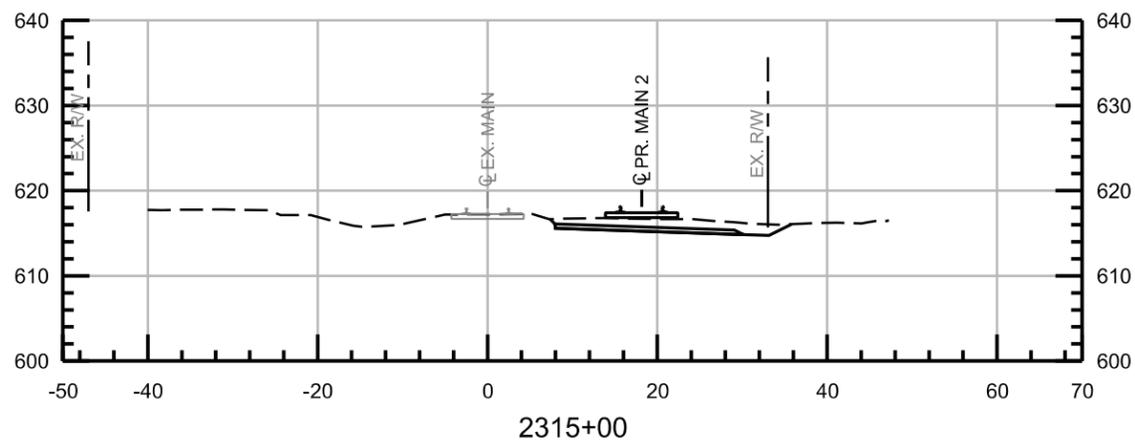


DESIGNED:	HDR-PJL
DRAWN:	HDR-WJJ
CHECKED:	HDR-ZDH
DATE:	MARCH 17, 2017

**NOT FOR CONSTRUCTION** SERIES RPP-056 OF RPP-138

NICTD - SOUTH SHORE LINE - MP 32.2 TO 58.8 DOUBLE TRACK-NWI		
<b>PLAN AND PROFILE STA 2300+00 TO 2314+00 MP 43.6 TO 43.8</b>		
FILENAME	NICTD-R-ML01-PP-00	SHEET
SCALE	AS NOTED	<b>065 OF 193</b>

Calumet Trail Under SR 49 Re-alignment



**NOT FOR CONSTRUCTION** SERIES \$RXSG-19\$ OF RXS-046



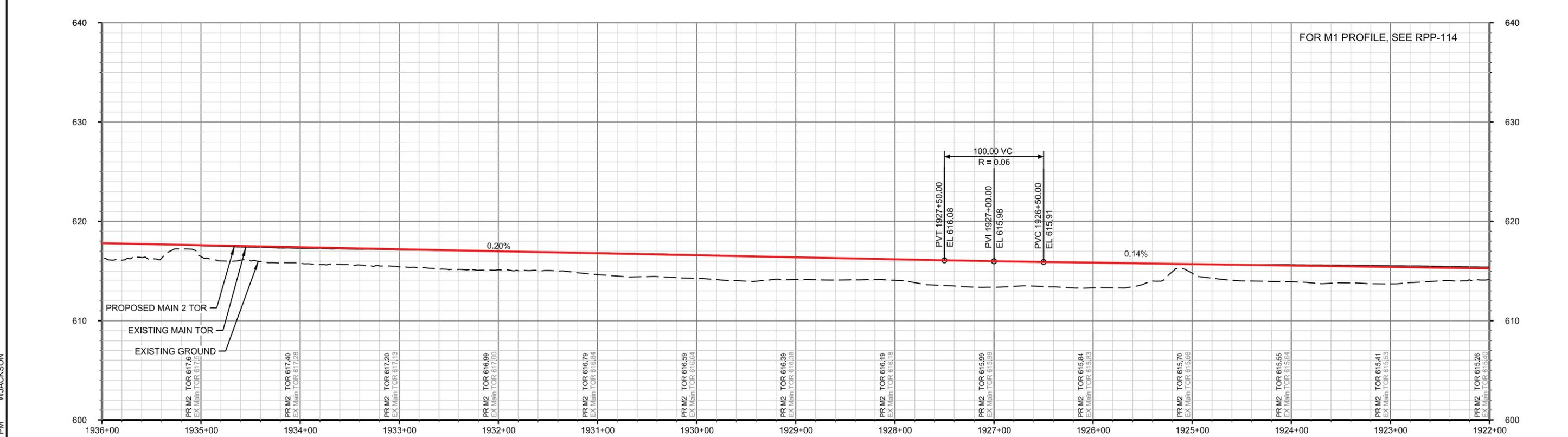
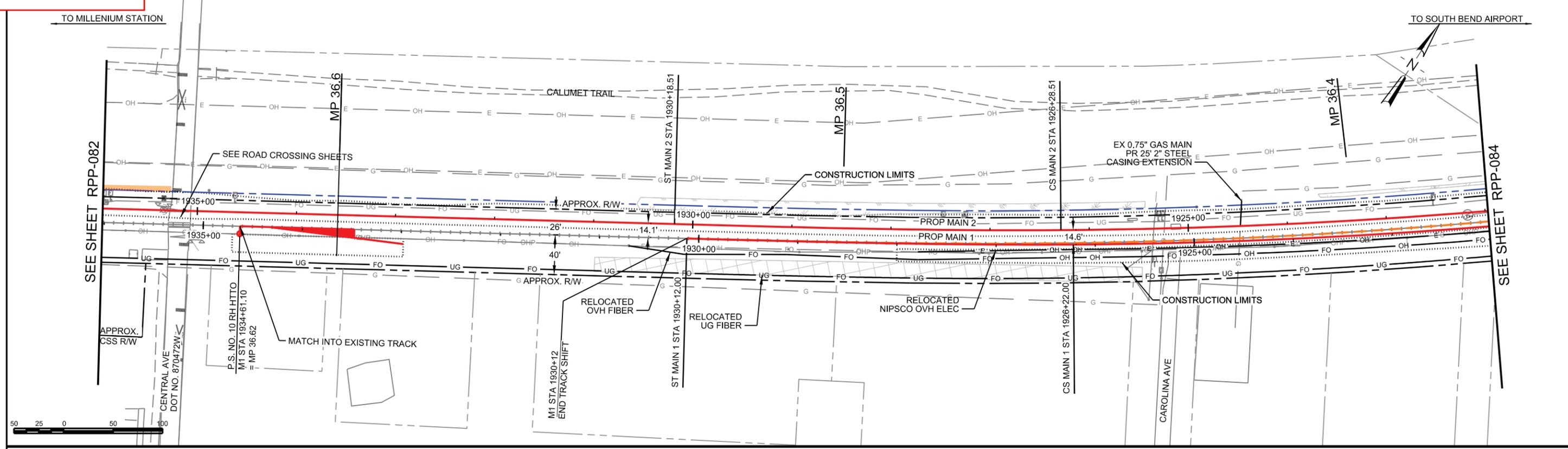
ISSUE	DATE	DESCRIPTION
0	03/17/2017	FINAL PRELIMINARY DESIGN



DESIGNED:	HDR-PJL
DRAWN:	HDR-WJJ
CHECKED:	HDR-ZDH
DATE:	MARCH 17, 2017

NICTD - SOUTH SHORE LINE - MP 32.2 TO 58.8 DOUBLE TRACK-NWI		SHEET <b>166 OF 193</b>
FILENAME	NICTD_R_ML01_XS-00	
SCALE	AS NOTED	

**CROSS SECTIONS**  
STA 2310+00 TO STA 2330+00



PLOT DATE: 3/14/2017 4:58:42 PM WJACKSON

PROP MAIN 2 PROFILE

**NOT FOR CONSTRUCTION** SERIES RPP-083 OF RPP-138



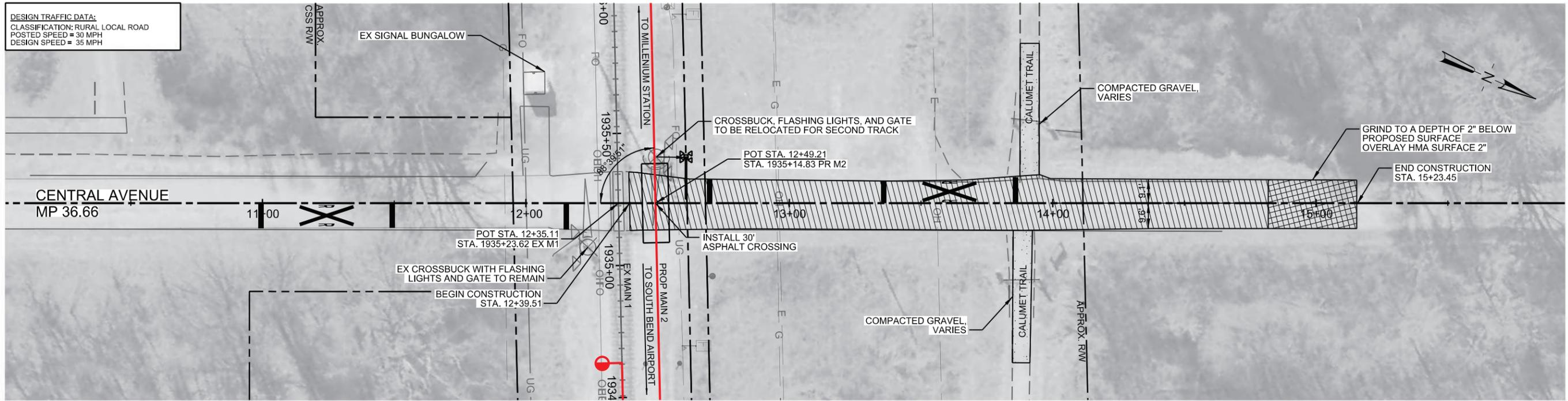
ISSUE	DATE	DESCRIPTION
0	03/17/2017	FINAL PRELIMINARY DESIGN



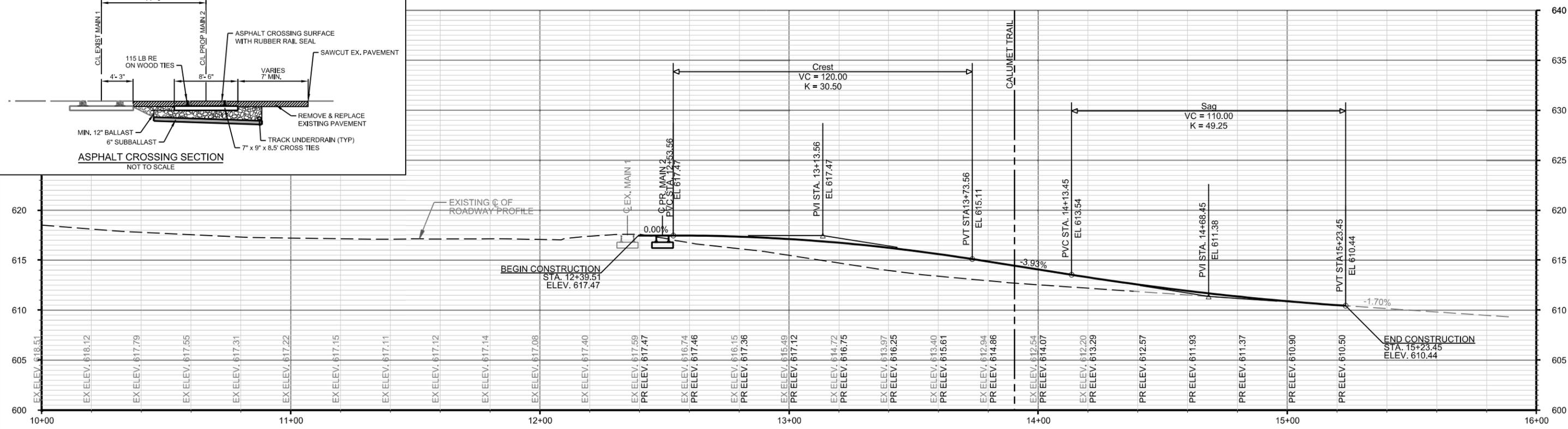
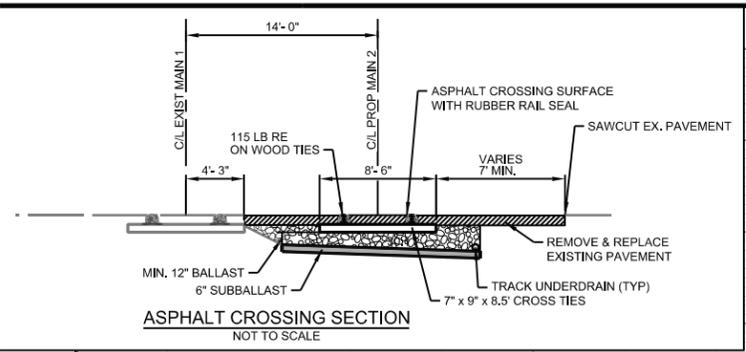
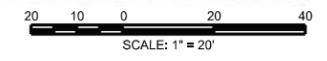
DESIGNED:	HDR-PJL
DRAWN:	HDR-WJJ
CHECKED:	HDR-ZDH
DATE:	MARCH 17, 2017

NICTD - SOUTH SHORE LINE - MP 32.2 TO 58.8 DOUBLE TRACK-NMI		
<b>PLAN AND PROFILE</b>		
STA 1922+00 TO 1936+00		
MP 36.4 TO 36.6		
FILENAME	NICTD-R-ML01-PP-00	SHEET
SCALE	AS NOTED	<b>092 OF 193</b>

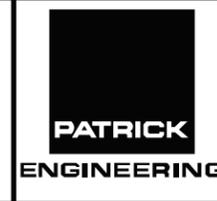
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 DESIGN SPEED = 35 MPH



PLAN  
 SCALE: 1"=20'



PLOT DATE: 3/15/2017 3:00:07 PM ahusko



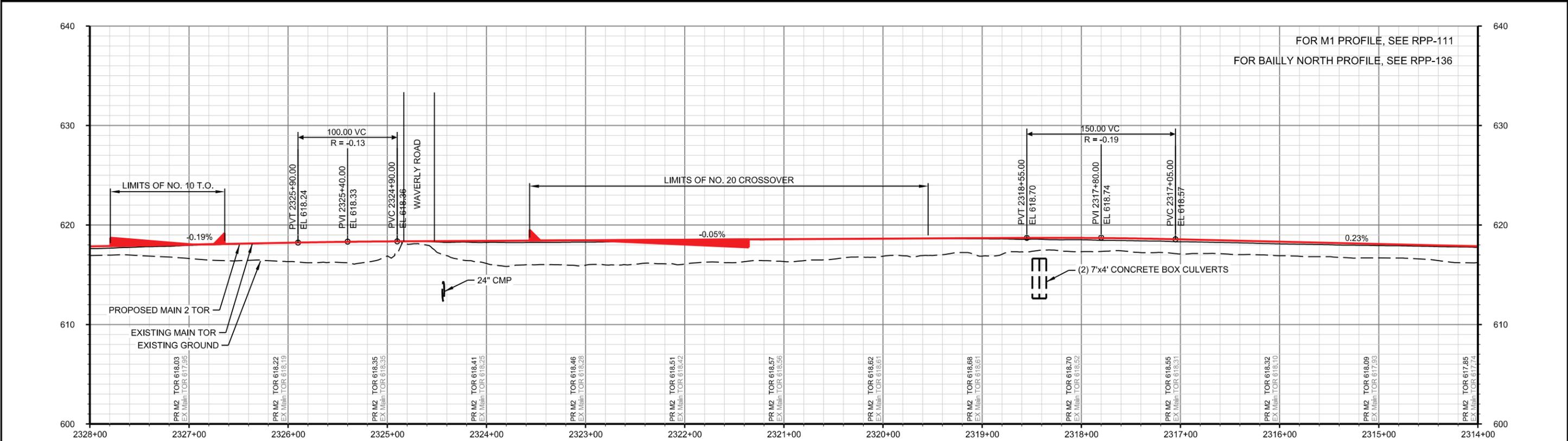
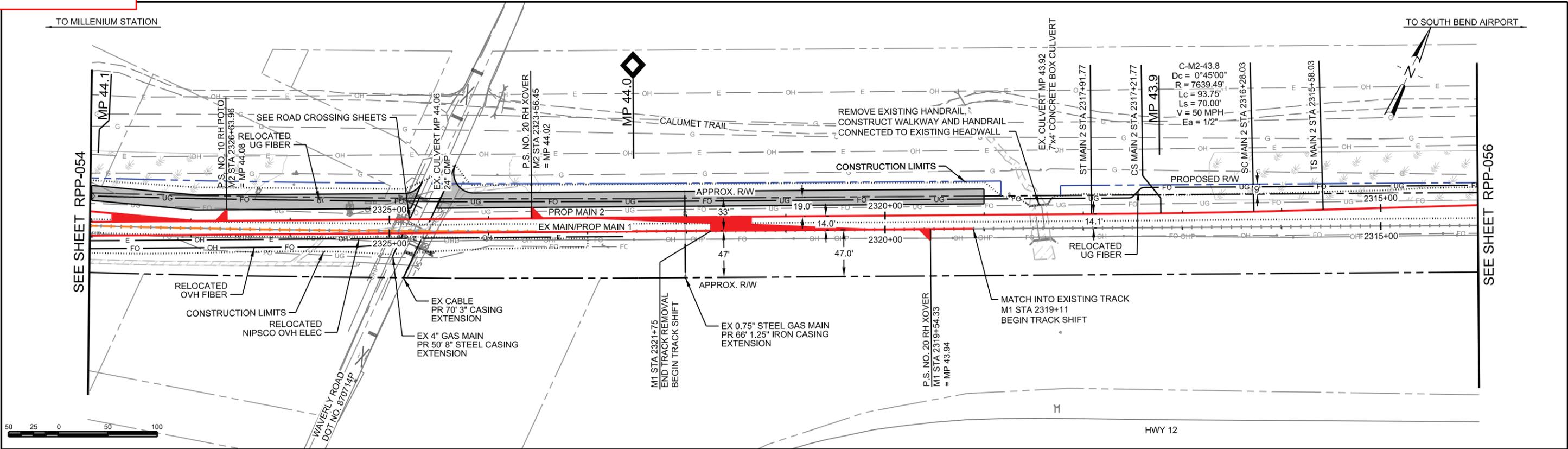
ISSUE	DATE	DESCRIPTION



DESIGNED:	PEI-TWC
DRAWN:	PEI-TWC
CHECKED:	PEI-KEK
DATE:	3/17/17

**NOT FOR CONSTRUCTION** SERIES RDP-032 OF RDP-042

NICTD - SOUTH SHORE LINE - MP 32.2 TO 58.8 DOUBLE TRACK NWI		
<b>CROSSING PLAN - MP 36.66 CENTRAL AVE - 870472W</b>		
FILENAME	CENTRAL AVE., MP 36.66, DO	SHEET
SCALE	AS NOTED	<b>36 OF 46</b>



PROP MAIN 2 PROFILE

NOT FOR CONSTRUCTION

SERIES RPP-055 OF RPP-138

PLOT DATE: 3/14/2017 4:56:47 PM WJACKSON



ISSUE	DATE	DESCRIPTION
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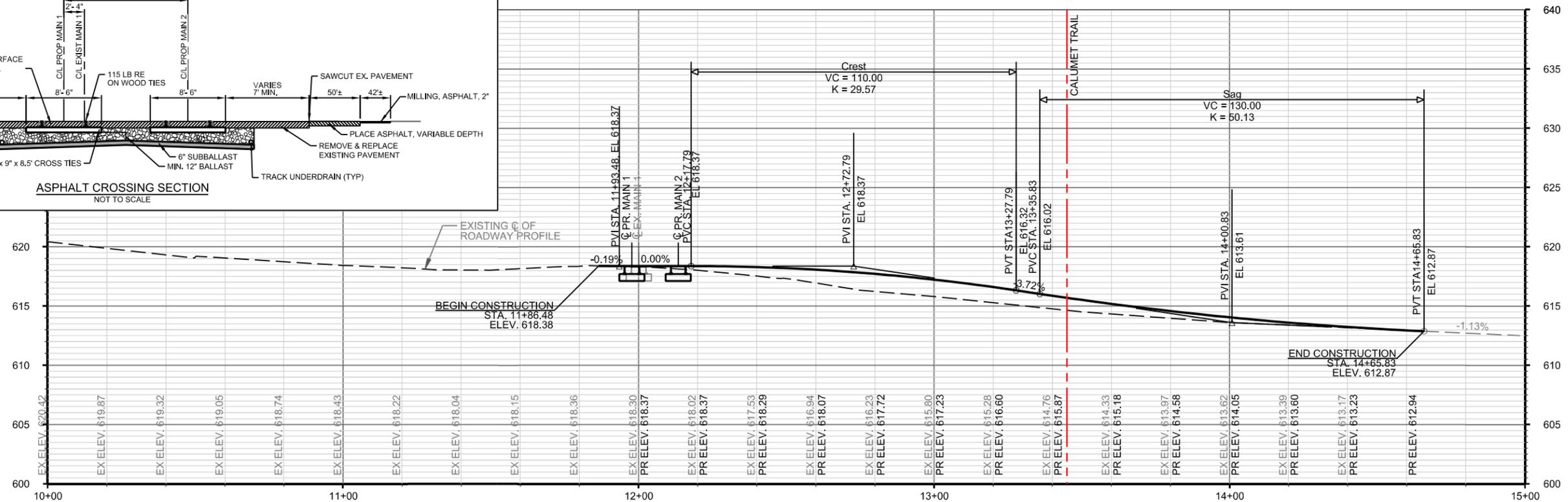
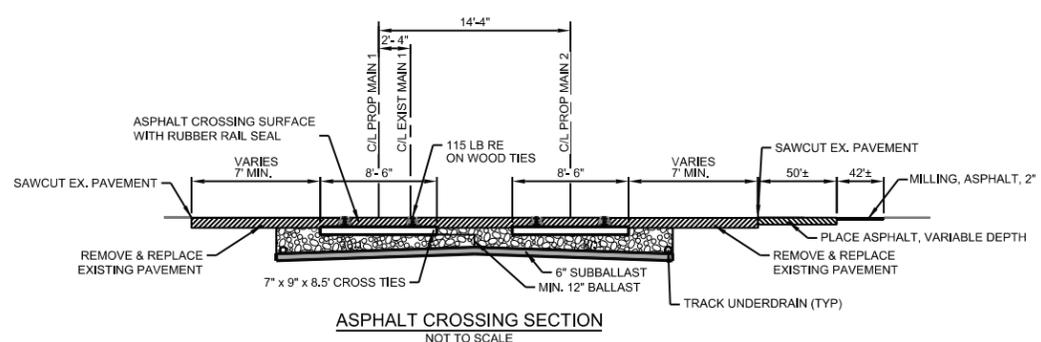
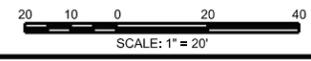
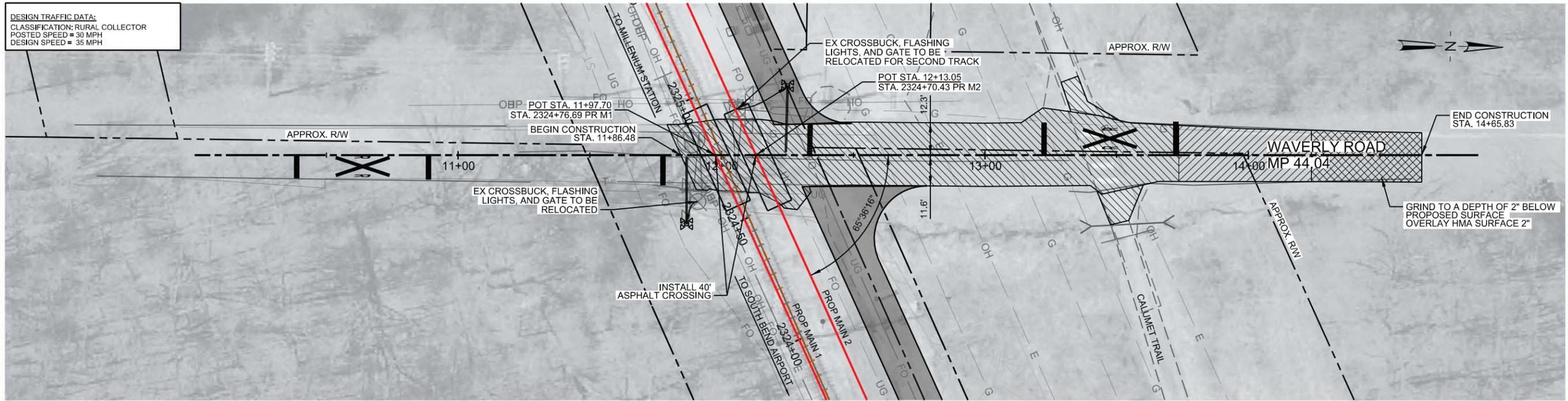


DESIGNED:	HDR-PJL
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CHECKED:	HDR-ZDH
DATE:	MARCH 17, 2017

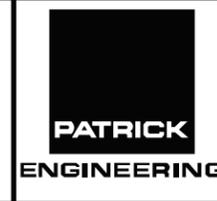
FILENAME	NICTD-R-ML01-PP-00	SHEET	064 OF 193
SCALE	AS NOTED		

PLAN AND PROFILE  
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MP 43.8 TO 44.1

DESIGN TRAFFIC DATA:  
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PLOT DATE: 3/15/2017 2:56:09 PM ahusko



ISSUE	DATE	DESCRIPTION

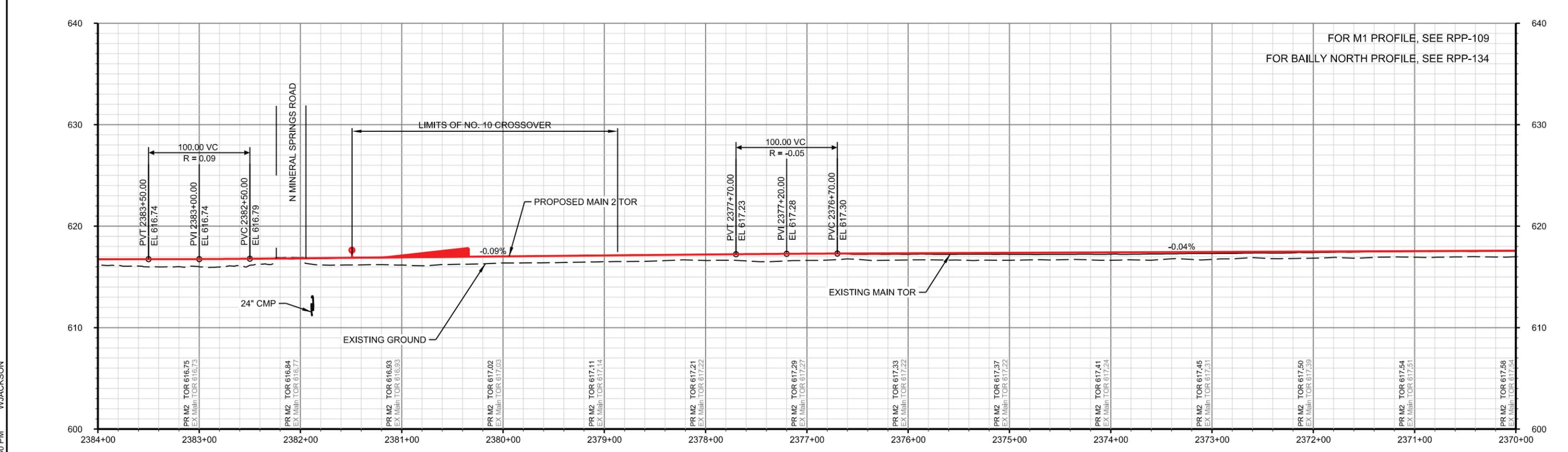
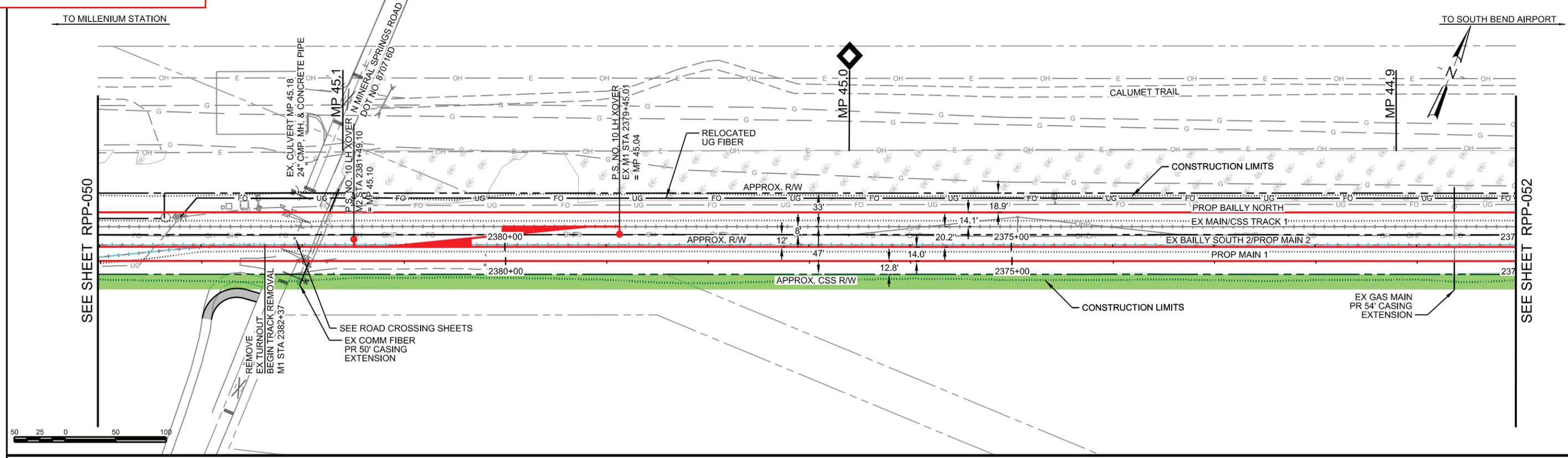


DESIGNED:	PEI-TWC
DRAWN:	PEI-TWC
CHECKED:	PEI-KEK
DATE:	3/17/17

**NOT FOR CONSTRUCTION** SERIES RDP-027 OF RDP-042

NICTD - SOUTH SHORE LINE - MP 32.2 TO 58.8 DOUBLE TRACK NWI		
<b>CROSSING PLAN - MP 44.04 WAVERLY RD - 870714P</b>		
FILENAME	WAVRLY RD., MP 44.04, DOT	SHEET
SCALE	AS NOTED	<b>31 OF 46</b>

**Mineral Springs Road Crossing**



PLOT DATE: 3/14/2017 4:56:30 PM WJACKSON

**PROP MAIN 2 PROFILE**

**NOT FOR CONSTRUCTION** SERIES RPP-051 OF RPP-138



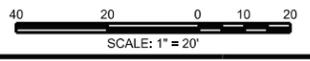
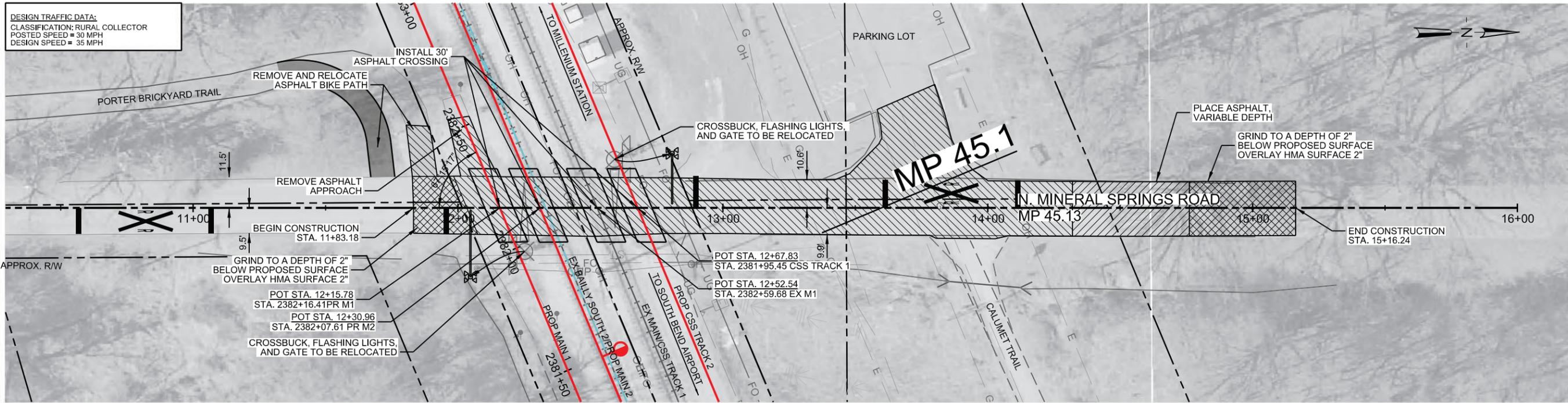
ISSUE	DATE	DESCRIPTION
0	03/17/2017	FINAL PRELIMINARY DESIGN



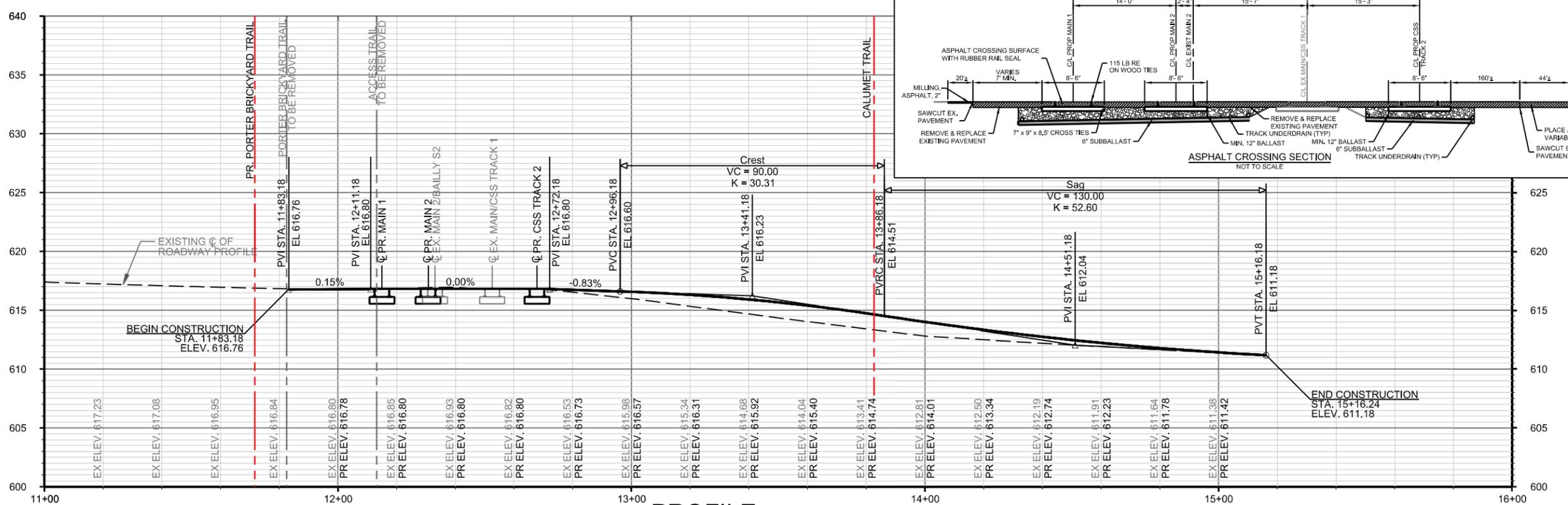
DESIGNED:	HDR-PJL
DRAWN:	HDR-WJJ
CHECKED:	HDR-ZDH
DATE:	MARCH 17, 2017

NICTD - SOUTH SHORE LINE - MP 32.2 TO 58.8 DOUBLE TRACK-NMI		
<b>PLAN AND PROFILE</b>		
STA 2370+00 TO 2384+00		
MP 44.9 TO 45.1		
FILENAME	NICTD-R-ML01-PP-00	SHEET
SCALE	AS NOTED	<b>060 OF 193</b>

DESIGN TRAFFIC DATA:  
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 POSTED SPEED = 30 MPH  
 DESIGN SPEED = 35 MPH



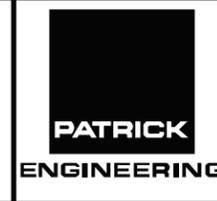
PLAN  
 SCALE: 1"=20'



PROFILE  
 SCALE: AS NOTED

NOT FOR CONSTRUCTION  
 SERIES RDP-026 OF RDP-042

PLOT DATE: 3/15/2017 2:54:54 PM ahusko



ISSUE	DATE	DESCRIPTION



DESIGNED:	PEI-TWC
DRAWN:	PEI-TWC
CHECKED:	PEI-KEK
DATE:	3/17/17

NICTD - SOUTH SHORE LINE - MP 32.2 TO 58.8 DOUBLE TRACK NWI		
CROSSING PLAN - MP 45.13 MINERAL SPRINGS RD - 870716D		
FILENAME	MINERAL SPRINGS RD., MP 45	SHEET
SCALE	AS NOTED	30 OF 46



## Meeting Notes

Subject: Section 4(f) Coordination Meeting

Date: Monday, April 17, 2017

Location: Porter Town Hall and Conference Call

<p>Attendees: <b>NICTD</b> Nicole Barker <b>Town of Porter</b> Mike Barry Brenda Brueckheimer</p>	<p><b>HDR</b> Janice Reid Michael Shostak (phone) Richard Christopher (phone)</p>
---	---

### Discussion Items

#### Introductions

The attendees introduced themselves

#### Purpose of Meeting

Nicole Barker stated that the purpose of the meeting was to establish duties related to changes that will be needed to the alignment of the Dunes Kankakee Trail as part of the Double Track Project.

#### Overview

Nicole provided a summary of the Double Track Project. Rich Christopher provided some background on Section 4(f) of the DOT Act and why this statute comes into play for the relocation of the Dunes Kankakee Trail. NICTD and FTA are proposing a finding of *de minimis* under Section 4(f) which means that the public use of the trail will not be adversely affected and the officials with jurisdiction over the trail (Porter County) agree with this finding.

#### Description of Exhibits

Nicole explained the exhibits attached to these minutes. These exhibits describe the relocation of the Dunes Kankakee Trail and Dunes Kankakee Trail. The relocation will occur just south of the NICTD tracks where the trail intersects with Mineral Springs Road. The trail needs to be moved to maintain a safe distance from the new second track. Mr. Barry confirmed that the affected portion of the trail is owned by the National Park Service (NPS) and that the Town of Porter simply maintains the trail where it traverses NPS land. Mr. Barry said he would attempt to send the agreement between the Town of Porter and NPS concerning duties related to the affected portion of the trail. Mr. Barry will send GIS information for the trail to HDR also. Nicole said NICTD would follow up with the NPS.

#### Trail Impacts

The trail head will be moved approximately 5 feet to the south. The relocated stretch of the trail is less than 50 feet long. Mr. Barry said they didn't have any issues with this work. The rail crossing at Mineral Springs Road would be temporarily closed for a short duration while it is being built. Mr. Barry and Ms. Brueckheimer said that this should remain open at all times because it is the only



road in and out that serves Dune Acres. Nicole will discuss this further with NICTD's Chief of Engineering.

**Next Steps**

Janice pointed out that a letter will be drafted to memorialize the *de minimis* findings and that the letter would be signed by the Town of Porter after the public hearing, which is scheduled for July, 2017. Janice also pointed out that since the land is owned by NPS, their approval of the relocation will also need to be obtained.

Copies to: All meeting attendees

# COUNTY - PORTER



**Board of  
Commissioners**  
Administration Center  
155 Indiana Ave. • Ste. 205  
Valparaiso, Indiana 46383

**North District**  
Jim Biggs  
(219) 465-3361

**Center District**  
Jeff Good  
(219) 465-3354

**South District**  
Laura M. Blaney  
(219) 465-3349

(219) 465-3440  
Fax: (219) 465-3362

June 27, 2017

Marisol Simon  
Regional Administrator  
Federal Transit Administration  
20 W. Adams Street, Suite 320  
Chicago, IL 60606

Re: Northern Indiana Commuter Transportation District Double Track Project (DT-NWI)

Dear Administrator Simon:

This letter concerns the Federal Transit Administration's (FTA's) preliminary finding under Section 4(f) of the DOT Act (49 USC 303) that the Northern Indiana Commuter Transportation District's (NICTD's) DT-NWI Project will have a *de minimis* impact on the Calumet Trail. Porter County has jurisdiction to maintain the Calumet Trail and concurs with this finding. NICTD has committed to coordinate with Indiana DOT since the modifications to the trail will involve work on the right of way of State Route 49.

The DT-NWI Project requires the relocation of the Calumet Trail approximately twenty feet to the north, where it crosses under the State Route 49 bridge near Dune Park Station; and the relocation of the existing trail/railroad crossing at the station to the proposed station pedestrian crossing. These relocations are due to the addition of the second track to the north of the existing track.

The Calumet Trail is approximately nine miles long. The affected portion of the Calumet Trail is only approximately 200 feet. The trail will remain open, as the relocated portion would be constructed prior to closing the existing trail under the bridge. These relocations will not affect the features, attributes or activities of the Calumet Trail that qualify the trail for protection under Section 4(f). The relocations will be performed by NICTD pursuant to plans for the trail relocation that have been approved by Porter County.

If you have any questions concerning this letter, please contact Robert W. Thompson at 219.465.3540.

Sincerely,

Handwritten signature of Jeff Good in black ink.

Jeff Good, President  
Board of Commissioners

Cc:

*Porter County is an equal opportunity employer and does not discriminate on the basis of race, color, religion, sex, age, national origin, disability, military status, genetic testing, pregnancy, sexual orientation or any other unlawful bias.*

Marisol Simon  
Regional Administrator  
Federal Transit Administration  
20 W. Adams Street  
Suite 320  
Chicago, IL 60606

Re: Northern Indiana Commuter Transportation District Double Track Project (DT-NWI)

Dear Administrator Simon:

This letter concerns the preliminary finding of the Federal Transit Administration (FTA), under what is commonly referred to as Section 4(f) of the Department of Transportation Act (49 USC § 303; Public Law 89-670), recodified under 23 USC § 138, that the Northern Indiana Commuter Transportation District (NICTD) Double Track – Northwest Indiana (“DT-NWI”) Project will have a *de minimis* impact on the Calumet Trail.

The Northern Indiana Public Service Company (NIPSCO) owns the land that the Calumet Trail occupies and concurs with the FTA’s finding. Porter County (Indiana) has jurisdiction and the responsibility to maintain the Calumet Trail and has already concurred with the FTA’s finding in a letter dated June 27, 2017. NICTD has committed to coordinate with the Indiana Department of Transportation since the modifications to the Calumet Trail for the DT-NWI Project will involve work on the right of way of State Route 49.

The DT-NWI Project requires the relocation of the Calumet Trail approximately twenty (20) feet to the north, where it crosses under the State Route 49 bridge near the Dune Park Station; and the relocation of the existing trail/railroad crossing at the Dune Park Station to the proposed station pedestrian crossing. These relocations are due to the addition of the second NICTD track to the north of the existing NICTD track.

The Calumet Trail is approximately nine (9) miles long. The affected portion of the Calumet Trail is only approximately two hundred (200) feet. The Calumet Trail will remain open, since the relocated portion of the Calumet Trail will be constructed prior to closing the existing trail under the bridge. These relocations will not affect the features, attributes or activities of the Calumet Trail that qualify the Calumet Trail for protection under 23 USC § 138. The relocations will be performed by NICTD pursuant to plans for the Calumet Trail relocation that have been approved by NIPSCO and Porter County.

If you have any questions concerning this letter, please contact Phil Patrick at 219-921-9129 or [ppatrick@nisource.com](mailto:ppatrick@nisource.com).

Sincerely,

Russel Atkins  
Vice President Electric Engineering  
Northern Indiana Public Service Company (NIPSCO)



## Meeting Agenda

Subject: Section 4(f) Discussion and Findings for Dunes-Kankakee Trail

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Date: Monday, April 17, 2017

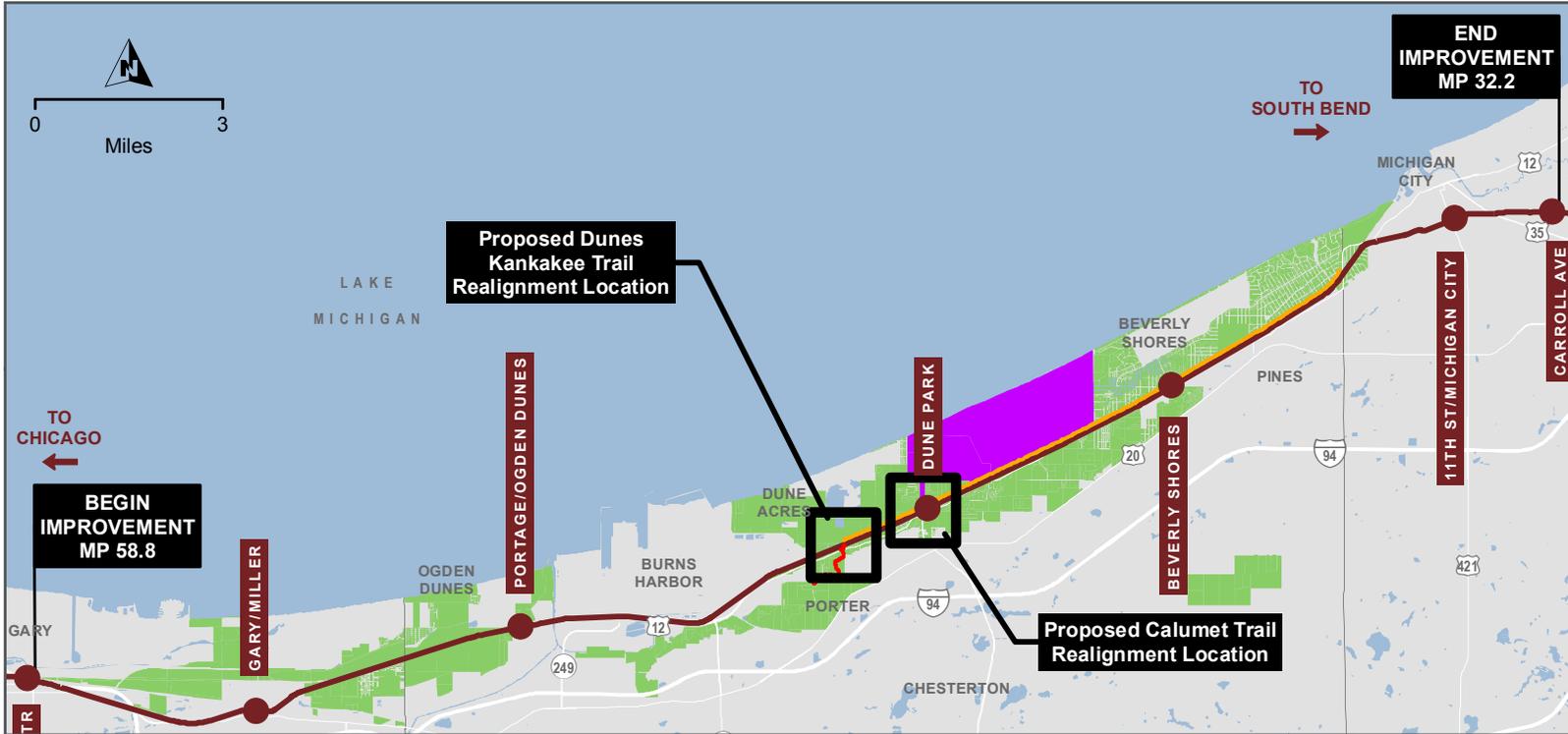
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Location: **Porter Town Hall**

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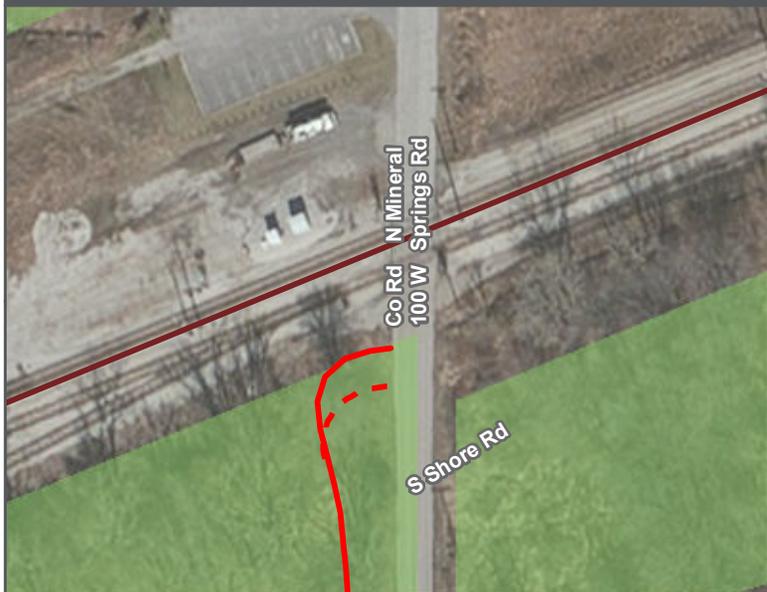
1. Introductions
2. Purpose of Meeting
3. Brief Overview of DT-NWI Project
4. Dune Park Trail Impacts
  - a. Descriptions, maps
  - b. Confirm ownership and management of land and trail
  - c. Impact - Slightly relocate trail head at Mineral Springs Road
5. Special considerations
6. Section 4(f) de minimus findings
7. Next Steps – Draft meeting minutes and letter from NICTD/FTA to Town of Porter for concurrence on de minimus finding

**END OF MEETING**

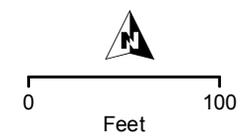


- Station
- South Shore Line
- Indiana Dunes National Lakeshore
- Indiana Dunes State Park
- Existing Dunes Kankakee Trail
- - - Proposed Dunes Kankakee Trail Realignment
- Existing Calumet Trail
- - - Proposed Calumet Trail Realignment

**PROPOSED DUNES KANKAKEE TRAIL REALIGNMENT**

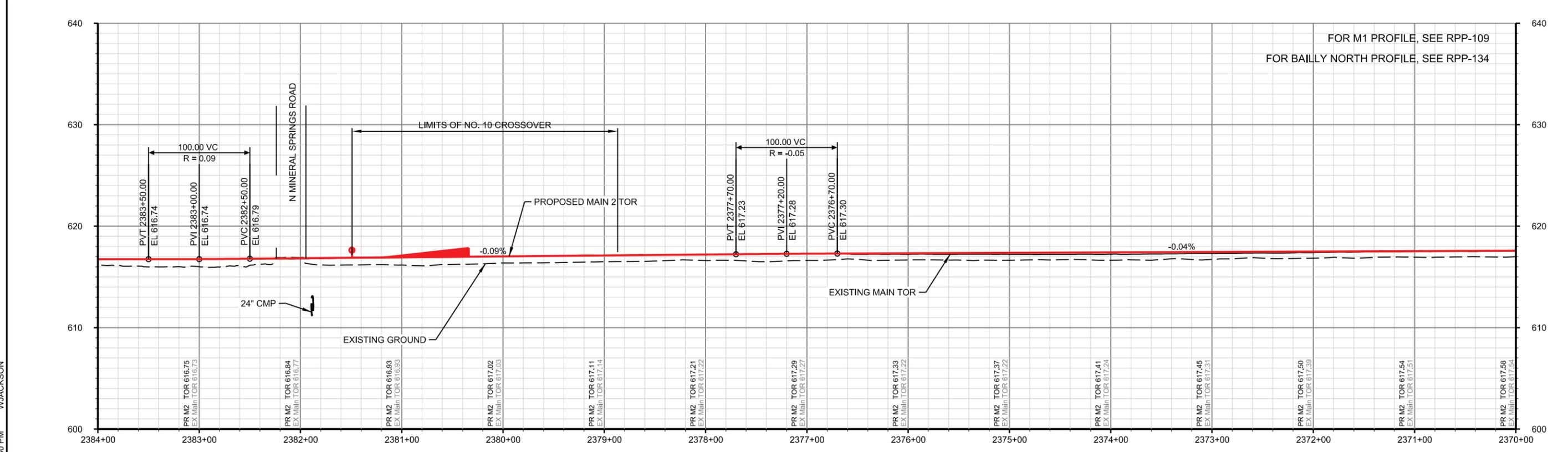
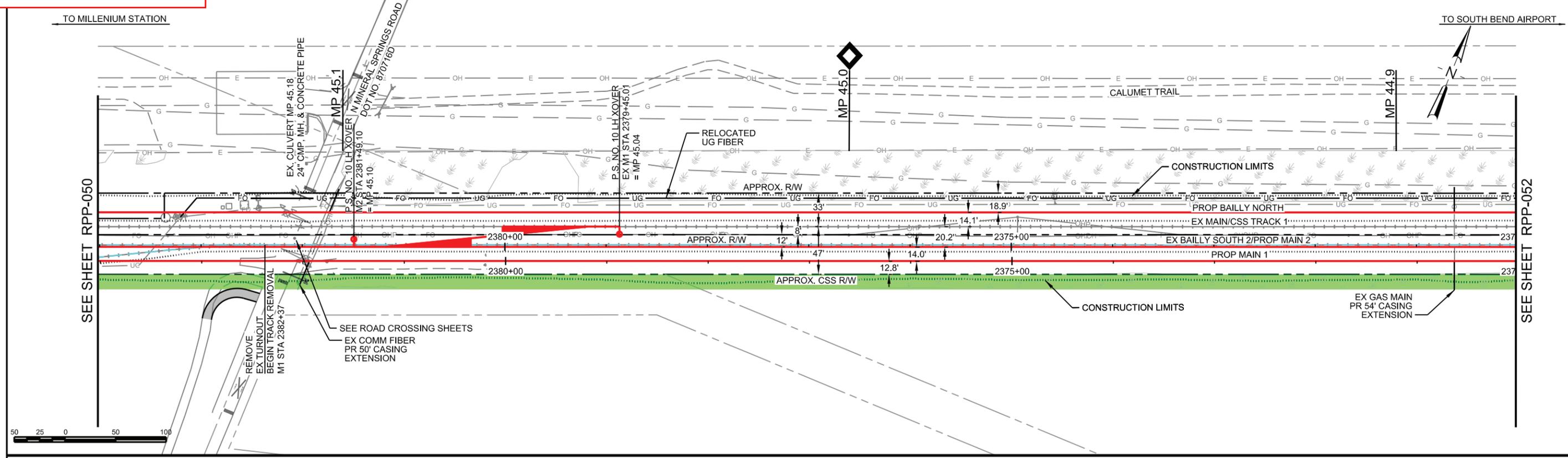


**PROPOSED CALUMET TRAIL REALIGNMENT**



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

**Mineral Springs Road Crossing**



PLOT DATE: 3/14/2017 4:56:30 PM WJACKSON

**PROP MAIN 2 PROFILE**

**NOT FOR CONSTRUCTION** SERIES RPP-051 OF RPP-138



ISSUE	DATE	DESCRIPTION
0	03/17/2017	FINAL PRELIMINARY DESIGN

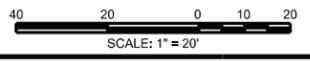
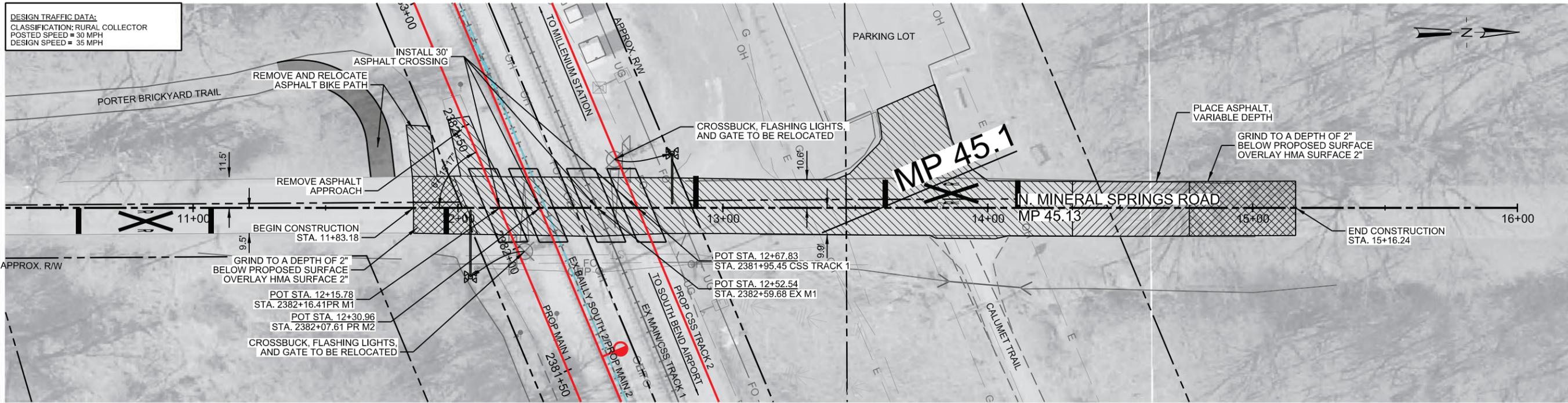


DESIGNED:	HDR-PJL
DRAWN:	HDR-WJJ
CHECKED:	HDR-ZDH
DATE:	MARCH 17, 2017

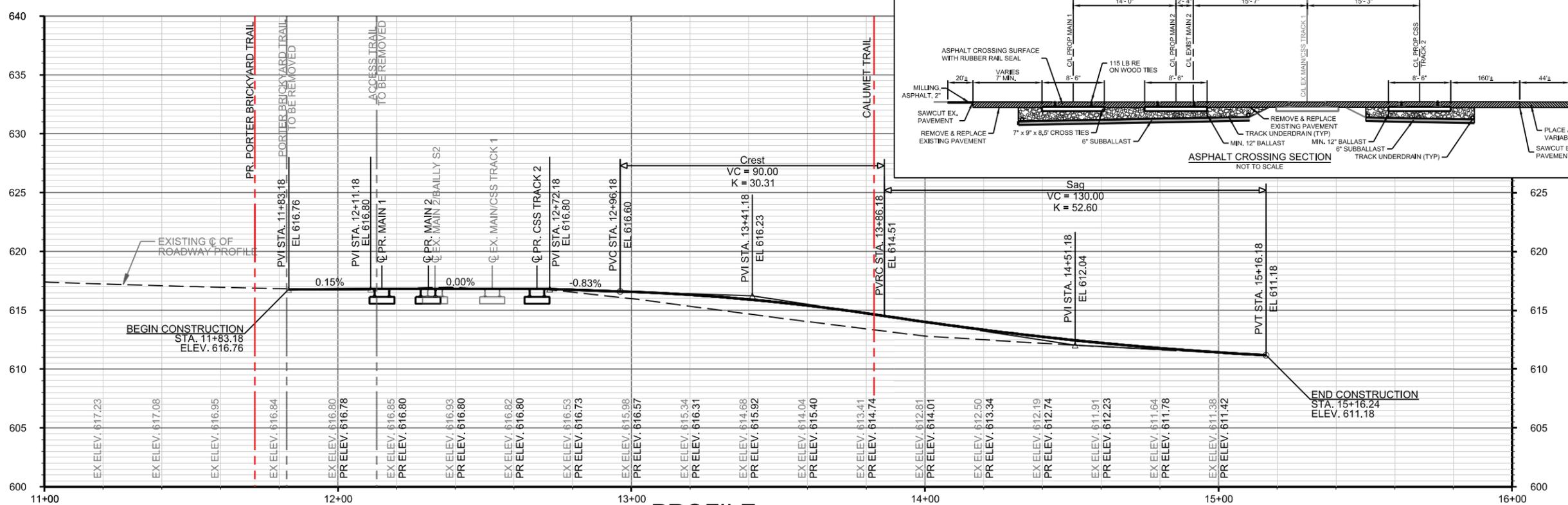
FILENAME	NICTD-R-ML01-PP-00	SHEET	<b>060 OF 193</b>
SCALE	AS NOTED		

NICTD - SOUTH SHORE LINE - MP 32.2 TO 58.8  
DOUBLE TRACK-NMI  
**PLAN AND PROFILE**  
STA 2370+00 TO 2384+00  
MP 44.9 TO 45.1

DESIGN TRAFFIC DATA:  
 CLASSIFICATION: RURAL COLLECTOR  
 POSTED SPEED = 30 MPH  
 DESIGN SPEED = 35 MPH



PLAN  
 SCALE: 1"=20'



PROFILE  
 SCALE: AS NOTED

NOT FOR CONSTRUCTION  
 SERIES RDP-026 OF RDP-042



ISSUE	DATE	DESCRIPTION



DESIGNED:	PEI-TWC
DRAWN:	PEI-TWC
CHECKED:	PEI-KEK
DATE:	3/17/17

NICTD - SOUTH SHORE LINE - MP 32.2 TO 58.8 DOUBLE TRACK NWI		
CROSSING PLAN - MP 45.13 MINERAL SPRINGS RD - 870716D		
FILENAME	MINERAL SPRINGS RD., MP 45	SHEET
SCALE	AS NOTED	30 OF 46

PLOT DATE: 3/15/2017 2:54:54 PM ahusko



June 13, 2017

Marisol Simon  
Regional Administrator  
Federal Transit Administration  
20 W. Adams Street, Suite 320  
Chicago, IL 60606

Re: Northern Indiana Commuter Transportation District Double Track Project (DT-NWI)

Dear Administrator Simon:

This letter concerns the Federal Transit Administration's (FTA's) preliminary finding under Section 4(f) of the DOT Act (49 USC 303) that the Northern Indiana Commuter Transportation District's (NICTD's) DT-NWI Project will have a *de minimis* impact on the Dunes Kankakee Trail. The Town of Porter has jurisdiction to maintain the affected portion of the Dunes Kankakee Trail and concurs with this finding.

The Double Track Project requires the relocation of the trail approximately five feet to the south, where it intersects Mineral Springs Road. This is due to the addition of the second track to the south of the existing track, closest to the trail.

The Dunes Kankakee Trail is approximately 10.1 miles long. The affected portion of the Dunes Kankakee Trail is only approximately 50 feet. The trail will remain open during construction. This relocation will not affect the features, attributes or activities of the Dunes Kankakee Trail that qualify the trail for protection under Section 4(f). The relocation will be performed by NICTD pursuant to trail relocation plans that have been approved by the Town of Porter.

If you have any questions concerning this letter, please contact Michael Barry, Town of Porter Director of Development/Building Commissioner at 219.395.9921.

Sincerely,

Handwritten signature of Greg Stinson in blue ink.

Greg Stinson  
Porter Town Council President

Cc: N. Barker, NICTD

**NIRPC**

## RESOLUTION 17-12

### **A RESOLUTION OF THE REGIONAL PLANNING COMMISSION APPROVING THE ENVIRONMENTAL JUSTICE ANALYSIS FOR THE FISCAL YEAR 2018 to 2021 TRANSPORTATION IMPROVEMENT PROGRAM AND THE 2040 COMPREHENSIVE REGIONAL PLAN UPDATE COMPANION AMENDMENT #4**

**May 18, 2017**

**WHEREAS**, Northwest Indiana's citizens require a safe, efficient, effective, resource-conserving regional transportation system that maintains and enhances regional mobility and contributes to improving the quality of life in Northwest Indiana; and

**WHEREAS**, the Northwestern Indiana Regional Planning Commission, hereafter referred to as "the Commission", being designated the Metropolitan Planning Organization (MPO) for the Lake, Porter and LaPorte County area, has established a regional, comprehensive, cooperative, and continuing (3-C) transportation planning process to develop the unified planning work program, a transportation plan, and a transportation improvement program to facilitate federal funding for communities, counties, and transit operators, and to provide technical assistance and expertise to regional transportation stakeholder interests; and

**WHEREAS**, the Commission performs the above activities to satisfy regional requirements under the Fixing American Surface Transportation Act (FAST Act, 2015), as well as other federal, state and local laws mandating transportation planning activities; and

**WHEREAS**, In accordance with Executive Order 12898 of February 11, 1994, which requires a detailed understanding of the potential benefits and burdens transportation projects can place on low-income and minority communities (environmental justice communities). NIRPC has performed an Environmental Justice (EJ) Benefits and Burdens Analysis for the significant projects in the Fiscal Year 2018 to 2021 Transportation Improvement Program and 2040 Comprehensive Regional Plan Update Companion Amendment #4 and found they will have no adverse effect on the environmental justice populations of Northwestern Indiana. For a more detailed explanation, see the attached analysis.

**WHEREAS**, the Commission performs the above mentioned activities to satisfy regional requirements under the Fixing America's Surface Transportation (FAST) Act, as well as other federal, state and local legislation mandating cooperative, comprehensive and continuing regional transportation planning activities; and

**WHEREAS**, the 2040 Comprehensive Regional Plan Update Companion Amendment #4 and Fiscal Year 2018 to 2021 Transportation Improvement Program are the products of a multi-modal, continuous, cooperative, and comprehensive transportation planning process; and

**WHEREAS**, the implementation of the projects in the 2040 Comprehensive Regional Plan Update Companion Amendment #4 and the Fiscal Year 2018 to 2021 Transportation Improvement Program will result in Summer day highway mobile source emissions of Volatile Organic Compounds and Nitrogen Oxides in 2015, 2020, 2025, 2030, 2035, 2040 and 2045 that will be below the motor vehicle emissions budgets in the State Implementation Plan for the ozone non-attainment area; and

**WHEREAS**, the Commission has solicited public comment on the Air Quality Conformity Analysis between March 21, 2017 and April 21, 2017; and

**WHEREAS**, the Commission's Technical Planning Committee gave its favorable recommendation of Resolution 17-11 to the Commission for approval.

**NOW, THEREFORE, BE IT RESOLVED** that Commission officially makes the Air Quality Conformity Determination for the 2040 Comprehensive Regional Plan Update Companion Amendment #4 and Fiscal Year 2018 to 2021 Transportation Improvement Program with respect to ozone

Duly adopted by the Northwestern Indiana Regional Planning Commission this eighteenth day of May, 2017.



Michael W. Griffin  
Chairperson

ATTEST:



Diane Noll  
Secretary

## RESOLUTION 17-11

### **A RESOLUTION OF THE NORTHWESTERN INDIANA REGIONAL PLANNING COMMISSION MAKING THE AIR QUALITY CONFORMITY DETERMINATION FOR THE 2040 COMPREHENSIVE REGIONAL PLAN UPDATE COMPANION AMENDMENT #4 AND FISCAL YEAR 2018 to 2021 TRANSPORTATION IMPROVEMENT PROGRAM WITH RESPECT TO OZONE**

**May 18, 2017**

**WHEREAS**, Northwest Indiana's citizens require a safe, efficient, effective, resource-conserving regional transportation system that maintains and enhances regional mobility and contributes to improving the quality of life in Northwest Indiana; and

**WHEREAS**, the implementation of the Clean Air Act Amendments of 1990 has established National Ambient Air Quality Standards for ozone; and

**WHEREAS**, Lake and Porter Counties have been designated as a non-attainment area with respect to the "8-hour" standard for ozone; and

**WHEREAS**, The Clean Air Act Amendments of 1990 requires that a Metropolitan Planning Organization's Long Range Transportation Plans and Transportation Improvement Programs conform to the State Implementation Plan for Air Quality by causing the Summer day emissions of Volatile Organic Compounds and Nitrous Oxides from highway mobile sources to be at or below the Motor Vehicle Emissions Budgets in the State Implementation Plan for the ozone non-attainment area; and

**WHEREAS**, the Northwestern Indiana Regional Planning Commission, hereafter referred to as "The Commission," being designated the Metropolitan Planning Organization for the Lake, Porter and LaPorte County Region, has established a regional, cooperative, and comprehensive planning program to develop the unified planning work program, long-range transportation plan and transportation improvement program; to annually endorse the plans and programs; to facilitate federal transportation funding for the Indiana Department of Transportation, regional communities and transit operators, and to provide technical assistance and expertise to regional transportation interests; and

**NOW, THEREFORE, BE IT RESOLVED** that the Northwestern Indiana Regional Planning Commission hereby approves the Environmental Justice Analysis for the Fiscal Year 2018 to 2021 Transportation Improvement Program and the 2040 Comprehensive Regional Plan Update Companion Amendment #4.

Duly adopted by the Northwestern Indiana Regional Planning Commission on this eighteenth day of May, 2017.



Michael W. Griffin  
Chairperson

ATTEST:



Diane Noll  
Secretary

**RESOLUTION 17-13**

**A RESOLUTION OF THE NORTHWESTERN INDIANA REGIONAL PLANNING COMMISSION ADOPTING AMMENDMENT NO. 4 TO THE 2040 COMPREHENSIVE REGIONAL PLAN UPDATE COMPANION FOR NORTHWESTERN INDIANA**

**WHEREAS**, the Northwestern Indiana Regional Planning Commission, hereafter referred to as "The Commission", being designated the Council of Governments, representing all local governments in the region has established a comprehensive planning process including the three domains of environmental, economic development and transportation planning; and

**WHEREAS**, the Commission, being designated the Metropolitan Planning Organization for the Lake, Porter and La Porte County Region, has established a regional, cooperative and comprehensive planning program to develop the unified planning work program, long-range transportation plan and transportation improvement program; to annually endorse the plans and programs; to facilitate federal transportation funding for the Indiana Department of Transportation, regional communities and transit operators, and to provide technical assistance and expertise to regional transportation interests; and

**WHEREAS**, the Commission performs the above mentioned activities to satisfy regional requirements under the Fixing America's Surface Transportation Act of 2015 (FAST Act), as well as other federal, state and local laws mandating 3-C transportation activities; and

**WHEREAS**, the citizens of Northwest Indiana require a safe, efficient and effective regional transportation system that maintains and enhances regional mobility and contributes to improving the quality of life in northwest Indiana; and

**WHEREAS**, the 2040 Comprehensive Regional Plan Update Companion is the product of a continuous, cooperative, and comprehensive planning process; and

**WHEREAS**, the Commission has analyzed the benefits and burdens of the implementation of the expansion project listed in the attachment, and has found that there are no unfair burdens, nor unfair lack of benefits for low income and minority populations; and

**WHEREAS**, the project was subjected to NIRPC's Congestion Management Process analysis and were found to be consistent; and

**WHEREAS**, the Commission has solicited public comment on the proposed amendment, and the comment from which and the responses to them have been made available; and

**WHEREAS**, the NIRPC Technical Policy Committee acted on May 9, 2017 to recommend inclusion of two new transportation expansion projects, and adjustments to two others as an amendment; and

**WHEREAS**, the Commission found it necessary to amend the 2040 Comprehensive Regional Plan Update Companion to include the project listed in the attachment.

**NOW, THEREFORE, BE IT RESOLVED** that The Commission hereby adopts this Amendment #4 to the 2040 Comprehensive Regional Plan Update Companion.

Duly adopted by the Northwestern Indiana Regional Planning Commission on this eighteenth day of May, 2017.



Michael W. Griffin  
Chairman

ATTEST:



Diane Noll  
Secretary

# DRAFT 2040 Comprehensive Regional Plan Update Companion

## Amendment #4

Amendment #4 to the 2040 Comprehensive Regional Plan Update Companion will add one new project onto the list of financially-constrained capacity expansion projects. The project is as follows:

- **Double tracking and related improvements on the Northern Indiana Commuter Transportation District's line from Gary to Michigan City.** Project is 25.1 miles in length, with 16.4 miles of new track.

*Open-to-traffic date:* Before January 1, 2025

*Project Sponsor:* Northern Indiana Commuter Transportation District (NICTD)

Amendment #4 to the 2040 Comprehensive Regional Plan Update Companion will move one project from the "Illustrative List of Projects" list into the list of financially-constrained capacity expansion projects. The project is as follows:

- **West Lake Extension** of the Northern Indiana Commuter Transportation District from Hammond south to Dyer. Project is nine miles in length with termini at the current mainline in Hammond to Main Street in Munster/Dyer.

*Open-to-traffic date:* Before January 1, 2025

*Project Sponsor:* Northern Indiana Commuter Transportation District (NICTD)

Amendment #4 to the 2040 Comprehensive Regional Plan Update Companion will revise the scopes of two project that are currently in the list of financially constrained capacity expansion projects. The revised scopes are as follows:

- **Illiana Expressway** completion date moved from 2020 to 2040 to align with the Chicago Metropolitan Agency for Planning, which has already moved the Illinois piece of the project to 2040 in their documents.

*Open-to-traffic date:* Before January 1, 2040

*Project Sponsors:* Indiana & Illinois Departments of Transportation (INDOT & IDOT)

- **I-65 Added Travel Lanes from US 30 to State Road 10** (adds one travel lane in each direction for a total of six). Changes southern terminus from State Road 10 to State Road 2.

*Open-to-traffic date:* Before January 1, 2020

*Project Sponsor:* Indiana Department of Transportation (INDOT)

## RESOLUTION 17-14

### A RESOLUTION OF THE NORTHWESTERN INDIANA REGIONAL PLANNING COMMISSION ADOPTING THE FY 2018-2021 TRANSPORTATION IMPROVEMENT PROGRAM FOR LAKE, PORTER, AND LA PORTE COUNTIES, INDIANA

May 18, 2017

**WHEREAS**, Northwest Indiana's citizens require a safe, efficient, effective, resource-conserving regional transportation system that maintains and enhances regional mobility and contributes to improving the quality of life in Northwest Indiana; and

**WHEREAS**, the Northwestern Indiana Regional Planning Commission, hereafter referred to as "the Commission", being designated the Metropolitan Planning Organization (MPO) for the Lake, Porter and LaPorte County area, has established a regional, comprehensive, cooperative, and continuing (3-C) transportation planning process to develop the unified planning work program, a transportation plan, and a transportation improvement program to facilitate federal funding for communities, counties, and transit operators, and to provide technical assistance and expertise to regional transportation stakeholder interests; and

**WHEREAS**, the Commission performs the above activities to satisfy requirements under the Moving Ahead for Progress in the 21<sup>st</sup> Century (PL 112-141) and the Fixing America's Surface Transportation (PL 114-357) Acts, as well as other federal, state and local laws mandating transportation planning activities; and

**WHEREAS**, the FY 2018-2021 Transportation Improvement Program is a product of a multi-modal, 3-C transportation planning process, compatible with regional goals and objectives and socio-economic and demographic factors used to form the *2040 Comprehensive Regional Plan and Companion*, as amended; and

**WHEREAS**, the FY 2018-2021 Transportation Improvement Program implements the *2040 Comprehensive Regional Plan and Companion*, as amended; is fiscally constrained, and is consistent with the State Implementation Plan for Air Quality; and

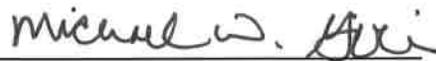
**WHEREAS**, the FY 2018-2021 Transportation Improvement Program is developed by the Commission in coordination and cooperation with local elected and appointed highway and transit officials, special interest and service organizations, including users of public transit, the Indiana Department of Transportation, the Indiana Department of Environmental Management, the U.S. Federal Highway Administration, the U.S. Federal Transit Administration, and the U. S. Environmental Protection Agency; and

**WHEREAS**, the Transportation Planning Regulations, published by the U.S. Federal Highway Administration and U.S. Federal Transit Administration (published at 23 CFR 450 Subpart B), require MPO's to certify that their planning process is being carried out in accordance with said regulation.

**NOW, THEREFORE, BE IT RESOLVED:**

1. That the Northwestern Indiana Regional Planning Commission hereby adopts the FY 2018-2021 Transportation Improvement Program for Lake, Porter, and LaPorte Counties; and
2. That the Executive Director is hereby authorized to submit the required planning self-certification.

Duly adopted by the Northwestern Indiana Regional Planning Commission on this eighteenth day of May, 2017.



Michael W. Griffin  
Chairperson

ATTEST:



Diane Noll  
Secretary



Northwestern Indiana Regional Planning Commission  
Transportation Improvement Program (TIP)  
For Lake, Porter, and LaPorte Counties, Indiana  
for State Fiscal Years 2018 -2021

---

May 18, 2017

List Version DF6

Northwestern Indiana Regional Planning Commission  
6100 Southport Road, Portage, IN 46368-6409  
Telephone: 219.763.6060 Fax: 219.762.1653  
[www.nirpc.org](http://www.nirpc.org)



U.S. Department  
of Transportation  
**Federal Highway  
Administration**

**Indiana Division**

575 North Pennsylvania Street, Rm 254  
Indianapolis, IN 46204  
(317) 226-7475  
(317) 226-7431  
<http://www.fhwa.dot.gov/indiv/>

July 3, 2017

Federal Transit Administration  
Region V  
200 West Adams St, Suite 320  
Chicago, IL 60606-5253

In Reply Refer To:  
HDA-IN

Roy Nunnally, Director  
Asset Management Division  
Indiana Department of Transportation  
100 N Senate Ave. N925  
Indianapolis, IN 46204

Dear Mr. Nunnally:

The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) have completed our review of the documents necessary to make an air quality conformity finding on the Northwestern Indiana Regional Planning Commission (NIRPC) amendment to the 2040 Comprehensive Regional Plan (CRP) and the FY 2018-2021 Transportation Improvement Program (TIP).

The Indiana Department of Environmental Management, the Indiana Department of Transportation, and the US Environmental Protection Agency have completed their reviews and recommend that we find the amendment to 2040 CRP and TIP conform to the applicable air quality conformity requirements. Appropriate consultation and public involvement on the conformity analyses was completed.

Therefore, FHWA and FTA find the NIRPC's amendment to the 2040 CRP and FY 2018-2021 TIP conform as required by the conformity rule. If you have any questions, please feel free to call Joyce Newland of FHWA at (317) 226-5353 or Susan Weber of FTA at (312) 353-3888.

Sincerely,

Mayela Sosa  
Division Administrator  
FHWA Indiana Division

Marisol Simón  
Regional Administrator  
FTA Region V

ecc: Ty Warner, NIRPC, Mary Enright, INDOT

Ty Warner, NIRPC  
Ron Hinsenkamp, WCIEDD  
Mark Policinski, OKI



U.S. Department  
of Transportation  
**Federal Highway  
Administration**

**Indiana Division**

575 North Pennsylvania Street, Rm 254  
Indianapolis, IN 46204  
(317) 226-7475  
(317) 226-7431  
<http://www.fhwa.dot.gov/indiv/>

July 3, 2017

Federal Transit Administration  
Region V  
200 West Adams St, Suite 320  
Chicago, IL 60606-5253

In Reply Refer To:  
HDA-IN

Commissioner Joe McGuinness  
Indiana Department of Transportation  
100 North Senate Avenue  
Indianapolis, Indiana 46204

Dear Commissioner McGuinness:

The Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) have completed the review of the Indiana Department of Transportation (INDOT) FY 2018-2021 Statewide Transportation Improvement Program (STIP) and the respective Metropolitan Planning Organizations' (MPOs) Transportation Improvement Programs (TIPs) received June 6, 2017. We hereby give our approval.

We would also like to take this opportunity to recognize INDOT for maintaining and updating the Planning Roles, Responsibilities and Cooperative Operation Manual (PRRCOM), which identifies the planning contacts within INDOT and specifies the responsibilities for specific state and MPO planning functions and establishes processes for various core planning documents. The PRRCOM has been used effectively to guide the development of the planning products, such as the TIPs, the Unified Planning Work Programs (UPWPs) and the Statement of Works. We also commend INDOT's planning reviews of the MPOs under the 200,000 population. We strongly believe this oversight action helps to serve as the basis for INDOT's endorsement of the self-certification of the metropolitan planning process.

As we have communicated, the FHWA and FTA issued new transportation planning rules on the statewide and metropolitan transportation planning processes to reflect the use of a performance based approach to decision-making in support of national goals. These processes will document how the MPOs, INDOT and public transportation providers agree to cooperatively develop and share information related to transportation performance data, the selection of performance targets, the reporting of performance to be used in tracking progress toward attainment of critical outcomes for the MPO region, and the data collection for the INDOT asset management plan for the National Highway System.

FHWA and FTA also have performance measures for safety, bridge and pavement conditions, congestion reduction, system reliability and transit asset management for which final regulations are published and in effect. INDOT and the MPOs must collaborate to identify performance

targets for each performance measure. For FHWA and FTA to approve amendments after May 27, 2018, the INDOT, MPOs and public transit operators must reflect this information and describe how projects in the TIP/STIP achieve the performance targets, to the maximum extent practicable, identified in the statewide and metropolitan transportation plans, linking investment priorities to these performance targets.

FHWA and FTA have determined the TIPs are based on a continuing, cooperative, and comprehensive planning process by INDOT, the MPOs, and the transit operators in accordance to 23 CFR 450. The TIP for the Northwestern Indiana Regional Planning Commission is subject to the provisions of the Transportation Conformity Rule (40 CFR Parts 51 and 93) has been found to conform (see enclosed approval letter). In addition, this planning finding is based upon the extent to which all the projects in the FY 2018-2021 STIP are the result of planning provisions found in U.S.C. 23 and U.S.C. 49.

We look forward to working with you on implementing the FY 2018-2021 STIP. Should you have any questions, please contact Joyce Newland, FHWA Planning Program Manager, at (317) 226-5353 or [Joyce.Newland@dot.gov](mailto:Joyce.Newland@dot.gov) or Susan Weber, FTA Community Planner, at (312) 353-3888 or [Susan.Weber@dot.gov](mailto:Susan.Weber@dot.gov).

Sincerely,



Mayela Sosa  
Division Administrator  
FHWA Indiana Division



Marisol Simón  
Regional Administrator  
FTA Region V

Enclosure

cc: Dan Brassard, INDOT  
Kathy Eaton-McKalip, INDOT  
Trevor Mills, INDOT  
Katie England, INDOT  
Roy Nunnally, INDOT  
Susan Weber, FTA  
Dan Avery, NIRCC  
James Turnwald, MACOG  
Jerold Bridges, MCCOG  
Josh Desmond, BMCMPPO  
Laura Thayer, CAMPO  
Seyed Shokouhzadeh, EMPO  
Anna Gremling, IMPO  
Tammy Corn, KHCCC  
Sallie Dell Fahey, APC  
Larry Chaney, KIDPA  
Marta Moody, DMMPC

**Sims, Kelly**

---

**Subject:** FW: quick review of Double Track EA final Air Quality tech report?  
**Attachments:** Signed\_Resolution\_17-11.pdf; ATT00001.htm  
**AMServiceURLStr:** <https://slingshot.hdrinc.com:443/CFSS/control?view=services/FTService>

**From:** "Scott Weber" <[sweber@nirpc.org](mailto:sweber@nirpc.org)>  
**To:** "Nicole Barker" <[nicole.barker@nicted.com](mailto:nicole.barker@nicted.com)>  
**Subject: Re: quick review of Double Track EA final Air Quality tech report?**

Oh and the Conformity Determination.

On Fri, Aug 11, 2017 at 2:00 PM, Scott Weber <[sweber@nirpc.org](mailto:sweber@nirpc.org)> wrote:  
Hi Nicole,

I went through the Air Quality portion of the NEPA document, and overall it looks great! I just have a few edits/comments which are found in the track changes I am attaching. Also, I am attaching the latest Air Quality Conformity Determination.

Thanks for sending me this and good luck with the Double Tracking Project; fingers crossed it gets rated and apportioned!

Scott

**Scott Weber**  
Transportation Planner/Analyst  
Northwestern Indiana Regional Planning Commission  
6100 Southport Rd  
Portage, IN 46368  
P: [\(219\) - 763 - 6060 x 122](tel:(219)-763-6060x122)  
E: [sweber@nirpc.org](mailto:sweber@nirpc.org)



--  
**Scott Weber**  
Transportation Planner/Analyst

## **Railroads**



May 31, 2017

Amanda J. DeCesare  
Manager Public Projects  
CSX Transportation  
500 Meijer Drive, Suite 305  
Florence, KY 41042

Re: NICTD South Shore Line Bridge over CSX at MP BI 241.02 in Gary, Indiana

Dear Ms. DeCesare:

The Northern Indiana Commuter Transportation District (NICTD) initiated the Double Track Northwest Indiana (DT-NWI) Project in March 2016 to study improvements to the South Shore Commuter Line between Gary, Indiana and Michigan City, Indiana, a total of approximately 26.6 miles.

Since federal funds will be pursued from the Federal Transit Administration (FTA) for the project, FTA and NICTD are jointly preparing an Environmental Assessment (EA) for the project pursuant to the National Environmental Policy Act (NEPA). Publication of the EA is anticipated to occur in summer 2017. Preliminary Engineering has been completed and Final Design is anticipated to begin in January 2018. Construction of the improvements is anticipated to begin in 2019.

The project includes double tracking and related platform and station improvements from approximately Tennessee Street in Gary, to Michigan Boulevard in Michigan City. In the 26.6 miles between Gary and Michigan City, construction is planned to occur primarily within existing NICTD right-of-way. In Gary, Indiana, NICTD proposes to build a second bridge over CSX adjacent to the existing bridge near CSX Barr Subdivision Milepost BI 241.02.

Attached are final preliminary plans for your information. We would like to enter a Preliminary Engineering Agreement with CSX. However, at this time, we only request that CSX provide a letter acknowledging the DT-NWI Project and stating that CSX will work with NICTD to approve the final design and agreements which will follow at a later date.

Please contact Victor Van Santen at HDR Engineering, Inc. if you have questions or other requests. Victor can be reached at (773) 380-7966 or [Victor.VanSanten@hdrinc.com](mailto:Victor.VanSanten@hdrinc.com). We look forward to your participation in this important project.

Respectfully,

A handwritten signature in blue ink that reads "Christopher Beck".

Christopher Beck  
Chief Infrastructure Development Officer

CB/vevs



---

Enclosure:

1. NICTD DT-NWI\_Final Preliminary Catenary Design Plans 2017-05-12 (Excerpt)
2. NICTD DT-NWI\_Final Preliminary Design Structural Plans\_2017-05-12 (Excerpt)
3. NICTD DT-NWI\_Final Preliminary Track Design Plans 2017-05-12 (Excerpt)

cc:

Gerald Hanas, NICTD  
Michael Shostak, HDR



May 31, 2017

Fred Schesny  
Public Improvement  
Norfolk Southern Railway  
1200 Peachtree St. NE  
Box 142  
Atlanta, GA 30316

Re: NICTD South Shore Line Bridge over NS at MP CD-484.92 in Burns Harbor, Indiana

Dear Mr. Schesny:

The Northern Indiana Commuter Transportation District (NICTD) initiated the Double Track Northwest Indiana (DT-NWI) Project in March 2016 to study improvements to the South Shore Commuter Line between Gary, Indiana and Michigan City, Indiana, a total of approximately 26.6 miles.

Since federal funds will be pursued from the Federal Transit Administration (FTA) for the project, FTA and NICTD are jointly preparing an Environmental Assessment (EA) for the project pursuant to the National Environmental Policy Act (NEPA). Publication of the EA is anticipated to occur in summer 2017. Preliminary Engineering has been completed and Final Design is anticipated to begin in January 2018. Construction of the improvements is anticipated to begin in 2019.

The project includes double tracking and related platform and station improvements from approximately Tennessee Street in Gary, to Michigan Boulevard in Michigan City. In the 26.6 miles between Gary and Michigan City, construction is planned to occur primarily within existing NICTD right-of-way. In Burns Harbor, Indiana, NICTD proposes to build a second bridge over NS adjacent to the existing bridge near NS Milepost CD-484.92

Attached are final preliminary plans for your information. We would like to enter an Agreement with NS. However, at this time, we only request that NS provide a letter acknowledging the DT-NWI Project and stating that NS will work with NICTD to approve the final design and agreements which will follow at a later date.

Please contact Victor Van Santen at HDR Engineering, Inc. if you have questions or other requests. Victor can be reached at (773) 380-7966 or [Victor.VanSanten@hdrinc.com](mailto:Victor.VanSanten@hdrinc.com). We look forward to your participation in this important project.

Respectfully,

A handwritten signature in blue ink, appearing to read "Christopher Beck".

Christopher Beck  
Chief Infrastructure Development Officer

CB/vevs



---

Enclosure:

1. NICTD DT-NWI\_Final Preliminary Catenary Design Plans 2017-05-12 (Excerpt)
2. NICTD DT-NWI\_Final Preliminary Design Structural Plans\_2017-05-12 (Excerpt)
3. NICTD DT-NWI\_Final Preliminary Track Design Plans 2017-05-12 (Excerpt)

cc:

Gerald Hanas, NICTD  
Michael Shostak, HDR



August 3, 2017

Mr. Christopher Beck  
Chief Infrastructure Development Officer  
NICTD – Northern Indiana Commuter Transportation District  
33 East U.S. Highway 12  
Chesterton, IN 46304

Dear Mr. Beck:

Amtrak is in receipt of your June 12, 2017 letter outlining Northern Indiana Commuter Transportation District's (NICTD) plans for the double track project between Gary, IN and Michigan City, IN ("DT-NWI Project").

We agree that, once the parties reach agreement regarding the scope of Amtrak's participation in the DT-NWI Project and prior to the initiation of construction activities for the DT-NWI Project, the parties will need to execute a mutually acceptable agreement.

As for your immediate concern, Amtrak agrees to review the DT-NWI Project plans, designs, and specifications and provide comments on aspects of the DT-NWI Project as may be requested by NICTD, pursuant to the terms of the Trackage Rights Agreement between NATIONAL RAILROAD PASSENGER CORPORATION (AMTRAK) and CHICAGO SOUTH SHORE & SOUTH BEND RAILROAD (CSS&SB) for Operations over Amtrak Trackage in the Vicinity of Michigan City, Indiana dated as of: May 1, 2000, as amended.

We look forward to reviewing the final plans and designs when they are available.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jim Blair", with a large, stylized flourish at the end.

Jim Blair  
Director Host Railroads

cc: Troy Mason - Amtrak  
Moe Savoy - Amtrak  
Jay Fox - Amtrak  
Carol Boehm - Amtrak  
Victor Van Santen - HDR Engineering, Inc.



Norfolk Southern Corporation  
Bridges and Structures  
1200 Peachtree St. NE  
Atlanta, GA 30309-3579  
Telephone (404) 529-1408  
Fax (404) 527-2589

**Kevin G. Hauschildt**  
Chief Engineer

**Fred Schesny**  
Engineer Public Improvements  
Phone: (404) 529-1256  
Email:  
Frederick.schesny@nscorp.com

Subject: Burns Harbor, Porter County, IN – Proposed NICTD South Shore Line OHB -  
Dearborn Division, MP CD 484.92

Date: August 3, 2017  
File: BR0029446

Mr. Victor Van Santen PE,SE, F.SEI  
Project Manager - HDR  
8550 W. Bryn Mawr Ave., Suite 900  
Chicago, IL 60631

Dear Mr. Van Santen:

Norfolk Southern has received preliminary bridge plans for the The Northern Indiana Commuter Transportation (NICTD) Double Track Northwest Indiana (DT-NWI) project at Burns Harbor, IN which were furnished by email May 31, 2017. We understand this project is in the early stages of development but we look forward to working with NICTD and HDR as the DT-NWI project moves forward.

If you have any questions or wish to discuss this project, please contact me at (404) 529-1256.

Sincerely,

*Fred Schesny*

Fred Schesny  
Engineer Public Improvements

Copy: Chris Beck (NICTD)  
Gerald Hanas (NICTD)  
Michael Shostak (HDR)



Marco Turra – Director  
CSX Transportation  
500 Water Street, J315  
Jacksonville, FL 32202  
Office (904) 359-1099  
Marco\_Turra@csx.com

August 22th, 2017

**VIA EMAIL**

Mr. Chris Beck  
Chief Infrastructure Development Officer  
South Shore Line  
33 East U.S. Highway 12  
Chesterton, IN 46304

RE: NICTD South Shore Line Bridge over CSX at MP BI 241.0 (Gary, IN)

Dear Mr. Beck:

CSX has been approached by a consultant working on a project to construct a structure for the Northern Indiana Commuter Transportation District (NICTD). Mr. Van Santen, Project Manager with HDR, has requested CSX cooperation for a new NICTD bridge over CSX at MP BI 241.0 in Gary, Indiana.

CSX welcomes the opportunity to review the plans to make sure that CSX operations and right-of-way are not negatively impacted. CSX believes that preserving the existing right of way to accommodate the freight growth will be critically important for freight fluidity and economic growth so the planning activities for your agency should not contemplate the use of any of CSX property or assets (including CSX's affiliates or subsidiaries).

CSX point of contact for the project will be Amanda DeCesare (CSX Project Manager - [Amanda\\_DeCesare@csx.com](mailto:Amanda_DeCesare@csx.com) – (859) 372 – 6124). Let me also share that CSX will seek reimbursement of any costs required to support your project including flagging and reviewing engineering plans.

We look forward as you progress the study and implementation of your project.

Sincerely,

Marco Turra

CC: Victor Van Santen – HDR Project Manager  
Amanda DeCesare – CSX Project Manager  
David Hall – CSX Resident Vice President State Relations

## **Other Coordination**

Marisol Simon  
Regional Administrator  
Federal Transit Administration  
20 W. Adams Street  
Suite 320  
Chicago, IL 60606

Re: Northern Indiana Commuter Transportation District Double Track Project (DT-NWI)

Dear Administrator Simon:

This letter concerns the preliminary finding of the Federal Transit Administration (FTA), under what is commonly referred to as Section 4(f) of the Department of Transportation Act (49 USC § 303; Public Law 89-670), recodified under 23 USC § 138, that the Northern Indiana Commuter Transportation District (NICTD) Double Track – Northwest Indiana (“DT-NWI”) Project will have a *de minimis* impact on the Calumet Trail.

The Northern Indiana Public Service Company (NIPSCO) owns the land that the Calumet Trail occupies and concurs with the FTA’s finding. Porter County (Indiana) has jurisdiction and the responsibility to maintain the Calumet Trail and has already concurred with the FTA’s finding in a letter dated June 27, 2017. NICTD has committed to coordinate with the Indiana Department of Transportation since the modifications to the Calumet Trail for the DT-NWI Project will involve work on the right of way of State Route 49.

The DT-NWI Project requires the relocation of the Calumet Trail approximately twenty (20) feet to the north, where it crosses under the State Route 49 bridge near the Dune Park Station; and the relocation of the existing trail/railroad crossing at the Dune Park Station to the proposed station pedestrian crossing. These relocations are due to the addition of the second NICTD track to the north of the existing NICTD track.

The Calumet Trail is approximately nine (9) miles long. The affected portion of the Calumet Trail is only approximately two hundred (200) feet. The Calumet Trail will remain open, since the relocated portion of the Calumet Trail will be constructed prior to closing the existing trail under the bridge. These relocations will not affect the features, attributes or activities of the Calumet Trail that qualify the Calumet Trail for protection under 23 USC § 138. The relocations will be performed by NICTD pursuant to plans for the Calumet Trail relocation that have been approved by NIPSCO and Porter County.

If you have any questions concerning this letter, please contact Phil Patrick at 219-921-9129 or [ppatrick@nisource.com](mailto:ppatrick@nisource.com).

Sincerely,

Russel Atkins  
Vice President Electric Engineering  
Northern Indiana Public Service Company (NIPSCO)