

U.S. Department of Transportation

Federal Railroad Administration

FINDING OF NO SIGNIFICANT IMPACT

Modifications to Indiana Gateway Project No. 7

Location: Pine Yard in Gary, Lake County, Indiana

May 2016

Introduction: The Indiana Department of Transportation (INDOT) proposes to undertake two modifications to Indiana Gateway Project No. 7 (Project): the construction of a lead track and movement of an access road and stormwater management ditch in Gary, Indiana (Proposed Action). The Proposed Action is within existing right-of-way in Gary, Indiana, adjacent to Norfolk Southern Railway Company's (NSRC) Chicago Line, located between Porter, Indiana and the Indiana/Illinois state line.

The Proposed Action has been evaluated in an Environmental Assessment (EA) prepared by INDOT to analyze and document whether the Proposed Action has significant effects on the environment. The EA assesses only the modifications to the Indiana Gateway Project No. 7 design plans, which were developed and previously approved for construction under a categorical exclusion on August 21, 2009. The EA does not reassess features of the Indiana Gateway Project No. 7 previously approved by the 2009 Categorical Exclusion.

The Indiana Gateway Project No. 7, including the Proposed Action, is part of the Indiana Gateway Project. The purpose of the Indiana Gateway Project is to optimize and promote rail efficiency in the Indiana Gateway area, specifically to provide for passenger (Amtrak) use of existing freight rail lines in the Indiana/Chicago corridor and improve freight rail transportation. The Indiana Gateway Project was selected by the Federal Railroad Administration (FRA), with financial assistance from the INDOT and other federal and state entities, as a recipient of ARRA funds for national transportation improvements.

FRA must comply with the National Environmental Policy Act (NEPA) of 1969 (42 U.S.C. § 4321) as the Federal agency providing grant funding for the Project, including the Proposed Action. This Finding of No Significant Impact (FONSI) is made by FRA based on the information in the EA prepared by INDOT to comply with NEPA, FRA's Procedures for Considering Environmental Impacts (64 FR 28545, May 6, 1999), and other related laws.

Statement of Purpose and Need: The identification of the purpose and need is significant in determining the reasonable range of alternatives to consider for the Proposed Action. The need defines the key problems to be addressed and explains their underlying causes. The purpose states clearly why the Proposed Action is being proposed and identifies potential anticipated outcomes. The Proposed Action is an important component of Indiana Gateway Project No. 7, which in turn is an important component of the Indiana Gateway Project.

Minor modifications to the 2009 Indiana Gateway Project No. 7 plans are required to meet the purpose and need for that Project. The need for the Indiana Gateway Project No. 7 is to address traffic congestion and constrained operational fluidity on the Chicago Line located adjacent to Pine Yard. The Chicago Line currently experiences traffic congestion and constrained operational fluidity because freight and passenger train traffic share this track and must navigate around each other to operate.

The purpose of Indiana Gateway Project No. 7, including the Proposed Action, is to mitigate traffic congestion and improve operational fluidity on the Chicago Line adjacent to Pine Yard by improving switching operations at Pine Yard, providing track and access for passing / temporary storing of multiple trains of up to 11,000 ft. in length and enabling Pine Yard to be more easily accessed, creating additional capacity on the adjacent line segment by allowing for passing of passenger trains around stopped freight traffic. With the Proposed Action, two tracks can be utilized for through traffic movement at any time should one of the tracks – the existing two mainline tracks or the new four mile Pine Siding Extension – be blocked for maintenance or out-of-service. Additionally, movement of the existing access road and stormwater ditch will provide an access road to for the maintenance of the two mainline tracks to the east of Pine Yard and the Pine Siding Extension. An access road is essential for maintaining tracks in good repair.

Proposed Action Vicinity: The Proposed Action is located within existing right-of-way at Pine Yard in Gary, Lake County, Indiana, and north of US Interstate 90 near the Gary- Chicago International Airport, between CP-497 (just east of Porter at railroad milepost CD 49.3) to Clark Road. The areas adjacent to Pine Yard are characterized by dense industrial development.

Alternatives Considered for Analysis:

No-Build Alternative: The No-Build Alternative was considered in the EA in lieu of incorporating the addition of the Pine Yard Lead Track and the movement of the existing access road and stormwater management ditch. However, this alternative does not achieve the purpose and need of the Proposed Action. Without the Pine Yard Lead Track, switching operation would occupy Main Track #1 at the west end of Pine Yard, congestion would continue and could increase due to the inability to hold and pass trains clear of the two main tracks, and the east end of the yard could not be efficiently accessed. The Pine Yard Lead Track is necessary to mitigate congestion on the Chicago Line near Pine Yard. Additionally, if the access road and the stormwater rail ditch were not moved, the Pine Siding Extension would be constructed on top of the existing access road and ditch and no replacement access road or ditch would support the Pine Siding Extension.

Alternative Track Alignments: The six alternatives presented in the EA are based on alternatives previously designed as part of the Section 404 permitting process in 2015, see figure below. These alternatives did not address the movement of the existing access road and stormwater management ditch. For the purposes of the EA, the six alternatives described below include the movement of the existing access road and stormwater management ditch 4-6 feet north of its current location.

Design features of the Pine Yard Lead Track include the roadbed supporting the new track and the width of the roadbed. NSRC standard roadbed sections provide adequate geotechnical support for new tracks to be constructed on various types of soil. To minimize the wetland impacts of the Proposed Action, NSRC

considered use of alternative roadbed sections. Alternatives considered included standard NSRC roadbed sections, precast concrete T-Wall, precast concrete block wall, cast-in-place concrete wall, steel sheet pile wall, gabion basket wall, and steep side slopes with rip-rap armor.

The use of T-wall, precast concrete block wall, and retaining measures such as steel sheet pile was determined to be unnecessary due to topographic features and alignment. In some instances, use of these features would require temporary construction impacts in wetland areas, and extensive de-watering during construction. Also, existing buried fiber optic cable ducts are present in the construction area. Protection or relocation of this infrastructure would result in temporary wetland disturbances. Of all the roadbed section alternatives considered, a steepened side slope with rip rap armor was found to have the least wetland impacts.

Alternatives for the width of Pine Yard Lead Track roadbed within the adjacent wetland areas have also been evaluated. In order to mitigate impacts to wetlands and upland areas, including remnant dune and swale, NSRC applied minimum track widths within engineering safety and operational constraints. Specifically, NSRC narrowed the walkway shoulder from the standard NSRC rail sections, which in turn narrows the footprint of the Proposed Action in both upland and wetland areas.

Preferred Alignment: This is the original design that NSRC generated for the Pine Yard Lead Track in March 2015. The proposed track follows a former track roadbed, and has the least amount of impacts to wetlands at 0.153 acre. This alignment meets the purpose and need of the Proposed Action while minimizing impacts to waters of the U.S. (WOTUS). As noted below, however, based upon resource agency comments and comments from the public, a preference for protection of upland state protected plant species resulted in a preference for Alternative E for the purpose of the EA.

Alternative A: The Alternative A has optimal track geometry from a track design standpoint. The track extends as a straight line from the turnout near the main line, and minimizes track curvature. The yard turnout is shifted as far west along the Canadian National Railway (CN) track as possible. There are greater wetland impacts associated with this alignment as compared to the Preferred Alignment. Alternative A impacts wetlands W-1, W-2, W-3, and W-4, which have state listed species identified in the Floristic Quality Analysis (FQA).



Alternative B: The Alternative B alignment avoids disturbance of the former track roadbed area. The proposed track parallels the main line until wetland impacts are encountered. Then, the track diverges from the main lines and crosses wetlands in order to reach the CN track. There are significant wetland impacts associated with this alignment as compared to the Preferred Alignment. Alternative B impacts wetlands W-1 and W-4, which have state listed species identified in the FQA analysis.

Alternative C: The Alternative C alignment avoids the former track roadbed area. The track parallels the main line, impacts the edge of a wetland area, and curves to meet the location of the turnout in the CN track. There are significant wetland impacts associated with this alignment as compared to the Preferred Alignment. Alternative C impacts wetlands W-1 and W-4, which have state listed species identified in the FQA analysis.

Alternative D: The Alternative D alignment parallels the main line, impacts the edge of a wetland area, and diverges to meet the turnout in the CN track. The yard turnout is shifted as far west along the CN track as possible. There are significant wetland impacts associated with this alignment as compared to the Preferred Alignment. Alternative D would still impact wetlands W-1 and W-4, which have state listed species identified in the FQA analysis.

Alternative E/Proposed Alternative: The Alternative E/Proposed Alternative alignment is shifted as far south and west as possible, to address concerns of bisecting dune and swale terrain on railroad right-of-way. There are greater wetland impacts associated with this alignment as compared to the Preferred Alignment. Alternative E/Proposed Alternative impacts wetlands which have state listed species identified in the FQA analysis. Although wetland impacts are increased by Alternative E/Proposed Alternative, the wetlands that would be impacted are of lower quality than those impacted by the Preferred Alignment as identified in FQA scores and indices developed for the Proposed Action.

Although Alternative E/Proposed Alternative does not minimize impacts to WOTUS, interested agencies and stakeholders prefer Alternative E/Proposed Alternative because it avoids state protected plant species located on the rail roadbed. The wetlands that would be impacted by Alternative E/Proposed Alternative are of lower quality than those impacted by the original Preferred Alignment, as identified in FQA scores and indices developed for the Proposed Action.

Selected Alternative: Alternative E/Proposed Alternative is the Selected Alternative by the FRA because it avoids impacts to state protected species and incorporates avoidance measures to dune and swale habitat. It is the least environmentally damaging practicable alternative meeting the purpose and need for this Proposed Action.

Upland impacts were minimized to approximately 0.3 acre within upland areas for the Alternative E/Proposed Alternative for the Pine Yard Lead Track. Wetland impacts applying this approach were reduced to 1.352 acres, including approximately 0.6 acre of impacts associated with the addition of the lead track and approximately 0.8 acre of impacts associated with the movement of the stormwater management ditch.

The No-Build Alternative would not satisfy the purpose and need of providing safe freight and passenger rail service. Access to signaling equipment would be impaired, slowing or eliminating many of the efficiency improvements identified in the purpose and need. Rail service activities for both freight and passenger rail would similarly be limited. In the event of a need to access the four-mile siding extension for safety, access would similarly be dramatically reduced.

Benefits of the Selected Alternative: Alternative E/Proposed Alternative locates the Pine Yard Lead Track to the south and west to address concerns regarding impact to potential dune and swale habitat expressed in the comments by U.S. EPA (EPA), Indiana Department of Natural Resources (IDNR), the Nature Conservancy, and the U.S. Fish and Wildlife Service (USFWS) during consultation with the U.S. Army Corps of Engineers (USACE).

This alignment moves the Pine Yard Lead Track away from a more central area along a rail roadbed which has been colonized by state upland protected plant species (as proposed under the Preferred Alignment) to an area with fewer state protected species. No federally protected species or their critical habitat is found in the vicinity of the Proposed Action.

The limits of disturbance of Alternative E/Proposed Alternative have been reduced to the extent practicable in order to avoid and minimize impacts to the jurisdictional waters and wetlands present within the Proposed Action alignment. Total impact avoidance to the identified wetlands is not possible to meet the purpose and need for the Proposed Action and meet railroad safety, design, and feasibility constraints. Following minimization and avoidance, the movement of the access road and new lead track will involve the placement of fill into a total of 1.352 acres of wetlands. No impacts to jurisdictional channels, streams, or open waters are anticipated for this Proposed Action.

Environmental Consequences: Based upon the EA, included by reference with its appendices in this FONSI in its entirety, FRA has concluded that the Selected Alternative, including the mitigation measures for unavoidable impacts, will have no foreseeable significant impact on the quality of the natural and human environments. The Selected Alternative is best able to achieve the Proposed Action purpose and need without significant environmental impacts.

This FONSI focuses only on those resources that have a reasonable likelihood to be affected by the Proposed Action. The following potential impact areas are not located within the Proposed Action's Vicinity or will otherwise not be significantly affected by the Proposed Action, and are not addressed in this FONSI: air quality and energy; floodplains; noise and vibration; visual resources; agricultural resources; water quality and water resources; federal threatened or endangered species; timber and mineral resources; and use of 4(f) properties; hazardous materials and waste; or cultural resources. These resource areas are referenced in the EA. The potential of the Proposed Action to result in an environmental impact is summarized in the following sections.

Construction Impacts: Construction impacts, including temporary increases in vehicle exhaust and emissions, and increases in airborne particulate matter, will be of a relatively short duration during the estimated three month active construction period. Additionally, various measures will be adopted to mitigate these impacts.

For example, stormwater features, appurtenances, and Best Management Practices (BMPs) have been designed to comply with applicable local, state, and federal stormwater and erosion control rules and regulations while avoiding impacts to WOTUS. Construction stormwater discharge will be compliant with the requirements of CWA, Section 402 as set forth by the Indiana Department of Environmental Management (IDEM) National Pollutant Discharge Elimination System (NPDES) General Permit Rule for Storm Water Discharges Associated with Construction Activity under the NPDES (General Permit Rule 327 IAC 15-5 (Rule 5)), as well as with the applicable Gary Storm Water Management District rules, regulations, and erosion control measures as practicable. Additional construction mitigation measures are discussed in the Commitments and Mitigation Measures section below. Additional construction mitigation measures are discussed below.

Adjacent wetland areas will be marked in the field with high-visibility orange construction fencing to locate the areas for the contractor to keep equipment, access points, and stockpiled material from inadvertently impacting these wetland areas. Construction planning and design will minimize and avoid temporary wetland impacts.

FRA finds that because the construction impacts will cease following completion of the Proposed Action and the construction impacts will be subject to mitigation, the Proposed Action will not result in significant impacts associated with construction.

Ecological Systems: The USFWS has confirmed that the Proposed Action is not likely to affect federally protected species or their critical habitat under the Endangered Species Act, 16 U.S.C. 1531 *et seq.* in a concurrence letter dated August 6, 2015.

IDNR identified the potential presence of state protected plant species and dune and swale habitat as issues of concern. NSRC consultants performed additional studies, including FQA analysis to identify potential state or federal, protected plant species. NSRC worked with resource agencies for realignment of the Proposed Action to move the Pine Yard Lead Track away from a more central area along a rail roadbed which has been colonized by state upland protected plant species to an area with fewer state protected species. This movement reduces upland impacts to 0.281 acre.

Public comments indicated concern for upland plant species and habitat and indicated that Alternative E/Proposed Alternative would satisfy concern regarding bisection of plant communities.

Due to the limited impact the Proposed Action will have on ecological systems, FRA finds that the Proposed Action will not result in significant impacts on ecological systems.

Wetlands and Waters of the United States: Wetland delineations were performed in the vicinity of the Proposed Action. Additional site visits for the purpose of assessing environmental conditions, including presence of WOTUS, were conducted with resource agencies in March 2015, July 2015 and September 2015. The USACE was present at the July 21, 2015 site visit and the boundaries presented in this revised supplemental report represent boundaries marked as directed by the USACE. Six (6) wetlands were identified within the vicinity of the Proposed Action; no streams

or channels with ordinary high-water mark and/or bed and bank were determined to be present within this area. No ponds or other open waters were observed within the vicinity of the Proposed Action area.

Total impacts to WOTUS resulting from Alternative E/Proposed Alternative are 1.352 acres. Of this total impact, 0.763 acre results from the movement of the access road the stormwater ditch. The remainder, 0.589 acre, results from the addition of the Pine Yard Lead Track. These impacts will be mitigated as laid out in the Pine Yard Wetlands Mitigation Plan, discussed below.

Based on the limited amount of wetlands impacts and the Wetlands Mitigation Plan associated with Alternative E/Proposed Alternative discussed below, FRA finds that the Proposed Action would not result in significant impacts to wetlands.

Transportation: The Proposed Action is designed to relieve passenger and freight rail congestion by improving switching operations at Pine Yard and thereby reducing congestion. Accordingly, it is anticipated that the Proposed Action alternatives would have a positive impact on transportation, most importantly ameliorating congestion issues experienced in the rail corridor. The Proposed Action will increase passenger and freight transportation capacity, accessibility, and mobility for all rail travel. It will not negatively impact road traffic because the Proposed Action will not intersect or interfere with any roads.

FRA finds that the Proposed Action will not result in significant impacts to transportation, but will result in beneficial effects to freight and passenger rail.

Land Use and Socioeconomics, including Environmental Justice: The Proposed Action is consistent with the predominantly industrial land use in the Proposed Action Vicinity, with properties to the north including railroad, current and former steel, and manufacturing facilities.

Socioeconomic impacts of the Proposed Action are limited because the Proposed Action will not disrupt existing surrounding uses, including the industrial use of the area and existing businesses. Proposed Action parameters indicate that this Indiana Gateway Project No. 7, including the Proposed Action, will result in the estimated creation of 703 jobs during the construction phase. This job creation impact is a beneficial socioeconomic effect. Direct, indirect and cumulative socioeconomic benefits including increased efficiency of passenger and freight rail transportation, associated reductions in economic costs for regional transportation, reductions in greenhouse gas emissions and other pollutants, reductions in highway traffic congestion, and reduced highway maintenance are anticipated benefits of the Indiana Gateway Project.

Although the local environmental justice populations identified were higher than the county or state averages, none of the populations will be impacted by this Proposed Action, primarily due to the distance between these populations and the Proposed Action Area (a total of three residences were identified within a one mile radius, 4,140 within a two mile radius, and 29,824 within a 3 mile radius which includes a portion of East Chicago). No acquisitions will be required and no community resources will be impacted or displaced. Native American tribes (either federally recognized or other) are not located within the vicinity of the Proposed Action. The Proposed Action will not result in any property acquisitions of residences or businesses or relocations.

Additionally, no temporary or permanent road or crossing closures will result from the Proposed Action.

Because the Proposed Action is consistent with the Project Area's industrial use and will not impact surrounding businesses or communities, FRA finds that Proposed Action will not result in significant impacts to land use, socioeconomics, or local environmental justice populations.

Public Health and Safety: The Proposed Action is expected to have positive indirect and cumulative effects on public health and safety. By increasing efficiency and capacity of passenger rail transportation, the Proposed Action will substantially reduce roadway congestion. Reducing roadway congestion is associated with improvements in safety and fuel efficiency.

FRA finds that the Proposed Action will result in positive but insignificant impacts to public health and safety.

Indirect and Cumulative Impacts: Additional rail yard improvements at CN's neighboring Kirk Yard could result in cumulative impacts. CN owns and operates a rail yard to the north of the Project Area, Kirk Yard. The Kirk Yard project includes construction of rail tracks and bridges. The project affects 7.17 acres of wetlands identified as significantly degraded. The USACE, USFWS, IDEM and other resource agencies assessed the environmental effects of the Kirk Yard project. A permit was issued in 2013 authorizing the project with conditions including recreation of over 7 acres of wetlands at the yard location. Additionally, offsite mitigation was included for a total of 41.5 acres of mitigation. The impacts of the Kirk Yard project when added to the Proposed Action could result in cumulative effects primarily to areas identified as jurisdictional WOTUS and dune/swale habitat. However, with regulatory agency and public involvement in both projects, mitigation as a condition of authorization, cumulative effects to wetland and dune/swale habitat will be effectively mitigated.

Indirect and cumulative effects to other resources are not anticipated. The location of the Kirk Yard project is in a heavily industrialized area near U.S. Steel facilities with very low residential population. Kirk Yard ingress and egress run on different rail lines. As noted, the Proposed Action does not include grade crossings, property acquisition, or other potential effects relating to transportation. The Proposed Action also includes passenger rail components, which are not present with the Kirk Yard project.

Based on the mitigation measures discussed in this section, FRA finds that the Proposed Action would not result in any significant indirect or cumulative impacts.

Public Comments on the Proposed Action: NSRC consulted with and applied for appropriate permits and authorizations from IDEM and the USACE in 2015. NSRC has worked closely with these agencies, and the IDNR, in the development of the Proposed Action, specifically analysis of alternatives and the Alternative E/Proposed Alternative (the Selected Alternative by the FRA). This consultation included development of additional data and factual information regarding impacts of the Proposed Action. NSRC worked closely with IDNR to develop a suitable mitigation approach, which was approved by IDEM and the USACE.

During the public notice for the USACE Permit LRC-2015-213, three agencies (IDNR, IDEM, and U.S. EPA) and two environmental organizations (Save the Dunes and The Nature Conservancy) commented on the Proposed Action. The comments are attached in the EA Attachment Q. Comments were directed to the Pine Yard Lead Track and raised issues relating to dune and swale, protected state species, and inquired regarding alternative alignments. The Alternative E/Proposed Alternative (the Selected Alternative) is a direct outgrowth of these comments and responds and addresses the concerns. Correspondence has been received from the EPA concerning the impacts to wetlands, which can be found in EA Attachment P. Correspondence was also received from the IDNR, which can be found at EA Attachments S and T. The EA responded to these comments.

Commitments and Mitigation Measures: INDOT and NSRC (as the developer and contractor) will be required to comply with all applicable federal, state, and local permitting requirements during the implantation of this Proposed Action. NSRC obtained authorization from IDEM for discharge of stormwater from construction activities under Section 402 of the Clean Water Act (CWA). IDEM issued a Section 401 Water Quality Certification for the Proposed Action on December 10, 2015. NSRC has obtained authorization from the USACE for impacts to WOTUS under Section 404 of the CWA, 33 U.S.C. § 1344. NSRC has also received coastal zone consistency certification under the Coastal Zone Management Act for Alternative E/Proposed Alternative. No additional permits are required for the Proposed Action.

The following commitments and mitigation measures have been identified to further reduce impacts of the Proposed Action.

Wetlands: NSRC has adopted a Wetlands Mitigation Plan as part of Alternative E/Proposed Alternative. Alternative E/Proposed Alternative (and FRA's Selected Alternative), will impact 1.352 acres of wetlands. As mitigation, 45 acres of habitat with similar or greater value than the impacted wetlands will be enhanced, restored, and rehabilitated. The enhancement, restoration, and rehabilitation of critical dune and swale at the Pine Station Nature Preserve serves to enhance and protect a declining critical habitat type through the proposed strategically selected compensatory mitigation site.

The goal is to institute an ecologically sound, well-developed and feasible wetland mitigation plan that fulfills compensatory mitigation requirements and the environmental/ecological objectives of the USACE and IDEM to enhance, restore and rehabilitate critical dune and swale habitat.

Mitigation will be performed at the Pine Station Nature Preserve. The Pine Station Nature Preserve is a 253 acre nature preserve owned and managed by the State of Indiana under its system of nature preserves. The Pine Station Nature Preserve is a resource which is located within the watershed, in close proximity to the impact area, but outside of rail operational properties. As existing dune and swale habitat, the Pine Station Nature Preserve represents in-kind mitigation for difficult-to-replace resources. Land use for the Pine Station Nature Preserve is consistent with long-term successful mitigation. Adequate acreage is available for enhancement, restoration, and rehabilitation to achieve policy goals regarding consolidation of compensatory mitigation projects and support IDNR financial planning and scientific expertise.

The Pine Station Nature Preserve already serves as an USACE-approved mitigation location for other permittee responsible mitigation, specifically for the same type of resources (i.e. dune and swale) potentially impacted by Alternative E/Proposed Alternative (the Selected Alternative). The IDNR has indicated that the enhancement, restoration, and rehabilitation activities under this plan are necessary and IDNR has assisted in the development of this plan through provision of baseline data and information and identification of appropriate resource management needs. This plan satisfies USACE mitigation requirements and policies and also supports IDNR policies, IDNR land management objectives and goals, and develops a partnership between NSRC and IDNR.


A qualified wetland scientist will monitor the enhancement areas once annually (September), for a period of five years. A baseline sampling visit will be performed during the first year and prior to treatment, and a report will be submitted to the USACE, IDEM, and IDNR by December 31 of the calendar year.

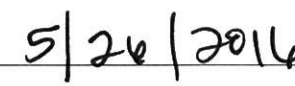
Construction: In order to minimize disturbance from construction, Alternative E/Proposed Alternative will require completion of all approved construction related discharges to wetlands no later than two (2) years of the date of issuance of the Section 401 Water Quality Certification (December 10, 2015) (Attachment F), subject to a one (1) year extension by submittal of a written request ninety (90) days prior to the deadline.

Additionally, NSRC will install erosion control methods prior to any soil disturbance to prevent soil from leaving the construction site. Appropriate erosion control methods are identified in the stormwater pollution prevention plan and in accordance with Indiana Rule 5, 327 IAC 15-5 in administration of the CWA's NPDES requirements for discharges of stormwater from construction sites. 40 C.F.R. § 450; 40 C.F.R. § 122.26. NSRC does not anticipate producing any dredged material, but any deposit of dredged material will be contained within an upland disposal area to prevent sediment runoff.



Conclusion: FRA finds that the Modifications to Indiana Gateway Project No. 7 as presented and assessed in the attached Environmental Assessment (EA), satisfies the requirements of FRA's Procedures for Considering Environmental Impacts (64 FR 28545, May 26, 1999) and NEPA (42 U.S.C. § 4321 *et seq.*), and the Proposed Action would have no foreseeable significant impact on the quality of the human or natural environment provided it is implemented in accordance with the commitments identified in this Finding of No Significant Impact (FONSI). Additionally, consistent with DOT Order 5660.1A, FRA has determined that there are no practicable alternatives to locating the modifications where they will not impact wetlands, and Alternative E/Proposed Alternative includes all practicable measures to minimize harm to wetlands. As the sponsor of the Proposed Action, INDOT is responsible for ensuring all environmental commitments identified in this FONSI are fully implemented. The EA provides sufficient evidence and analysis for FRA to determine that an environmental impact statement is not required for the Proposed Action as presented.


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Date

This document has been prepared in accordance with FRA's Procedures for Considering Environmental Impacts and NEPA by the FRA's Office of Railroad Policy and Development, with assistance from FRA's Office of Chief Counsel. This document was prepared in May 2016. For further information regarding this document contact:

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