



Appendix B. Section 106 Consultation

(Part 2 of 2)



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Section 106 Correspondence

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U.S. Department
of Transportation
**Federal Transit
Administration**

REGION V
Illinois, Indiana,
Michigan, Minnesota,
Ohio, Wisconsin

200 West Adams Street
Suite 320
Chicago, IL 60606-5253
312-353-2789
312-886-0351 (fax)

September 29, 2014

Chad Slider
Assistant Director for Environmental Review
Indiana Department of Natural Resources
Division of Historic Preservation & Archaeology
402 W. Washington Street, Room W274
Indianapolis, Indiana 46204-2739

RE: FTA Section 106 Historic Review Initiation: Northern Indiana Commuter Transportation District, West Lake Corridor Project, Lake County, Indiana and Cook County, Illinois

Dear Mr. Slider:

As part of its responsibilities under 36 CFR § 800 – Protection of Historic Properties and the National Historic Preservation Act (NHPA), the Federal Transit Administration (FTA) is initiating a Section 106 Consultation Process for the West Lake Corridor Project located in Lake County, Indiana and Cook County, Illinois. The undertaking, proposed by the Northern Indiana Commuter Transportation District (NICTD), would primarily create an approximately 9-mile commuter rail extension from the existing South Shore Line (SSL) to Dyer, Indiana. The purpose of the Project is to expand NICTD's service coverage between Northwest Indiana and the Chicago region, improve mobility and accessibility, and stimulate local job creation and economic development opportunities for Lake County. FTA has determined that the proposed project will be a Federal undertaking as defined in § 800.16(y), and that it is a type of activity that has the potential to cause effects on historic properties.

The undertaking would include an approximately 9-mile southern extension of NICTD's existing SSL between Dyer and Hammond, Indiana. The project would involve new track improvements along the existing CSX Transportation and former Monon railroad corridors, with a flyover to the existing SSL in Hammond. Four potential stations would be included at Munster/Dyer Main Street, Munster Fisher/45th Streets, South Hammond, and Downtown Hammond. A maintenance facility would also be needed to store and maintain the vehicles. Trains on the new Project branch line would connect with the existing SSL and ultimately the Metra Electric District's (MED) line to the north, providing new transit service between Dyer and Metra's Millennium Station in Downtown Chicago. To facilitate this, core capacity improvements to the existing MED line and Millennium Station may be required to accommodate the Project. Two alignment design options are also being considered for the Project, including a possible extension to St. John, Indiana on the southern end, and another along the Indiana Harbor Belt Kensington Branch through Calumet City, Burnham, and Chicago, Illinois on the northern end.

RE: FTA Section 106 Historic Review Initiation: Northern Indiana Commuter Transportation District, West Lake Corridor Project, Lake County, Indiana and Cook County, Illinois

The project route alignment, station locations, and maintenance facility will be further refined during the environmental review process, working in close consultation with the public, agencies, and key stakeholders. A map of the major Project components and the study area is provided as an attachment.

The Section 106 consultation process consists of four steps, all of which are completed in consultation with the State Historic Preservation Officer (SHPO) and/or Tribal Historic Preservation Officer (THPO), and other consulting parties.

1. FTA initiates the Section 106 process, pursuant to § 800.3 – Initiation of the Section 106 process, with the SHPO (or THPO if the property is on tribal lands) and other consulting parties, if any.
2. FTA determines the project's Area of Potential Effects (APE) and the properties within the APE that are listed, or eligible for listing, in the National Register of Historic Places (NRHP). FTA evaluates properties eligible for listing using the processes established in 36 CFR § 60 and National Register Bulletin 15. FTA's determination of the APE requires consultation with and concurrence by the SHPO. If FTA determines there are no properties within the APE that are listed, or eligible for listing, in the NRHP, or if FTA determines there are historic properties present but the project will have no effect upon them, then FTA will determine "no historic properties affected" in consultation with the SHPO and/or THPO.
3. FTA determines adverse effects with respect to historic properties within the APE. FTA's determination considers whether the project will diminish those qualities that make any of the properties eligible for listing in the NRHP. FTA makes a determination of "adverse effect" when the project will diminish these qualities in one or more properties; if not, FTA makes a determination of "no adverse effect." FTA's determination of "no adverse effect," along with concurrence by the SHPO, completes the Section 106 consultation process.
4. If FTA determines an "adverse effect," it consults with the Advisory Council on Historic Preservation (ACHP), SHPO, affected tribes, and other interested parties, as appropriate, to resolve the adverse effects on historic properties. Resolution of adverse effects may involve redesigning a project to avoid, minimize, or mitigate impacts to historic properties. Actions that the consulting parties agree upon to mitigate adverse effects are documented in a Memorandum of Agreement (MOA). Once the agreement is signed by all appropriate parties, including the SHPO and other invited signatories, and the agreement is filed with the ACHP, the Section 106 process is completed and the FTA's responsibilities are fulfilled when the MOA's stipulations are implemented.

NICTD will be in contact with your office regarding the preparation of information, analyses, and graphics in support of the Section 106 consultation process for the project. This delegated authority to undertake coordination activities with the SHPO and / or THPO does not extend to designation of consulting parties or to making determinations of the APE, NRHP eligibility, or adverse effects.

RE: FTA Section 106 Historic Review Initiation: Northern Indiana Commuter Transportation District,
West Lake Corridor Project, Lake County, Indiana and Cook County, Illinois

Please contact Mark Assam, Environmental Protection Specialist, of the FTA Regional Office at 312-353-4070 or mark.assam@dot.gov with any questions. Thank you for your assistance on this project.

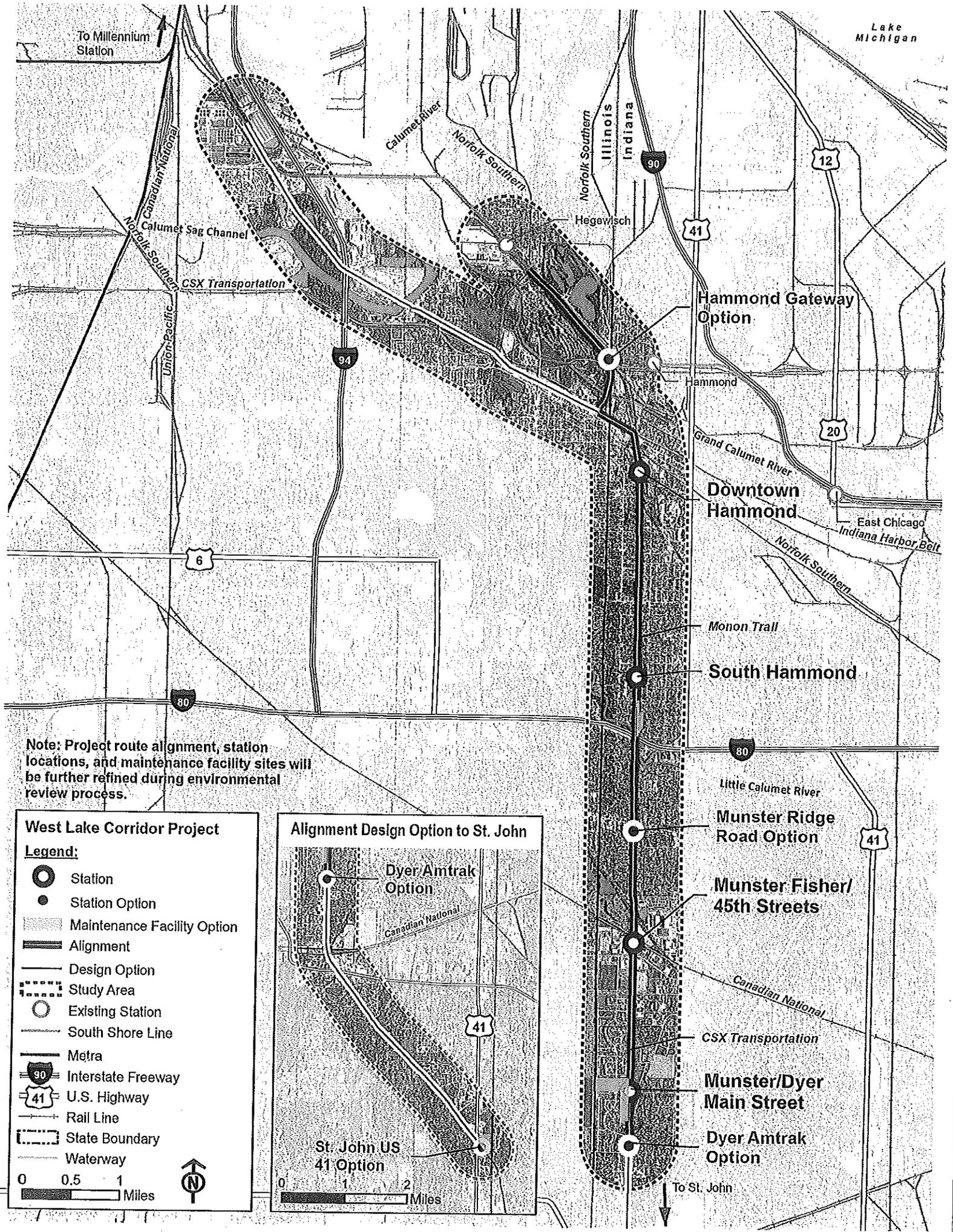
Sincerely,


for

Marisol R. Simón
Regional Administrator

Enclosure: West Lake Corridor Project Study Area

Cc: Mark Assam, FTA Region 5
Reginald Arkell, FTA Region 5
John Parsons, NICTD Director of Marketing and Planning
Lisa Ives, West Lake Corridor Project Manager



Note: Project route alignment, station locations, and maintenance facility sites will be further refined during environmental review process.

West Lake Corridor Project

Legend:

- Station
- Station Option
- Maintenance Facility Option
- Alignment
- Design Option
- Study Area
- Existing Station
- South Shore Line
- Metra
- Interstate Freeway
- U.S. Highway
- Rail Line
- State Boundary
- Waterway

0 0.5 1 Miles

Alignment Design Option to St. John

Dyer Amtrak Option

Canadian National

41

St. John US 41 Option

0 1 2 Miles

Hammond Gateway Option

Hammond

Grand Calumet River

Downtown Hammond

East Chicago Indiana Harbor Belt

Norfolk Southern

Monon Trail

South Hammond

Little Calumet River

Munster Ridge Road Option

Munster Fisher/45th Streets

Canadian National

CSX Transportation

Munster/Dyer Main Street

Dyer Amtrak Option

To St. John



U.S. Department
of Transportation
**Federal Transit
Administration**

REGION V
Illinois, Indiana,
Michigan, Minnesota,
Ohio, Wisconsin

200 West Adams Street
Suite 320
Chicago, IL 60606-5253
312-353-2789
312-886-0351 (fax)

September 29, 2014

Anne Haaker
Deputy State Historic Preservation Officer
Illinois Historic Preservation Agency
1 Old State Capitol Plaza
Springfield, Illinois 62701-1507

RE: FTA Section 106 Historic Review Initiation: Northern Indiana Commuter Transportation District, West Lake Corridor Project, Lake County, Indiana and Cook County, Illinois

Dear Ms. Haaker:

As part of its responsibilities under 36 CFR § 800 – Protection of Historic Properties and the National Historic Preservation Act (NHPA), the Federal Transit Administration (FTA) is initiating a Section 106 Consultation Process for the West Lake Corridor Project located in Lake County, Indiana and Cook County, Illinois. The undertaking, proposed by the Northern Indiana Commuter Transportation District (NICTD), would primarily create an approximately 9-mile commuter rail extension from the existing South Shore Line (SSL) to Dyer, Indiana. The purpose of the Project is to expand NICTD's service coverage between Northwest Indiana and the Chicago region, improve mobility and accessibility, and stimulate local job creation and economic development opportunities for Lake County. FTA has determined that the proposed project will be a Federal undertaking as defined in § 800.16(y), and that it is a type of activity that has the potential to cause effects on historic properties.

The undertaking would include an approximately 9-mile southern extension of NICTD's existing SSL between Dyer and Hammond, Indiana. The project would involve new track improvements along the existing CSX Transportation and former Monon railroad corridors, with a flyover to the existing SSL in Hammond. Four potential stations would be included at Munster/Dyer Main Street, Munster Fisher/45th Streets, South Hammond, and Downtown Hammond. A maintenance facility would also be needed to store and maintain the vehicles. Trains on the new Project branch line would connect with the existing SSL and ultimately the Metra Electric District's (MED) line to the north, providing new transit service between Dyer and Metra's Millennium Station in Downtown Chicago. To facilitate this, core capacity improvements to the existing MED line and Millennium Station may be required to accommodate the Project. Two alignment design options are also being considered for the Project, including a possible extension to St. John, Indiana on the southern end, and another along the Indiana Harbor Belt Kensington Branch through Calumet City, Burnham, and Chicago, Illinois on the northern end.

RE: FTA Section 106 Historic Review Initiation: Northern Indiana Commuter Transportation District, West Lake Corridor Project, Lake County, Indiana and Cook County, Illinois

The project route alignment, station locations, and maintenance facility will be further refined during the environmental review process, working in close consultation with the public, agencies, and key stakeholders. A map of the major Project components and the study area is provided as an attachment.

The Section 106 consultation process consists of four steps, all of which are completed in consultation with the State Historic Preservation Officer (SHPO) and/or Tribal Historic Preservation Officer (THPO), and other consulting parties.

1. FTA initiates the Section 106 process, pursuant to § 800.3 – Initiation of the Section 106 process, with the SHPO (or THPO if the property is on tribal lands) and other consulting parties, if any.
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NICTD will be in contact with your office regarding the preparation of information, analyses, and graphics in support of the Section 106 consultation process for the project. This delegated authority to undertake coordination activities with the SHPO and / or THPO does not extend to designation of consulting parties or to making determinations of the APE, NRHP eligibility, or adverse effects.

RE: FTA Section 106 Historic Review Initiation: Northern Indiana Commuter Transportation District,
West Lake Corridor Project, Lake County, Indiana and Cook County, Illinois

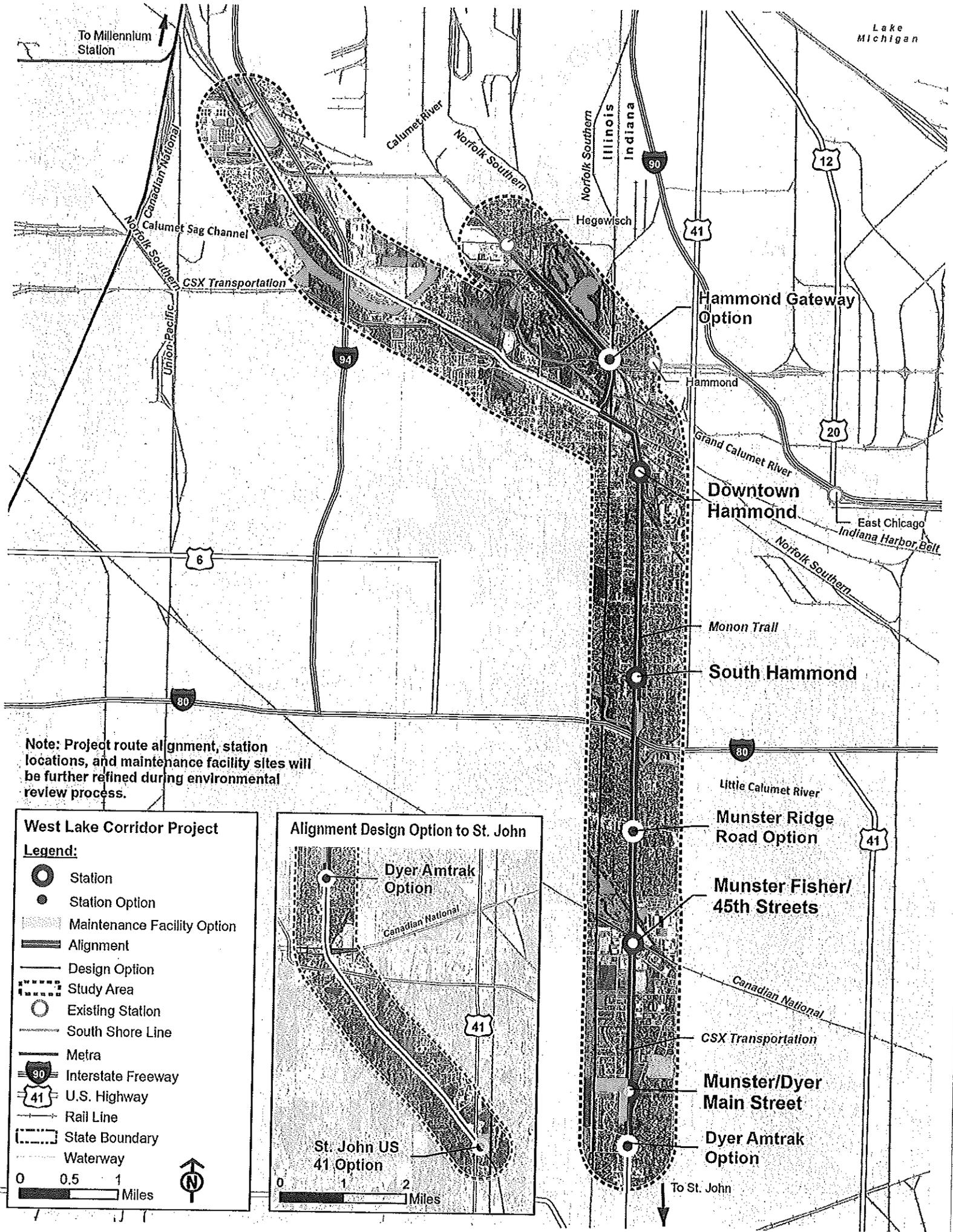
Please contact Mark Assam, Environmental Protection Specialist, of the FTA Regional Office at 312-353-4070 or mark.assam@dot.gov with any questions. Thank you for your assistance on this project.

Sincerely,


for Marisol R. Simón
Regional Administrator

Enclosure: West Lake Corridor Project Study Area

Cc: Mark Assam, FTA Region 5
Reginald Arkell, FTA Region 5
John Parsons, NICTD Director of Marketing and Planning
Lisa Ives, West Lake Corridor Project Manager



Note: Project route alignment, station locations, and maintenance facility sites will be further refined during environmental review process.

West Lake Corridor Project

Legend:

- Station
- Station Option
- Maintenance Facility Option
- Alignment
- Design Option
- Study Area
- Existing Station
- South Shore Line
- Metra
- Interstate Freeway
- U.S. Highway
- Rail Line
- State Boundary
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0 0.5 1 Miles

Alignment Design Option to St. John

Dyer Amtrak Option

Canadian National

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St. John US 41 Option

0 1 2 Miles

Hammond Gateway Option

Hammond

Grand Calumet River

Downtown Hammond

East Chicago Indiana Harbor Belt

Norfolk Southern

Monon Trail

South Hammond

80

Little Calumet River

Munster Ridge Road Option

41

Munster Fisher/45th Streets

Canadian National

CSX Transportation

Munster/Dyer Main Street

Dyer Amtrak Option

To St. John



**NORTHERN INDIANA
COMMUTER TRANSPORTATION DISTRICT**

33 E. U.S. HIGHWAY 12 • CHESTERTON, IN 46304-3514

PHONE: 219.926.5744 • FAX: 219.929.4438

October 8, 2014

Template Letter to Historic Organizations and Native American Tribal Governments to be Section 106 Consulting Parties – see list of recipients at end

RE: Section 106 Notification of Undertaking and Request for Comment on
West Lake Corridor Project, Lake County, Indiana and Cook County, Illinois

Dear M. Davis:

The Federal Transit Administration (FTA), in cooperation with the Northern Indiana Commuter Transportation District (NICTD), is initiating an Environmental Impact Statement (EIS) for the West Lake Corridor Project (Project) in Lake County, Indiana and Cook County, Illinois. The proposed Project is a federal undertaking subject to Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended, and its implementing regulations (36 Code of Federal Regulations [CFR] § 800). This letter invites your organization to participate as a Consulting Party for the Section 106 compliance process, as provided in 36 CFR § 800.3(f)(1) of the regulation.

Project Description and Federal Undertaking

NICTD's existing South Shore Line (SSL) provides a vital transportation link that connects Northwest Indiana to Chicago and Cook County, Illinois. The proposed Project is a branch extension of the SSL route to reach high-growth areas in central, southern, and western Lake County, Indiana. The Project would expand NICTD's service coverage, improve mobility and accessibility, and stimulate local job creation and economic development opportunities for Lake County.

The proposed Project for analysis in the EIS would include an approximately 9-mile southern extension of NICTD's existing SSL between Dyer and Hammond, Indiana. The project would involve new track improvements along the existing CSX Transportation and former Monon railroad corridors, with a flyover to the existing SSL in Hammond. Four potential stations would be included at Munster/Dyer Main Street, Munster Fisher/45th Streets, South Hammond, and Downtown Hammond. A maintenance facility would also be needed to store and maintain the vehicles. Trains on the new Project branch line would connect with the existing SSL and ultimately the Metra Electric District's (MED) line to the north, providing new transit service between Dyer and Metra's Millennium Station in Downtown Chicago. To facilitate this, core capacity improvements to the existing MED line and Millennium Station may be required to accommodate the Project. Two alignment design options are also being considered for the Project, including a possible extension to St. John, Indiana on the southern end, and another along the Indiana Harbor Belt Kensington Branch through Calumet City, Burnham, and Chicago, Illinois on the northern end.

The Project route alignment, station locations, and maintenance facility will be further refined during the environmental review process, working in close consultation with the public, agencies, and key stakeholders. A map of the major Project components and the study area is provided as Attachment 1.

Responsibilities of a Consulting Party

A Consulting Party is typically an agency, group, or organization with special knowledge of, concern for, or a mandated regulatory role relative to historic properties in the Area of Potential Effects (APE). Historic properties include buildings, structures, objects, sites, districts, and archeological sites that are on or eligible for the NRHP, which is kept by the National Park Service. Consulting Parties will have a formal and defined role in the Section 106 process to help FTA and NICTD consider the impacts of the proposed Project on historic properties. Additional information about the Section 106 consultation process is available online at <http://www.achp.gov/citizensguide.html>.

If you are interested in participating as a Consulting Party for this Project under the Section 106 guidelines, please respond in writing within 30 days of receipt of this letter to John Parsons at NICTD at the address provided on the attached form. We request that your response include a statement of demonstrated interest in historic properties associated with this Project, as stipulated in the Section 106 regulation (36 CFR § 800.2(c)). NICTD will notify Consulting Parties and other interested stakeholders of future public meetings in the Section 106 and National Environmental Policy Act (NEPA) environmental review process.

If you would like additional information or have any questions about this process, please contact me at (219) 926-5744 ext. 204 or john.parsons@nictd.com.

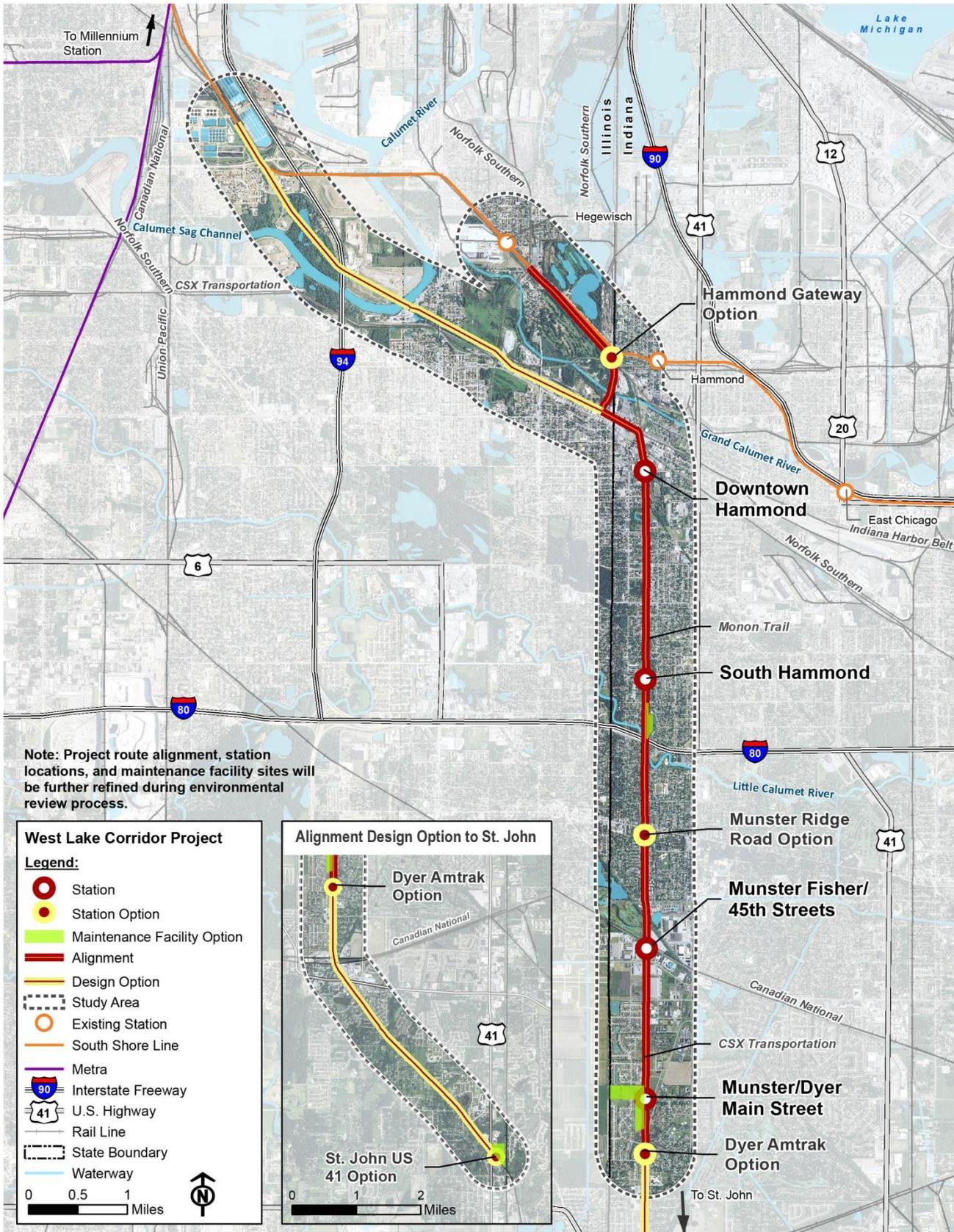
Sincerely,

John Parsons
Planning and Marketing Director
Northern Indiana Commuter Transportation District

Enclosures

Cc: Mark Assam, FTA Region 5
Reginald Arkell, FTA Region 5
Lisa Ives, West Lake Corridor Project Manager

Attachment 1: West Lake Corridor Project Study Area



**SECTION 106
Consulting Parties Acceptance Form
West Lake Corridor Project
Lake County, Indiana and Cook County, Illinois**

Yes, I _____, wish to be a consulting party under Section 106 of the National Historic Preservation Act for the West Lake Corridor Project. My demonstrated interest in historic properties as associated with this Project is described as follows:

Or;

No, I _____, do not wish to be a consulting party under Section 106 of the National Historic Preservation Act for the West Lake Corridor Project.

Date: _____

Name of Organization: _____

Address: _____

Email Address: _____

Phone Number: _____

Please return to:
John Parsons
Director of Marketing and Planning
Northern Indiana Commuter Transportation District
33 East U.S. Highway 12
Chesterton, IN 46304

john.parsons@nicted.com

Organizations Invited to Serve as Section 106 Consulting Parties

Organization
Historic Agencies/Organizations
• Calumet City Historical Society
• Dyer Historical Society
• Dolton Historical Society
• Griffith Historical Society
• Hammond Historic Preservation Commission
• Hammond Historical Society
• Indiana Landmarks – Northwest Field Office
• Indiana Landmarks
• Lake County Historical Society
• Landmarks Illinois
• Munster Historical Society
• Preservation Chicago
• Schererville Historical Society
• St. John Historical Society
Tribes
• Ho-Chunk Nation
• Iowa Tribe of Kansas and Nebraska
• Iowa Tribe of Oklahoma
• Miami Tribe of Oklahoma
• Otoe-Missouria Tribe
• Peoria Tribe of Indians of Oklahoma
• Potawatomi - Citizen Potawatomi Nation
• Potawatomi - Forest County Potawatomi
• Potawatomi - Hannahville Indian Community
• Potawatomi - Pokagon Band of Potawatomi
• Potawatomi - Prairie Band Potawatomi Nation
• Sac and Fox Tribe of the Mississippi in Iowa/Meskwaki
• Sac and Fox Nation of Missouri in Kansas and Nebraska
• Sac and Fox Nation of Oklahoma
• Winnebago Tribe of Nebraska

E-3 – Section 106 Correspondence
#4 Responses to Invitations to be Section 106 Consulting Parties

Organization	Response to Invitation
Historic Agencies/Organizations	
• Hammond Historical Society	Accepted Invitation
• Indiana Landmarks – Northwest Field Office	Accepted Invitation
• Lake County Historical Society	Accepted Invitation
Tribes	
• Peoria Tribe of Indians of Oklahoma	Accepted Invitation

**SECTION 106
Consulting Parties Acceptance Form
West Lake Corridor Project
Lake County, Indiana and Cook County, Illinois**

Yes, I Richard M. Lytle, wish to be a consulting party under Section 106 of the National Historic Preservation Act for the West Lake Corridor Project. My demonstrated interest in historic properties as associated with this Project is described as follows:

I am the local history librarian at the Hammond Public Library as well as the president of the Hammond Historical Society.

Or;

No, I _____, do not wish to be a consulting party under Section 106 of the National Historic Preservation Act for the West Lake Corridor Project.

Date: 10 October 2014

Name of Organization: Hammond Historical Society
Address: 564 State St, Hammond, IN 46320
Email Address: lytle@hammond-lib.in.us
Phone Number: 319-931-5100

Please return to:
John Parsons
Director of Marketing and Planning
Northern Indiana Commuter Transportation District
33 East U.S. Highway 12
Chesterton, IN 46304
john.parsons@nicted.com





**SECTION 106
Consulting Parties Acceptance Form
West Lake Corridor Project
Lake County, Indiana and Cook County, Illinois**

Yes, I TIFFANY TOLBERT, wish to be a consulting party under Section 106 of the National Historic Preservation Act for the West Lake Corridor Project. My demonstrated interest in historic properties as associated with this Project is described as follows:

INDIANA LANDMARKS NORTHWEST FIELD OFFICE COVERS
LAKE, PORTER, JASPER AND NEWTON COUNTIES. INDIANA
LANDMARKS IS A STATEWIDE NOT-FOR-PROFIT ORGANIZATION.
OUR MISSION IS TO REVITALIZE COMMUNITIES, RECONNECT US TO
OUR HERITAGE AND SAVE MEANINGFUL PLACES.
Or;

No, I _____, do not wish to be a consulting party under Section 106 of the National Historic Preservation Act for the West Lake Corridor Project.

Date: 10/28/14

Name of Organization: INDIANA LANDMARKS - NORTHWEST FIELD OFFICE
Address: 541 S. LAKE STREET GARY, IN 46403
Email Address: TTOLBERT@indianalandmarks.org
Phone Number: 219/947-2657

Please return to:
John Parsons
Director of Marketing and Planning
Northern Indiana Commuter Transportation District
33 East U.S. Highway 12
Chesterton, IN 46304
john.parsons@nictd.com

**SECTION 106
Consulting Parties Acceptance Form
West Lake Corridor Project
Lake County, Indiana and Cook County, Illinois**



Yes, I Bruce Woods, wish to be a consulting party under Section 106 of the National Historic Preservation Act for the West Lake Corridor Project. My demonstrated interest in historic properties as associated with this Project is described as follows:

Lake County Historian

Or;

No, I _____, do not wish to be a consulting party under Section 106 of the National Historic Preservation Act for the West Lake Corridor Project.

Date: 10/11/14

Name of Organization: Lake Co. Hist. Soc.
Address: Courthouse Sq., Suite 205, Crown Point, IN 46307
Email Address: bwoods_mhs@yahoo.com
Phone Number: 219.662.3975

Please return to:
John Parsons
Director of Marketing and Planning
Northern Indiana Commuter Transportation District
33 East U.S. Highway 12
Chesterton, IN 46304
john.parsons@nictd.com

PROJECT CONSULTATION OPTIONS

Peoria Tribe of Indians of Oklahoma

Project Name: West Lake Corridor Project, Lake County, Indiana and Cook County, Illinois

Please check the appropriate response. Use the back of this form or additional sheets if you wish to make comments:

Project	There are no known places of traditional religious or cultural importance present or within the vicinity of the proposed project and further consultation is not requested.	There are <u>or may be</u> places of traditional religious or cultural importance present or within the vicinity of the proposed project and further consultation is requested.	Our organization has no interest associated with this proposed project and further consultation is not required.
West Lake Corridor Project, Lake County, Indiana and Illinois	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

If you have chosen to continue consultation, please indicate the manner in which you wish to do so:

Mail (address): PO Box 1527
Miami, Ok 74355-1527

Email: cstacy@peoriatribe.com

Phone: 918.540.2535

Other (please describe) _____

(NAME OF TRIBE) designated contact for this proposed Project:

Cynthia Stacy, Special Projects 918.540.2535 x31
 NAME, TITLE (please print) Manager/ NAGPRA Phone

Cynthia Stacy 10/15/14
 SIGNED Date

Please return to: Mark Assam
 Environmental Protection Specialist
 Federal Transit Administration, Region 5
 200 W. Adams Street, Suite 320
 Chicago, IL 60606

Or e-mail: mark.assam@dot.gov

DNR Indiana Department of Natural Resources

Division of Historic Preservation & Archaeology • 402 W. Washington Street, W274 • Indianapolis, IN 46204-2739
Phone 317-232-1646 • Fax 317-232-0693 • dhp@dnr.IN.gov



November 3, 2014

Marisol R. Simón
Regional Administrator
Federal Transit Administration, Region V
200 West Adams Street, Suite 320
Chicago, Illinois 60606-5253

Federal Agency: Federal Transit Administration (“FTA”)

Re: FTA Section 106 Historic Review Initiation: Northern Indiana Commuter Transportation District, West Lake Corridor Project (DHPA No. 16774)

Dear Ms. Simón:

Pursuant to Section 106 of the National Historic Preservation Act, as amended (16 U.S.C. § 470f) and 36 C.F.R. Part 800, the staff of the Indiana State Historic Preservation Officer (“Indiana SHPO”) has reviewed your letter dated September 29, 2014, and received on October 2, for the aforementioned project in Lake County, Indiana, and Cook County, Illinois.

Thank you for notifying us of the initiation of the Section 106 review process for this Federal undertaking.

We thank you, as well, for notifying us of the FTA’s authorization of the Northern Indiana Commuter Transportation District (“NICTD”) to undertake coordination activities with the Indiana SHPO.

In Section 106 reviews, we typically request the following, additional kinds of information to facilitate the identification and evaluation, under 36 C.F.R. §§ 800.3 and 800.4, of historic properties in the project area and in the broader area of potential effects:

- 1) Provide a list of all proposed or invited consulting parties with the name and e-mail address or postal address of the appropriate contact person.
- 2) Provide a more specific description of the project and its location.
 - Include address, city, township, and county.
 - Detail any construction, demolition, and earthmoving activities.
- 3) Define the area of potential effects¹ and provide a map or a good quality photocopy of a map containing the following:
 - The boundaries of the area of potential effects and the precise location of the project area within those boundaries clearly outlined in dark ink on a copy of the relevant portion of a town, city, county, or U.S. Geological Survey quadrangle map.
 - The names of nearby landmarks clearly labeled (e.g., major streets, roads, highways, railroads, rivers, lakes).

¹ “Area of potential effects” means the geographic area or areas within which an undertaking may directly or indirectly cause changes in the character or use of historic properties, if any such properties exist. The area of potential effects is influenced by the scale and nature of an undertaking and may be different for different kinds of effects caused by the undertaking (see 36 C.F.R. § 800.16[d]).

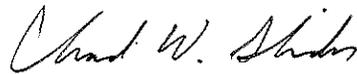
- 4) Give the precise location of any buildings, structures, and objects *within the area of potential effects* (e.g., addresses and a site map with properties keyed to it).
- 5) Give the known or approximate date of construction for buildings, structures, objects, and districts *within the area of potential effects*.
- 6) Submit historical documentation for buildings, structures, objects, and districts *within the area of potential effects*.
- 7) List all sources checked for your historical research of the *area of potential effects*.
- 8) Provide clear, recent photographs or good quality computer-generated images (not photocopies or aerial photographs), keyed to a site plan, showing any buildings, structures, objects, or land *that could be affected in any way by the project*. These photographs should be of the project area and the defined area of potential effect.
- 9) Describe the current and past land uses within the project area; in particular, state whether or not the ground is known to have been disturbed by construction, excavation, grading, or filling, and, if so, indicate the part or parts of the project area that have been disturbed and the nature of the disturbance; agricultural tilling generally does not have a serious enough impact on archaeological sites to constitute a disturbance of the ground for this purpose.

Although we realize that this project would be funded by FTA, rather than by the Federal Highway Administration or the Indiana Department of Transportation (“INDOT”), we would commend to FTA’s and NICTD’s review INDOT’s *Cultural Resources Manual*, which can be found at www.in.gov/indot/crm/. The *Cultural Resources Manual* provides specific guidance on applying the Advisory Council on Historic Preservation’s 36 C.F.R. Part 800 regulations to highway, bridge, and transportation enhancement projects, which we think could be useful to FTA and NICTD in working through the Section 106 process for this Federal undertaking.

The 36 C.F.R. Part 800 regulations governing the Section 106 review process may be found at www.achp.gov.

If you have questions about archaeological issues, please contact Wade T. Tharp at (317) 232-1650 or wtharp1@dnr.IN.gov. Questions about buildings or structures should be directed to John Carr at (317) 232-1949 or jcarr@dnr.IN.gov. In all future correspondence regarding the Northern Indiana Commuter Transportation District, West Lake Corridor Project, please refer to DHPA No. 16774.

Very truly yours,



Mitchell K. Zoll
Deputy State Historic Preservation Officer

MKZ:WTT:JLC:jlc

emc: Mark Assam, Federal Transit Administration, Region V
Reginald Arkell, Federal Transit Administration, Region V



INDIANA LANDMARKS

Northwest Field Office

541 South Lake Street, Gary, IN 46403

219 947 2657 / 800 450 4534 / www.indianalandmarks.org

December 10, 2014

John Parsons, Planning and Marketing Director
 Northern Indiana Commuter Transportation District
 33 E. U.S Highway 12
 Chesterton, IN 46304-3514

Re: Section 106 Consultation, Area of Potential Effects
 West Lake Corridor Project, Lake County, Indiana and Cook County, Illinois

Dear Mr. Parsons,

Thank you for providing me with the information on the West Lake Corridor Project in Lake County, Indiana and Cook County, Illinois. I appreciate your consideration in involving our organization in the review of this project. I have reviewed the submitted information concerning the proposed routes from Hammond to St. John, Indiana and have identified numerous identified historic resources within and adjacent to the Area of Potential Effect (APE). This information was gathered from review of the *Lake County Interim Report (1996)*, the National Register of Historic Places for Lake County and the Indiana State Historic Architectural and Archaeological Research Database (SHAARD). Due to the large project area I have attached a list of the identified resources coded to the maps provided. As you can see there are a number of National Register listed historic districts adjacent to the project area as well as individual sites located both within and adjacent to the area.

From review of the submitted information it appears that the project has the potential to adversely affect National Register of Historic Places listed and eligible historic resources. This impact will be due to the proposed infrastructure, buildings, facilities and parking areas required for this project. As the information indicates the largest amount of historic resources are located in the northern part of the project area (Hammond). With this being known I can assume that these resources will be impacted both directly and indirectly by the project.

Please review this information and take it into consideration as you continue to develop final plans for the project area. A statement to the adverse effect on specific historic resources is not included in this correspondence as I would request more detailed information from the project area including property acquisition, demolition and facility construction. I look forward to receiving additional information as it become available as well as notification of changes to the project scope. Finally it is important for you to know that my concern in the project area is only with the built environment, and does not include possible archaeological sites. For archaeological records for these or other adjacent sites, you can contact the Indiana Division of Historic Preservation and Archeology.

If you have any questions regarding this information please feel free to contact me at (219) 947-2657 or ttolbert@indianalandmarks.org.

Sincerely,


 Tiffany Tolbert, Director
 Northwest Field Office

Enclosure

Section 106 Consultation, Area of Potential Effects
West Lake Corridor Project, Lake County, Indiana and Cook County, Illinois

Sheet 1

None

Sheet 2

None

Sheet 3

- Schoon Cemetery on Ridge Rd. to the west
- Gabel-ell House - 8252 Manor Ave **(in the APE)**

Sheet 4

- George John Wolf House: 7220 Forest Ave **NRHP listed**
- Forest-Ivanhoe Residential Historic District **NRHP listed**
- Forest-Moraine Residential Historic District **NRHP listed**
- Roselawn Forest Heights Residential Historic District **NRHP listed**
- Forest Moraine Southview Residential Historic District **NRHP listed**
- Indi-Illi Residential Historic District **NRHP listed**

Sheet 5

- Glendale Park Residential Historic District **NRHP listed**
- Southmoor Apartment Hotel, 5946 Hohman Ave **NRHP listed**
- Northern States Life Insurance Company, 5935 Hohman Ave, **NRHP listed**
- Dyer Blvd Historic District, **NRHP nomination pending**
- Northern-part of Forest- Moraine Historic District **NRHP listed**
- Harrison Park Historic District
- Hohman Ave. HD (east area in APE) **NRHP listed**
- State St. Historic District **NRHP listed**
- 256 Doty St (in the APE)
- 255 Ogden St (in the APE)
- Properties along Ogden Street
- 267 E Dyer Blvd(in the APE)
- 6136 Lyman Ave (in the APE)

Sheet 6-11

None

Sheet 12

- Schilling Brothers building in the southern area of the APE (1934)

Sheet 13

None

Sheet 14

- St. John Catholic Church & Cemetery

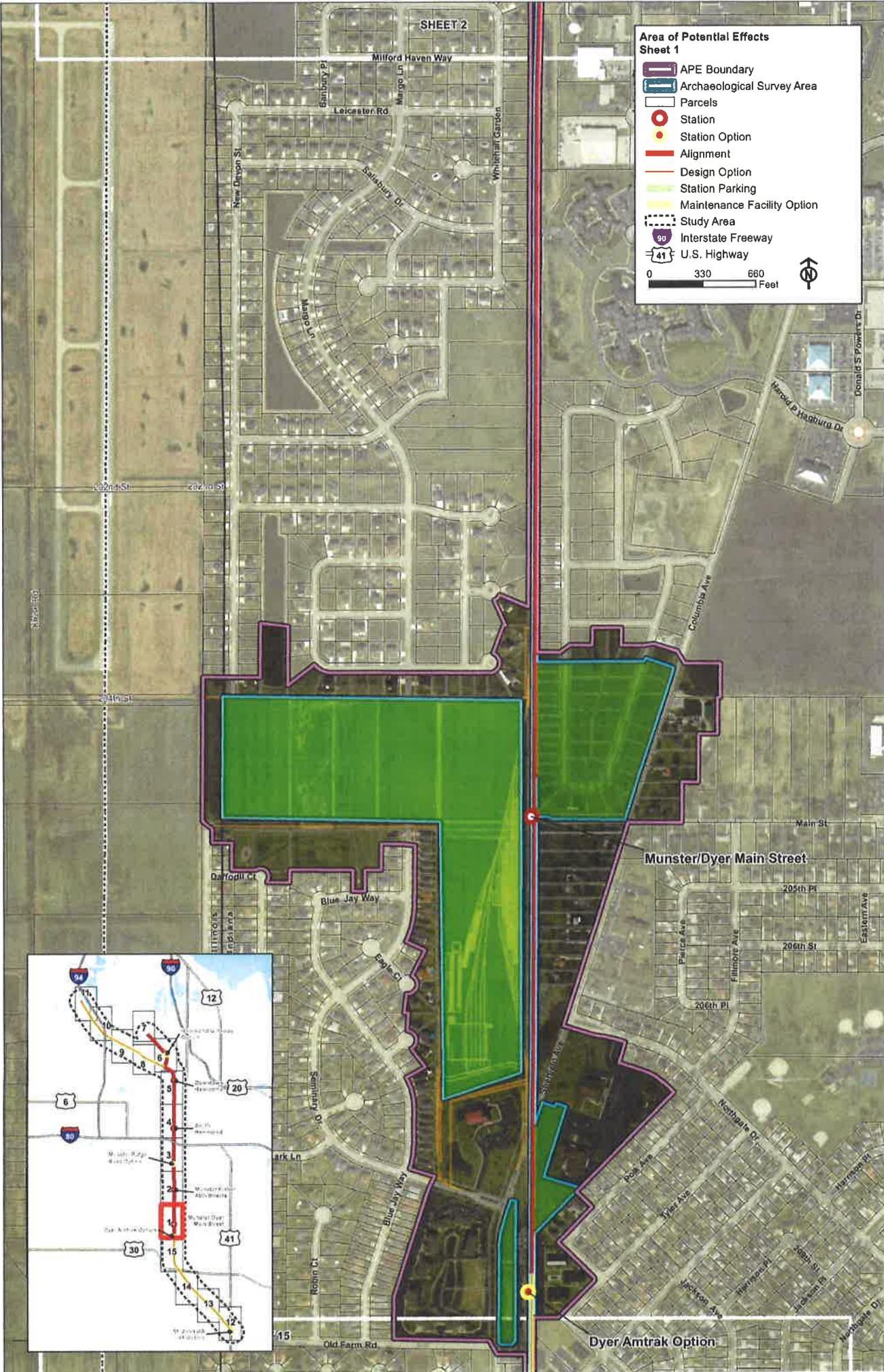
Sheet 15

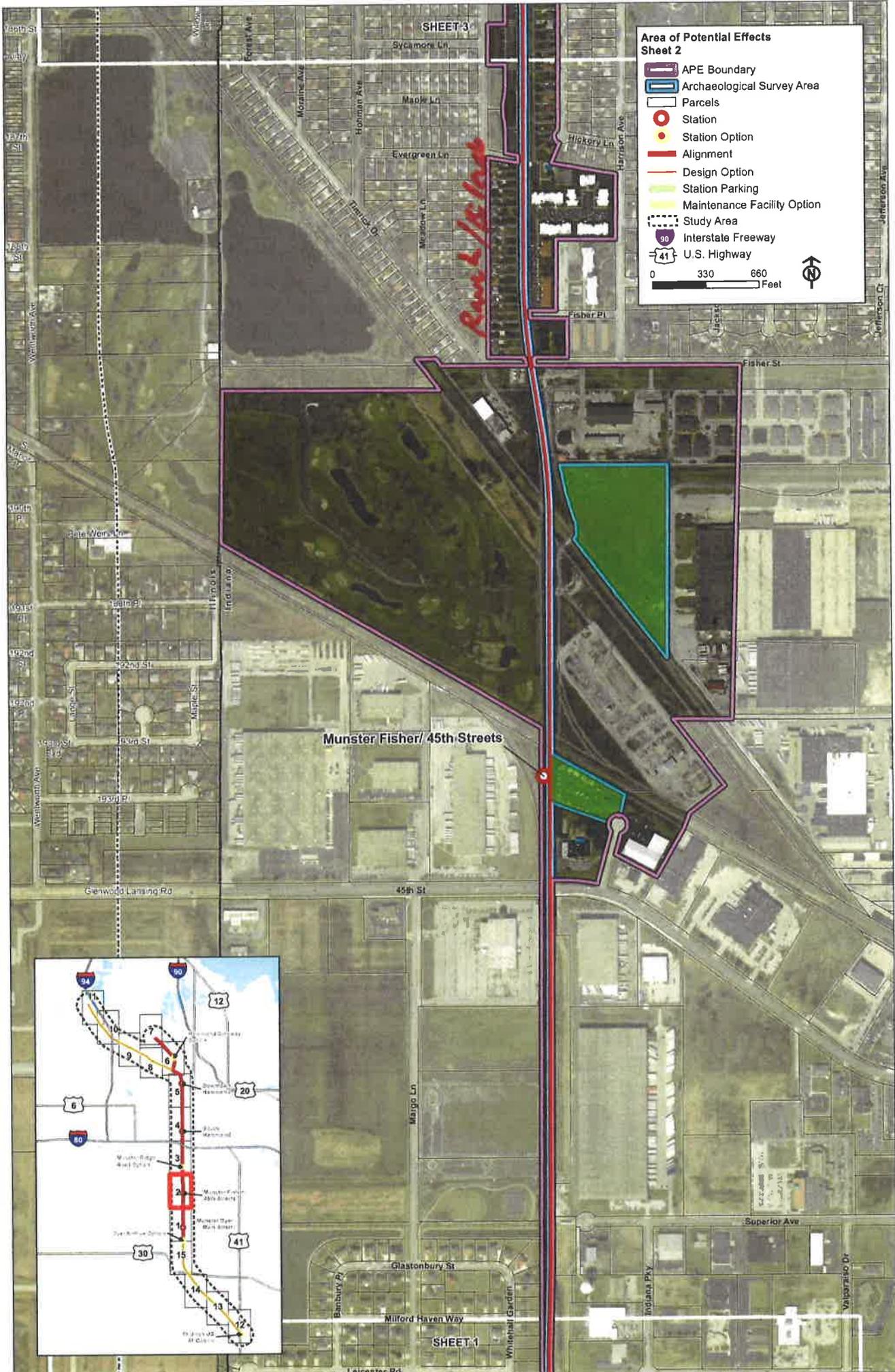
None

**Area of Potential Effects
Sheet 1**

-  APE Boundary
-  Archaeological Survey Area
-  Parcels
-  Station
-  Station Option
-  Alignment
-  Design Option
-  Station Parking
-  Maintenance Facility Option
-  Study Area
-  Interstate Freeway
-  U.S. Highway

0 330 660 Feet



**Area of Potential Effects
Sheet 2**

- APE Boundary
- Archaeological Survey Area
- Parcels
- Station
- Station Option
- Alignment
- Design Option
- Station Parking
- Maintenance Facility Option
- Study Area
- Interstate Freeway
- U.S. Highway

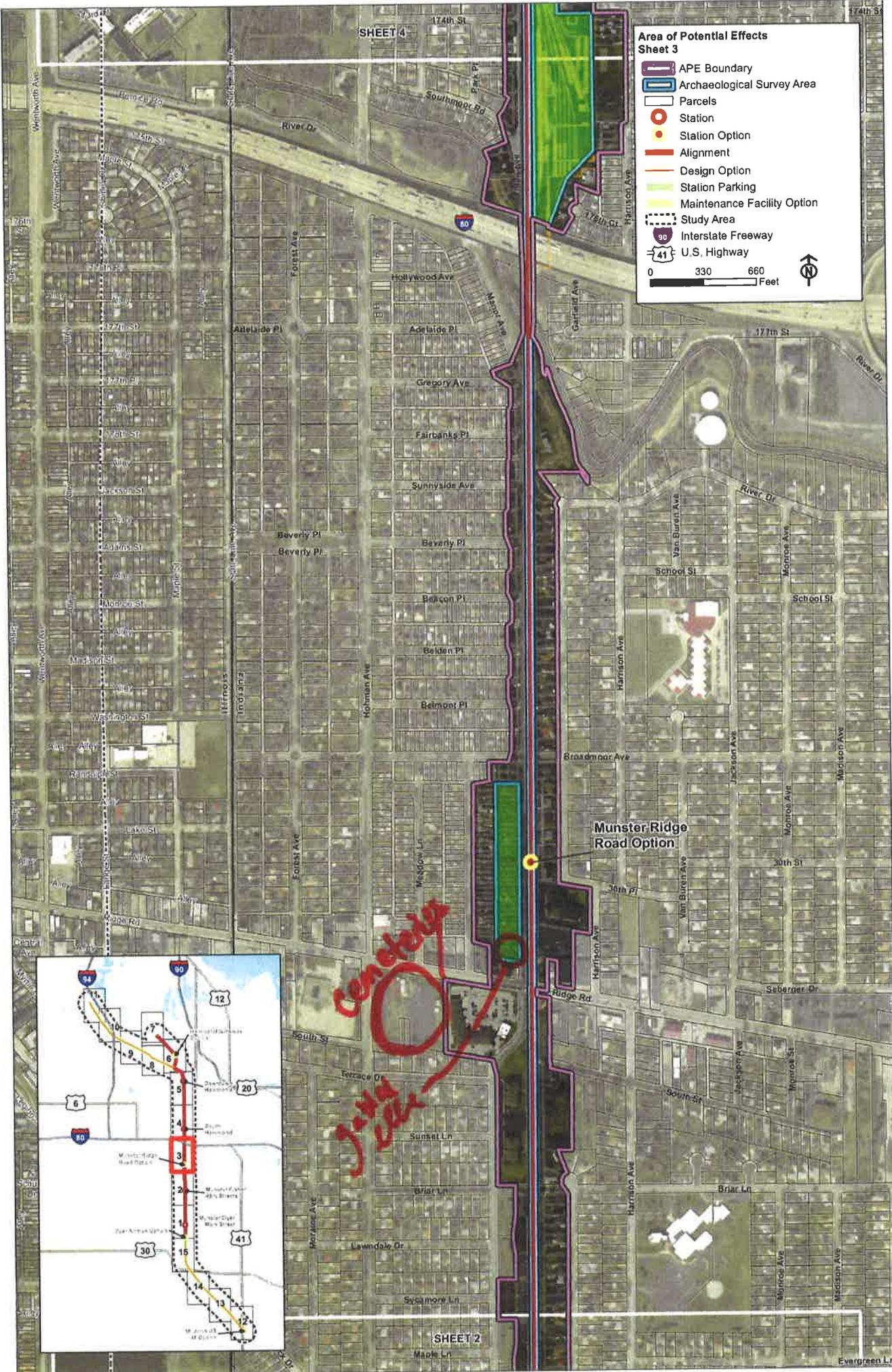
0 330 660 Feet



SHEET 3

SHEET 1

Munster Fisher/ 45th Streets



**Area of Potential Effects
Sheet 3**

- APE Boundary
- Archaeological Survey Area
- Parcels
- Station
- Station Option
- Alignment
- Design Option
- Station Parking
- Maintenance Facility Option
- Study Area
- Interstate Freeway
- U.S. Highway

0 330 660 Feet



Cenotecha
Julia Creek

**Munster Ridge
Road Option**

*Stallhut
Barn
&
Koske
House*

SHEET 4

SHEET 2

174th St

Evergreen Ln

**Area of Potential Effects
Sheet 5**

- APE Boundary
- Archaeological Survey Area
- Parcels
- Station
- Station Option
- Alignment
- Design Option
- Station Parking
- Maintenance Facility Option
- Study Area
- Interstate Freeway
- U.S. Highway

0 330 660 Feet

States St HO

Hughes Ave HO
Hudson Ave HO
Missouri St HO

Forest Ave HO

Dwyer Ave HO





**Area of Potential Effects
Sheet 6**

- APE Boundary
- Archaeological Survey Area
- Parcels
- Station
- Station Option
- Alignment
- Design Option
- Station Parking
- Maintenance Facility Option
- Study Area
- Interstate Freeway
- U.S. Highway

0 330 660 Feet



SHEET 7

SHEET 8

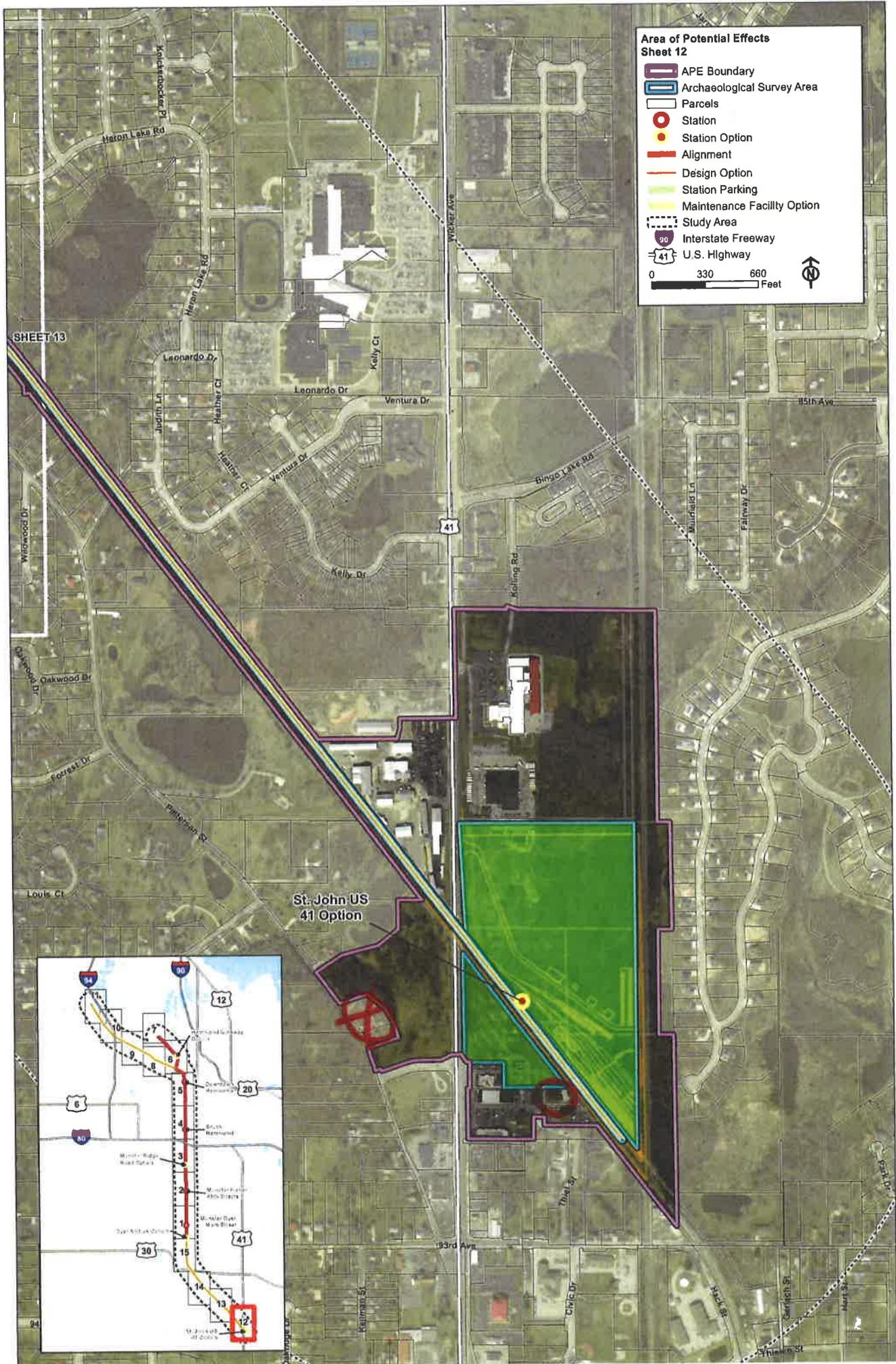
SHEET 5

Hammond
Gateway
Option

**Area of Potential Effects
Sheet 12**

- APE Boundary
- Archaeological Survey Area
- Parcels
- Station
- Station Option
- Alignment
- Design Option
- Station Parking
- Maintenance Facility Option
- Study Area
- Interstate Freeway
- U.S. Highway

0 330 660 Feet



SHEET 13



St. John's Church Cemetery



**Area of Potential Effects
Sheet 14**

- APE Boundary
- Archaeological Survey Area
- Parcels
- Station
- Station Option
- Alignment
- Design Option
- Station Parking
- Maintenance Facility Option
- Study Area
- Interstate Freeway
- U.S. Highway

0 330 660 Feet





U.S. Department
of Transportation
**Federal Transit
Administration**

REGION V
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Michigan, Minnesota,
Ohio, Wisconsin

200 West Adams Street
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312-353-2789
312-886-0351 (fax)

February 13, 2015

Rachel Leibowitz
Deputy State Historic Preservation Officer
Illinois Historic Preservation Agency
1 Old State Capitol Plaza
Springfield IL 62701-1507

RE: Section 106 Consultation, Area of Potential Effects
West Lake Corridor Project, Lake County, Indiana and Cook County, Illinois

Dear Ms. Leibowitz:

On September 29, 2014, pursuant to 36 C.F.R. § 800 – Protection of Historic Properties and the National Historic Preservation Act (NHPA), the Federal Transit Administration (FTA) initiated Section 106 consultation with your office regarding the West Lake Corridor Project (Project) in Lake County, Indiana and Cook County, Illinois. Thank you for your comment letter dated October 14, 2014. This letter serves as FTA's request for your concurrence regarding the Area of Potential Effects (APE) for the Project, as described below.

The undertaking, proposed by the Northern Indiana Commuter Transportation District (NICTD), would primarily create an approximately 9-mile commuter rail extension from the existing South Shore Line (SSL) to Dyer, Indiana. The Project would include track improvements along the existing CSX Transportation and former Monon railroad corridors, with a flyover to the existing SSL in Hammond. Four stations would be included at Munster/Dyer Main Street, Munster Fisher/45th Streets, South Hammond, and Downtown Hammond. A maintenance facility would also be needed to store and maintain the vehicles. Trains on the new Project branch line would connect with the existing SSL and ultimately Metra Electric District's (MED) line to the north, providing new transit service between Dyer and Metra's Millennium Station in Downtown Chicago. Two alignment design options are also being considered for the Project, including a possible extension to St. John, Indiana on the southern end and another along the Indiana Harbor Belt (IHB) Kensington Branch through Calumet City, Burnham, and Chicago, Illinois on the northern end.

FTA has determined the APE to be the geographic area within which the undertaking may directly or indirectly cause alterations in the character or use of historic properties. As such, the Project APE is comprised of a commuter rail track alignment, including the alignment design options, with a width of approximately 30 feet, as well as the right-of-way footprints of the proposed Project stations, parking areas, and maintenance facility options. A map of the Project APE is enclosed with this letter.

For architectural/historic resources, the APE encompasses adjacent parcels to the proposed

commuter rail track alignment, stations, parking areas, and maintenance facility options where new construction and associated Project facilities may cause indirect impacts to the character or use of historic properties. This approach takes into account both direct and indirect effects, including visual/contextual effects related to architectural/historic resources. Potential visual/contextual effects are expected to be limited to properties directly abutting areas where no railroad train service currently exists today, or where new supporting facilities would be constructed. Indirect effects are not expected to extend beyond immediately adjacent parcels and/or facing buildings, as these properties would obscure and limit visual and contextual impacts on properties situated away from the alignment. For archaeological resources, the APE is limited to the proposed Project footprint where resources may be directly affected by construction and operational activities.

Some of the proposed Project improvements for the track alignment and alignment design options are located within an existing active railroad corridor that currently carries commuter rail and/or freight train service. Further, the Project would operate new West Lake train service on portions of the existing SSL and MED line tracks to Metra's Millennium Station in Downtown Chicago. The existing visual and contextual environment of these active railroad corridors are not expected to be altered as a result of this Project. Consequently, indirect effects to properties adjacent to an existing active railroad are not anticipated since the Project would only result in rehabilitated track, added track capacity improvements, or additional train service in these areas. Therefore, in portions of the Project corridor with active train service today, the APE boundary is limited to the existing railroad right-of-way.

Pursuant to 36 C.F.R. § 800, FTA is seeking State Historic Preservation Officer concurrence with the above APE determination within 30 days of receipt of this letter. As the environmental review process for the Project moves forward, FTA will continue to consult with your office on eligibility determinations and findings of effect. If FTA can provide any assistance or additional information that would aid in your prompt reply, please feel free to contact Mark Assam at 312-353-4070 or mark.assam@dot.gov. Thank you for your assistance on this Project.

Sincerely,



Marisol R. Simón
Regional Administrator

Enclosure: Area of Potential Effects Maps

cc: Chad Slider, INDNR, Division of Historic Preservation & Archaeology
Wade T. Tharp, INDNR, Division of Historic Preservation & Archaeology
John Carr, INDNR, Division of Historic Preservation & Archaeology
Mark Assam, FTA
Tony Greep, FTA
John Parsons, NICTD Director of Marketing and Planning
Lisa Ives, West Lake Corridor Project Manager



U.S. Department
of Transportation
**Federal Transit
Administration**

REGION V
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Michigan, Minnesota,
Ohio, Wisconsin

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312-353-2789
312-886-0351 (fax)

February 13, 2015

Mitchell K. Zoll
Deputy State Historic Preservation Officer
Indiana Department of Natural Resources
Division of Historic Preservation & Archaeology
402 W. Washington Street, W274
Indianapolis, IN 46204-2739

RE: Section 106 Consultation, Area of Potential Effects
West Lake Corridor Project, Lake County, Indiana and Cook County, Illinois
DHPA No. 16774

Dear Mr. Zoll:

On September 29, 2014, pursuant to 36 C.F.R. § 800 – Protection of Historic Properties and the National Historic Preservation Act (NHPA), the Federal Transit Administration (FTA) initiated Section 106 consultation with your office regarding the West Lake Corridor Project (Project) in Lake County, Indiana and Cook County, Illinois. Thank you for your comment letter dated November 3, 2014. This letter serves as FTA's request for your concurrence regarding the Area of Potential Effects (APE) for the Project, as described below.

The undertaking, proposed by the Northern Indiana Commuter Transportation District (NICTD), would primarily create an approximately 9-mile commuter rail extension from the existing South Shore Line (SSL) to Dyer, Indiana. The Project would include track improvements along the existing CSX Transportation and former Monon railroad corridors, with a flyover to the existing SSL in Hammond. Four stations would be included at Munster/Dyer Main Street, Munster Fisher/45th Streets, South Hammond, and Downtown Hammond. A maintenance facility would also be needed to store and maintain the vehicles. Trains on the new Project branch line would connect with the existing SSL and ultimately Metra Electric District's (MED) line to the north, providing new transit service between Dyer and Metra's Millennium Station in Downtown Chicago. Two alignment design options are also being considered for the Project, including a possible extension to St. John, Indiana on the southern end and another along the Indiana Harbor Belt (IHB) Kensington Branch through Calumet City, Burnham, and Chicago, Illinois on the northern end.

FTA has determined the APE to be the geographic area within which the undertaking may directly or indirectly cause alterations in the character or use of historic properties. As such, the Project APE is comprised of a commuter rail track alignment, including the alignment design options, with a width of approximately 30 feet, as well as the right-of-way footprints of the proposed Project stations, parking areas, and maintenance facility options. A map of the Project APE is enclosed with this letter.

For architectural/historic resources, the APE encompasses adjacent parcels to the proposed commuter rail track alignment, stations, parking areas, and maintenance facility options where new construction and associated Project facilities may cause indirect impacts to the character or use of historic properties. This approach takes into account both direct and indirect effects, including visual/contextual effects related to architectural/historic resources. Potential visual/contextual effects are expected to be limited to properties directly abutting areas where no railroad train service currently exists today, or where new supporting facilities would be constructed. Indirect effects are not expected to extend beyond immediately adjacent parcels and/or facing buildings, as these properties would obscure and limit visual and contextual impacts on properties situated away from the alignment. For archaeological resources, the APE is limited to the proposed Project footprint where resources may be directly affected by construction and operational activities.

Some of the proposed Project improvements for the track alignment and alignment design options are located within an existing active railroad corridor that currently carries commuter rail and/or freight train service. Further, the Project would operate new West Lake train service on portions of the existing SSL and MED line tracks to Metra's Millennium Station in Downtown Chicago. The existing visual and contextual environment of these active railroad corridors are not expected to be altered as a result of this Project. Consequently, indirect effects to properties adjacent to an existing active railroad are not anticipated since the Project would only result in rehabilitated track, added track capacity improvements, or additional train service in these areas. Therefore, in portions of the Project corridor with active train service today, the APE boundary is limited to the existing railroad right-of-way.

Pursuant to 36 C.F.R. § 800, FTA is seeking State Historic Preservation Officer concurrence with the above APE determination within 30 days of receipt of this letter. As the environmental review process for the Project moves forward, FTA will continue to consult with your office on eligibility determinations and findings of effect. If FTA can provide any assistance or additional information that would aid in your prompt reply, please feel free to contact Mark Assam at 312-353-4070 or mark.assam@dot.gov. Thank you for your assistance on this Project.

Sincerely,



Marisol R. Simón
Regional Administrator

Enclosure: Area of Potential Effects Maps

cc: Chad Slider, INDNR, Division of Historic Preservation & Archaeology
Wade T. Tharp, INDNR, Division of Historic Preservation & Archaeology
John Carr, INDNR, Division of Historic Preservation & Archaeology
Mark Assam, FTA
Tony Greep, FTA
John Parsons, NICTD Director of Marketing and Planning
Lisa Ives, West Lake Corridor Project Manager



**NORTHERN INDIANA
COMMUTER TRANSPORTATION DISTRICT**

33 E. U.S. HIGHWAY 12 • CHESTERTON, IN 46304-3514

PHONE: 219.926.5744 • FAX: 219.929.4438

March 2015

Template Letter to Participating Section 106 Consulting Parties

Hammond Historical Society, Indiana Landmarks, Lake County Historical Society, Peoria Tribe

**Subject: Section 106 Area of Potential Effects
West Lake Corridor Project, Lake County, Indiana and Cook County, Illinois**

Dear Mr. Woods:

On October 8, 2014, NICTD invited your organization to participate as a Consulting Party for the Section 106 compliance process for the West Lake Corridor Project (Project) in Lake County, Indiana and Cook County, Illinois. On October 14, 2014, we received your response indicating that you would like to participate in the Section 106 process as a Consulting Party. This letter serves as our request for your comments regarding the Area of Potential Effects (APE) for the Project, as described below.

The undertaking, proposed by the Northern Indiana Commuter Transportation District (NICTD), would primarily create an approximately 9-mile commuter rail extension from the existing South Shore Line (SSL) to Dyer, Indiana. The Project would include new track improvements along the existing CSX Transportation and former Monon railroad corridors, with a flyover to the existing SSL in Hammond. Four stations would be included at Munster/Dyer Main Street, Munster Fisher/45th Streets, South Hammond, and Downtown Hammond. A maintenance facility would also be needed to store and maintain the vehicles. Trains on the new Project branch line would connect with the existing SSL and ultimately Metra Electric District's (MED) line to the north, providing new transit service between Dyer and Metra's Millennium Station in Downtown Chicago. To facilitate this, core capacity improvements to the existing MED line and Millennium Station may be required to accommodate the Project. Two alignment design options are also being considered for the Project, including a possible extension to St. John, Indiana on the southern end and another along the Indiana Harbor Belt (IHB) Kensington Branch through Calumet City, Burnham, and Chicago, Illinois on the northern end.

FTA has defined the APE as the proposed Project footprint where the undertaking may cause direct impacts to historic properties. As such, the APE is comprised of a Commuter Rail track alignment, including the alignment design options, with a width of approximately 30 feet, as well as the right-of-way footprints of the proposed Project stations, parking areas, and maintenance facility options. For archaeological resources, the archaeological survey area is limited to the proposed Project footprint where resources may be directly affected by construction and operational activities.

For architectural/historic resources, the APE also encompasses adjacent parcels to the proposed Commuter Rail track alignment, stations, parking areas, and maintenance facility options where new construction and associated Project facilities may cause indirect impacts to

the character or use of historic properties. This approach takes into account both direct and indirect effects, including visual/contextual effects related to architectural/historic resources. Potential visual/contextual effects would be limited to properties directly abutting areas where no railroad train service currently exists today or where new supporting facilities would be constructed. Indirect effects are unlikely to extend beyond immediately adjacent parcels and/or facing buildings, as these properties would obscure and limit visual and contextual impacts on properties situated away from the alignment.

Portions of the Commuter Rail track alignment and alignment design options are located within an existing active railroad corridor that currently carries commuter rail and/or freight train service. The existing visual and contextual environment of the active railroad corridor is unlikely to be altered as part of this Project, and indirect effects to properties adjacent to an existing active railroad, where only rehabilitated track or core capacity improvements would be necessary, are not anticipated. Therefore, in portions of the Project corridor with active train service today, the APE boundary along the Commuter Rail track alignment and alignment design options is limited to the existing railroad right-of-way.

Please review the information provided in this letter and enclosed APE figures. If you have any comments on our APE determination, please provide a response to me at john.parsons@nictd.com within 30 days.

We appreciate your assistance on this Project.

Sincerely,

John Parsons
Planning and Marketing Director
Northern Indiana Commuter Transportation District

Enclosure: Proposed Area of Potential Effects Maps

cc: Mark Assam, FTA Region 5
Reginald Arkell, FTA Region 5
Lisa Ives, West Lake Corridor Project Manager



U.S. Department
of Transportation
**Federal Transit
Administration**

REGION V
Illinois, Indiana,
Michigan, Minnesota,
Ohio, Wisconsin

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Chicago, IL 60606-5253
312-353-2789
312-886-0351 (fax)

February 13, 2015

Rachel Leibowitz
Deputy State Historic Preservation Officer
Illinois Historic Preservation Agency
1 Old State Capitol Plaza
Springfield IL 62701-1507

RE: Section 106 Consultation, Area of Potential Effects
West Lake Corridor Project, Lake County, Indiana and Cook County, Illinois

RECEIVED

MAR - 2 2015

PRESERVATION SERVICES

IHPA REVIEW

H/A _____
AC _____
AR _____
File _____

Dear Ms. Leibowitz:

On September 29, 2014, pursuant to 36 C.F.R. § 800 – Protection of Historic Properties and the National Historic Preservation Act (NHPA), the Federal Transit Administration (FTA) initiated Section 106 consultation with your office regarding the West Lake Corridor Project (Project) in Lake County, Indiana and Cook County, Illinois. Thank you for your comment letter dated October 14, 2014. This letter serves as FTA’s request for your concurrence regarding the Area of Potential Effects (APE) for the Project, as described below.

The undertaking, proposed by the Northern Indiana Commuter Transportation District (NICTD), would primarily create an approximately 9-mile commuter rail extension from the existing South Shore Line (SSL) to Dyer, Indiana. The Project would include track improvements along the existing CSX Transportation and former Monon railroad corridors, with a flyover to the existing SSL in Hammond. Four stations would be included at Munster/Dyer Main Street, Munster Fisher/45th Streets, South Hammond, and Downtown Hammond. A maintenance facility would also be needed to store and maintain the vehicles. Trains on the new Project branch line would connect with the existing SSL and ultimately Metra Electric District’s (MED) line to the north, providing new transit service between Dyer and Metra’s Millennium Station in Downtown Chicago. Two alignment design options are also being considered for the Project, including a possible extension to St. John, Indiana on the southern end and another along the Indiana Harbor Belt (IHB) Kensington Branch through Calumet City, Burnham, and Chicago, Illinois on the northern end.

FTA has determined the APE to be the geographic area within which the undertaking may directly or indirectly cause alterations in the character or use of historic properties. As such, the Project APE is comprised of a commuter rail track alignment, including the alignment design options, with a width of approximately 30 feet, as well as the right-of-way footprints of the proposed Project stations, parking areas, and maintenance facility options. A map of the Project APE is enclosed with this letter.

For architectural/historic resources, the APE encompasses adjacent parcels to the proposed

commuter rail track alignment, stations, parking areas, and maintenance facility options where new construction and associated Project facilities may cause indirect impacts to the character or use of historic properties. This approach takes into account both direct and indirect effects, including visual/contextual effects related to architectural/historic resources. Potential visual/contextual effects are expected to be limited to properties directly abutting areas where no railroad train service currently exists today, or where new supporting facilities would be constructed. Indirect effects are not expected to extend beyond immediately adjacent parcels and/or facing buildings, as these properties would obscure and limit visual and contextual impacts on properties situated away from the alignment. For archaeological resources, the APE is limited to the proposed Project footprint where resources may be directly affected by construction and operational activities.

Some of the proposed Project improvements for the track alignment and alignment design options are located within an existing active railroad corridor that currently carries commuter rail and/or freight train service. Further, the Project would operate new West Lake train service on portions of the existing SSL and MED line tracks to Metra's Millennium Station in Downtown Chicago. The existing visual and contextual environment of these active railroad corridors are not expected to be altered as a result of this Project. Consequently, indirect effects to properties adjacent to an existing active railroad are not anticipated since the Project would only result in rehabilitated track, added track capacity improvements, or additional train service in these areas. Therefore, in portions of the Project corridor with active train service today, the APE boundary is limited to the existing railroad right-of-way.

Pursuant to 36 C.F.R. § 800, FTA is seeking State Historic Preservation Officer concurrence with the above APE determination within 30 days of receipt of this letter. As the environmental review process for the Project moves forward, FTA will continue to consult with your office on eligibility determinations and findings of effect. If FTA can provide any assistance or additional information that would aid in your prompt reply, please feel free to contact Mark Assam at 312-353-4070 or mark.assam@dot.gov. Thank you for your assistance on this Project.

Sincerely,



Marisol R. Simón
Regional Administrator

CONCUR

By: R. Leibowitz
Deputy State Historic Preservation Officer

Date: 3/12/15 JFH

Enclosure: Area of Potential Effects Maps

cc: Chad Slider, INDNR, Division of Historic Preservation & Archaeology
Wade T. Tharp, INDNR, Division of Historic Preservation & Archaeology
John Carr, INDNR, Division of Historic Preservation & Archaeology
Mark Assam, FTA
Tony Greep, FTA
John Parsons, NICTD Director of Marketing and Planning
Lisa Ives, West Lake Corridor Project Manager

DNR Indiana Department of Natural Resources

Division of Historic Preservation & Archaeology 402 W. Washington Street, W274 Indianapolis, IN 46204-2739
Phone 317-232-1646 Fax 317-232-0693 dhpa@dnr.IN.gov



March 27, 2015

Marisol R. Simón
Regional Administrator
Federal Transit Administration, Region V
200 West Adams Street, Suite 320
Chicago, Illinois 60606-5253

Federal Agency: Federal Transit Administration ("FTA")

Re: Request for concurrence in proposed area of potential effects for FTA Section 106 Historic Review of West Lake Corridor Project, Lake County, Indiana, and Cook County, Illinois (INDNR No. ER-17897; DHPA No. 16774)

Dear Ms. Simón:

Pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (recently recodified at 54 U.S.C. § 306108) and 36 C.F.R. Part 800, the staff of the Indiana State Historic Preservation Officer ("Indiana SHPO") has reviewed your letter dated February 13, 2015—but not received by our office until February 27—for the aforementioned project in Lake County, Indiana, and Cook County, Illinois.

We received by e-mail from John Parsons of the Northern Indiana Commuter Transportation District on March 23, 2015, the agency and public coordination plan and the scoping summary report for this project. We have not yet had the opportunity to review those documents, but we intend to provide any relevant comments in April that we may have after reviewing them.

Thank you for soliciting our comments on the proposed area of potential effects ("APE"), as the Advisory Council on Historic Preservation has directed (36 C.F.R. § 800.4[a][1]). In the course of our review of this project, we ask that our comments be considered to apply only to potentially affected properties that lie partly or entirely within Indiana. We will defer to the Illinois State Historic Preservation Officer regarding potentially affected properties that are entirely within Illinois.

In most respects, the criteria proposed for determining the width of the APE appear to be reasonable. There are two situations, however, where we think the proposed area of potential effects might be understated.

One situation involves construction of new trackage and related infrastructure, as discussed in your February 13 letter:

Potential visual/contextual effects are expected to be limited to properties directly abutting areas where no railroad train service currently exists today, or where new supporting facilities would be constructed. Indirect effects are not expected to extend beyond immediately adjacent parcels and/or facing buildings, as these properties would obscure and limit visual and contextual impacts on properties situated away from the alignment.

We have not been provided a great deal of detail to date about the kinds of improvements that would have to be made, especially in areas other than those where new stations or maintenance facilities might be constructed. Consequently, we do not know whether all new trackage would be built at grade level or in some locations would be elevated on fill or bridge structures. We would think that the flyover to the existing South Shore Line in Hammond (as mentioned in your February 13 letter), at least, and possibly the crossings of I-80 and US 30, as well, would be on new, elevated structures, unless those crossing structures already exist or would be built as underpasses. It seems

to us that the flyover, and any other new, elevated crossings of highways, streets, or bodies of water might be clearly visible beyond adjacent properties, if those structures and new catenary (if applicable) would be built to an elevation that is more than just several feet above the existing grade. Similarly, aside from elevated crossings, if part of the new trackage would be built on fill extending ten or more feet above the existing grade, we would think that the new construction—and the trains that eventually would run on it—might be clearly visible over the tops of one-story buildings that are immediately adjacent to the line. We recommend that in such areas, consideration be given to widening the APE.

The other situation involves the proposal in your February 13 letter regarding the APE along existing rail lines:

[I]ndirect effects to properties adjacent to an existing active railroad are not anticipated since the Project would only result in rehabilitated track, added track capacity improvements, or additional train service in these areas. Consequently, in portions of the Project corridor with active train service today, the APE boundary is limited to the existing railroad right-of-way.

We cannot discern from either your September 29, 2014, letter or your February 13 letter whether the extended commuter service would use electric or Diesel-electric power. If the rehabilitation of track or the adding of track within an existing rail corridor occurs in areas that are not currently served by electric trains, such as the existing South Shore Line, and if electric power would be used, would it not be necessary to construct new catenary to carry the necessary overhead power lines? In that situation, it seems to us that the visual effects might extend beyond the existing right-of-way, and consideration then should be given to expanding the APE.

Once the APE has been determined, the next steps involve researching and surveying the APE for cultural resources. We realize it is early in the Section 106 process, but we want to offer a recommendation regarding the identification of possibly significant above-ground properties (e.g., buildings, structures, objects, and districts comprised of the those property types). Generally speaking, properties that are not at least 50 years old probably would not be eligible for inclusion in the National Register of Historic Places. However, please take into consideration the anticipated construction date of this project, and adjust your survey of properties accordingly. For example, if construction is not anticipated to commence before 2020, then it would be appropriate to survey and evaluate properties that are at least 45 years old in 2015. Similarly, if the project is not likely to commence before 2025, it would be appropriate in 2015 to survey and evaluate properties that are at least 40 years old. The risk inherent in surveying in 2015 only those properties that already are at least 50 years old is that between now and the commencement of construction, a property might turn 50 and actually become listed in the National Register. At that point, it might be necessary to re-open the Section 106 process to take into account the previously unaccounted for effects on that newly-listed property.

In our November 3, 2014, letter, we had asked to be provided with a list of all proposed or invited consulting parties, along with an e-mail address or postal address of the contact person for each consulting party. Although we have not yet had the opportunity to study carefully the “Westlake Corridor Project Public and Agency Coordination Plan” or the “West Lake Corridor Project Scoping Summary Report,” which we received by e-mail from the Northern Indiana Commuter Transportation District on March 20, 2015, we have found within those documents the lists of invited consulting parties and of those parties who have accepted the invitation, as well as contact information for those who have accepted.

The only additional party we would suggest inviting to participate in this Section 106 consultation would be the Indiana Lincoln Highway Association, Inc., Laura Weston-Elchert, President, 402 W. Washington Street, South Bend, IN 46601; (574) 210-6278; lincolnhighwayassoc.office@yahoo.com; www.indianalincolnhighway.com. We believe that the proposed Westlake Corridor would cross the historical route of the Lincoln Highway at US 30.

In regard to the impact of this project on archaeological resources, the proposed project area for this undertaking should include all areas where project-related ground-disturbing activities will be conducted (e.g., demolition, construction, grading, filling, staging, stockpiling, temporary land use, etc.).

The 36 C.F.R. Part 800 regulations governing the Section 106 review process may be found at www.achp.gov.

Marisol R. Simón
March 27, 2015
Page 3

If you have questions about archaeological issues, please contact Wade T. Tharp at (317) 232-1650 or wtharp1@dnr.IN.gov. Questions about buildings or structures should be directed to John Carr at (317) 232-1949 or jcarr@dnr.IN.gov.

In all future correspondence regarding the Northern Indiana Commuter Transportation District's West Lake Corridor Project, please continue refer to DHPA No. 16774.

Very truly yours,



Mitchell K. Zoll
Deputy State Historic Preservation Officer

MKZ:JLC:WTT:wtt

cc: Mark Assam, Federal Transit Administration, Region V
Anthony Greep, Federal Transit Administration, Region V
John Parsons, Northern Indiana Commuter Transportation District
Rachel Leibowitz, Ph.D., Illinois Deputy State Historic Preservation Officer
Christie Stanifer, Indiana Department of Natural Resources, Division of Fish & Wildlife
Beth Hippensteel, Indiana Department of Natural Resources, Division of Fish & Wildlife
Carl Wodrich, Indiana Department of Natural Resources, Division of Land Acquisition
Bob Bronson, Indiana Department of Natural Resources, Division of Outdoor Recreation
Wade Tharp, Indiana Department of Natural Resources, Division of Historic Preservation & Archaeology
John Carr, Indiana Department of Natural Resources, Division of Historic Preservation & Archaeology



**NORTHERN INDIANA
COMMUTER TRANSPORTATION DISTRICT**

33 E. U.S. HIGHWAY 12 • CHESTERTON, IN 46304-3514

PHONE: 219.926.5744 • FAX: 219.929.4438

April 14, 2015

Laura Weston-Elchert
President
Lincoln Highway Association, Inc
402 West Washington Street
South Bend, Indiana 46601

RE: Section 106 Notification of Undertaking and Request for Comment on
West Lake Corridor Project, Lake County, Indiana and Cook County, Illinois

Dear Ms. Weston-Elchert:

On October 8, 2014, pursuant to 36 CFR § 800 - Protection of Historic Properties and the National Historic Preservation Act (NHPA), the Federal Transit Administration (FTA), in cooperation with the Northern Indiana Commuter Transportation District (NICTD) initiated Section 106 consultation regarding the West Lake Corridor Project (Project) in Lake County, Indiana and Cook County, Illinois. This letter invites your organization to participate as a Consulting Party for the Section 106 compliance process, as provided in 36 CFR § 800.3(f)(1) of the regulation. It also serves as NICTD's request for your comments on the Area of Potential Effects (APE) for the Project, as described below.

Project Description and Federal Undertaking

NICTD's existing South Shore Line (SSL) provides a vital transportation link that connects Northwest Indiana to Chicago and Cook County, Illinois. The proposed Project is a branch extension of the SSL route to reach high-growth areas in central, southern, and western Lake County, Indiana. The Project would expand NICTD's service coverage, improve mobility and accessibility, and stimulate local job creation and economic development opportunities for Lake County.

The proposed Project for analysis in the EIS would include an approximately 9-mile southern extension of NICTD's existing SSL between Dyer and Hammond, Indiana. The project would involve new track improvements along the existing CSX Transportation and former Monon railroad corridors, with a flyover to the existing SSL in Hammond. Four potential stations would be included at Munster/Dyer Main Street, Munster Fisher/45th Streets, South Hammond, and Downtown Hammond. A maintenance facility would also be needed to store and maintain the vehicles. Trains on the new Project branch line would connect with the existing SSL and ultimately the Metra Electric District's (MED) line to the north, providing new transit service between Dyer and Metra's Millennium Station in Downtown Chicago. To facilitate this, core

capacity improvements to the existing MED line and Millennium Station may be required to accommodate the Project. Two alignment design options are also being considered for the Project, including a possible extension to St. John, Indiana on the southern end, and another along the Indiana Harbor Belt Kensington Branch through Calumet City, Burnham, and Chicago, Illinois on the northern end.

The Project route alignment, station locations, and maintenance facility will be further refined during the environmental review process, working in close consultation with the public, agencies, and key stakeholders. A map of the major Project components and the study area is provided as Attachment 1.

Area of Potential Effect

FTA has determined the APE to be the geographic area within which the undertaking may directly or indirectly cause alterations in the character or use of historic properties. As such, the Project APE is comprised of a commuter rail track alignment, including the alignment design options, with a width of approximately 30 feet, as well as the right-of-way footprints of the proposed Project stations, parking areas, and maintenance facility options. A map of the Project APE is enclosed with this letter.

For architectural/historic resources, the APE encompasses adjacent parcels to the proposed commuter rail track alignment, stations, parking areas, and maintenance facility options where new construction and associated Project facilities may cause indirect impacts to the character or use of historic properties. This approach takes into account both direct and indirect effects, including visual/contextual effects related to architectural/historic resources. Potential visual/contextual effects are expected to be limited to properties directly abutting areas where no railroad train service currently exists today, or where new supporting facilities would be constructed. Indirect effects are not expected to extend beyond immediately adjacent parcels and/or facing buildings, as these properties would obscure and limit visual and contextual impacts on properties situated away from the alignment. For archaeological resources, the archaeological survey area is limited to the proposed Project footprint where resources may be directly affected by construction and operational activities.

Some of the proposed Project improvements for the track alignment and alignment design options are located within an existing active railroad corridor that currently carries commuter rail and/or freight train service. Further, the Project would operate new West Lake train service on portions of the existing SSL and MED line tracks to Metra's Millennium Station in Downtown Chicago. The existing visual and contextual environment of these active railroad corridors are not expected to be altered as a result of this Project. Consequently, indirect effects to properties adjacent to an existing active railroad are not anticipated since the Project would only result in rehabilitated track, added track capacity improvements, or additional train service in these areas. Therefore, in portions of the Project corridor with active train service today, the APE boundary is limited to the existing railroad right-of-way.

Responsibilities of a Consulting Party

A Consulting Party is typically an agency, group, or organization with special knowledge of, concern for, or a mandated regulatory role relative to historic properties in the APE. Historic

properties include buildings, structures, objects, sites, districts, and archeological sites that are on or eligible for the NRHP, which is kept by the National Park Service. Consulting Parties will have a formal and defined role in the Section 106 process to help FTA and NICTD consider the impacts of the proposed Project on historic properties. Additional information about the Section 106 consultation process is available online at <http://www.achp.gov/citizensguide.html>.

Please review the information provided in this letter and enclosed APE figures. If you are interested in participating as a Consulting Party for this Project under the Section 106 guidelines, please respond in writing within 30 days of receipt of this letter to John Parsons at NICTD at the address provided on the attached form. We request that your response include a statement of demonstrated interest in historic properties associated with this Project, as stipulated in the Section 106 regulation (36 CFR § 800.2(c)). NICTD will notify Consulting Parties and other interested stakeholders of future public meetings in the Section 106 and National Environmental Policy Act (NEPA) environmental review process.

If you would like additional information or have any questions about this process, please contact me at (219) 926-5744 ext. 204 or john.parsons@nictd.com.

Sincerely,

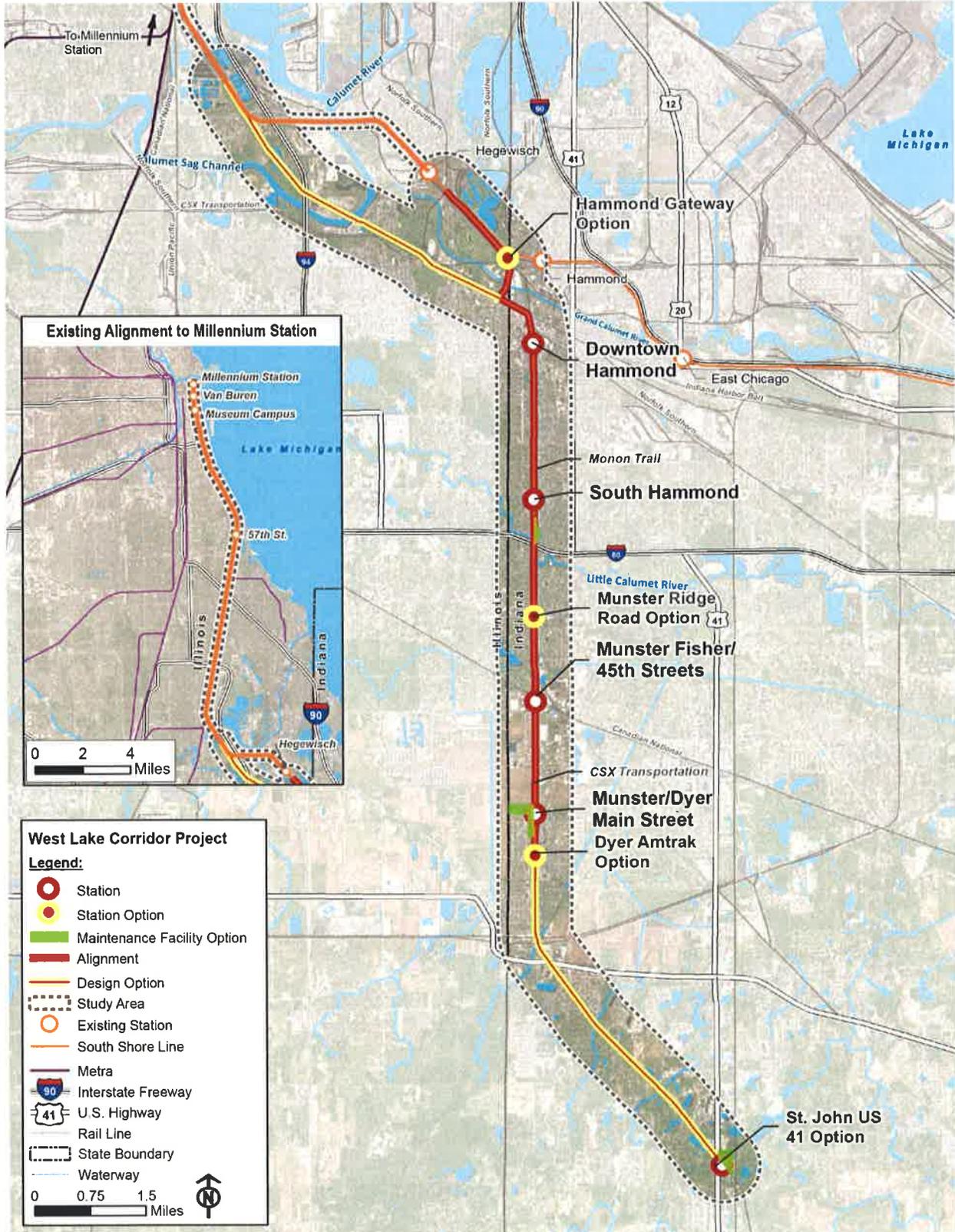


John Parsons
Planning and Marketing Director
Northern Indiana Commuter Transportation District

Enclosures

Cc: Mark Assam, FTA Region 5
Reginald Arkell, FTA Region 5
Tony Greep, FTA Region 5
Christy Haven, West Lake Corridor Project Manager

Attachment 1: West Lake Corridor Project Study Area



**SECTION 106
Consulting Parties Acceptance Form
West Lake Corridor Project
Lake County, Indiana and Cook County, Illinois**

Yes, I _____, wish to be a consulting party under Section 106 of the National Historic Preservation Act for the West Lake Corridor Project. My demonstrated interest in historic properties as associated with this Project is described as follows:

Or;

No, I _____, do not wish to be a consulting party under Section 106 of the National Historic Preservation Act for the West Lake Corridor Project.

Date: _____

Name of Organization: _____

Address: _____

Email Address: _____

Phone Number: _____

Please return to:
John Parsons
Director of Marketing and Planning
Northern Indiana Commuter Transportation District
33 East U.S. Highway 12
Chesterton, IN 46304
john.parsons@nicted.com

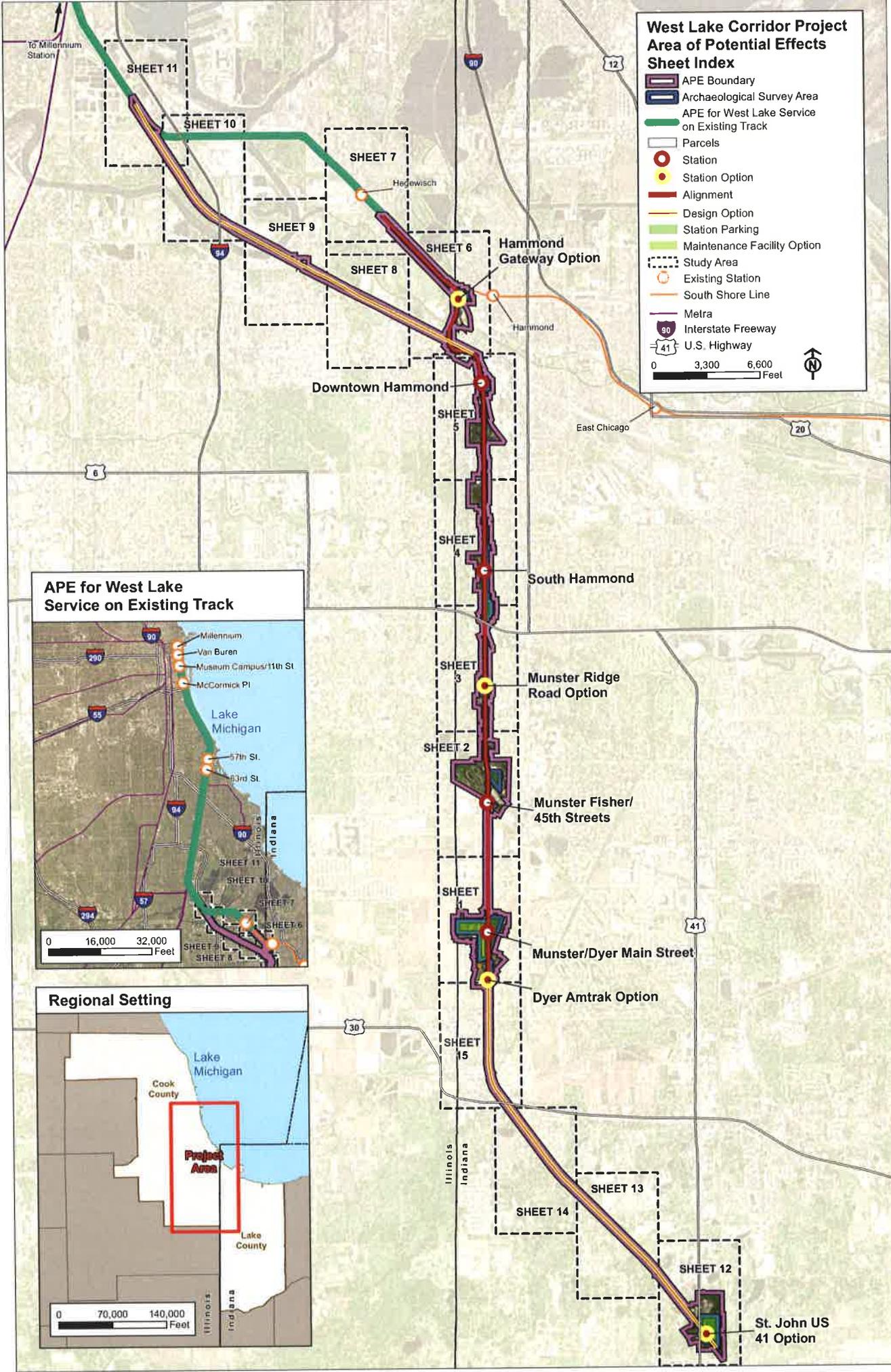
West Lake Corridor Project Area of Potential Effects Sheet Index

- APE Boundary
 - Archaeological Survey Area
 - APE for West Lake Service on Existing Track
 - Parcels
 - Station
 - Station Option
 - Alignment
 - Design Option
 - Station Parking
 - Maintenance Facility Option
 - Study Area
 - Existing Station
 - South Shore Line
 - Metra
 - Interstate Freeway
 - U.S. Highway
- 0 3,300 6,600 Feet

APE for West Lake Service on Existing Track



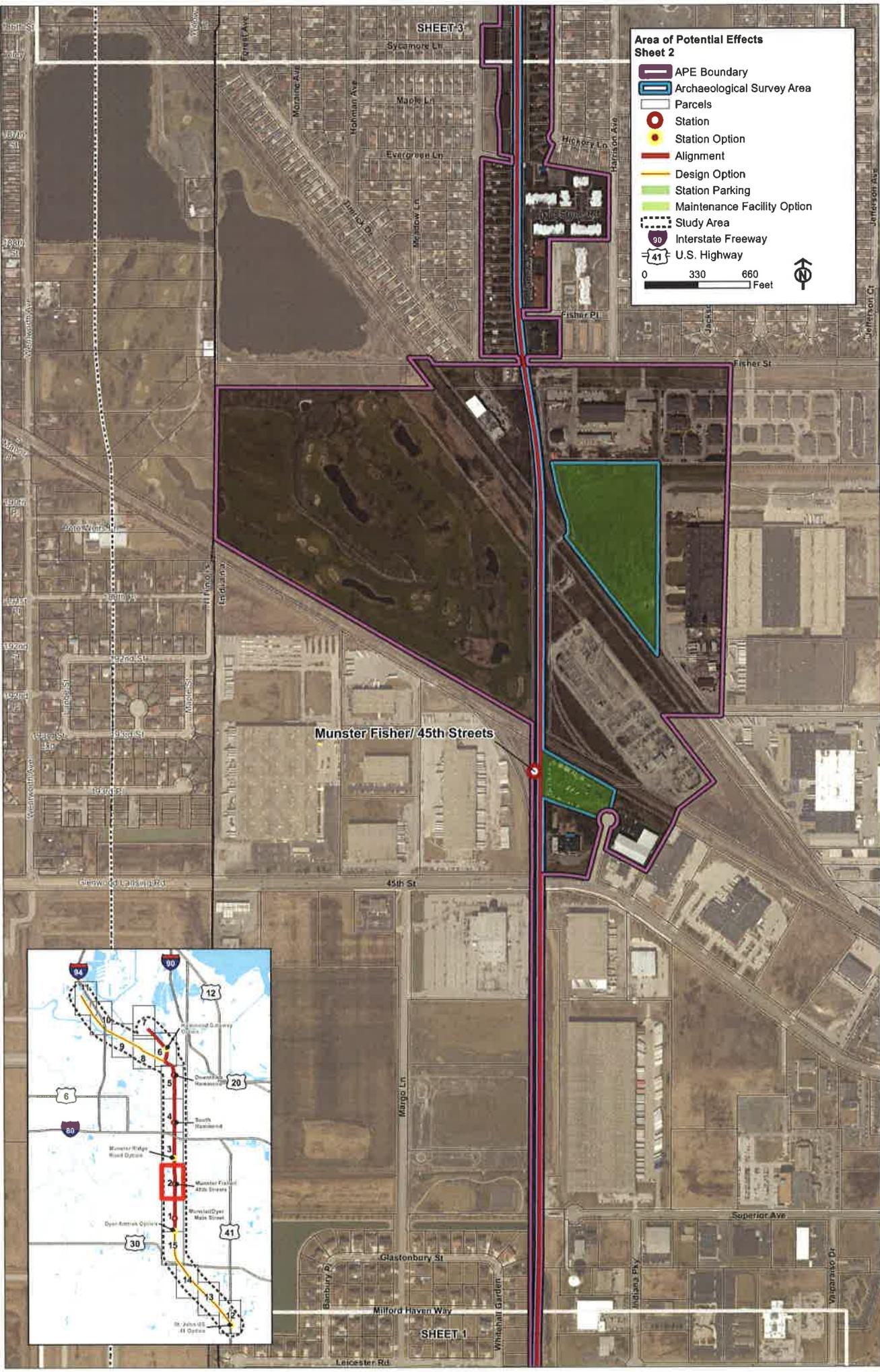
Regional Setting



**Area of Potential Effects
Sheet 2**

- APE Boundary
- Archaeological Survey Area
- Parcels
- Station
- Station Option
- Alignment
- Design Option
- Station Parking
- Maintenance Facility Option
- Study Area
- Interstate Freeway
- U.S. Highway

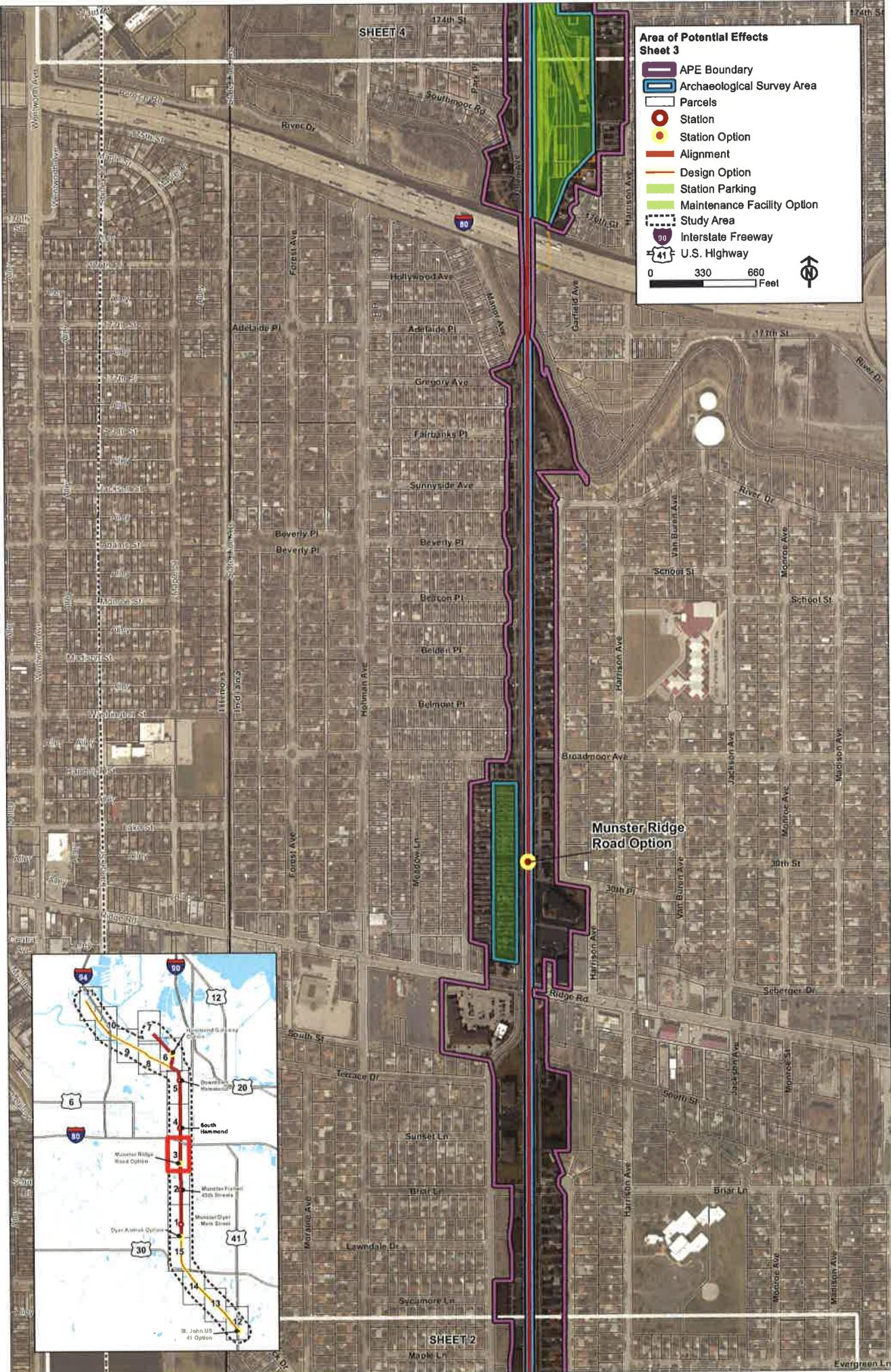
0 330 660 Feet



Munster Fisher/45th Streets

45th St





**Area of Potential Effects
Sheet 3**

- APE Boundary
- Archaeological Survey Area
- Parcels
- Station Option
- Alignment
- Design Option
- Station Parking
- Maintenance Facility Option
- Study Area
- Interstate Freeway
- U.S. Highway

0 330 660 Feet



SHEET 4

SHEET 2

Munster Ridge Road Option

**Area of Potential Effects
Sheet 5**

- APE Boundary
- Archaeological Survey Area
- Parcels
- Station
- Station Option
- Alignment
- Design Option
- Station Parking
- Maintenance Facility Option
- Study Area
- Interstate Freeway
- U.S. Highway

0 330 660 Feet

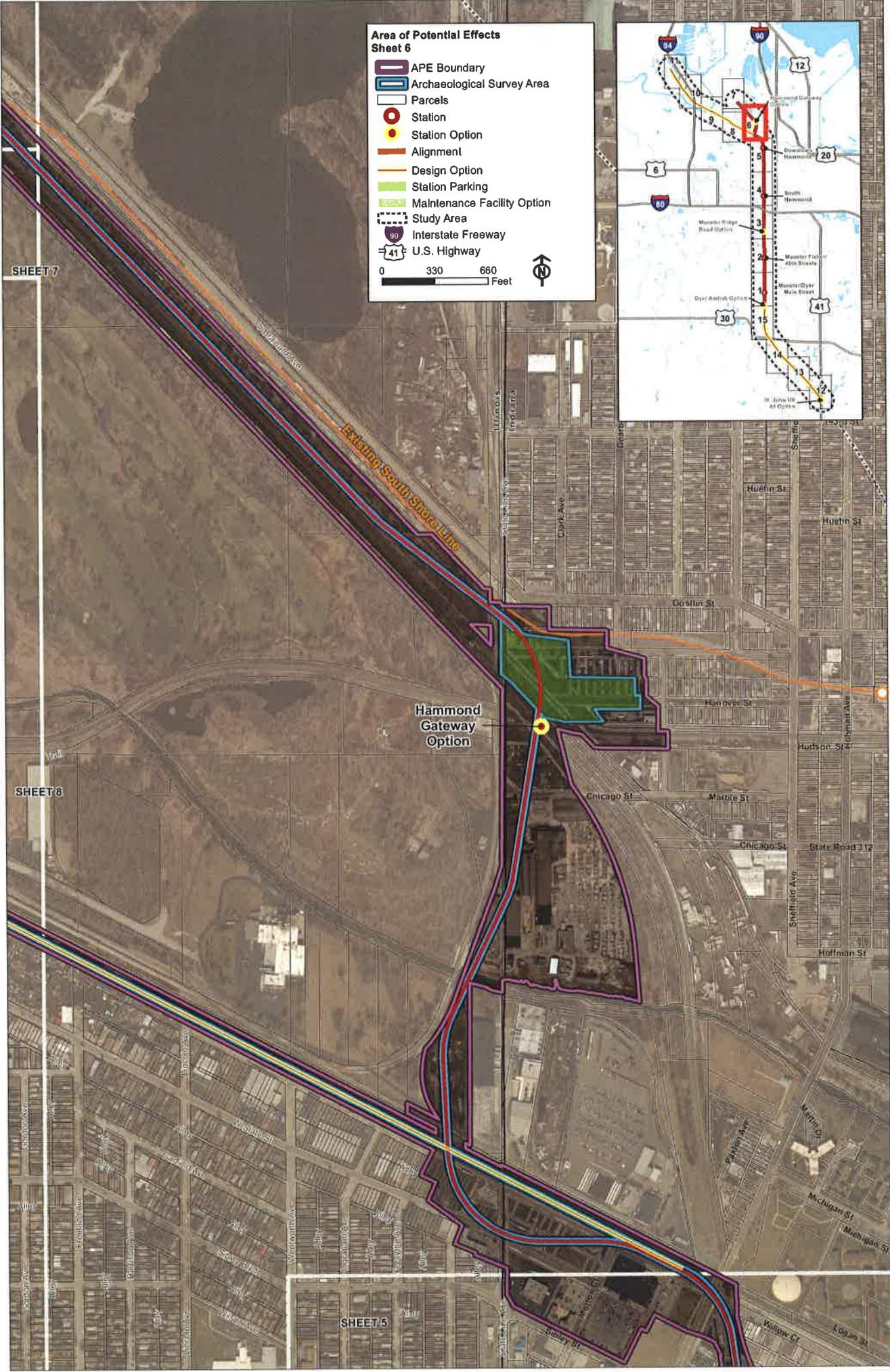
Downtown Hammond



**Area of Potential Effects
Sheet 6**

- APE Boundary
- Archaeological Survey Area
- Parcels
- Station
- Station Option
- Alignment
- Design Option
- Station Parking
- Maintenance Facility Option
- Study Area
- Interstate Freeway
- U.S. Highway

0 330 660 Feet



SHEET 7

SHEET 8

SHEET 5

**Hammond
Gateway
Option**

Sullivan Ave

Clark Ave

Chicago St

Huehn St

Huehn St

Goellin St

Hanover St

Hudson St

Chicago St

Marble St

Chicago St

State Road 312

Sheffield Ave

Hoffman St

Warrior Dr

Michigan St

Michigan St

Willow Ct

Kosan St

Sibley St

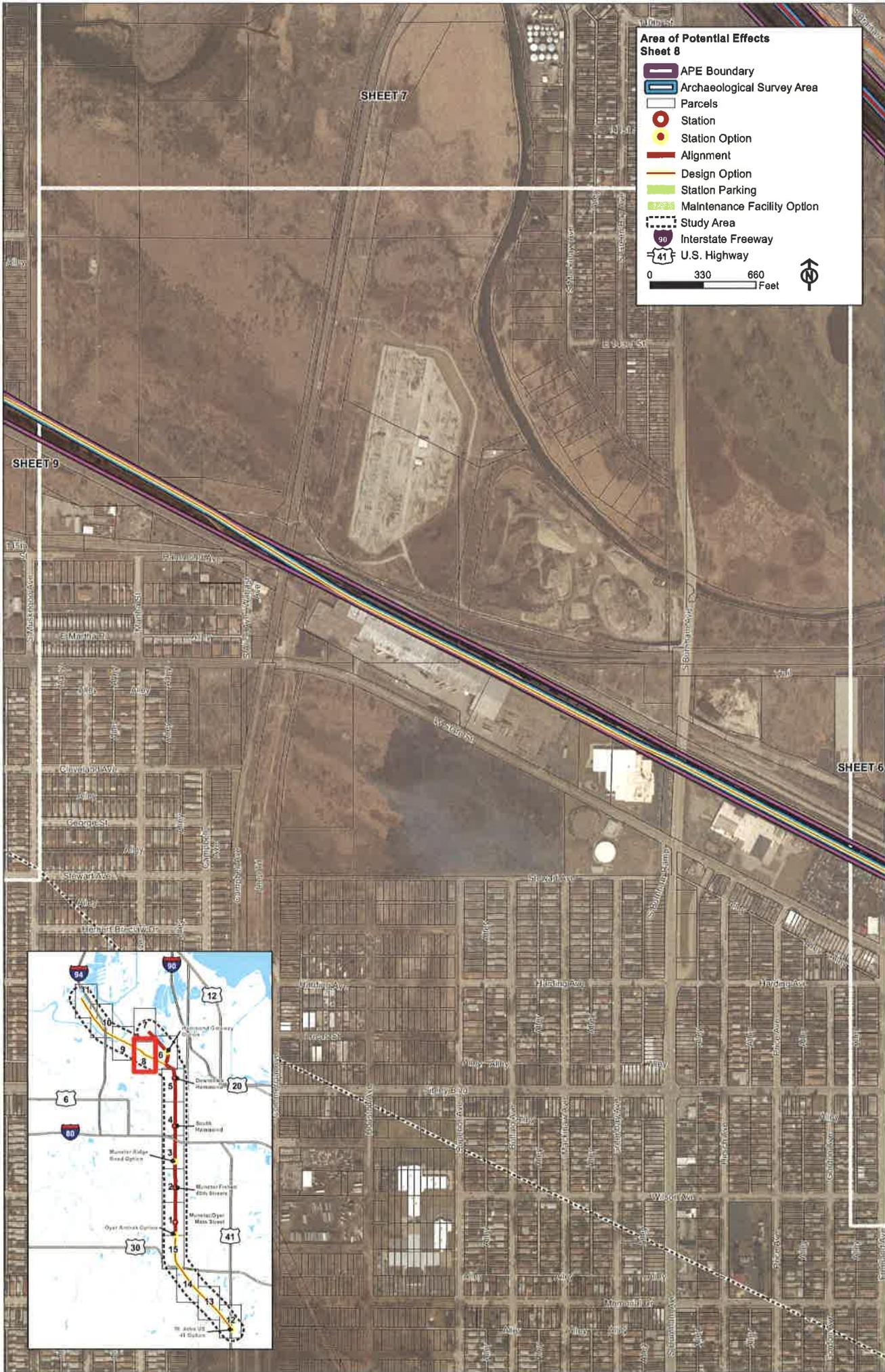
W. Jones St

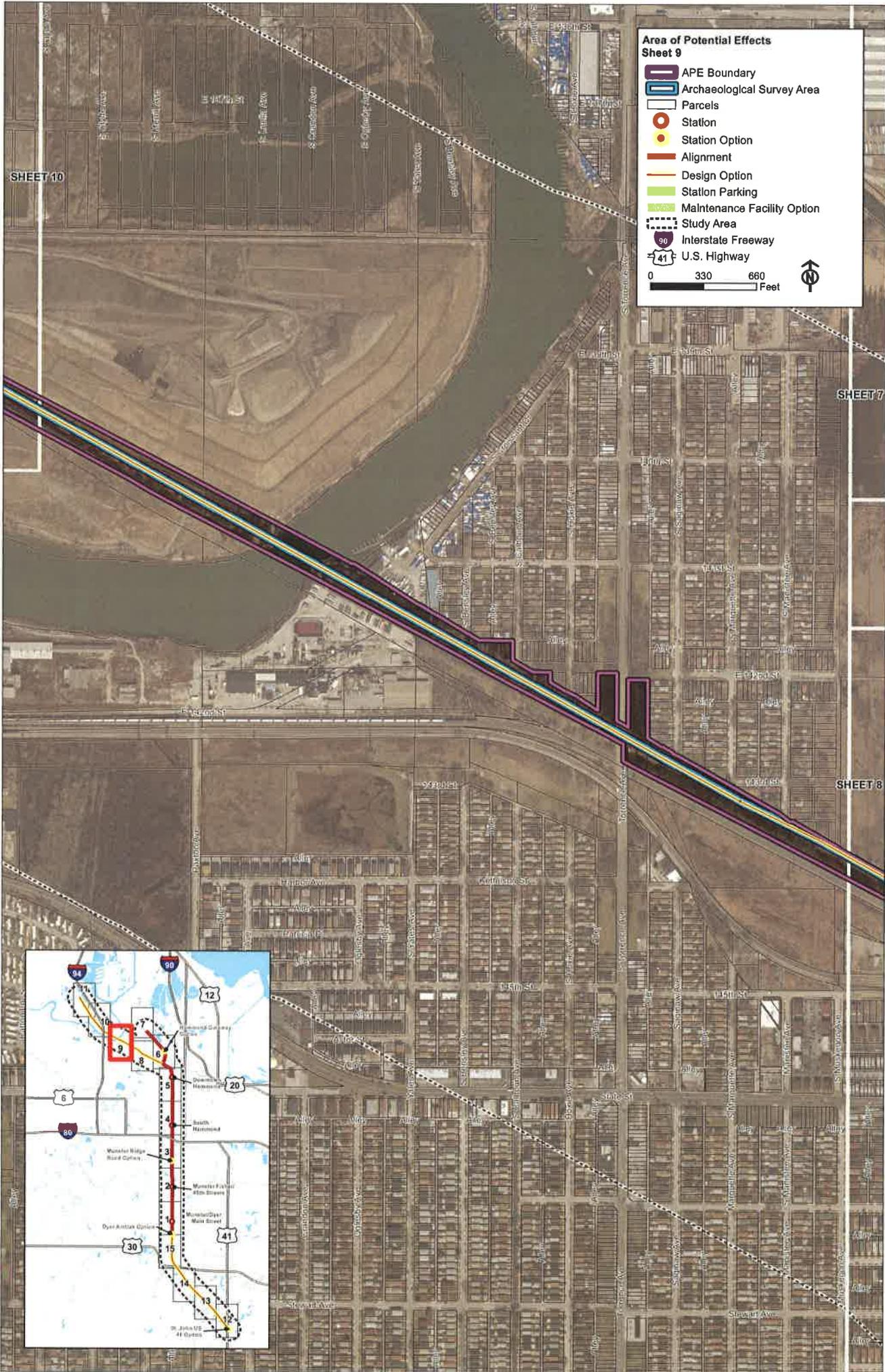
48th Street

**Area of Potential Effects
Sheet 8**

- APE Boundary
- Archaeological Survey Area
- Parcels
- Station
- Station Option
- Alignment
- Design Option
- Station Parking
- Maintenance Facility Option
- Study Area
- Interstate Freeway
- U.S. Highway

0 330 660 Feet



**Area of Potential Effects
Sheet 9**

- APE Boundary
- Archaeological Survey Area
- Parcels
- Station
- Station Option
- Alignment
- Design Option
- Station Parking
- Maintenance Facility Option
- Study Area
- Interstate Freeway
- U.S. Highway

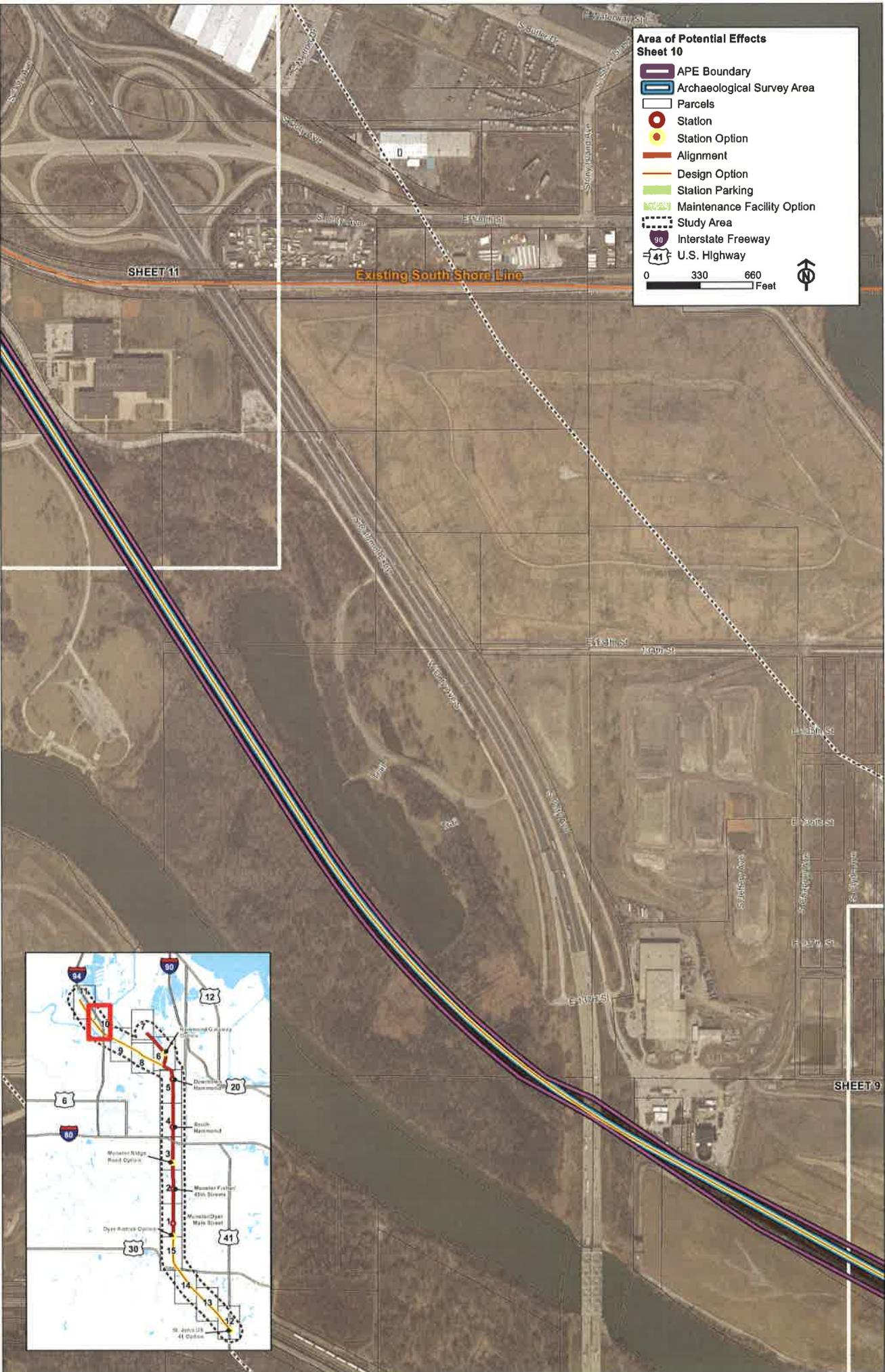
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**Area of Potential Effects
Sheet 10**

-  APE Boundary
-  Archaeological Survey Area
-  Parcels
-  Station
-  Station Option
-  Alignment
-  Design Option
-  Station Parking
-  Maintenance Facility Option
-  Study Area
-  Interstate Freeway
-  U.S. Highway

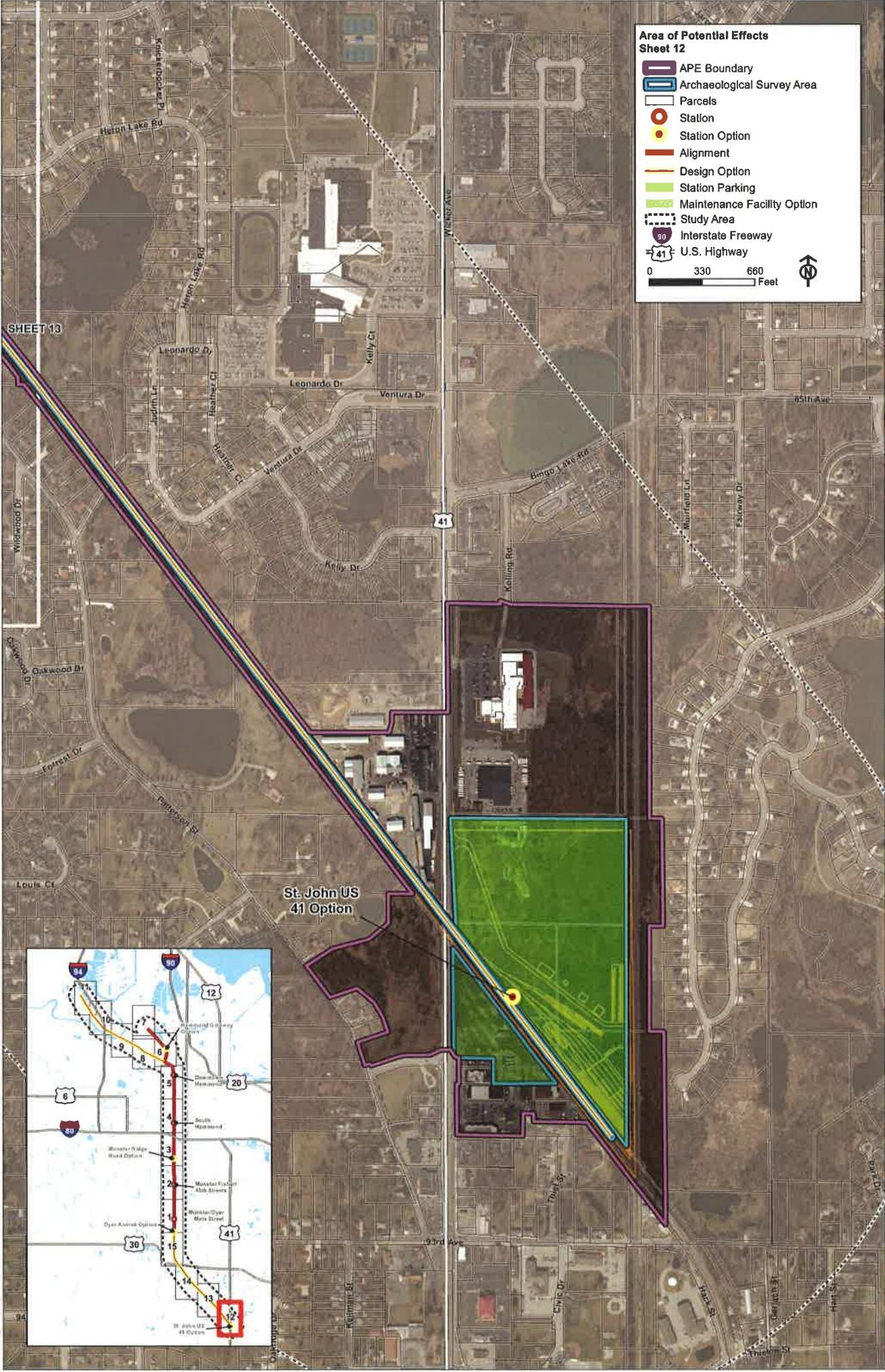
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**Area of Potential Effects
Sheet 12**

- APE Boundary
- Archaeological Survey Area
- Parcels
- Station
- Station Option
- Alignment
- Design Option
- Station Parking
- Maintenance Facility Option
- Study Area
- Interstate Freeway
- U.S. Highway

0 330 660 Feet



SHEET 13

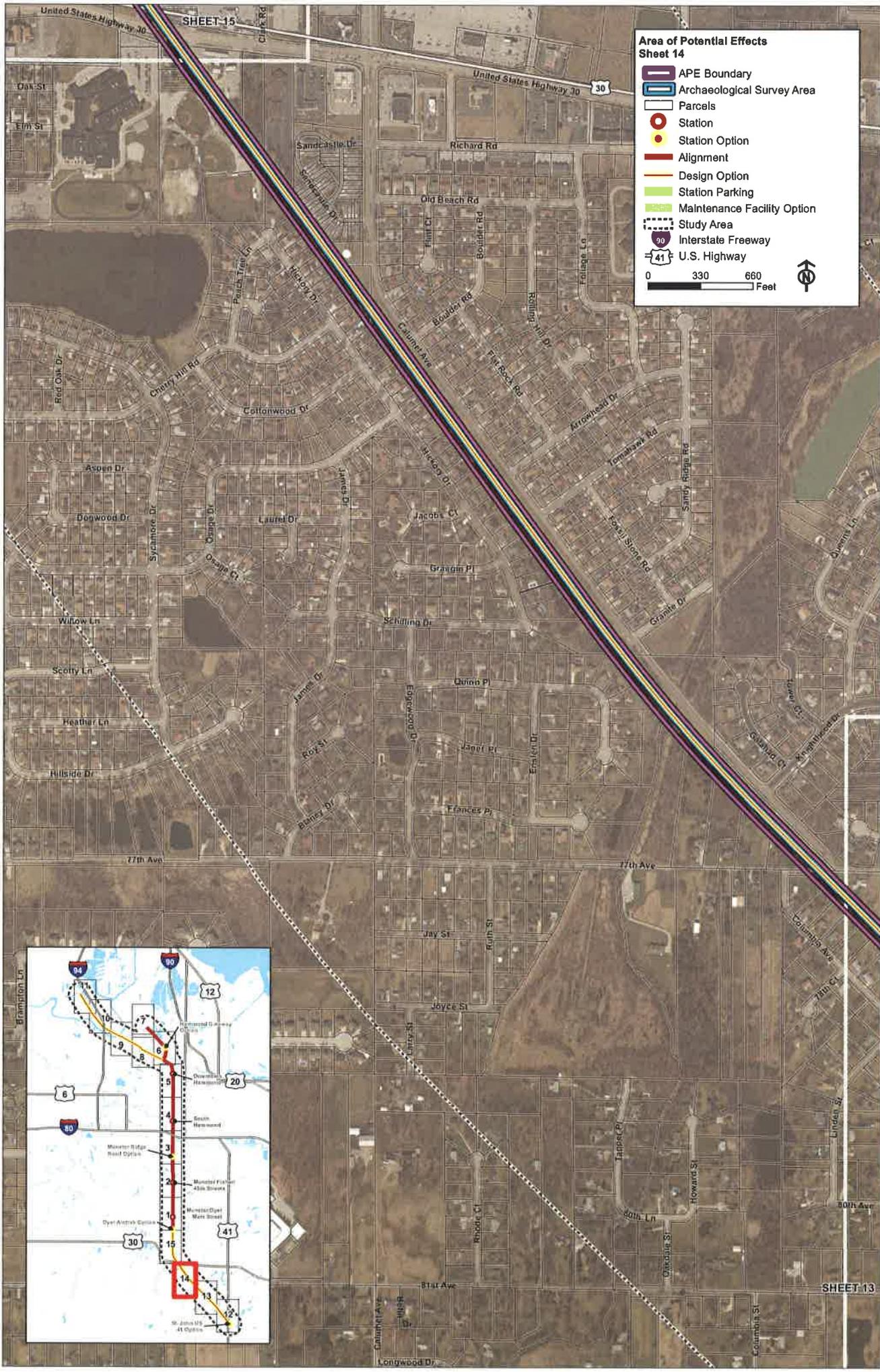
St. John US
41 Option



**Area of Potential Effects
Sheet 14**

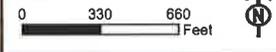
- APE Boundary
- Archaeological Survey Area
- Parcels
- Station
- Station Option
- Alignment
- Design Option
- Station Parking
- Maintenance Facility Option
- Study Area
- Interstate Freeway
- U.S. Highway

0 330 660 Feet



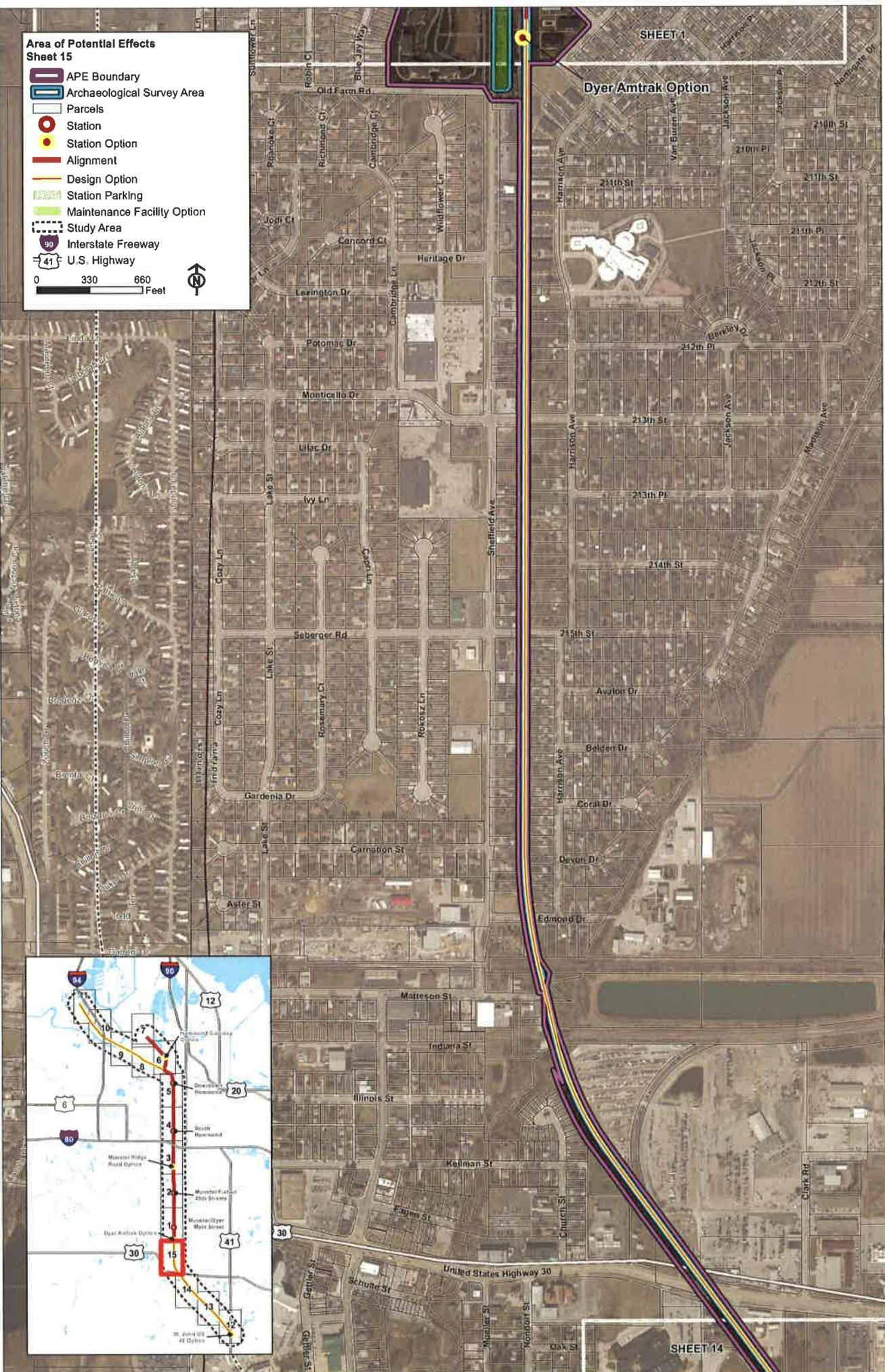
**Area of Potential Effects
Sheet 15**

-  APE Boundary
-  Archaeological Survey Area
-  Parcels
-  Station
-  Station Option
-  Alignment
-  Design Option
-  Station Parking
-  Maintenance Facility Option
-  Study Area
-  Interstate Freeway
-  U.S. Highway



SHEET 1

Dyer Amtrak Option



SHEET 14

DNR

Indiana Department of Natural Resources

Division of Historic Preservation & Archaeology-402 W. Washington Street, W274 Indianapolis, IN 46204-2739
Phone 317-232-1646-Fax 317-232-0693 · dhpa@dnr.IN.gov



April 20, 2015

John N. Parsons
Northern Indiana Commuter Transportation District
33 East US Highway 12
Chesterton, Indiana 46304

Federal Agency: Federal Transit Administration ("FTA")

Re: Northern Indiana Commuter Transportation District's "West Lake Corridor Project Public and Agency Coordination Plan" (AECOM and The McCormick Group, March 2015) and "West Lake Corridor Project Scoping Summary Report" (AECOM and The McCormick Group, March 2015), in Lake County, Indiana, and Cook County, Illinois (INDNR No. ER-17897; DHPA No. 16774)

Dear Mr. Parsons:

Pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (recently recodified at 54 U.S.C. § 306108), 36 C.F.R. Part 800, and the National Environmental Policy Act of 1969, as amended (42 U.S.C. § 4321, *et seq.*) the staff of the Indiana State Historic Preservation Officer has considered the two reports, which we received with your e-mail message dated March 20, 2015, for the aforementioned project in Lake County, Indiana, and Cook County, Illinois.

We commented in our March 30, 2015, letter to FTA about the lists of Section 106 consulting parties in the "Westlake Corridor Project Public and Agency Coordination Plan" and the "West Lake Corridor Project Scoping Summary Report." We have no further comments on either document.

If you have questions about archaeological issues, please contact Wade T. Tharp at (317) 232-1650 or wtharp1@dnr.IN.gov. Questions about buildings or structures should be directed to John Carr at (317) 232-1949 or jcarr@dnr.IN.gov.

In all future correspondence regarding the Northern Indiana Commuter Transportation District's West Lake Corridor Project, please continue refer to DHPA No. 16774.

Very truly yours,

Mitchell K. Zoll
Deputy State Historic Preservation Officer

MKZ:JLC:jlc

cc: Marisol R. Simón, Regional Administrator, Federal Transit Administration, Region V

emc: Mark Assam, Federal Transit Administration, Region V
Anthony Greep, Federal Transit Administration, Region V
John Parsons, Northern Indiana Commuter Transportation District
Rachel Leibowitz, Ph.D., Illinois Deputy State Historic Preservation Officer
Christie Stanifer, Indiana Department of Natural Resources, Division of Fish & Wildlife
Beth Hippensteel, Indiana Department of Natural Resources, Division of Fish & Wildlife
Carl Wodrich, Indiana Department of Natural Resources, Division of Land Acquisition
Bob Bronson, Indiana Department of Natural Resources, Division of Outdoor Recreation
Wade Tharp, Indiana Department of Natural Resources, Division of Historic Preservation & Archaeology
John Carr, Indiana Department of Natural Resources, Division of Historic Preservation & Archaeology

From: "Brian Poland" <polandb@gohammond.com>
To: "John Parsons" <John.Parsons@nictd.com>
Cc: "Ives, Lisa" <Lisa.Ives@aecom.com>
Subject: RE: NICTD West Lake Corridor - Scoping Report and Public and Agency Coordination Plan

Mr. Parsons

I respectfully submit the following comments on the scoping report.

In various locations in the reports, the Hammond Historic Preservation Commission is not identified as agreeing to be a consultant for purposes of Section 106. I attach the HHPC's response form that I completed on behalf of Patrick Swibes, Chairperson, Hammond Historic Preservation Commission.

On page 10 of the scoping summary report, the last bullet point is not an accurate representation of my statements made in my memo of November 7, 2014 and at the October 7, 2014 meeting. The context of my statements was to indicate that there are several historic districts within the study area. Per my November 7, 2014 memo, I used "Forest Avenue area" (i.e. small "a") and "Downtown Hammond" as a reference to the geographical area of Hammond and not the name of a specific historic district. In fact, there are 8 National Register Historic Districts and 2 districts eligible for listing on the National Register in this corridor; not 2 NR districts as stated on page 10 of the Scoping Summary Report. The NR historic districts are: Forest-Ivanhoe, Roselawn-Forest Heights, Indi-Illi Park, Forest-Southview, Forest-Moraine, Glendale Park, State Street Commercial Historic District, Hohman Avenue Commercial Historic District. There are two districts that are eligible for the NR: Harrison Park, Dyer Blvd. There are 3 individual buildings listed in the National Register: George John Wolf House (7220 Forest), Northern States Life Insurance Co Building (5935 Hohman), Southmoor Apartment Hotel (5946 Hohman).

I appreciate this opportunity to comment and look forward to continue working on this project.

Brian L. Poland, AICP
Director of City Planning
Department of Planning and Development
5925 Calumet Avenue Rm. G17
Hammond, IN 46320
V. 219-853-6397 x3 F.219-853-6618
polandb@gohammond.com



U.S. Department
of Transportation
**Federal Transit
Administration**

REGION V
Illinois, Indiana,
Michigan, Minnesota,
Ohio, Wisconsin

200 West Adams Street
Suite 320
Chicago, IL 60606-5253
312-353-2789
312-886-0351 (fax)

March 31, 2016

Rachel Leibowitz
Deputy State Historic Preservation Officer
Illinois Historic Preservation Agency
1 Old State Capitol Plaza
Springfield IL 62701-1507

RE: Section 106 Consultation, Project Description and APE Changes of the
West Lake Corridor Project, Cook County, Illinois

Dear Ms. Leibowitz:

On February 13, 2015, the Federal Transit Administration (FTA), in support of its responsibilities under Section 106 of the National Historic Preservation Act (NHPA), requested your concurrence on the Area of Potential Effects (APE) for the West Lake Corridor Project (Project) in Cook County, Illinois, as proposed by the Northern Indiana Commuter Transportation District (NICTD). FTA received your concurrence on the APE in correspondence dated March 12, 2015. Since that time, NICTD has conducted additional planning, design work, and consultation with local stakeholders. These activities have resulted in changes to the Project design and the APE. This correspondence includes the revised Project description for your review (see **Attachment A**), and FTA is seeking your concurrence on the revised APE.

As discussed in our previous correspondence, the Project would create a new, rail-based commuter service from Metra's Millennium Station in Downtown Chicago to Munster, Indiana. Currently, NICTD's South Shore Line (SSL) railroad operates electric powered trains from South Bend, Indiana, to the Illinois/Indiana state line, and along contiguous segments of shared right-of-way railroad tracks to Millennium Station. The existing service on these tracks has overhead catenary infrastructure providing propulsion power. The Project originally proposed to build a connecting line to Munster that would use hybrid diesel electric locomotives, which would have operated on existing tracks without overhead catenary structures. However, NICTD is now pursuing the use of electric powered trains along the entire Project extension, which would require the acquisition of new rights-of-way and the installation of new trackage, overhead catenary, and power lines. In Illinois, this would primarily occur adjacent to the existing Indiana Harbor Belt (IHB) Kensington Branch right-of-way as part of the IHB Alternative in Cook County. The revised Project Description is detailed in **Attachment A**.

To address these Project changes, the revised APE (**Attachment B**) encompasses additional areas to consider the potential for direct and indirect impacts resulting from new above-ground infrastructure.

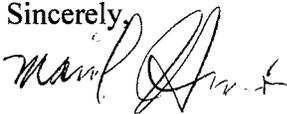
RE: Section 106 Consultation, Project Description and APE Changes of the West Lake Corridor Project, Cook County, Illinois

The APE has been expanded along all Project alternatives where new rights-of-way would be acquired for new trackage, and new above-ground infrastructure would be constructed. This infrastructure would include overhead catenary, power lines, elevated segments of embankment and retained fill, and bridges (see **Attachment C**, "Typical Sections," for illustrations of this type of infrastructure). The first tier of parcels adjacent to the Project footprint is included in the APE. This approach has been adopted to take potential indirect effects into account, including visual/contextual effects related to historic properties, in addition to direct effects within the Project footprint. Although the parcels vary in size throughout the APE, due to the density of development in the various residential, commercial, and industrial areas, the Project is not expected to have visual or contextual impacts beyond those parcels.

The cultural resources studies for the Project will follow the Illinois Historic Preservation Agency's guidelines for conducting Phase I Archaeological Reconnaissance Surveys. The guidelines have been developed in response to two main pieces of legislation regarding the protection of prehistoric and historic resources, including the NHPA and the Illinois Historic Resources Preservation Act (20 ILCS 3420, as amended, 17 IAC 4180). Because the majority of historic resources are located within Indiana, for consistency, the methodology for identifying and evaluating standing structures in the APE will conform to guidelines set forth in the 2014 *Indiana Department of Transportation – Cultural Resources Manual*, and documented in a historic property survey report that will include results for both Illinois and Indiana. The methodology will be consistent with Section 106 of the NHPA requirements, and applicable to resources located in Illinois.

Pursuant to 36 C.F.R. § 800, FTA is seeking concurrence from the State Historic Preservation Officer with the above APE determination for segments in Illinois within 30 days of receipt of this letter. As the environmental review process for the Project moves forward, FTA will continue to consult with your office on eligibility determinations and findings of effects. Should you have any questions or require additional information, please contact Mark Assam at 312-353-4070 or mark.assam@dot.gov. Thank you for your assistance on this Project.

Sincerely,



Marisol R. Simón
Regional Administrator

cc: Mark Assam, FTA Region 5
Susan Orona, FTA Region 5
Jay Ciavarella, FTA Region 5
John Parsons, NICTD Director of Marketing and Planning
Christy Haven, West Lake Corridor Environmental Manager

Attachments

- A Project Description (revised March 2016)
- B Area of Potential Effects Map (revised March 2016)
- C Typical Sections



U.S. Department
of Transportation
**Federal Transit
Administration**

REGION V
Illinois, Indiana,
Michigan, Minnesota,
Ohio, Wisconsin

200 West Adams Street
Suite 320
Chicago, IL 60606-5253
312-353-2789
312-886-0351 (fax)

March 31, 2016

Mitchell K. Zoll
Deputy State Historic Preservation Officer
Division of Historic Preservation & Archaeology
402 W. Washington Street, W274
Indianapolis, IN 46204-2739

RE: Section 106 Consultation, Project Description and APE Changes of the
West Lake Corridor Project, Lake County, Indiana

Dear Mr. Zoll:

On February 13, 2015, the Federal Transit Administration (FTA), in support of its responsibilities under Section 106 of the National Historic Preservation Act (NHPA), requested your concurrence on the Area of Potential Effects (APE) for the West Lake Corridor Project (Project) in Lake County, Indiana, as proposed by the Northern Indiana Commuter Transportation District (NICTD). FTA received your comment letter dated March 27, 2015. Since that time, NICTD has conducted additional planning, design work, and consultation with local stakeholders. These activities have resulted in changes to the Project design and the APE. This correspondence includes the revised Project description for your review (see **Attachment A**), and FTA is seeking your concurrence on the revised APE.

As discussed in our previous correspondence, the Project would create a new, rail-based commuter service from Metra's Millennium Station in Downtown Chicago to Munster, Indiana. Currently, NICTD's South Shore Line (SSL) railroad operates electric powered trains from South Bend, Indiana, to the Illinois/Indiana state line, and along contiguous segments of shared right-of-way railroad tracks to Millennium Station. The existing service on these tracks has overhead catenary infrastructure that provides propulsion power. The Project originally proposed to build a connecting line to Munster that would use hybrid diesel electric locomotives, which would have operated on existing tracks without overhead catenary structures. However, NICTD is now pursuing the use of electric powered trains along the entire Project extension, which would require the acquisition of new rights-of-way and the installation of new trackage, overhead catenary, and power lines. In addition, the new Hammond Alternative proposes an alternative route through Hammond to connect to the existing SSL. The revised Project Description is detailed in **Attachment A**.

RE: Section 106 Consultation, Project Description and APE Changes of the West Lake Corridor Project, Lake County, Indiana

In your letter dated March 27, 2015, you identified two situations where you thought the APE was possibly understated:

- Near new trackage, bridge structures, the flyover, crossings, and related infrastructure that would be built to an elevation that is more than just several feet above the existing grade, and
- Along existing rail lines, where extended commuter service would use electric vehicles and would require installation of new catenary and overhead power lines.

To address these comments and Project changes, the revised APE (**Attachment B**) encompasses additional areas to consider the potential for direct and indirect impacts resulting from new above-ground infrastructure. The APE has been expanded along all Project alternatives where new rights-of-way would be acquired for new trackage, and new above-ground infrastructure would be constructed. This infrastructure would include overhead catenary, power lines, elevated segments of embankment and retained fill, and bridges (see **Attachment C**, "Typical Sections," for illustrations of this type of infrastructure). The first tier of parcels adjacent to the project footprint is included in the APE. This approach has been adopted to take potential indirect effects into account, including visual/contextual effects related to historic properties, in addition to direct effects within the Project footprint. Although the parcels vary in size throughout the APE, due to the density of development in the various residential, commercial, and industrial areas, the Project is not expected to have visual or contextual impacts beyond those parcels.

The cultural resources studies for the Project will follow the Indiana Department of Natural Resources' Division of Historic Preservation and Archaeology's guidelines for archaeological resources. Per your guidance received in the letter dated November 3, 2014, the proposed methodology for identifying and evaluating standing structures in the APE will conform to guidelines set forth in the 2014 *Indiana Department of Transportation – Cultural Resources Manual* (see **Attachment D**, "Cultural Resources Survey Methodology").

Pursuant to 36 C.F.R. § 800, FTA is seeking concurrence from the State Historic Preservation Officer with the above APE determination for segments in Indiana within 30 days of receipt of this letter. As the environmental review process for the Project moves forward, FTA will continue to consult with your office on eligibility determinations and findings of effects. Should you have any questions or require additional information, please contact Mark Assam at 312-353-4070 or mark.assam@dot.gov. Thank you for your assistance on this Project.

Sincerely,



Marisol R. Simón
Regional Administrator

cc: Mark Assam, FTA Region 5
Susan Orona, FTA Region 5
Jay Ciavarella, FTA Region 5
John Parsons, NICTD Director of Marketing and Planning
Christy Haven, West Lake Corridor Environmental Manager

RE: Section 106 Consultation, Project Description and APE Changes of the West Lake Corridor
Project, Lake County, Indiana

Attachments

- A Project Description (revised March 2016)
- B Area of Potential Effects Map (revised March 2016)
- C Typical Sections
- D Cultural Resources Survey Methodology (revised March 2016)



U.S. Department of Transportation Federal Transit Administration

REGION V Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin

200 West Adams Street Suite 320 Chicago, IL 60606-5253 312-353-2789 312-886-0351 (fax)

RECEIVED

APR - 5 2016

PRESERVATION SERVICES

March 31, 2016

Rachel Leibowitz Deputy State Historic Preservation Officer Illinois Historic Preservation Agency 1 Old State Capitol Plaza Springfield IL 62701-1507

NHPA REVIEW H/A [Signature] 5/14/16 AC AR File

RE: Section 106 Consultation, Project Description and APE Changes of the West Lake Corridor Project, Cook County, Illinois

Dear Ms. Leibowitz:

On February 13, 2015, the Federal Transit Administration (FTA), in support of its responsibilities under Section 106 of the National Historic Preservation Act (NHPA), requested your concurrence on the Area of Potential Effects (APE) for the West Lake Corridor Project (Project) in Cook County, Illinois, as proposed by the Northern Indiana Commuter Transportation District (NICTD). FTA received your concurrence on the APE in correspondence dated March 12, 2015. Since that time, NICTD has conducted additional planning, design work, and consultation with local stakeholders. These activities have resulted in changes to the Project design and the APE. This correspondence includes the revised Project description for your review (see Attachment A), and FTA is seeking your concurrence on the revised APE.

As discussed in our previous correspondence, the Project would create a new, rail-based commuter service from Metra's Millennium Station in Downtown Chicago to Munster, Indiana. Currently, NICTD's South Shore Line (SSL) railroad operates electric powered trains from South Bend, Indiana, to the Illinois/Indiana state line, and along contiguous segments of shared right-of-way railroad tracks to Millennium Station. The existing service on these tracks has overhead catenary infrastructure providing propulsion power. The Project originally proposed to build a connecting line to Munster that would use hybrid diesel electric locomotives, which would have operated on existing tracks without overhead catenary structures. However, NICTD is now pursuing the use of electric powered trains along the entire Project extension, which would require the acquisition of new rights-of-way and the installation of new trackage, overhead catenary, and power lines. In Illinois, this would primarily occur adjacent to the existing Indiana Harbor Belt (IHB) Kensington Branch right-of-way as part of the IHB Alternative in Cook County. The revised Project Description is detailed in Attachment A.

To address these Project changes, the revised APE (Attachment B) encompasses additional areas to consider the potential for direct and indirect impacts resulting from new above-ground infrastructure.

RE: Section 106 Consultation, Project Description and APE Changes of the West Lake Corridor Project, Cook County, Illinois

The APE has been expanded along all Project alternatives where new rights-of-way would be acquired for new trackage, and new above-ground infrastructure would be constructed. This infrastructure would include overhead catenary, power lines, elevated segments of embankment and retained fill, and bridges (see Attachment C, "Typical Sections," for illustrations of this type of infrastructure). The first tier of parcels adjacent to the Project footprint is included in the APE. This approach has been adopted to take potential indirect effects into account, including visual/contextual effects related to historic properties, in addition to direct effects within the Project footprint. Although the parcels vary in size throughout the APE, due to the density of development in the various residential, commercial, and industrial areas, the Project is not expected to have visual or contextual impacts beyond those parcels.

The cultural resources studies for the Project will follow the Illinois Historic Preservation Agency's guidelines for conducting Phase I Archaeological Reconnaissance Surveys. The guidelines have been developed in response to two main pieces of legislation regarding the protection of prehistoric and historic resources, including the NHPA and the Illinois Historic Resources Preservation Act (20 ILCS 3420, as amended, 17 IAC 4180). Because the majority of historic resources are located within Indiana, for consistency, the methodology for identifying and evaluating standing structures in the APE will conform to guidelines set forth in the 2014 *Indiana Department of Transportation – Cultural Resources Manual*, and documented in a historic property survey report that will include results for both Illinois and Indiana. The methodology will be consistent with Section 106 of the NHPA requirements, and applicable to resources located in Illinois.

Pursuant to 36 C.F.R. § 800, FTA is seeking concurrence from the State Historic Preservation Officer with the above APE determination for segments in Illinois within 30 days of receipt of this letter. As the environmental review process for the Project moves forward, FTA will continue to consult with your office on eligibility determinations and findings of effects. Should you have any questions or require additional information, please contact Mark Assam at 312-353-4070 or mark.assam@dot.gov. Thank you for your assistance on this Project.

Sincerely,

Marisol R. Simón
Regional Administrator

CONCUR

By: R. Leibowitz JH
Deputy State Historic Preservation Officer

Date: 4/14/16

cc: Mark Assam, FTA Region 5
Susan Orona, FTA Region 5
Jay Ciavarella, FTA Region 5
John Parsons, NICTD Director of Marketing and Planning
Christy Haven, West Lake Corridor Environmental Manager

Attachments

- A Project Description (revised March 2016)
- B Area of Potential Effects Map (revised March 2016)
- C Typical Sections

Division of Historic Preservation & Archaeology 402 W. Washington Street, W274 Indianapolis, IN 46204-2739
Phone 317-232-1646 Fax 317-232-0693 dhpa@dnr.IN.gov



April 21, 2016

Marisol R. Simón
Regional Administrator
Federal Transit Administration, Region V
200 West Adams Street, Suite 320
Chicago, Illinois 60606-5253

Federal Agency: Federal Transit Administration (“FTA”)

Re: Revised project description, and request for concurrence with revised area of potential effects, for the West Lake Corridor Project, Lake County, Indiana, and Cook County, Illinois (INDNR No. ER-17897; DHPA No. 16774)

Dear Ms. Simón:

Pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. § 306108) and 36 C.F.R. Part 800, the staff of the Indiana State Historic Preservation Officer has reviewed your letter dated March 31, 2016, with enclosures, which we received on April 4, for the aforementioned project in Lake County, Indiana, and Cook County, Illinois.

We have been asked to expedite our response, so our comments will be brief.

As we said in our March 27, 2015, letter, our comments should be considered to apply only to potentially affected properties that lie partly or entirely within Indiana. We will defer to the Illinois State Historic Preservation Officer regarding potentially affected properties that are entirely within Illinois.

We appreciate FTA’s and the Northern Indiana Commuter Transportation District’s (“NICTD”) agreeing to follow the relevant guidance of the 2014 *Indiana Department of Transportation—Cultural Resources Manual* in identifying and evaluating above-ground properties (buildings, structures, objects, and districts), as you have described the methodology in your Attachment D.

We thank FTA and NICTD for having given thoughtful attention to our March 27, 2015, comments about the area of potential effects (“APE”). The revised APE is a significant improvement over the APE proposed in your February 13, 2015, letter. It occurs to us that there still might be places where the tops of the poles and catenary would be visible over or between the nearest buildings, and, where the track would be elevated, it is possible that there also might be a view of trains as well as bridge or retained fill structures. We hope, however, that those would be more like glimpses than clear views. If it comes to light during the consultation that a clear view is likely in an area where it could affect the setting of a particular historic above-ground property, it might be appropriate at that time to consider the ramifications on a case-by-case basis. With that caveat, we concur with the revised APE.

In regard to the impact of this project on archaeological resources within the proposed project area, it is our understanding that archaeological investigations will be conducted, that these investigations will be conducted according to the most current *Draft Guidebook for Indiana Historic Sites and Structures Inventory—Archaeological Sites*, and that a report will be submitted upon completion to the DHPA for review and comment. Once this document is received, the Indiana SHPO will resume identification and evaluation procedures for this project. Please keep in mind that additional information may be requested in the future.

Additionally, as previously indicated, in regard to archaeological resources, please note that the proposed project area for this undertaking should include all areas where project-related ground-disturbing activities will be conducted (e.g., demolition, construction, grading, filling, staging, stockpiling, temporary land use, etc.).

If you have questions about archaeological issues, please contact Wade T. Tharp at (317) 232-1650 or wtharp1@dnr.IN.gov. Questions about buildings or structures should be directed to John Carr at (317) 232-1949 or jcarr@dnr.IN.gov.

In all future correspondence regarding the Northern Indiana Commuter Transportation District's West Lake Corridor Project, please refer to DHPA No. 16774.

Very truly yours,



Mitchell K. Zoll
Deputy State Historic Preservation Officer

MKZ:JLC:WTT:wt

emc: Marisol Simón, Federal Transit Administration, Region V
Mark Assam, Federal Transit Administration, Region V
Susan Orona, Federal Transit Administration, Region V
John Parsons, Northern Indiana Commuter Transportation District
Rachel Leibowitz, Ph.D., Illinois Deputy State Historic Preservation Officer
Christie Stanifer, Indiana Department of Natural Resources, Division of Fish and Wildlife
Carl Wodrich, Indiana Department of Natural Resources, Division of Land Acquisition
Bob Bronson, Indiana Department of Natural Resources, Division of Outdoor Recreation
John Carr, Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology
Wade Tharp, Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology



U.S. Department
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**Federal Transit
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E-3, 19

June 7, 2016

Ms. Rachel Leibowitz
Deputy State Historic Preservation Officer
Illinois Historic Preservation Agency
1 Old State Capitol Plaza
Springfield, IL 62701-1507

RE: Section 106 Consultation and Meeting Invitation
West Lake Corridor Project, Cook County, Illinois (IHPA Log No. 029100214)

Dear Ms. Leibowitz:

As discussed in previous correspondence, the Northern Indiana Commuter Transportation District (NICTD) has proposed the West Lake Corridor Project (Project), which would create a new, rail-based commuter service from Metra's Millennium Station in Downtown Chicago to Munster, Indiana. As you are aware, the Federal Transit Administration (FTA), in support of its responsibilities under Section 106 of the National Historic Preservation Act (NHPA), has been working with NICTD to conduct cultural resources studies in connection with the Project. This letter serves as an invitation to an in-person meeting with FTA and NICTD staff where we will present the initial findings of these cultural resources studies. The meeting is scheduled for **Wednesday, June 22, 2016 from 1:30 p.m. to 3:00 p.m. at the Munster Town Hall, located at 1005 Ridge Road, Munster, Indiana 46321.**

This invitation has also been extended to the Indiana Division of Historic Preservation & Archaeology and the other consulting parties to this Section 106 process. You will shortly be receiving an e-mail calendar invitation to this meeting. If you are unable to attend the meeting in person, a conference call/webinar option will also be available. Connection information for this option will be contained in the e-mail calendar invitation.

With this letter, the following materials are enclosed for your review:

- 1) *Historic Property Report, West Lake Corridor Project, Cook County, Illinois and Lake County, Indiana, May 2016*
- 2) *Phase I Archaeological Reconnaissance Survey, West Lake Corridor Project, Cook County, Illinois, May 2016*

We will use these materials to guide our discussions during the June 22 meeting. You are welcome to provide comments during the meeting or to submit written follow-up comments on the materials.

RE: Section 106 Consultation and Meeting Invitation
West Lake Corridor Project, Cook County, Illinois (IHPA Log No. 029100214)

Written comments should be sent by e-mail to Mark Assam at mark.assam@dot.gov by July 8, 2016. We will consider your comments as we continue the Section 106 consultation process.

We look forward to your comments and to meeting with you. Should you have any questions or require additional information, please contact Mark Assam at 312-353-4070 or mark.assam@dot.gov. Thank you for your assistance on this Project.

Sincerely,


for Marisol R. Simón
Regional Administrator

cc: Mark Assam, FTA Region 5
Susan Orona, FTA Region 5
John Parsons, NICTD Director of Marketing and Planning
Christy Haven, West Lake Corridor Environmental Manager

Enclosures

- 1) *Historic Property Report, West Lake Corridor Project, Cook County, Illinois and Lake County, Indiana, May 2016*
- 2) *Phase I Archaeological Reconnaissance Survey, West Lake Corridor Project, Cook County, Illinois, May 2016*



U.S. Department
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**Federal Transit
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June 7, 2016

Mr. Mitchell K. Zoll
Deputy State Historic Preservation Officer
Division of Historic Preservation & Archaeology
402 W. Washington Street, W274
Indianapolis, IN 46204-2739

RE: Section 106 Consultation and Meeting Invitation
West Lake Corridor Project, Lake County, Indiana (DHPA No.16774)

Dear Mr. Zoll:

As discussed in previous correspondence, the Northern Indiana Commuter Transportation District (NICTD) has proposed the West Lake Corridor Project (Project), which would create a new, rail-based commuter service from Metra's Millennium Station in Downtown Chicago to Munster, Indiana. As you are aware, the Federal Transit Administration (FTA), in support of its responsibilities under Section 106 of the National Historic Preservation Act (NHPA), has been working with NICTD to conduct cultural resources studies in connection with the Project. This letter serves as an invitation to an in-person meeting with FTA and NICTD staff where we will present the initial findings of these cultural resources studies. The meeting is scheduled for **Wednesday, June 22, 2016 from 1:30 p.m. to 3:00 p.m. at the Munster Town Hall, located at 1005 Ridge Road, Munster, Indiana 46321.**

This invitation has also been extended to the Illinois Historic Preservation Agency and the other consulting parties to this Section 106 process. You will shortly be receiving an e-mail calendar invitation to this meeting. If you are unable to attend the meeting in person, a conference call/webinar option will also be available. Connection information for this option will be contained in the e-mail calendar invitation.

With this letter, the following materials are enclosed for your review:

- 1) *Historic Property Report, West Lake Corridor Project, Cook County, Illinois and Lake County, Indiana, May 2016*
- 2) *Phase Ia Archaeological Reconnaissance Survey, West Lake Corridor Project, Lake County, Indiana, May 2016*

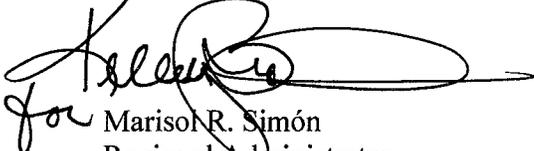
We will use these materials to guide our discussions during the June 22 meeting. You are welcome to provide comments during the meeting or to submit written follow-up comments on the materials.

RE: Section 106 Consultation and Meeting Invitation
West Lake Corridor Project, Lake County, Indiana (DHPA No.16774)

Written comments should be sent by e-mail to Mark Assam at mark.assam@dot.gov by July 8, 2016.
We will consider your comments as we continue the Section 106 consultation process.

We look forward to your comments and to meeting with you. Should you have any questions or require additional information, please contact Mark Assam at 312-353-4070 or mark.assam@dot.gov.
Thank you for your assistance on this Project.

Sincerely,


for Marisol R. Simón
Regional Administrator

cc: Mark Assam, FTA Region 5
Susan Orona, FTA Region 5
John Parsons, NICTD Director of Marketing and Planning
Christy Haven, West Lake Corridor Environmental Manager

Enclosures

- 1) *Historic Property Report, West Lake Corridor Project, Cook County, Illinois and Lake County, Indiana, May 2016*
- 2) *Phase Ia Archaeological Reconnaissance Survey, West Lake Corridor Project, Lake County, Indiana, May 2016*

June 7, 2016

Template letter sent to Participating Agencies of Upcoming Meeting

Hammond Historical Society, Indiana Landmarks, Lake County Historical Society

RE: Section 106 Consultation, Response to Comments on the Cultural Resources Technical Reports for the West Lake Corridor Project, Lake County, Indiana

Dear Ms. Tolbert:

On June 7, 2016, the Federal Transit Administration (FTA), in support of its responsibilities under Section 106 of the National Historic Preservation Act (NHPA), requested your review of cultural resources technical reports prepared for the West Lake Corridor Project (Project) in Lake County, Indiana, as proposed by the Northern Indiana Commuter Transportation District (NICTD). FTA received your comments in correspondence dated July 25, 2016. FTA is notifying consulting parties of its plans to address comments. Please see the attached matrix, which includes your comments and the comments of other consulting parties regarding the cultural resources technical reports for the Project. The matrix includes FTA's preliminary response to all comments received to date.

Please review the information provided in this letter. Pursuant to 36 C.F.R. § 800, FTA will continue to consult with your office on eligibility determinations, findings of effects, and mitigation measures as the Project moves forward. Should you have any questions or require additional information, please contact Mark Assam at 312-353-4070 or mark.assam@dot.gov. Thank you for your assistance on this Project.

Sincerely,

Marisol R. Simón
Regional Administrator, FTA Region 5

cc: Mark Assam, FTA Region 5
Susan Orona, FTA Region 5
John Parsons, NICTD Director of Marketing and Planning
Christy Haven, West Lake Corridor Environmental Manager

Attachments

Cultural Resources Technical Reports Comment Response Matrix

DNR

Indiana Department of Natural Resources

Division of Historic Preservation & Archaeology 402 W. Washington Street, W274 Indianapolis, IN 46204-2739
Phone 317-232-1646 Fax 317-232-0693 · dhpa@dnr.IN.gov



July 8, 2016

Marisol R. Simón
Regional Administrator
Federal Transit Administration, Region V
200 West Adams Street, Suite 320
Chicago, Illinois 60606-5253

Federal Agency: Federal Transit Administration ("FTA")

Re: Draft historic property report (AECOM, 5/2016), draft Indiana archaeological short report (Gierek, 5/2016), and meeting notes from the June 22, 2016, consulting parties meeting regarding the Northern Indiana Commuter Transportation District ("NICTD") West Lake Corridor Project, Lake County, Indiana, and Cook County, Illinois (INDNR No. ER-17897; DHPA No. 16774)

Dear Ms. Simón:

Pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. § 306108) and 36 C.F.R. Part 800, the staff of the Indiana State Historic Preservation Officer has reviewed your letter dated June 7, 2016, with enclosures, and AECOM's June 22 consulting party meeting notes, which we received by e-mail on July 7, 2016, for the aforementioned project in Lake County, Indiana, and Cook County, Illinois. We had received the paper copies of the historic property report and of the Indiana archaeological short report on June 13.

For the purposes of the Section 106 review of this federal undertaking, we agree with the conclusions of the historic property report ("HPR"; AECOM, 5/2016), regarding those above-ground properties within the area of potential effects that are eligible for or listed in the National Register of Historic Places ("NRHP"), according to Table 5-2, and those that are not eligible. However, if any other consulting party expresses a different opinion on any particular property and provides a rationale or additional information in support of his or her opinion, we would want to be consulted further on that issue.

Thank you for submitting the draft Phase Ia archaeological reconnaissance survey report (Gierek, May 2016). Please note that the final Phase I archaeological investigation report, when submitted, should follow the format described in the *Draft Guidebook for Indiana Historic Sites and Structures Inventory—Archaeological Sites*, and that any variation from this format must be approved by DHPA in advance of submission.

In regard to archaeological resources within the proposed project area, it will be helpful for us to complete our review, if the final report provides clarification about the following issues.

Photo #17 depicts what appears to be an in-situ section of abandoned rail bed, rail ties, and rails. Are any extant portions of rail bed, lines, rails, or associated features that are 50 years or older within the proposed project area? If so, then these should be assigned site numbers, and assessed for NRHP-eligibility, and included in a full archaeology report. If such features once were present in the proposed project area, but were subsequently removed, then this sequence of events should be included in the report.

Additionally, per the *Draft Guidebook for Indiana Historic Sites and Structures Inventory—Archaeological Sites, Reports and Format/G. Background Research/Historic* section, the report should include "historic maps, atlases, photographs, etc." Maps mentioned in your *5. Methodology/5.2 Historical Map Reviews* section, should be included, if relevant. Additionally, the records check section should include a map indicating the portions of the proposed project area that previously have been subjected to archaeological investigations.

Furthermore, some of the photographs (as included in *Appendix D.: Photographic Log*) of portions of the PPA that were subjected to pedestrian survey appear to indicate less than 30% overall ground surface visibility; and the report's METHODOLOGY/Field Survey Methodology section (pp. 25—26) does not address the overall ground surface visibility regarding pedestrian survey. The field survey methodology section must be revised to include such factors as the conditions acceptable for pedestrian survey, the conditions requiring shovel probe tests, and screening; and to agree with acceptable methodology, as described in the *Draft Guidebook for Indiana Historic Sites and Structures Inventory--Archaeological Sites*. (This document is available to download, via the Internet at URL <http://www.in.gov/dnr/historic/files/hp-ArchaeologyDraftGuidebook.pdf>). If the overall ground surface visibility of the portions of the proposed project area that were subjected to pedestrian survey were less than 30%, and the slope was less than 25 degrees, then these areas would have to be resurveyed using shovel test probing methodology.

Moreover, according to the draft report, many portions of the proposed project area were not subjected to archaeological reconnaissance survey due to modern disturbance. However, some of these areas, in recent aerial photographs, appear either undisturbed by development, or else not to have been disturbed by development beyond limited grading for residential development. To what extent have these areas been disturbed by modern development? Were soil cores advanced, in order to confirm disturbance of the natural soil associations?

We note that, according to the dates indicated, the archaeological records check was conducted in February 2016—after, rather than before, the archaeological fieldwork was conducted (December 11-12, 2014). Please keep in mind that the archaeological records check should be conducted before the archaeological fieldwork. Please also note that reports must be submitted within six months after the completion of fieldwork unless other arrangements are made with DHPA.

Additionally, please note that the final report must bear the signature of the Principal Investigator.

Furthermore, as previously indicated, in regard to archaeological resources, please note that the proposed project area for this undertaking should include all areas where project-related ground-disturbing activities will be conducted (e.g., demolition, construction, grading, filling, staging, stockpiling, temporary land use, etc.).

Once the final Phase Ia archaeological reconnaissance survey report is received for this proposed project, the Indiana SHPO will resume identification and evaluation procedures for this project. Please keep in mind that additional information may be requested in the future.

In most Section 106 reviews of large projects in which we have participated, the identification and evaluation step of the process (36 C.F.R. § 800.4) and the assessment of effects or adverse effects (36 C.F.R. § 800.5) are dealt with in sequence and in separate documents. That allows time for the federal agency official to see whether there is consensus on which properties are NRHP-eligible before discussing how each of the eligible properties will be affected. We do not yet know whether any other consulting parties will disagree with the HPR's conclusions. We also do not know for certain whether NRHP-eligible archaeological resources might be affected. However, since the HPR here has proposed effect determinations for each historic property identified to date, we will attempt to provide brief comments on effects.

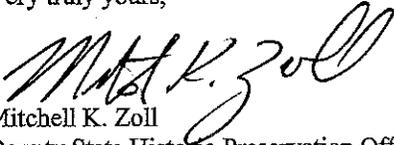
Unless another consulting party raises issues with the proposed effects assessments on a particular building, structure, or district, we agree that it appears that the only physical impacts on historic properties from any of the alternatives within the Indiana part of the APE (Table 6-1) would be on MR# 297 (O.K. Champion Building) and MR# 298 (Federal Cement Tile Company).

Effects on settings resulting from elevated tracks where no elevated tracks currently exist and due to the installation of towers and catenary where they currently do not exist are harder to visualize based on verbal descriptions or conclusions and two-dimensional representations on aerial photographs. It would be helpful to have at least a few representative illustrations of what the newly-electrified line or elevated line would look like adjacent to historic properties—ideally, with the historic property in the background. Of particular concern are the contributing residential properties along the east edge of the Harrison Park Historic District and MR# 268 and MR# 269, where the Hammond Alternative and the Commuter Rail Alternative would pass across or near the west end of the State Street Historic District.

If you have questions about archaeological issues, please contact Wade T. Tharp at (317) 232-1650 or wtharp1@dnr.IN.gov. Questions about buildings or structures should be directed to John Carr at (317) 232-1949 or jcarr@dnr.IN.gov.

In all future correspondence regarding the NICTD West Lake Corridor Project, please refer to INDNR No. ER-17897 and DHPA No. 16774.

Very truly yours,



Mitchell K. Zoll
Deputy State Historic Preservation Officer

MKZ:JLC:WTT:wtt

- emc: Marisol Simón, Federal Transit Administration, Region V
Mark Assam, Federal Transit Administration, Region V
Susan Orona, Federal Transit Administration, Region V
John Parsons, Northern Indiana Commuter Transportation District
Christy Haven, AECOM
Lynn Gierak, RPA, AECOM
Rachel Leibowitz, Ph.D., Illinois Deputy State Historic Preservation Officer
Joe Phillippe, Illinois Historic Preservation Agency
David Halpin, Illinois Historic Preservation Agency
Christie Stanifer, Indiana Department of Natural Resources, Division of Fish and Wildlife
Carl Wodrich, Indiana Department of Natural Resources, Division of Land Acquisition
Bob Bronson, Indiana Department of Natural Resources, Division of Outdoor Recreation
John Carr, Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology
Wade Tharp, Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology



HAMMOND HISTORIC PRESERVATION COMMISSION

5925 Calumet Avenue • Room G-17 • Hammond, IN 46320 • 219.853.6397 x3 • 219.853.6618 Fax

July 14, 2016

Mark Assam
Environmental Protection Specialist
U. S. Department of Transportation
Federal Transit Administration Region V
200 West Adams Street Suite 320
Chicago, IL 60606-5253

RE: West Lake Corridor Project NICTD, Historic Property Report, May 2016

Dear Mr. Assam:

Thank you for the opportunity for the Hammond Historic Preservation Commission to respond and comment on the above referenced Historic Property Report as a consulting party in the Section 106 process.

Overall, the Hammond Historic Preservation Commission (HHPC) does not have any significant disagreement with the stated determinations of effect, or the Environmental Consequences and Mitigation measures which begins on page 99 of the report. The HHPC does wish to be engaged in the development of any Memorandum of Agreement. The HHPC does concur with the comment made by Tiffany Tolbert of Indiana Landmarks at the June 22, 2016 meeting indicating that mitigation should include the preparation of National Register nominations for other properties in exchange for the demolition of National Register eligible resources.

One point in regard to the determination of effect that the HHPC reserves the right to comment further on is potential long-term operational noise and vibration impacts that may result from the project. A copy of the Noise and Vibration Technical Report was requested previously in order to adequately respond to comments made on page 103. A copy has not been provided and the HHPC is not able to make any comments of agreement or disagreement with the report or any factors that led to a no adverse effect determination. The HHPC re-requests to be provided a copy of the report and reserves the right to amend these comments to include additional comments after receiving and reviewing the report.

The HHPC does take issue with various points within the West Lake Corridor Project Historic Property Report of May 2016 ranging from technical or factual errors, to questioning why certain properties within the APE were not addressed, and whether a property was determined to be eligible or not for listing on the National Register.



A. Properties in or out of the APE.

It is our understanding that the APE is defined as the railroad alignment and the first adjacent parcels.

1. At Sibley Street and the Dan Rabin Plaza, the parcels on the west side of the Dan Rabin plaza are the first parcels abutting the alignment, yet are not included within the APE boundary or discussed in the report. The APE should be drawn to include the parcels at the Northeast corner of Hohman Avenue and Sibley Street. Two properties within this area should be added to the report and evaluated. These are:

- a. 089-090-46089 Hotel Hammond 415 ½ -417 Sibley

This resource is not identified on the Central Hammond Scattered Site map (pg 294, Lake County Interim Report), but it is in the list of resources on page 299. It is rated as a contributing resource.

- b. Jupiter Building, 5129-5131 Hohman Avenue

This resource is not identified in the Lake County Interim Report, but should have been. It is listed in the Library of Congress Historic American Building Survey materials

<http://www.loc.gov/pictures/item/in0450.photos.379449p/>

2. Page 12, Table 2-1 IHSSI Historic Resources in the APE

Several resources listed in the IHSSI/Lake County Interim Report that would be in the APE were omitted from this table.

- a. 089-090-43043 House 253 Condit St. This resource is located in the Harrison Park Historic District and is the first abutting parcel at that location. It has been demolished since the publication of the Interim Report. However, it should be included in the evaluation and shown in italics as was done for other resources that have been demolished.

- b. 089-090-43577 Parkview Apartments 5931-5937 Park Place. The graphic line for the APE shows that the boundary at this location continues up Park Place to intersect at Waltham Street. This resource is located on the east side of that line and would therefore be in the APE as is being graphically represented. We suggest you either adjust your graphic to exclude the resource or include the resource in your evaluation.

- c. 267 Dyer Boulevard House

6136 Lyman Avenue Apartments

These two properties are located within the proposed Dyer Blvd. National Register Historic District that is identified in the SHAARD as a nomination is currently being reviewed by IN SHPO. The Historic property report references on Page 15 a letter from Tiffany Tolbert dated December 10, 2014 in which she asked that these two resources were to be considered. The HHPC concurs with Ms. Tolbert and these two resources should be included and evaluated in the report.

B. Determination of Eligibility to the National Register

1. Page 27, 33 Oak Hill Cemetery

While we understand to a point why the cemetery may not be eligible to the National Register, the cemetery has a lot of local significance to Hammond, North Township, and the greater Calumet Region. This cemetery originally began as the cemetery for the St. Joseph's Catholic Church (089-090-42013). Marcus Towle (who was the first mayor) and other prominent early "movers and shakers" in Hammond established the Oak Hill Cemetery Association which acquired the Catholic cemetery and developed it to its current boundaries. Oak Hill served the region as final resting place as the adjacent communities of Whiting, East Chicago, Munster, Highland, and Griffith had no cemeteries (Hammond Times "City of Cemeteries" April 5, 1965; Cemetery vertical files, Susan Long Local History Room, Hammond Public Library). It is important to reconsider local significance for the National Register eligibility.

2. Page 27, 51 Harrison Park (the Park)

Harrison Park was designed by Peter Fox, an immigrant the Rhineland. His father was a State Forester in Germany for 50 years. Peter came to the US circa 1886 and designed Harrison Park. He served as the City's Park Superintendent between 1904 and 1918 under two mayors and also designed Morris (now Columbia) Park and Douglas (now Pulaski) Park as well as improvements to Calumet City's Memorial Park. This is important in the consideration for local significance for National Register eligibility.

3. Page 37 Harrison Park Historic District, Eligible

The Harrison Park neighborhood is associated with many "important people"- people who were important to the development of the City of Hammond, the region, and the state. The Harrison Park neighborhood is the location of : 1) home of the first Mayor, Marcus Towle and co-founder of Hammond, 229 Ogden; 2) 9th Mayor Daniel Brown, 34 Ogden; 3) Frank Betz (reportedly Hammond's 1st millionaire, Betz Surgical Supply) 5746 Hohman Avenue; 4) Moses Rothschild (Downtown Hammond Department Store), 5713 Hohman Avenue; 5) W. B. Conkey (Printing Company which saved Hammond's economy after the Meatpacking plant fire), 5820 Hohman (significantly altered); 6) Richard McHie 5718 Hohman, Lake Co. Printing Co. (evolved into the Times of NW IN); 7) Morse Del Plain 5719 Hohman, Northern Indiana Gas & Electric which became NIPSCO; 8) Otto Knoerzer 46 Elizabeth, O. K. Champion. This should warrant reconsideration for eligibility under criterion B.

4. Page 28, 61 Minas Parking Garage

While the report presents an interesting story about the parking garage and its connection to the Minas Department Store, the HHPC disagrees that the structure has any substantial architectural or historical significance that would merit individual listing on the National Register. The parking garage is a vernacular example of the short-lived Brutalism architectural style at best. While this structure may exhibit minimal characteristics of the Brutalism style, the garage is of a vernacular version and does not exhibit high enough quality of the characteristics

of the Brutalism style. Exhibit 1 shows higher quality well designed examples of the Brutalism style in which there is no comparison to the design of the parking structure. The HHPC does not believe the structure has sufficient architectural quality to be eligible under Criterion C.

5. Page 28, 97 Polish Army Veterans' Post

As noted, the Hammond Historic Preservation Commission is on record as stating the building is eligible for the National Register. The HHPC reiterates that position. The building has been identified in surveys of Hammond since the early 1980's and is identified in the Lake County Interim Report as Notable. Clarification of IN SHPO's determination in the Chicago Street project has been requested. The HHPC has not been presented with a clear enough explanation of why IN SHPO decided that a notable building is not eligible nor has been informed of what areas of further information should be researched. IN SHPO did indicate that further evaluation of the building should be pursued through FTA. Therefore the HHPC is requesting that the eligibility of this resource be further investigated and re-evaluated. The HHPC believes the building is eligible under Criteria A and C for its connection to the Polish ethnic community and its military and social connections.

6. Page 28, 95 George Kosin Saloon

This building was demolished in March 2016.

C. Technical or factual corrections.

1. Page 11 "The IHSSI published the *Lake County Interim Report* in May 1996 . . ."

The sentence should be rewritten in that the Lake County Interim Report was published by Historic Landmarks Foundation of Indiana as is noted later in that same paragraph. The Interim Report may be a part of the IHSSI or the information in the book may have been incorporated into the IHSSI, but the Interim Report was not "published" by IHSSI.

2. Page 14

The unfortunate previous omission of the Hammond Historic Preservation Commission as a Section 106 Consulting Party was discussed at the June 22, 2016 meeting as well as with representatives of NICTD and AECOM prior to the meeting. This omission was brought to the attention of NICTD and AECOM in April, 2015 after the omission of the HHPC was identified in the scoping report. The HHPC original responded to the request to be a consulting party in or about October 2014.

3. Page 17

Marcus Towle, not George Towle, is the name of the partner in the G. H. Hammond Company. As a technical point, Towle had the area subdivided and called the subdivision the Original Town of Hammond circa 1875. The Town of Hammond was incorporated on December 4, 1883, and reincorporated as the City of Hammond on April 21, 1884 (as the terms "town" and "city" are defined in the Indiana Constitution). The term "village" as used earlier in that paragraph is not appropriate under the Constitutional context. There are other examples of the misuse of "town."

While some early sources refer to G. H. Hammond Company as a "slaughterhouse". Other later sources refer to it as a "meatpacking plant." "Meatpacking plant" is the preferred term.

D. Archaeological Report

In regard to the Archaeological Report, generally speaking there is no issue with the report and its conclusions. However, clarification is requested on the APE. On Page 38, it is stated "No archaeological resources are recorded in the Project Area/APE or in the immediate vicinity of this Project Area. According to the historical maps and aerial photographs, no historic features (buildings, farmsteads, or other structures) or cemeteries are recorded within this Project Area/APE other than the former railroad itself, which is not addressed in detail in this report." Is there a difference between the APE for archaeological purposes versus historic building purposes? In the Historic Structures Report, Oak Hill Cemetery was identified as being within the APE. The archaeology report appears not to recognize where Oak Hill Cemetery is. Please explain this discrepancy.

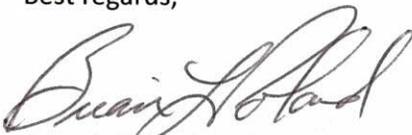
At the June 22 meeting, it was queried whether the report addressed any impacts on the Hohman Homestead site. This site is located at the northeast corner of Hohman Avenue and the Grand Calumet River. A plaque is located on the western wall of the Amsted Company. A stone monument is located on the south bank of the Grand Calumet River east of Hohman Avenue also referencing the homestead location. In the excerpts from the Caroline Hohman diaries found at the Hammond Public Library Local Historic Room, she referenced a Pottawatomie Cemetery in the vicinity of the homestead. There appears to be no record of a specific location of the cemetery being identified.

Depending upon the answer to the above question on the APE, these sites may be outside the APE boundaries. The sites are also significantly altered by urban development. It would be presumed that, even if this was included in the Archaeology report, there would be no change in the report's conclusions.

In summary, the HHPC does concur with the determination of effect and the mitigation measures as qualified above. The HHPC's concerns are that various historic resources within the APE were either left out or not adequately researched and evaluated.

Again, thanks for this opportunity,

Best regards,



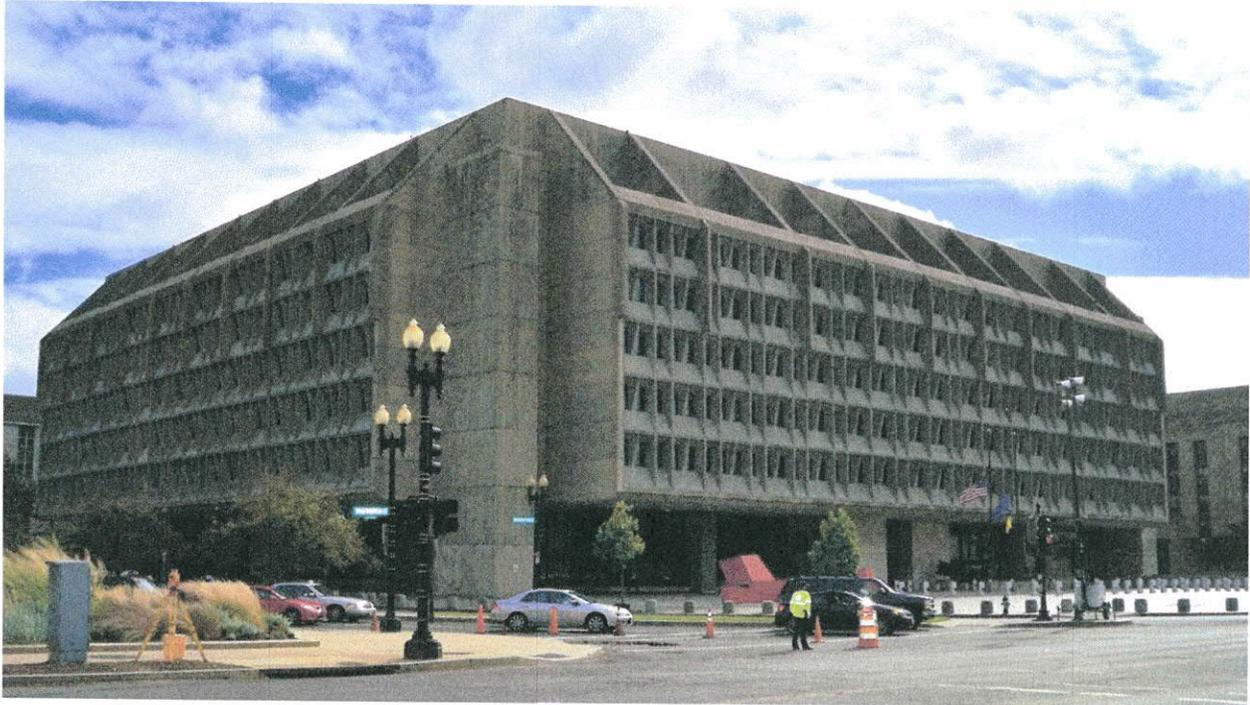
Brian L. Poland, AICP
Director of City Planning

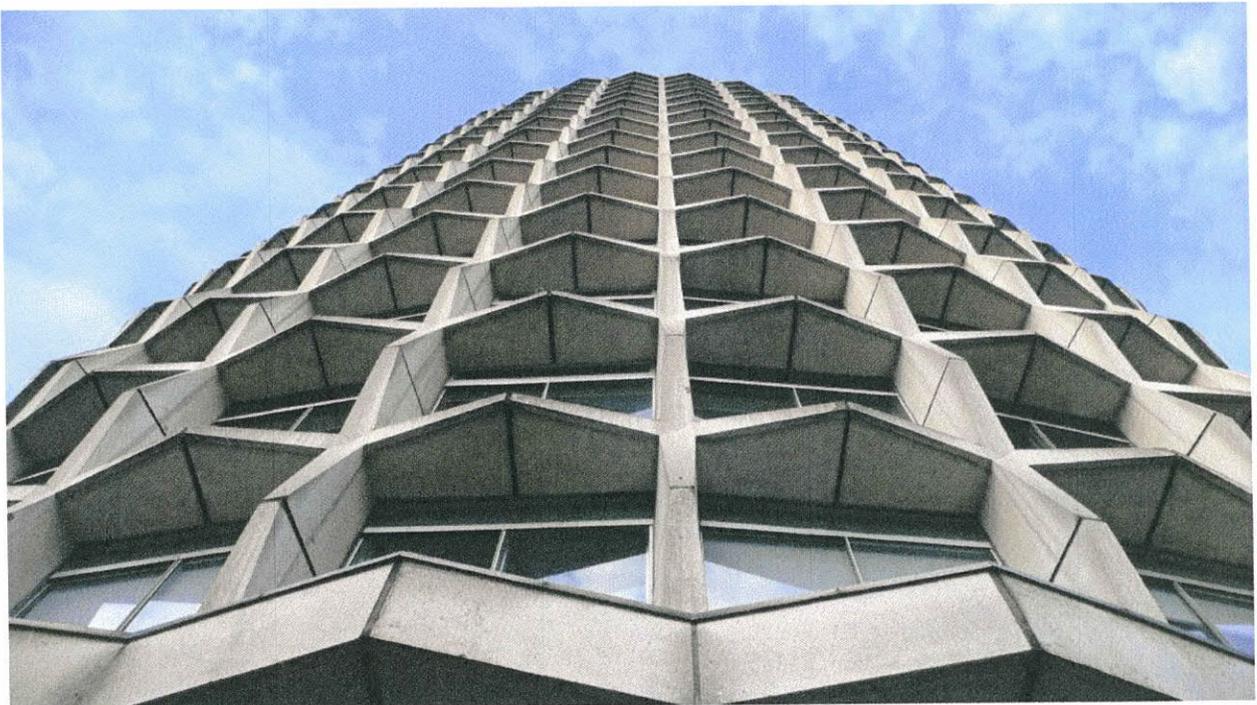
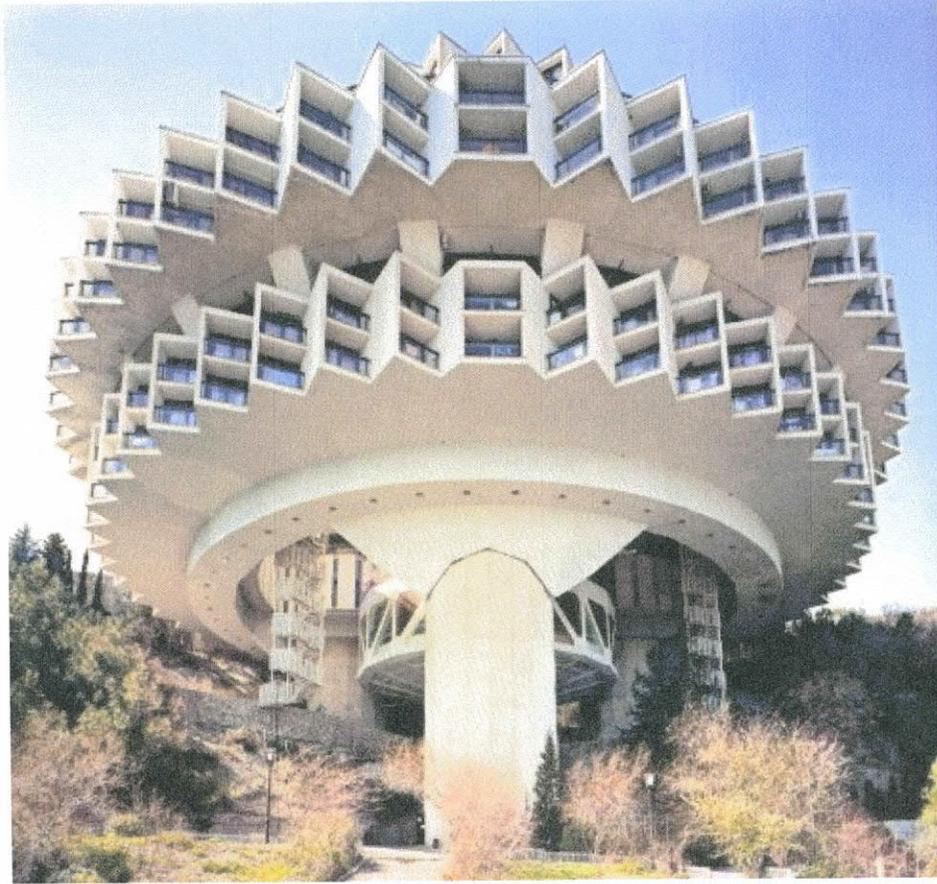


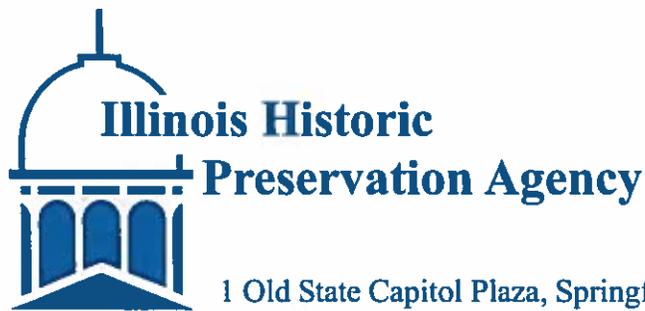
Patrick Swibes, Chairperson
Hammond HPC

Encl.

Brutalist architecture examples.







1 Old State Capitol Plaza, Springfield, IL 62701-1512

www.illinoishistory.gov

Various County
Chicago to Dyer, Indiana
FTA
West Lake Corridor Project, Northern Indiana Commuter Transportation District

PLEASE REFER TO:

IHPA LOG #029100214

July 19, 2016

Marisol R. Simon
U.S. Department of Transportation
Federal Transit Administration
200 W. Adams St., Suite 320
Chicago, IL 60606-5253

Dear Ms. Simon:

Thank you for requesting comments from our office concerning the possible effects of the project referenced above on cultural resources. Our comments are required by Section 106 of the National Historic Preservation Act of 1966 (16 USC 470), as amended, and its implementing regulations, 36 CFR 800: "Protection of Historic Properties".

We have received the Archaeological Survey Short Report for the project referenced above. Our staff cannot adequately review this report as submitted to our office. When the required level of documentation is supplied, we will comment on the adequacy of the archaeological investigations and provide our recommendations for this project. Please address the following items and return two revised hard copies and a CD with the report in pdf format to us for revision

Overall the report is very good, but we need the following information to complete our review:

1. The ASSR needs to have all copies of pertinent maps, atlases, GLO's and any other maps utilized.
2. The report provides a generic culture history, but should include a historical narrative of land use in project APE based on all relevant historical documentation.

If you have further questions, please contact Joe Phillippe at 217/785-1279.

Sincerely,



Rachel Leibowitz, Ph.D.
Deputy State Historic
Preservation Officer
RL/JSP

cc: Don Gismondi, Chicago Transit Authority
Reginald Arkell, U.S. Department of Transportation
Mark Assam, U.S. Department of Transportation
Marlise Fratinardo, Chicago Transit Authority



INDIANA LANDMARKS

Northwest Field Office

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July 25, 2016

Mark Assam, AICP
Environmental Protection Specialist
US Department of Transportation
Federal Transit Administration, Region V
200 West Adams Street, Suite 320
Chicago, IL 60606

RE: West Lake Corridor Project, Lake County, Indiana (DHPA No. 16774)

Dear Mr. Assam,

Thank you for providing me with the information on the West Lake Corridor Project in Lake County, Indiana and I appreciate your consideration in involving our organization in the review of this project. After reviewing the historic property report and attending the June 22 consulting parties meeting I submitting two comments in regard to the assessment of National Register of Historic Places listed and eligible properties and potential adverse effect mitigation recommendations.

In regard to the historic properties included in the report I have found the omission of the Dyer Boulevard Historic District in Hammond. The Dyer Boulevard Historic District is not included in the 1996 Lake County Interim Report. However it was determined eligible for the National Register by the Indiana Division of Historic Preservation and Archeology (DHPA) in 2011. The district is identified as containing two blocks of Dyer Boulevard running between Hohman Avenue and Lyman Avenue in Hammond. The nomination for the district is currently in review with DHPA and is included in the Indiana State Historic Architectural and Archaeological Research Database (SHAARD) under file NR-2392. Upon review of the project map, it appears the district is directly adjacent to the APE, therefore should be included in the list of eligible resources and subject to the Section 106 process. The district is also immediately south of the Harrison Park Historic District which was identified in the HPR. During the consulting parties meeting, the Hammond Alternative was stated to be the preferred route option which would have minimal impact on the Harrison Park district and was not identified as being adversely effected. If this remains the preferred option it is reasonable to assume that Dyer Boulevard will not be impacted as well. However it is appropriate that the district be included among the historic properties reviewed and assessed using the same methodology to determine adverse effect.

In regard to the two historic properties identified as being adversely effected by the proposed project I concur with your initial findings. As stated in the consulting parties meeting, the preferred option will require the demolition of these properties and as such proposed mitigation options have been identified. While these recommendations are standard for Section 106 projects I would recommend future development of mitigation recommendations. As the properties do possess significance to the industrial heritage and development of Hammond, it would be appropriate that part of the sites be maintained or incorporated into any new development. These can be achieved with the use of salvaged or similar materials in support of any interpretative signage and displays that are developed. I am aware this option will depend on design and construction plans for the West Lake Corridor, however consideration could still be made as it appears these plans have not been finalized.

Additionally I would propose the development of National Register of Historic Places nominations for other eligible historic industrial resources. With the potential loss of two historic industrial sites, it would be beneficial to Hammond and the region to seek designation of other sites identified in the HPR. I would recommend this be explored for feasibility in coordination with the City of Hammond and the appropriate property owners.

I ask that you review this information and take it into consideration as finalize the environmental review process. If additional information and comments are warranted please feel free to contact me at (219) 947-2657 or ttolbert@indianalandmarks.org.

Finally it is important for you to know that my concern in the project area is only with the built environment, and does not include possible archaeological sites. For archaeological records for these or other adjacent sites, you can contact the Indiana Division of Historic Preservation and Archeology.

I look forward to receiving your final report and findings.

Sincerely,



Tiffany Tolbert, Director
Northwest Field Office



E-3, 26

FAX 217/524-7525
www.illinoishistory.gov

Various County PLEASE REFER TO: IHPA LOG #029100214
Chicago, Illinois to Dyer, Indiana
FTA
West Lake Corridor Project, Northern Indiana Commuter Transportation District

ARCHAEOLOGICAL SURVEY

September 9, 2016

Lynn M. Gierak
AECOM
4320 Winfield Road, Suite 300
Warrenville, IL 60555

Dear Ms. Gierak:

We have reviewed the archaeological survey documentation submitted for the referenced project(s) in accordance with 36 CFR Part 800.4. Based upon the information provided, no archaeological historic properties are affected. We, therefore, have no objection to the archaeological portion of this undertaking proceeding as planned.

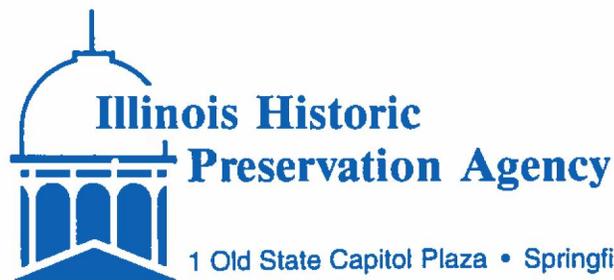
Please retain this letter in your files as evidence of compliance with section 106 of the National Historic Preservation Act of 1966, as amended. This clearance remains in effect for two (2) years from date of issuance. It does not pertain to any discovery during construction, nor is it a clearance for purposes of the Illinois Human Skeletal Remains Protection Act (20 ILCS 3440).

If you are an applicant, please submit a copy of this letter to the state or federal agency from which you obtain any permit, license, grant, or other assistance.

Sincerely,

Rachel Leibowitz, Ph.D.
Deputy State Historic
Preservation Officer

c: Mark Assam, U.S. Department of Transportation



1 Old State Capitol Plaza • Springfield, Illinois 62701-1507 • (217) 782-4836 • TTY (217) 524-7128

FAX 217/524-7525

Various Counties
Chicago, Illinois to Dyer, Indiana
West Lake Corridor Project, Northern Indiana Commuter Transportation District

PLEASE REFER TO: IHPA LOG #029100214

September 9, 2016

Lynn M. Gierak
AECOM
4320 Winfield Road, Suite 300
Warrenville, IL 60555

Dear Ms. Gierak:

We have reviewed the revised archaeological survey documentation submitted for the above referenced project in accordance with 36 CFR Part 800.4. Based upon the information provided, no historic properties are affected. We, therefore, have no objection to the undertaking proceeding as planned.

Please retain this letter in your files as evidence of compliance with section 106 of the National Historic Preservation Act of 1966, as amended. This clearance remains in effect for two (2) years from date of issuance. It does not pertain to any discovery during construction, nor is it a clearance for purposes of the Illinois Human Skeletal Remains Protection Act (20 ILCS 3440).

If you are an applicant, please submit a copy of this letter to the state or federal agency from which you obtain any permit, license, grant, or other assistance.

Sincerely,

Rachel Leibowitz, Ph.D.
Deputy State Historic
Preservation Officer

c: Mark Assam, U.S. Department of Transportation



U.S. Department
of Transportation
**Federal Transit
Administration**

REGION V
Illinois, Indiana,
Michigan, Minnesota,
Ohio, Wisconsin

200 West Adams Street
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312-353-2789
312-886-0351 (fax)

November 7, 2016

Ms. Rachel Leibowitz
Deputy State Historic Preservation Officer
Illinois Historic Preservation Agency
1 Old State Capitol Plaza
Springfield, IL 62701-1507

RE: Section 106 Consultation, West Lake Corridor Project, Cook County, Illinois (IHPA Log #029100214); FTA Eligibility and Effects Determination

Dear Ms. Leibowitz:

Thank you for your participation in the Section 106 consulting parties meeting on June 22, 2016, and for your comments on the cultural resources technical studies prepared for the West Lake Corridor Project (Project) as proposed by the Northern Indiana Commuter Transportation District (NICTD). Following the consulting parties meeting, the Illinois Historic Preservation Agency (IHPA) provided comments to the Federal Transit Administration (FTA) in a letter dated July 19, 2016. In response to IHPA's comments, additional information was incorporated into the technical studies. IHPA provided concurrence on the eligibility and effects recommendations in the *Phase 1 Archaeological Reconnaissance Survey for the West Lake Corridor Project, Cook County Illinois* (revised August 2016) and the *Historic Property Report for the West Lake Corridor Project* (May 2016) in correspondence to FTA dated September 9, 2016. Since that date, the technical studies that address cultural resources for the Project in Indiana have been revised. Attached are the final, revised versions of the technical studies for your information. Also attached is a comment/response matrix that describes FTA's responses to each of the comments from the consulting parties.

Based on the research documented in the aforementioned technical studies, and the consulting party comments, FTA has determined the following for the Project:

11 architectural resources over 45 years of age are located within the Architectural Area of Potential Effects (APE) in Illinois. None of these resources is listed on or eligible for the National Register of Historic Places (NRHP).

There are no NRHP-listed or eligible archaeological resources within the Archaeological APE in Illinois. However, archaeological resources may exist within a portion of the Archaeological APE that was not surveyed directly due to a lack of land owner permission. This area warrants additional archaeological survey prior to construction.

RE: Section 106 Consultation, West Lake Corridor Project, Cook County, Illinois (IHPA Log #029100214); FTA Eligibility and Effects Determination

The Project will result in **No Historic Properties Affected** in Illinois.

In separate correspondence to the Indiana Department of Natural Resources, Division of Historic Preservation & Archaeology (DHPA), FTA made the determination that the Project will result in adverse effects on resources on or eligible for the NRHP in Indiana. Resolution of these adverse effects will be addressed in a Memorandum of Agreement (MOA) between FTA, DHPA, and NICTD. Areas where additional archaeological survey will be required prior to construction will also be addressed in the MOA. The draft MOA is attached for your review. Mitigation measures in the draft MOA are based on recommendations from the technical studies and consulting parties.

Pursuant to 36 CFR § 800, FTA is seeking concurrence from the State Historic Preservation Officer (SHPO) on its determinations of eligibility and effects, as described above, within 30 days of receipt of this letter. Please also review and provide your comments on the draft MOA within this timeframe. Should you have any questions or require additional information, please contact Mark Assam, Environmental Protection Specialist, at 312-353-4070 or mark.assam@dot.gov. Thank you for your assistance on this Project.

Sincerely,



Jay M. Ciavarella
Director, Office of Planning & Program Development

cc: Mark Assam, FTA Region 5
Susan Orona, FTA Region 5
John Parsons, NICTD
Paulette Vander Kamp, AECOM
Mitchell Zoll, DHPA

Attachments:

- A *Phase 1 Archaeological Reconnaissance Survey for the West Lake Corridor Project, Cook County Illinois* (revised August 2016)
- B *Historic Property Report for the West Lake Corridor Project* (revised October 2016)
- C Cultural Resources Technical Reports Comment/Response Matrix
- D Draft Memorandum of Agreement



U.S. Department
of Transportation
**Federal Transit
Administration**

REGION V
Illinois, Indiana,
Michigan, Minnesota,
Ohio, Wisconsin

200 West Adams Street
Suite 320
Chicago, IL 60606-5253
312-353-2789
312-886-0351 (fax)

November 7, 2016

Brian Poland
Hammond Historic Preservation Commission
649 Conkey St.
Hammond, IN 46324

RE: Section 106 Consultation, West Lake Corridor Project, Cook County, Illinois (IHPA Log #029100214), and Lake County, Indiana (INDNR No. ER-17897; DHPA No. 16774)

Dear Mr. Poland:

Thank you for your participation in the Section 106 consulting parties meeting on June 22, 2016, and for your comments on the cultural resources technical studies prepared for the West Lake Corridor Project (Project) as proposed by the Northern Indiana Commuter Transportation District (NICTD). The Federal Transit Administration (FTA) has revised the technical studies in response to comments received from the consulting parties. Attached are the final, revised versions of the technical studies for your information. Also attached is a comment/response matrix that describes FTA's responses to each of the comments from the consulting parties.

Based on the research documented in the aforementioned technical studies, and the consulting party comments, FTA has determined the following for the Project:

458 architectural resources over 45 years of age are located within the Architectural Area of Potential Effects (APE) in Indiana. Of these, 31 are either listed on or eligible for the National Register of Historic Places (NRHP). There are also three NRHP-listed or eligible historic districts: Dyer Boulevard Historic District (DBHD), Harrison Park Historic District (HPHD), and State Street Commercial Historic District (SSCHD). The 31 historic resources include district contributors and individual properties as listed in the following table:

Historic Resources in the Architectural APE in Indiana

Name/Description	Address (all in Hammond, IN)	NRHP Eligibility Criteria
Straube Piano Company	252 Wildwood Road	A
Apartment Building	6136 Lyman Avenue	A and C, Contributor to DBHD
Bungalow	267 Dyer Boulevard	A and C, Contributor to DBHD
Bungalow	266 Detroit Street	A and C, Contributor to HPHD

RE: Section 106 Consultation, West Lake Corridor Project, Cook County, Illinois (IHPA Log #029100214), and Lake County, Indiana (INDNR No. ER-17897; DHPA No. 16774)

Name/Description	Address (all in Hammond, IN)	NRHP Eligibility Criteria
Bungalow	266 Highland Street	A and C, Contributor to HPHD
Bungalow	5973 Park Place	A and C, Contributor to HPHD
American Four-Square residence	5969 Park Place	A and C, Contributor to HPHD
Bungalow	5967 Park Place	A and C, Contributor to HPHD
Bungalow	5963 Park Place	A and C, Contributor to HPHD
Bungalow	5959 Park Place	A and C, Contributor to HPHD
Bungalow	5957 Park Place	A and C, Contributor to HPHD
Bungalow	5949 Park Place	A and C, Contributor to HPHD
Bungalow	5945 Park Place	A and C, Contributor to HPHD
Bungalow	5943 Park Place	A and C, Contributor to HPHD
Harrison Park	5728-59 Lyman Avenue	A and C, Contributor to HPHD
Bungalow	265 Webb Street	A and C, Contributor to HPHD
Chicago two-flat residence	255-257 Carroll Street	A and C, Contributor to HPHD
Gable-front residence	256 Williams Street	A and C, Contributor to HPHD
Gable-front residence	253 Williams Street	A and C, Contributor to HPHD
Chicago two-flat residence	256 Doty Street	A and C, Contributor to HPHD
Gable-front residence	255 Doty Street	A and C, Contributor to HPHD
Queen Anne residence	255 Ogden Street	A and C, Contributor to HPHD
Minas Parking Garage	442 & 462-64 Sibley Street	C
Hammond Hotel	415 ½ -417 Sibley Street	A
P.H. Mueller Sons Hardware	416-18 Sibley Street	A
Commercial Building	424 Willow Court	Listed in NRHP, Contributor to SSCHD
Hotel Goodwin	422 Willow Court/5109 Bulletin Avenue	Listed in NRHP, Contributor to SSCHD
Simplex Railway Appliance Company	4831 Hohman Avenue	A
O.K. Champion Building	4714 Sheffield Avenue	A
Federal Cement Tile Company	24 Marble Street	A
Hammond, Whiting, and East Chicago Railway Building	304 Gostlin Street	A

There are no NRHP-listed or eligible archaeological resources within the Archaeological APE in Indiana. Nevertheless, there are a few areas in the Archaeological APE that warrant additional archaeological survey prior to construction.

Most of the NRHP-eligible historic resources within the Architectural APE in Indiana will experience **No Adverse Effect** as a result of the Project. However, the two resources below will experience an **Adverse Effect** as a result of the Project.

- The O.K. Champion Building at 4714 Sheffield Avenue, Hammond, IN would be demolished under the Hammond Alternative Options of the Project
- The Federal Cement Tile Company at 24 Marble Street, Hammond, IN would be demolished under the Commuter Rail Alternative Options of the Project

11 architectural resources over 45 years of age are located within the Architectural APE in Illinois.

RE: Section 106 Consultation, West Lake Corridor Project, Cook County, Illinois (IHPA Log #029100214), and Lake County, Indiana (INDNR No. ER-17897; DHPA No. 16774)

None of these resources is listed on or eligible for the NRHP.

There are no NRHP-listed or eligible archaeological resources within the Archaeological APE in Illinois. However, archaeological resources may exist within a portion of the Archaeological APE that was not surveyed directly due to a lack of land owner permission. This area warrants additional archaeological survey prior to construction.

The Project will result in **No Historic Properties Affected** in Illinois.

Resolution of adverse effects that will result from the Project will be addressed in a Memorandum of Agreement (MOA) between FTA, Indiana Department of Natural Resources, Division of Historic Preservation & Archaeology (DHPA), and NICTD. Areas where additional archaeological survey will be required prior to construction will also be addressed in the MOA. The draft MOA is attached for your review. Mitigation measures in the draft MOA are based on recommendations from the technical studies and consulting parties. Please review and provide your comments on the draft MOA within 30 days of receipt of this letter.

Should you have any questions or require additional information, please contact Mark Assam, Environmental Protection Specialist, at 312-353-4070 or mark.assam@dot.gov. Thank you for your assistance on this Project.

Sincerely,



Jay M. Ciavarella
Director, Office of Planning & Program Development

cc: Mark Assam, FTA Region 5
Susan Orona, FTA Region 5
John Parsons, NICTD
Paulette Vander Kamp, AECOM
Mitchell Zoll, DHPA
Rachel Leibowitz, IHPA

Attachments:

- A *Phase 1a Archaeological Reconnaissance Survey for the West Lake Corridor Project, Lake County Indiana* (revised October 2016)
- B *Historic Property Report for the West Lake Corridor Project* (revised October 2016)
- C Cultural Resources Technical Reports Comment/Response Matrix
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U.S. Department
of Transportation
**Federal Transit
Administration**

REGION V
Illinois, Indiana,
Michigan, Minnesota,
Ohio, Wisconsin

200 West Adams Street
Suite 320
Chicago, IL 60606-5253
312-353-2789
312-886-0351 (fax)

November 7, 2016

Bruce Woods
Lake County Historian
Lake County Historical Society
Courthouse Square, Ste. 205
Crown Point, IN 46307

RE: Section 106 Consultation, West Lake Corridor Project, Cook County, Illinois (IHPA Log #029100214), and Lake County, Indiana (INDNR No. ER-17897; DHPA No. 16774)

Dear Mr. Woods:

Thank you for your participation in the Section 106 consulting parties meeting on June 22, 2016, and for your comments on the cultural resources technical studies prepared for the West Lake Corridor Project (Project) as proposed by the Northern Indiana Commuter Transportation District (NICTD). The Federal Transit Administration (FTA) has revised the technical studies in response to comments received from the consulting parties. Attached are the final, revised versions of the technical studies for your information. Also attached is a comment/response matrix that describes FTA's responses to each of the comments from the consulting parties.

Based on the research documented in the aforementioned technical studies, and the consulting party comments, FTA has determined the following for the Project:

458 architectural resources over 45 years of age are located within the Architectural Area of Potential Effects (APE) in Indiana. Of these, 31 are either listed on or eligible for the National Register of Historic Places (NRHP). There are also three NRHP-listed or eligible historic districts: Dyer Boulevard Historic District (DBHD), Harrison Park Historic District (HPHD), and State Street Commercial Historic District (SSCHD). The 31 historic resources include district contributors and individual properties as listed in the following table:

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Name/Description	Address (all in Hammond, IN)	NRHP Eligibility Criteria
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Apartment Building	6136 Lyman Avenue	A and C, Contributor to DBHD
Bungalow	267 Dyer Boulevard	A and C, Contributor to DBHD

RE: Section 106 Consultation, West Lake Corridor Project, Cook County, Illinois (IHPA Log #029100214), and Lake County, Indiana (INDNR No. ER-17897; DHPA No. 16774)

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Bungalow	266 Highland Street	A and C, Contributor to HPHD
Bungalow	5973 Park Place	A and C, Contributor to HPHD
American Four-Square residence	5969 Park Place	A and C, Contributor to HPHD
Bungalow	5967 Park Place	A and C, Contributor to HPHD
Bungalow	5963 Park Place	A and C, Contributor to HPHD
Bungalow	5959 Park Place	A and C, Contributor to HPHD
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Bungalow	5949 Park Place	A and C, Contributor to HPHD
Bungalow	5945 Park Place	A and C, Contributor to HPHD
Bungalow	5943 Park Place	A and C, Contributor to HPHD
Harrison Park	5728-59 Lyman Avenue	A and C, Contributor to HPHD
Bungalow	265 Webb Street	A and C, Contributor to HPHD
Chicago two-flat residence	255-257 Carroll Street	A and C, Contributor to HPHD
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Chicago two-flat residence	256 Doty Street	A and C, Contributor to HPHD
Gable-front residence	255 Doty Street	A and C, Contributor to HPHD
Queen Anne residence	255 Ogden Street	A and C, Contributor to HPHD
Minas Parking Garage	442 & 462-64 Sibley Street	C
Hammond Hotel	415 ½ -417 Sibley Street	A
P.H. Mueller Sons Hardware	416-18 Sibley Street	A
Commercial Building	424 Willow Court	Listed in NRHP, Contributor to SSCHD
Hotel Goodwin	422 Willow Court/5109 Bulletin Avenue	Listed in NRHP, Contributor to SSCHD
Simplex Railway Appliance Company	4831 Hohman Avenue	A
O.K. Champion Building	4714 Sheffield Avenue	A
Federal Cement Tile Company	24 Marble Street	A
Hammond, Whiting, and East Chicago Railway Building	304 Gostlin Street	A

There are no NRHP-listed or eligible archaeological resources within the Archaeological APE in Indiana. Nevertheless, there are a few areas in the Archaeological APE that warrant additional archaeological survey prior to construction.

Most of the NRHP-eligible historic resources within the Architectural APE in Indiana will experience **No Adverse Effect** as a result of the Project. However, the two resources below will experience an **Adverse Effect** as a result of the Project.

- The O.K. Champion Building at 4714 Sheffield Avenue, Hammond, IN would be demolished under the Hammond Alternative Options of the Project
- The Federal Cement Tile Company at 24 Marble Street, Hammond, IN would be demolished under the Commuter Rail Alternative Options of the Project

RE: Section 106 Consultation, West Lake Corridor Project, Cook County, Illinois (IHPA Log #029100214), and Lake County, Indiana (INDNR No. ER-17897; DHPA No. 16774)

11 architectural resources over 45 years of age are located within the Architectural APE in Illinois. None of these resources is listed on or eligible for the NRHP.

There are no NRHP-listed or eligible archaeological resources within the Archaeological APE in Illinois. However, archaeological resources may exist within a portion of the Archaeological APE that was not surveyed directly due to a lack of land owner permission. This area warrants additional archaeological survey prior to construction.

The Project will result in **No Historic Properties Affected** in Illinois.

Resolution of adverse effects that will result from the Project will be addressed in a Memorandum of Agreement (MOA) between FTA, Indiana Department of Natural Resources, Division of Historic Preservation & Archaeology (DHPA), and NICTD. Areas where additional archaeological survey will be required prior to construction will also be addressed in the MOA. The draft MOA is attached for your review. Mitigation measures in the draft MOA are based on recommendations from the technical studies and consulting parties. Please review and provide your comments on the draft MOA within 30 days of receipt of this letter.

Should you have any questions or require additional information, please contact Mark Assam, Environmental Protection Specialist, at 312-353-4070 or mark.assam@dot.gov. Thank you for your assistance on this Project.

Sincerely,



Jay M. Ciavarella
Director, Office of Planning & Program Development

cc: Mark Assam, FTA Region 5
Susan Orona, FTA Region 5
John Parsons, NICTD
Paulette Vander Kamp, AECOM
Mitchell Zoll, DHPA
Rachel Leibowitz, IHPA

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November 7, 2016

Mitchell K. Zoll
Deputy State Historic Preservation Officer
Division of Historic Preservation & Archaeology
402 W. Washington Street, W274
Indianapolis, IN 46204-2739

RE: Section 106 Consultation, West Lake Corridor Project, Lake County, Indiana (INDNR No. ER-17897; DHPA No. 16774); FTA Eligibility and Effects Determination

Dear Mr. Zoll:

Thank you for your participation in the Section 106 consulting parties meeting on June 22, 2016, and for your comments on the cultural resources technical studies prepared for the West Lake Corridor Project (Project) as proposed by the Northern Indiana Commuter Transportation District (NICTD). Following the consulting parties meeting, the Indiana Department of Natural Resources, Division of Historic Preservation & Archaeology (DHPA) provided comments to the Federal Transit Administration (FTA) in a letter dated July 8, 2016. FTA has addressed DHPA's comments, and additional information has been incorporated into the technical studies. Attached are the final, revised versions of the technical studies for your information. Also attached is a comment/response matrix that describes FTA's responses to each of the comments from the consulting parties.

Based on the research documented in the aforementioned technical studies, and the consulting party comments, FTA has determined the following for the Project:

458 architectural resources over 45 years of age are located within the Architectural Area of Potential Effects (APE) in Indiana. Of these, 31 are either listed on or eligible for the National Register of Historic Places (NRHP). There are also three NRHP-listed or eligible historic districts: Dyer Boulevard Historic District (DBHD), Harrison Park Historic District (HPHD), and State Street Commercial Historic District (SSCHD). The 31 historic resources include district contributors and individual properties as listed in the following table:

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RE: Section 106 Consultation, West Lake Corridor Project, Lake County, Indiana (INDNR No. ER-17897; DHPA No. 16774); FTA Eligibility and Effects Determination

Name/Description	Address (all in Hammond, IN)	NRHP Eligibility Criteria
Bungalow	267 Dyer Boulevard	A and C, Contributor to DBHD
Bungalow	266 Detroit Street	A and C, Contributor to HPHD
Bungalow	266 Highland Street	A and C, Contributor to HPHD
Bungalow	5973 Park Place	A and C, Contributor to HPHD
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Bungalow	265 Webb Street	A and C, Contributor to HPHD
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Hammond Hotel	415 ½ -417 Sibley Street	A
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Hotel Goodwin	422 Willow Court/5109 Bulletin Avenue	Listed in NRHP, Contributor to SSCHD
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O.K. Champion Building	4714 Sheffield Avenue	A
Federal Cement Tile Company	24 Marble Street	A
Hammond, Whiting, and East Chicago Railway Building	304 Gostlin Street	A

There are no NRHP-listed or eligible archaeological resources within the Archaeological APE in Indiana. Nevertheless, there are a few areas in the Archaeological APE that warrant additional archaeological survey prior to construction.

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- The O.K. Champion Building at 4714 Sheffield Avenue, Hammond, IN would be demolished under the Hammond Alternative Options of the Project
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RE: Section 106 Consultation, West Lake Corridor Project, Lake County, Indiana (INDNR No. ER-17897; DHPA No. 16774); FTA Eligibility and Effects Determination

under the Commuter Rail Alternative Options of the Project

Resolution of adverse effects that will result from the Project will be addressed in a Memorandum of Agreement (MOA) between FTA, DHPA, and NICTD. Areas where additional archaeological survey will be required prior to construction will also be addressed in the MOA. The draft MOA is attached for your review. Mitigation measures in the draft MOA are based on recommendations from the technical studies and consulting parties.

Pursuant to 36 CFR § 800, FTA is seeking concurrence from the State Historic Preservation Officer (SHPO) on its determinations of eligibility and effects, as described above, within 30 days of receipt of this letter. Please also review and provide your comments on the draft MOA within this timeframe. Should you have any questions or require additional information, please contact Mark Assam, Environmental Protection Specialist, at 312-353-4070 or mark.assam@dot.gov. Thank you for your assistance on this Project.

Sincerely,



Jay M. Ciavarella
Director, Office of Planning & Program Development

cc: Mark Assam, FTA Region 5
Susan Orona, FTA Region 5
John Parsons, NICTD
Paulette Vander Kamp, AECOM
Rachel Leibowitz, IHPA

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November 7, 2016

Richard M. Lytle
Hammond Historical Society
564 State St.
Hammond, IN 46320

RE: Section 106 Consultation, West Lake Corridor Project, Cook County, Illinois (IHPA Log #029100214), and Lake County, Indiana (INDNR No. ER-17897; DHPA No. 16774)

Dear Mr. Lytle:

Thank you for your participation in the Section 106 consulting parties meeting on June 22, 2016, and for your comments on the cultural resources technical studies prepared for the West Lake Corridor Project (Project) as proposed by the Northern Indiana Commuter Transportation District (NICTD). The Federal Transit Administration (FTA) has revised the technical studies in response to comments received from the consulting parties. Attached are the final, revised versions of the technical studies for your information. Also attached is a comment/response matrix that describes FTA's responses to each of the comments from the consulting parties.

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RE: Section 106 Consultation, West Lake Corridor Project, Cook County, Illinois (IHPA Log #029100214), and Lake County, Indiana (INDNR No. ER-17897; DHPA No. 16774)

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Jay M. Ciavarella
Director, Office of Planning & Program Development

cc: Mark Assam, FTA Region 5
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312-353-2789
312-886-0351 (fax)

November 7, 2016

Tiffany Tolbert
Indiana Landmarks, Northwest Field Office
541 South Lake Street
Gary-Miller Beach, IN 46403

RE: Section 106 Consultation, West Lake Corridor Project, Cook County, Illinois (IHPA Log #029100214), and Lake County, Indiana (INDNR No. ER-17897; DHPA No. 16774)

Dear Ms. Tolbert:

Thank you for your participation in the Section 106 consulting parties meeting on June 22, 2016, and for your comments on the cultural resources technical studies prepared for the West Lake Corridor Project (Project) as proposed by the Northern Indiana Commuter Transportation District (NICTD). The Federal Transit Administration (FTA) has revised the technical studies in response to comments received from the consulting parties. Attached are the final, revised versions of the technical studies for your information. Also attached is a comment/response matrix that describes FTA's responses to each of the comments from the consulting parties.

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RE: Section 106 Consultation, West Lake Corridor Project, Cook County, Illinois (IHPA Log #029100214), and Lake County, Indiana (INDNR No. ER-17897; DHPA No. 16774)

None of these resources is listed on or eligible for the NRHP.

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Should you have any questions or require additional information, please contact Mark Assam, Environmental Protection Specialist, at 312-353-4070 or mark.assam@dot.gov. Thank you for your assistance on this Project.

Sincerely,



Jay M. Ciavarella
Director, Office of Planning & Program Development

cc: Mark Assam, FTA Region 5
Susan Orona, FTA Region 5
John Parsons, NICTD
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Division of Historic Preservation & Archaeology 402 W. Washington Street, W274 Indianapolis, IN 46204-2739
Phone 317-232-1646 Fax 317-232-0693 dhpa@dnr.IN.gov



December 14, 2016

Jay M. Ciavarella
Director, Office of Planning & Program Development
Federal Transit Administration, Region V
200 West Adams Street, Suite 320
Chicago, Illinois 60606-5253

Federal Agency: Federal Transit Administration ("FTA")

Re: Determination of eligibility, finding of adverse effect, and final, revised technical studies for the West Lake Corridor Project, Lake County, Indiana, including a historic property report (AECOM, revised 10/2016), a Phase Ia archaeological reconnaissance survey report (Gierek, 10/2016), a comment response matrix, and a draft memorandum of agreement (11/4/2016 version) for the Northern Indiana Commuter Transportation District ("NICTD") West Lake Corridor Project, Lake County, Indiana, and Cook County, Illinois (INDNR No. ER-17897; DHPA No. 16774)

Dear Mr. Ciavarella:

Pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. § 306108) and 36 C.F.R. Part 800, and the National Environmental Policy Act of 1969, as amended (42 U.S.C. § 4321, *et seq.*), the staff of the Indiana State Historic Preservation Officer has reviewed your letter dated November 7, 2016, with compact disc containing the final, revised technical studies, for the NICTD West Lake Corridor Project. Our comments will be limited to historic properties that lie partly or entirely within Indiana.

A great deal of information has been submitted in your November 7 submission, which is the first submission we have received since we commented in our July 8, 2016, letter on the draft historic property report (AECOM, 5/2016), the draft Indiana archaeological short report (Gierek, 5/2016), and the meeting notes for the June 22, 2016, Section 106 consulting parties meeting. We have made an effort to check to see whether the issues we raised have been addressed adequately.

We also have done a preliminary review of the November 4, 2016, draft memorandum of agreement ("MOA") and will offer some comments here. However, when a submission containing this much information at one time is submitted, it is difficult to comment comprehensively on all aspects of the draft MOA. Further, when multiple consulting parties simultaneously offer comments or recommendations on a draft MOA, it should not be assumed that the federal agency necessarily will be able to satisfy the concerns of all parties in just a second and final draft to be submitted for signature. Consequently, we strongly recommend that you be prepared to provide at least one additional, revised draft MOA to the consulting parties for comment.

Based on the information you have provided in the November 7 submission, we agree that the only above-ground properties identified within the area of potential effects ("APE") in Indiana that are listed in or eligible for inclusion in the National Register of Historic Places ("NRHP") are those included in the table titled "Historic Resources in the Architectural APE in Indiana" in your November 7 letter. Although the letter states initially that "[t]here are no NRHP-listed or eligible archaeological resources within the archaeological APE in Indiana," it goes on to acknowledge that "there are a few areas in the Archaeological APE that warrant additional archaeological survey prior to construction." Stipulation I.B. in the November 4, 2016, draft MOA confirms that further work needs to be done in some areas to ascertain whether any significant, as-yet-undiscovered archaeological resources exist within the APE.

The November 7 letter states that the two historic properties that will experience an adverse effect are the O.K. Champion Building at 4714 Sheffield Avenue in Hammond, under the Hammond Alternative Options; and the Federal Cement Tile Company at 24 Marble Street in Hammond, which would be demolished under the Commuter Rail Alternative Options. We agree that the demolition of either of those historic properties would be an adverse effect of a direct, physical nature. We agree, also, with the finding of Adverse Effect for this federal undertaking as whole, which is implicit in FTA's November 7 letter.

It does not appear, however, that both of those above-ground historic properties would be demolished under any one option. This raises the question of whether a preferred alternative has been selected. The preamble (or "whereas clauses") to the November 4 draft MOA indicates that the O.K. Champion Building will be adversely affected but also that an alternative design for the Project would adversely affect the Federal Cement Tile Company. We note that the only historic property for the demolition of which Historic American Buildings Survey documentation is being proposed in Stipulation I.A.1. of the draft MOA is the O.K. Champion Building. We note, also, that Stipulation I.A.2. would provide for "a public exhibit discussing the history and context of the O.K. Champion Building" and that no similar stipulation for a public exhibit on the Federal Cement Tile Company is provided in the draft MOA. It seems to us that it would simplify the conclusion of the Section 106 review and the drafting of the MOA if the preferred alternative has been determined. Is one of the Hammond Alternative Options the preferred alternative? If the preferred alternative has not been identified, then why are similar HABS documentation and a similar public exhibit not being proposed as mitigation for the demolition for the Federal Cement Tile Company, as an alternative to the mitigation for the demolition of the O.K. Champion Building?

As we mentioned earlier, the November 7 letter identifies the two historic properties that will experience an adverse effect as the O.K. Champion Building and the Federal Cement Tile Company. We agree that they are the only two *above-ground* historic properties that will suffer a direct, physical, adverse effect. The comment/response matrix refers to the comments in our July 8 letter about the possibility of "[e]ffects on settings resulting from elevated tracks where no elevated tracks currently exist and due to the installation of towers and catenary where they currently do not exist . . ." We were referring to indirect effects of a visual nature. As the response in the matrix indicates, Appendix D in the October historic property report provides cross section and schematic drawings of the tracks and catenary under various degrees of elevation. It appears that the at-grade scenario probably would not have an adverse visual effect. However, there are areas within or near downtown Hammond, in the vicinity of some historic properties, where the track, towers, and catenary, would be elevated. Those historic properties might not be indirectly affected by the visual intrusion of the elevated track on their settings, but we are unable to glean an explanation of why they would not be adversely affected, from the collection of reports and tables submitted here as documentation in support of FTA's implicit adverse effect finding for this federal undertaking as a whole.

The historic property report (AECOM, revised 10/2016) says on Page i that "[t]he IHB Alternative Options would have no adverse effect on historic properties in the APE." We assume that means, at least, that the IHB Alternative Options would not have any direct, physical adverse effects on above-ground historic properties or on known archaeological resources. According to 36 C.F.R. §§ 800.5(d)(2) and 800.6(a), "[i]f an adverse effect is found, . . . [t]he agency official shall consult with the SHPO/THPO and other consulting parties, including Indian tribes and Native Hawaiian organizations, to develop and evaluate alternatives or modifications to the undertaking that could avoid, minimize or mitigate adverse effects on historic properties." We sense that the No Build Alternative has been rejected as not meeting the project's purpose and need. However, it is not clear why the IHB Alternative Options apparently have been rejected, since it seems to be assumed that either the O.K. Champion Building or the Federal Cement Tile Company will have to be demolished.

When a finding of No Adverse Effect or Adverse is made for a federal undertaking, one of the required components of the documentation is "[a]n explanation of why the criteria of adverse effect were found applicable or inapplicable, . . ." (36 C.F.R. § 800.11[e][5]). More broadly, "The agency official shall ensure that a determination, finding, or agreement under the procedures in this subpart is supported by sufficient documentation to enable any review parties to understand its basis." Was consideration given to the possibility that elevated portions of the project might adversely affect historic buildings near which, or historic districts through which, new *elevated* bridge structures or retained fill structures would be built?

Regarding the adverse effects of the project, it appears to us that the acknowledgement in your letter and in Stipulation I.B. of the draft MOA that further archaeological work needs to be performed suggests that what amounts to partial phasing of the archaeological identification and evaluation investigations should be considered an additional reason for making the Adverse Effect finding (see 36 C.F.R. § 800.4[b][2]). The effect in this regard is not known at this point, but we think that the possibility that an NRHP-eligible archaeological resource could yet be discovered as the archaeological investigations are completed is enough to warrant a finding that there *may be* an adverse effect. According to 36 C.F.R. § 800.5(a)(1), “[a]n adverse effect is found when an undertaking *may alter*, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property’s location, design, setting, material, workmanship, feeling, or association.” (*Our emphasis.*)

In terms of archaeological resources, based on the submitted information and the documentation available to the staff of the Indiana SHPO, we have not identified any currently known archaeological resources listed in or eligible for inclusion in the NRHP within the proposed project area. However, we concur with the opinion of the archaeologist, as expressed in the Phase Ia Archaeological Reconnaissance Survey Report (Gierek, October 2016), that additional Phase Ia archaeological field investigations must be conducted at specific portions of the proposed project area (as indicated in the archaeological report) prior to any project-related ground-disturbing activities in order to confirm disturbance and lack of intact archaeological deposits in those areas. The archaeological recording must be done in accordance with the Secretary of the Interior’s “Standards and Guidelines for Archaeology and Historic Preservation” (48 F.R. 44716) and a report of the archaeological documentation must be submitted to our office for review and comment.

Additionally, we concur with the opinion of the archaeologist that the portions of the proposed project area located at the Munster/Dyer Main Street Maintenance and Storage Facility that were not subjected to Phase Ia archaeological field investigations (due to lack of landowner permission) must be subjected to Phase Ia archaeological field investigations prior to any project-related ground-disturbing activities in order to confirm disturbance and lack of intact archaeological deposits. The archaeological recording must be done in accordance with the Secretary of the Interior’s “Standards and Guidelines for Archaeology and Historic Preservation” (48 F.R. 44716) and a report of the archaeological documentation must be submitted to our office for review and comment.

Furthermore, we concur with the opinion of the archaeologist, as expressed in the report, that archaeological site 12-La-0707 (which was identified during the archaeological investigations) does not appear eligible for inclusion in the NRHP, and that no further archaeological investigations appear necessary at this site. Thank you for having electronically submitted the archaeological site survey form for archaeological site 12-La-0707 to the Indiana DHPA SHAARD system database. It will be reviewed.

As a note, if the proposed project area is altered to include any portions within 100 feet of a cemetery, then a cemetery development plan may be necessary under IC 14-21-1-26.5. The aforementioned cemetery must be avoided by all project activities, and provisions of relevant state statutes regarding cemeteries (including IC 14-21-1 and IC 23-14) must be adhered to.

If any prehistoric or historic archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (Indiana Code 14-21-1-27 and -29) requires that the discovery be reported to the Department of Natural Resources within two (2) business days. In that event, please call (317) 232-1646. Be advised that adherence to Indiana Code 14-21-1-27 and -29 does not obviate the need to adhere to applicable federal statutes and regulations, including but not limited to 36 C.F.R. 800.

Aside from our comments above on whether alternative stipulations should be included in the November 4, 2016, draft MOA in the event it is the Federal Cement Tile Company, instead of the O.K. Champion Building, that will be demolished for this project, we will share some additional thoughts on the draft MOA, although, as we indicated above, we may not be able to cover all issues in this comment letter.

For the sake of ensuring that all parties are reviewing the same draft of the MOA and that all signatories are signing the same final version of the MOA, we recommend that the header on each page indicate not only that it is an MOA

and the name of the project but also the date of the draft or final version and the page and total number of pages in that version (e.g., page 1 of 10).

Because it is the state historic preservation officer who typically enters into MOAs with a federal agency under Section 106, we ask that "The Indiana State Historic Preservation Officer" or abbreviation "Indiana SHPO" be named in the title, the preamble, the stipulations, and the signature page, rather than "The Indiana Department of Natural Resources, Division of Historic Preservation & Archaeology" or the abbreviation "DHPA." It is true that the DHPA is the office that serves as the staff of the Indiana SHPO, but the DHPA typically has no role separate from the Indiana SHPO in the Section 106 process.

Stipulations I.B.3. and I.B.4. call for the NRHP nominations to "be completed within 15 years of the execution of this MOA, or prior to completion of Project construction, whichever is sooner." The sunset provision in the first sentence of Stipulation VIII. would have the MOA "terminate in ten (10) years or upon completion of its terms, whichever comes first." That might conflict with I.B.3. and I.B.4., if the project takes longer than 10 years to complete, leaving the obligation to produce the NRHP nominations in question.

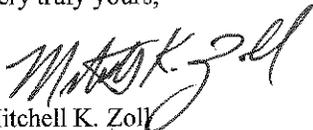
In both Stipulation I.B.3. and I.B.4., it should be stated that NICTD's qualified professional, before commencing work on the application for NRHP nomination, will confer with the survey and registration staff of the Indiana SHPO about the NRHP eligibility of the property and its likely boundaries. It also should be understood—and perhaps stated in the MOA in both I.B.3. and I.B.4.—that it could be at least 18 months from the submission of the application for nomination to the Indiana SHPO for technical review until acceptance of the completed application by the Indiana SHPO staff as being ready for presentation to the Indiana Historic Preservation Review Board.

In coming days, we will provide informally some sample language from one or more MOAs on other project that could serve as a partial model for the stipulations in the West Lake Corridor MOA.

If you have questions about archaeological issues, please contact Wade T. Tharp at (317) 232-1650 or wtharp1@dnr.IN.gov. Questions about buildings or structures should be directed to John Carr at (317) 232-1949 or jcarr@dnr.IN.gov.

In all future correspondence regarding the NICTD West Lake Corridor Project, please continue to refer to INDNR No. ER-17897 and DHPA No. 16774.

Very truly yours,



Mitchell K. Zoll
Deputy State Historic Preservation Officer

MKZ:JLC:WTT:wtt

cmc: Marisol Simón, Federal Transit Administration, Region V
Mark Assam, Federal Transit Administration, Region V
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Christie Stanifer, Indiana Department of Natural Resources, Division of Fish and Wildlife
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February 3, 2017

Nicole Barker
Director of Capital Investment and Implementation
Northern Indiana Commuter Transportation District
33 East US Highway 12
Chesterton, Indiana 46304

Lead Federal Agency: Federal Transit Administration (“FTA”)

Cooperating agency: US Army Corps of Engineers

Re: “West Lake Corridor Project, NICTD, Draft Environmental Impact Statement and Section 4(f) Evaluation,” Lake County, Indiana, and Cook County, Illinois (Federal Transit Administration and Northern Indiana Commuter Transportation District, December 2016) (INDNR No. ER-17897; DHPA No. 16774)

Dear Ms. Barker:

Pursuant to the National Environmental Policy Act of 1969, as amended (42 U.S.C. § 4321, *et seq.*), Section 4(f) of the US Department of Transportation Act of 1966, Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. § 306108) and 36 C.F.R. Part 800, the staff of the Indiana State Historic Preservation Officer (“Indiana SHPO”) has reviewed the aforementioned document, the link to which we received on December 15, 2016, in your letter dated December 13. Our comments will be limited to historic properties that lie partly or entirely within Indiana and impacts on those properties, and we will defer to the Illinois Historic Preservation Officer regarding historic properties lying entirely within Illinois.

At various places in the “West Lake Corridor Project, NICTD, Draft Environmental Impact Statement and Section 4(f) Evaluation” (“DEIS”) (such as sections 4.6.3.1, 7.5.5, 7.7, and 7.8), reference is made to the fact that the Indiana SHPO had not yet commented on or concurred with FTA’s Section 106 determinations of eligibility or finding of effects. That is true, as of the time the link to the DEIS was distributed on December 13, 2016, but we did not receive the compact disc containing the DEIS, which we had requested, until December 15. However, we did respond to those determinations and the adverse effect finding, as well as the draft memorandum of agreement, in our Section 106 comment letter dated and mailed to FTA on December 14, 2016. That is why FTA was not fully informed about the Indiana SHPO’s comments at the time the DEIS was prepared.

Inasmuch as the Preferred Alternative (Hammond Alternative Option 2) has been announced in the DEIS, and, because of the advantages cited in the DEIS in favor of the Preferred Alternative, we do not object to its selection. Accordingly, we will limit our comments to the possible effects of that alternative.

With regard to section 4.6.2.4., as previously indicated in our December 14 Section 106 comment letter to FTA, in terms of archaeological resources, based on the submitted information and the documentation available to the staff of the Indiana SHPO, we have not identified any currently known archaeological resources listed in or eligible for inclusion in the National Register of Historic Places (“NRHP”) within the proposed project area. However, we concur with the opinion of the archaeologist, as expressed in the Phase Ia Archaeological Reconnaissance Survey Report (Gierek, October 2016), that additional Phase Ia archaeological field investigations must be conducted at specific portions of the proposed project area (as indicated in the archaeological report) prior to any project-related ground-disturbing activities in order to confirm disturbance and lack of intact archaeological deposits in those areas. The archaeological recording must be done in accordance with the Secretary of the Interior’s “Standards and Guidelines for

Archaeology and Historic Preservation" (48 F.R. 44716) and a report of the archaeological documentation must be submitted to our office for review and comment.

Additionally, as previously indicated in that letter, we concur with the opinion of the archaeologist that the portions of the proposed project area located at the Muster/Dyer Main Street Maintenance and Storage Facility that were not subjected to Phase Ia archaeological field investigations (due to lack of landowner permission) must be subjected to Phase Ia archaeological field investigations prior to any project-related ground-disturbing activities in order to confirm disturbance and lack of intact archaeological deposits. The archaeological recording must be done in accordance with the Secretary of the Interior's "Standards and Guidelines for Archaeology and Historic Preservation" (48 F.R. 44716) and a report of the archaeological documentation must be submitted to our office for review and comment.

Furthermore, as previously indicated in that letter, we concur with the opinion of the archaeologist, as expressed in the report, that archaeological site 12-La-0707 (which was identified during the archaeological investigations) does not appear eligible for inclusion in the NRHP, and that no further archaeological investigations appear necessary at this site. Thank you for having electronically submitted the archaeological site survey form for archaeological site 12-La-0707 to the Indiana DHPA SHAARD system database. It will be reviewed.

As a note, if the proposed project area is altered to include any portions within 100 feet of a cemetery, then a cemetery development plan may be necessary under IC 14-21-1-26.5. The aforementioned cemetery must be avoided by all project activities, and provisions of relevant state statutes regarding cemeteries (including IC 14-21-1 and IC 23-14) must be adhered to.

If any prehistoric or historic archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (Indiana Code 14-21-1-27 and -29) requires that the discovery be reported to the Department of Natural Resources within two (2) business days. In that event, please call (317) 232-1646. Be advised that adherence to Indiana Code 14-21-1-27 and -29 does not obviate the need to adhere to applicable federal statutes and regulations, including but not limited to 36 C.F.R. 800.

Table 4.6-4 summarizes the effects that have been assessed thus far on historic properties. Direct adverse effects have been identified there for the O.K. Champion Building at 4714 Sheffield Avenue and the Federal Cement Tile Company at 24 Marble Street, both in Hammond. However, only the O.K. Champion Building would be taken for the Preferred Alternative alignment and North Hammond Maintenance Facility. We agree that the effect on the O.K. Champion Building will be adverse under the Preferred Alternative, and Table ES.10-1 also identifies that adverse effect for the Preferred Alternative.

In our July 8, 2016, Section 106 comment letter to FTA, we expressed concern about possible effects on the settings of the residential properties in the Harrison Park Historic District, the Hotel Goodwin at 422 Willow Court/5109 Bulletin Avenue, and the Commercial Building at 424 Willow Court. We no longer are concerned about effects on the setting of the Harrison Park Historic District, because the proposed, West Lake Corridor alignment there will be at grade, and, except for poles and catenary, will not look too different from what was visible when the Monon's and successor railroads' trains ran in that right-of-way. However, the alignment in downtown Hammond will be elevated as it passes over, or immediately to the west of, the northwest corner of the State Street Commercial Historic District and very close to the Hotel Goodwin and Commercial Building at 424 Willow Court, which contribute to the significance of that district. The Hotel Hammond at 415 ½ Sibley Street and the P.H. Mueller Sons Hardware at 416-418 Sibley will be only slightly farther from this elevated section of the alignment. By contrast, the Minas Parking Garage at 442 and 462-464 Sibley and the Simplex Railway Appliance Company at 4831 Hohman Avenue also will be fairly close to what we think would be elevated sections of the alignment, but the Minas Parking Garage was built immediately adjacent to what once were the active Erie Lackawanna and Monon railroad tracks, and both that parking garage and the Simplex building are fairly utilitarian in function, if not also in design, so we do not think that their settings would be adversely affected by their proximity to the elevated tracks of the West Lake Corridor.

The visual resources discussion, beginning at section 4.7, contains illustrations (figures 4.7-6 and 4.7-7) of areas at or very near the State Street Commercial Historic District (including the Hotel Goodwin and the adjoining Commercial Building), the Hotel Hammond, and the P.H. Mueller Sons Hardware, but does not seem to discuss the possible effects on those particular historic properties. Table ES.10-1 acknowledges only one adverse effect of the Preferred Alternative (presumably the removal of the O.K. Champion Building), and Table 4.4-4 indicates that the effects on the aforementioned properties would not be adverse. We are unable to determine from the information in the DEIS, however, whether the effects on the settings of the State Street Commercial Historic District, the Hotel Hammond, and the P.H. Mueller Sons Hardware were specifically analyzed, especially with regard to the visual effects of having some kind of elevated, bridge-like structure crossing their respective streets a stone's throw away. On the other hand, Table ES.10-1 states: "New elements could negatively affect visually sensitive resources by altering the view to and/or from the resource, or by adding an element that would be out of scale or character of the existing visual context."

A draft illustration included in FTA's June 7, 2016, Section 106 letter shows typical cross-sections of the proposed track at grade, on retained fill, and on elevated structure. According to the elevated track cross-section, the tops of the rails could be over 20 feet above grade level, with the poles and the catenary they would support rising about another 20 feet. The structure supporting the elevated track apparently would extend a few feet below the rails. The supporting columns or bents were not included in that cross-section. In any event, the elevated structure and related fixtures would rise to a significant height above the streets they cross.

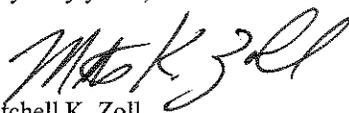
Because we do not have a very clear idea yet of how the elevated structures might obscure views of, or appear to loom over, the nearest contributing buildings of the State Street Commercial Historic District, the Hotel Hammond, or the P.H. Mueller Sons Hardware, we cannot be sure that the Preferred Alternative will not have indirect, visual adverse effects on them. We recommend further consultation on that issue, when it becomes possible to provide at least representative profiles of the elevated structures.

Furthermore, at least for the purposes of Section 106, we attempted to explain in our December 14 letter to FTA that, based on the information FTA had provided in its November 7, 2016, submission, it appeared to us that the acknowledgement in FTS's letter and in Stipulation I.B. of the draft MOA that further archaeological work needs to be performed suggests that what amounts to partial phasing of the archaeological identification and evaluation investigations should be considered an additional reason for making the Section 106 Adverse Effect finding (see 36 C.F.R. § 800.4[b][2]). Although the actual effect is not known at this point, we think that the possibility that an NRHP-eligible archaeological resource could yet be discovered as the archaeological investigations are completed and that the archaeological resource could be adversely affected is enough to warrant a finding that there *may be* an adverse effect on an archaeological resources. According to 36 C.F.R. § 800.5(a)(1), "[a]n adverse effect is found when an undertaking *may alter*, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, material, workmanship, feeling, or association." (*Our emphasis.*)

If you have questions about archaeological issues, please contact Wade T. Tharp at (317) 232-1650 or wtharp1@dnr.IN.gov. Questions about buildings or structures should be directed to John Carr at (317) 232-1949 or jcarr@dnr.IN.gov.

In all future correspondence regarding the NICTD West Lake Corridor Project, please continue to refer to INDNR No. ER-17897 and DHPA No. 16774.

Very truly yours,


Mitchell K. Zoll
Deputy State Historic Preservation Officer

MKZ:WTT:JLC:jlc

emc: Marisol Simón, Federal Transit Administration, Region V
Mark Assam, Federal Transit Administration, Region V
Susan Weber, Federal Transit Administration, Region V
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Bob Bronson, Indiana Department of Natural Resources, Division of Outdoor Recreation
Mitchell Zoll, Deputy State Historic Preservation Officer, Indiana Department of Natural Resources
Chad Slider, Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology
John Carr, Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology
Wade T. Tharp, Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology



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April 26, 2017

Mitchell K. Zoll
Deputy State Historic Preservation Officer
Division of Historic Preservation and Archaeology
402 W. Washington Street, W274
Indianapolis, IL 46204-2739

RE: Section 106 Consultation, West Lake Corridor Project, Lake County, Indiana (INDNR No. ER-17897; DHPA No. 16774); Summary of Meeting February 17, 2017

Dear Mr. Zoll:

Thank you for your participation in the meeting held at the Division of Historic Preservation and Archaeology's office on February 17, 2017 to discuss both the West Lake Corridor Project (Project) and the Double Track Northwest Indiana Project as proposed by the Northern Indiana Commuter Transportation District (NICTD). We appreciate your time and input from yourself, John Carr, Wade Tharp, and Chad Slider in discussing the status of these projects.

This letter provides a summary of the items discussed at the meeting related to the West Lake Project and also responds to your comments regarding indirect visual effects, revisions to the Memorandum of Agreement (MOA), and archaeological investigations, provided in a letter to FTA regarding the Determination of Eligibility, Finding of Adverse Effect, and Final, Revised Technical Studies for the West Lake Corridor Project, and Draft MOA dated December 14, 2016; and a letter to NICTD regarding comments on the Draft Environmental Impact Statement (EIS) dated February 3, 2017:

Indirect Visual Effects

- Enclosed with this letter are visual simulations of the proposed elevated structures near the State Street Commercial Historic District to aid in the assessment of indirect visual effects on the historic district, including the Hotel Hammond and PH Mueller Sons Hardware building.
 - As seen in the simulations, the proposed elevated track and bridge near the Hotel Hammond, PH Mueller Sons Hardware building, and the State Street Commercial Historic District will have an indirect visual effect on these historic properties. However, the current viewshed of these resources (visible on Google Street View) includes non-

historic buildings, utility poles approximately 40 feet tall, as well as overhead wires and light poles that range from 15 to 35 feet in height. The proposed elevated structures including tracks, bridge, and catenary would be within the same height range and would not further compromise the historic integrity of these historic properties.

- The elevated structures proposed as part of the Project would not affect the integrity of location, design, materials, workmanship, or association of the Hotel Hammond, the PH Mueller Sons Hardware building, or the State Street Historic District. The elevated structures would affect the integrity of setting and feeling of these resources, however, the proposed structures would not affect the integrity to the point that would render them not eligible for listing in the National Register of Historic Places. Thus, the elevated structures in this area would not have an adverse visual effect on historic properties.

Memorandum of Agreement

- When the Locally Preferred Alternative for the project has been selected and approved by the NICTD Board (currently scheduled for May 2017), FTA will provide a revised draft Memorandum of Agreement (MOA) taking into account comments received from the Project's Consulting Parties, and will circulate the revised MOA to Consulting Parties for review and comment.
 - The revised draft MOA will include stipulations regarding the Preferred Alternative only.
 - Based on comments received from Indiana Landmarks and the Hammond Historic Preservation Commission, Stipulation I.A.3., regarding amending the National Register of Historic Places (NRHP) nomination for the State Street Commercial Historic District, will be removed from the revised draft MOA.
 - The header on each page of the MOA will be revised to indicate that it is an MOA, the name of the project, date of the version, and the page and total number of pages in that version (i.e., page 1 of 10).
 - References in the MOA regarding the DNR/DHPA will be replaced with "The Indiana State Historic Preservation Officer" or "Indiana SHPO".
 - The date of completion for the Treatment Measures will be revised to be completed within 10 years to ensure completion within the 10-year duration of the MOA.
 - Stipulation I.A.4., regarding the identification of a historic property for nomination to the NRHP, will be revised to include that NICTD's qualified professional will confer with the survey and registration staff of the IN SHPO regarding the NRHP-eligibility of the property and its boundaries.
- Upon receipt of comments from Consulting Parties on the revised draft MOA, these comments will be addressed and incorporated as appropriate into the MOA. A final draft MOA will then be distributed to Consulting Parties for review and comment.
- FTA will circulate a final MOA among the Consulting Parties for signature.

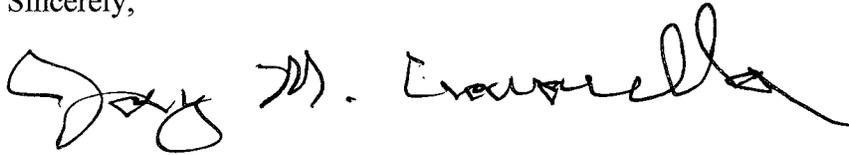
Archaeological Investigations/Reporting

- NICTD will complete the remaining archaeological investigations necessary at the Project components noted below before completion of the Final Environmental Impact Statement and prior to any ground-disturbing activities.
 - As outlined in the Project's October 2016 Phase Ia Archaeological Reconnaissance Survey report, and agreed upon by the IN SHPO in their letters dated December 14, 2016 and February 3, 2017, remaining archaeological investigations (i.e., formal archaeological surveys) need to occur at the unsurveyed portions of the Munster/Dyer Layover Facility and the Munster/Dyer Main Street Station and Parking Area. Additionally, the October 2016 Phase Ia report recommended, and IN SHPO concurred with, surveying all remaining unsurveyed Project components (including parking facilities at each proposed station) within the ground disturbance footprint "using shovel probe or soil core methodology to confirm disturbance and lack of intact deposits" and that these surveys be completed when the footprint of the Preferred Alternative is more fully defined. To date, formal archaeological surveys have only been completed on the portion of the Munster/Dyer Main Street Station west of the CSX tracks and the primary alignment corresponding to the Monon Railroad.
 - These remaining archaeological investigations will be completed as the Project footprint is refined and as landowners grant permission for access.
 - A draft archaeological survey report will be prepared for review and comment by the IN SHPO. An appropriate summary report will also be prepared for Consulting Party review and comment.
 - A final report will be submitted to the IN SHPO incorporating responses to their comments and any comments from Consulting Parties.
 - If an archaeological site is discovered, an appropriate evaluation of the site will be completed.
- A Cemetery Development Plan for the Oak Hill Cemetery will be prepared.
- As specified in the MOA, any prehistoric or historic archaeological artifacts or human remains uncovered during construction, demolition, and/or earth moving activities would be reported to the Department of Natural Resources (DNR) within two business days, and would follow Indiana Code and applicable federal laws and regulations, including 36 CFR 800.
 - An Unanticipated Discovery Plan will be prepared and followed by contractors during all construction, demolition, and ground-disturbing activities related to the Project.

As the archaeological work outlined above is completed, survey results will be provided to your office. After NICTD Board selection of the Locally Preferred Alternative, completion of the identification of historic properties, and final assessment of effects, a revised draft MOA incorporating items noted in this letter will be provided to your office and the Consulting Parties. We look forward to continuing to consult with you and your office as the Section 106 process moves forward. At this time, we are seeking your concurrence on the no adverse effect finding

resulting from indirect visual effects given the attached visual simulations and additional information provided in this letter. Should you have any questions or require additional information, please contact Susan Weber, Community Planner, at 312-353-3888 or susan.weber@dot.gov. Thank you for your assistance on this Project.

Sincerely,

A handwritten signature in black ink, appearing to read "Jay M. Ciavarella". The signature is fluid and cursive, with a large initial "J" and "C".

Jay M. Ciavarella

Director, Office of Planning & Program Development

cc: Mark Assam, FTA Region 5
Susan Weber, FTA Region 5
John Parsons, NICTD
Roben Armstrong, HDR

Enclosure: Visual Simulations for State Street Historic District Visual Effects Analysis





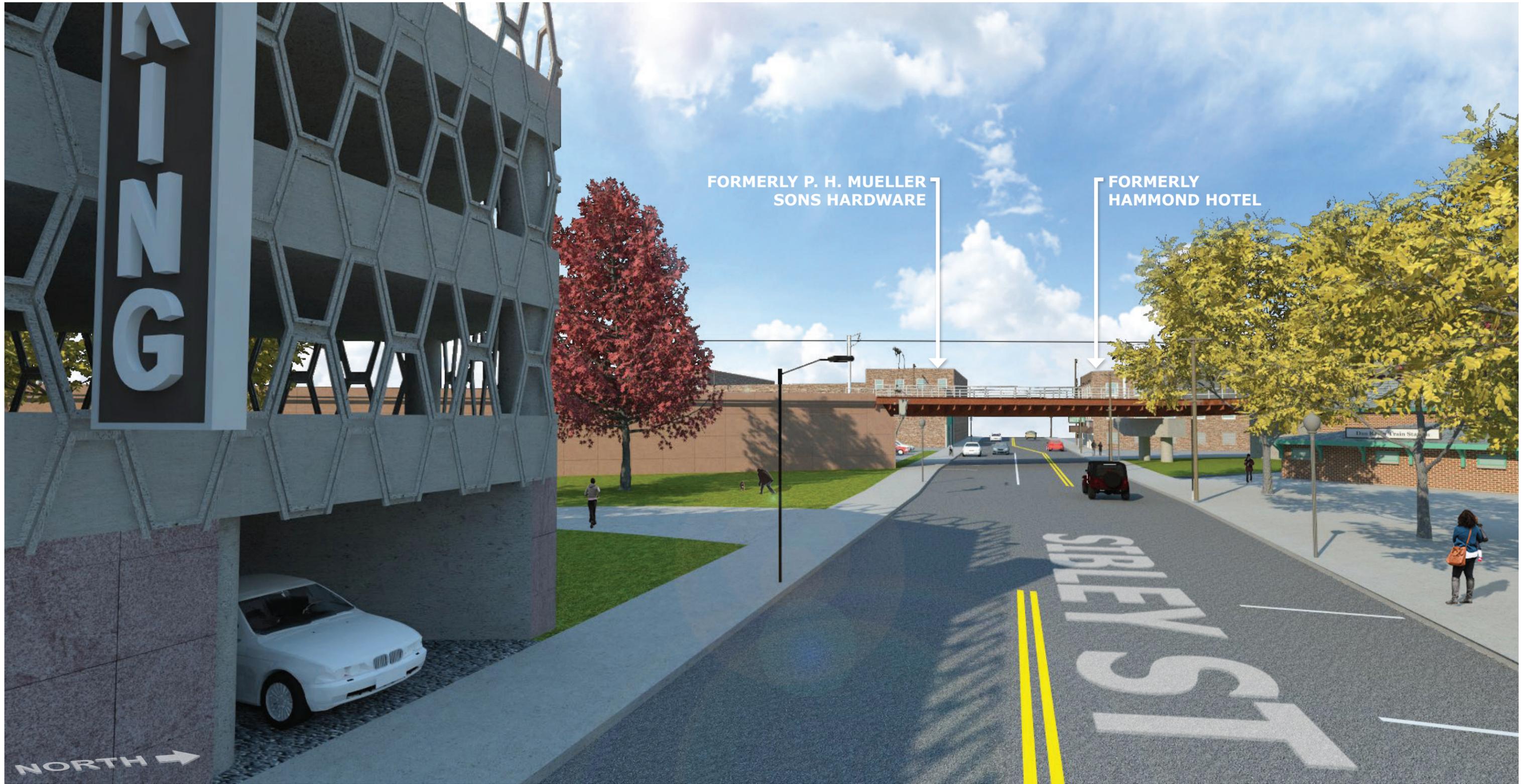
2 EYE LEVEL PERSPECTIVE - LOOKING EAST
HAMMOND, INDIANA
25 APRIL 2017

RENDERINGS ARE CONCEPTUAL ONLY. ALL DETAILS ARE SUBJECT TO CHANGE AS THE PROJECT IS FURTHER DEVELOPED.



8550 W BRYN MAWR AVE.
SUITE 900
CHICAGO, IL 60631







Division of Historic Preservation & Archaeology · 402 W. Washington Street, W274 · Indianapolis, IN 46204-2739
Phone 317-232-1646 · Fax 317-232-0693 · dhpa@dnr.IN.gov · www.IN.gov/dnr/historic



May 30, 2017

Jay M. Ciavarella
Director, Office of Planning & Program Development
Federal Transit Administration, Region V
200 West Adams Street, Suite 320
Chicago, Illinois 60606-5253

Federal Agency: Federal Transit Administration ("FTA")

Re: Summary of February 17, 2017, meeting at Indiana Department of Natural Resources and visual Simulations and assessment of the project's effects on the P.H. Mueller Sons Hardware building and the Hotel Hammond on Sibley Street in the City of Hammond, regarding the Northern Indiana Commuter Transportation District ("NICTD") West Lake Corridor Project, Lake County, Indiana, and Cook County, Illinois (INDNR No. ER-17897; DHPA No. 16774)

Pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. § 306108), 36 C.F.R. Part 800, and the National Environmental Policy Act of 1969, as amended (42 U.S.C. § 4321, *et seq.*), the staff of the Indiana State Historic Preservation Officer has reviewed your April 26, 2017, letter, with enclosures, which we received on April 28. Our comments will be limited to historic properties that lie partly or entirely within Indiana.

Thank you for responding to issues we had raised in earlier letters and at the February 17 meeting.

Thank you, also, for providing the visual simulations of the proposed, elevated track of the West Lake line as it would cross Sibley Avenue in Hammond. We think the question of whether the elevated bridge and mechanically stabilized earth ("MSE") structures would have adverse effects on the P.H. Mueller Sons Hardware Building and the Hotel Hammond is a close call, particularly with respect to the latter historic building. However, as long as none of the other consulting parties has expressed the opinion that either historic building would be adversely affected, we are willing to agree to a No Adverse Effect finding for those buildings, but not exactly for the reason that your effects assessment proposes. In addition to the visual simulations, we have consulted an online map and satellite and street view website.

An effect need not render a National Register of Historic Places-eligible property ineligible in order to be considered adverse. According to 36 C.F.R. § 800.5(a)(1), if a federal undertaking *may alter* a characteristic of historic property that qualifies it for the National Register in a way that *diminishes* one of its aspects of integrity, it would be appropriate to find that the historic property would be adversely affected. What we are looking at in this case is whether the proposed West Lake Corridor bridge and fill structures would result in a "[c]hange of the character of . . . physical features within the property's setting that contribute to its historic significance" (36 C.F.R. § 800.5[a][2]iv]) or would introduce "visual . . . elements that diminish the integrity of the property's significant historic features" (36 C.F.R. § 800.5[a][2]v]). In particular, we are considering how the bridge and MSE structures would affect the public's ability to view and enjoy those two historic buildings.

It appears to us that as one travels west on Sibley Avenue toward the P.H. Mueller Sons Hardware building, trees along the south side of Sibley currently would obscure the view of that building until one is about as close to the building as the elevated structures would be. Also, only an oblique view of the main, north façade would be possible until one is almost in front of the building. The east façade of the building currently lacks windows or door openings or any architectural detail, aside from a coping on the parapet around the roof, and the lower part of the east façade appears likely to have been a party wall during much

of the building's history. Consequently, we do not think the elevated structures would diminish the integrity of anything that makes the P.H. Mueller Sons Hardware building significant.

As one approaches the Hotel Hammond from the east on Sibley, trees currently obscure much of the east façade. There are still windows on the second and third stories of that façade that appear to be of original size, if not original materials. However, on the first story, there are large, glass block windows that likely were added in the last several decades. A bit of the corbelled brick paneling from the main, south façade wraps around to about the first bay of the east façade. Some of the third story windows might be visible as one would approach the proposed, elevated bridge structure that would cross Sibley and extend to the north. However, there is less architectural detail on the east façade than on the main, south façade. The south façade of the Hotel Hammond, like the north façade of the P.H. Mueller Sons Hardware building, would not be readily visible until one got fairly close to it. The elevated track would pass very near the northeast corner of the Hotel Hammond, as the Monon and Erie Lackawanna railroads had done years ago, except that the railroads were at grade level. By the time one would pass beneath the West Lake bridge structure while traveling west on Sibley, one would begin to see some of the details of the main façade of the Hotel Hammond and probably could see nearly the entire east façade. Consequently, despite the close proximity of the elevated West Lake line to the Hotel Hammond, we think it is plausible to predict that the integrity of any significant aspect of the Hotel Hammond would not be diminished by this project.

About one city block north of the Hotel Hammond, the elevated West Lake track would pass near the northwest corner of the State Street Commercial Historic District and, in particular, near a contributing commercial building and the contributing Hotel Goodwin, both on Willow Court. The existing Hohman Avenue overpass of multiple railroad tracks is a short distance to the west, and that overpass's MSE and bridge structures already are highly visible from the northwest corner of the historic district. We continue to believe that the introduction of the elevated West Lake tracks would not constitute a significant intrusion on the setting or viewshed of the State Street Commercial Historic District.

With regard to the *Archaeological Investigations/Reporting* section, as previously indicated in our December 14, 2017, Section 106 comment letter to FTA, and as repeated in our February 3, 2017, letter to Nicole Barker (NICTD); in terms of archaeological resources, based on the submitted information and the documentation available to the staff of the Indiana SHPO, we have not identified any currently known archaeological resources listed in or eligible for inclusion in the National Register of Historic Places ("NRHP") within the proposed project area. However, we concur with the opinion of the archaeologist, as expressed in the Phase Ia Archaeological Reconnaissance Survey Report (Gierek, October 2016), that additional Phase Ia archaeological field investigations must be conducted at specific portions of the proposed project area (as indicated in the archaeological report) prior to any project-related ground-disturbing activities in order to confirm disturbance and lack of intact archaeological deposits in those areas. The archaeological recording must be done in accordance with the Secretary of the Interior's "Standards and Guidelines for Archaeology and Historic Preservation" (48 F.R. 44716) and a report of the archaeological documentation must be submitted to our office for review and comment.

Additionally, as previously indicated, we concur with the opinion of the archaeologist that the portions of the proposed project area located at the Muster/Dyer Main Street Maintenance and Storage Facility that were not subjected to Phase Ia archaeological field investigations (due to lack of landowner permission) must be subjected to Phase Ia archaeological field investigations prior to any project-related ground-disturbing activities in order to confirm disturbance and lack of intact archaeological deposits. The archaeological recording must be done in accordance with the Secretary of the Interior's "Standards and Guidelines for Archaeology and Historic Preservation" (48 F.R. 44716) and a report of the archaeological documentation must be submitted to our office for review and comment.

Furthermore, as previously indicated, we concur with the opinion of the archaeologist, as expressed in the report, that archaeological site 12-La-0707 (which was identified during the archaeological investigations) does not appear eligible for inclusion in the NRHP, and that no further archaeological investigations appear necessary at this site. Thank you for having electronically submitted the archaeological site survey form for archaeological site 12-La-0707 to the Indiana DHPA SHAARD system database. It will be reviewed.

As a reminder, if the proposed project area is altered to include any portions within 100 feet of a cemetery, then a cemetery development plan may be necessary under IC 14-21-1-26.5. The aforementioned cemetery must be avoided by all project activities, and provisions of relevant state statutes regarding cemeteries (including IC 14-21-1 and IC 23-14) must be adhered to. It is our understanding that a cemetery development plan will be prepared for Oak Hill Cemetery.

If any prehistoric or historic archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (Indiana Code 14-21-1-27 and -29) requires that the discovery be reported to the Department of Natural Resources within two (2) business days. In that event, please call (317) 232-1646. Be advised that adherence to Indiana

Code 14-21-1-27 and -29 does not obviate the need to adhere to applicable federal statutes and regulations, including but not limited to 36 C.F.R. 800.

As we had mentioned during the meeting February 17 meeting, there is a state historic preservation law that requires a review of a project using State of Indiana funds that will alter, demolish, or remove (in other words, have an "adverse impact" on) a historic site or historic structure, if that historic site or historic structure is either owned by the State of Indiana or is listed in either the National Register of Historic Places or the Indiana Register of Historic Sites and Structures. The governing statute is Indiana Code 14-21-1-18, and other, pertinent statutes and rules are found at Indiana Code 14-8-2-125 and -126 and 312 Indiana Administrative Code ("IAC") 20-4-4, -9, -10, -11, -12, and -13. If it were to become necessary to obtain a certificate of approval from the Indiana Historic Preservation Review Board for a project that would have such an adverse impact, an application form and instructions can be found by clicking on "certificate of approval" on our website at <http://www.in.gov/dnr/historic/2829.htm>.

If you have questions about archaeological issues, please contact Wade T. Tharp at (317) 232-1650 or wtharp1@dnr.IN.gov. Questions about buildings or structures should be directed to John Carr at (317) 232-1949 or jcarr@dnr.IN.gov.

In all future correspondence regarding the NICTD West Lake Corridor Project, please continue to refer to INDNR No. ER-17897 and DHPA No. 16774.

Very truly yours,



Mitchell K. Zoll
Deputy State Historic Preservation Officer

MKZ:JLC:WTT:wtt

emc: Marisol Simón, Federal Transit Administration, Region V
Jay Ciavarella, Federal Transit Administration, Region V
Mark Assam, Federal Transit Administration, Region V
Susan Weber, Federal Transit Administration, Region V
Michael Noland, Northern Indiana Commuter Transportation District
John Parsons, Northern Indiana Commuter Transportation District
Nicole Barker, Northern Indiana Commuter Transportation District
Northern Indiana Commuter Transportation District, West Lake Corridor
Roben Armstrong, HDR, Inc.
Janice Reid, PTP, HDR, Inc.
Jeanne Barnes, HDR, Inc.
Chad Blackwell, HDR, Inc.
Brandon Gabler, Ph.D., RPA, HDR, Inc.
Rachel Leibowitz, Ph.D., Illinois Deputy State Historic Preservation Officer
Joe Phillippe, Illinois Historic Preservation Agency
David Halpin, Illinois Historic Preservation Agency
Christie Stanifer, Indiana Department of Natural Resources, Division of Fish and Wildlife
Carl Wodrich, Indiana Department of Natural Resources, Division of Land Acquisition
Bob Bronson, Indiana Department of Natural Resources, Division of Outdoor Recreation
Mitchell Zoll, Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology
Chad Slider, Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology
John Carr, Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology
Wade Tharp, Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology



September 6, 2017

Jay Ciavarella
Director, Office of Planning & Program Development
Federal Transit Administration, Region V
200 West Adams Street, Suite 320
Chicago, Illinois 60606-5253

Federal Agency: Federal Transit Administration ("FTA")

Re: Draft "Phase Ia Archaeological Survey for the NICTD West Lake Corridor Project" (Parker et al., 08/2017), and Request for Concurrence on Eligibility Findings and Assessment of Effect for the West Lake Corridor Project in Lake County, Indiana, and Cook County, Illinois (INDNR No. ER-17897; DHPA No. 16774)

Dear Mr. Ciavarella:

Pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. § 306108), 36 C.F.R. Part 800, and the National Environmental Policy Act of 1969, as amended (42 U.S.C. § 4321, *et seq.*), the staff of the Indiana State Historic Preservation Officer has reviewed your August 1, 2017, letter, with the aforementioned enclosures, which we received on August 7. Our comments will be limited to historic properties that lie partly or entirely within Indiana.

As previously indicated, in terms of archaeological resources, based on the submitted information and the documentation available to the staff of the Indiana SHPO, we have not identified any currently known archaeological resources listed in or eligible for inclusion in the National Register of Historic Places ("NRHP") within the previously surveyed portions of the proposed project area, as detailed in the Phase Ia Archaeological Reconnaissance Survey Report (Gierek, October 2016).

Additionally, based on the submitted information and the documentation available to the staff of the Indiana SHPO, we have not identified any currently known archaeological resources listed in or eligible for inclusion in the NRHP within the portions of the proposed project area that were subjected to the recent archaeological investigations, as detailed in the draft "Phase Ia Archaeological Survey for the NICTD West Lake Corridor Project" (Parker et al., 08/2017).

Furthermore, we concur with the opinions of the archaeologist, as expressed in the latter report, that the boundaries of archaeological site 12-La-0707 (which was identified during the former archaeological investigations, and the boundaries of which were expanded during the latter archaeological investigations) should be expanded to include the South Hammond Yard site, that site 12-La-0707 does not appear eligible for inclusion in the NRHP, and that no further archaeological investigations appear necessary at the proposed project area.

We note that we were provided with a draft copy of the "Phase Ia Archaeological Survey for the NICTD West Lake Corridor Project" (Parker et al., 08/2017). Please provide us with a final copy of the document for the Indiana DHPA archive.

Thank you for submitting the archaeological site resurvey record form for 12-La-0707 to the Indiana DHPA SHAARD system database. It will be reviewed.

It is our understanding that a cemetery development plan will be prepared for Oak Hill Cemetery. Once we have been provided with a copy of that document, we will review it and provide our comments.

As a reminder, if the proposed project area is altered to include any areas within 100 feet of any other cemetery, then a cemetery development plan may be necessary under IC 14-21-1-26.5. The aforementioned cemetery must be avoided by all project activities, and provisions of relevant state statutes regarding cemeteries (including IC 14-21-1 and IC 23-14) must be adhered to.

If any prehistoric or historic archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (Indiana Code 14-21-1-27 and -29) requires that the discovery be reported to the Department of Natural Resources within two (2) business days. In that event, please call (317) 232-1646. Be advised that adherence to Indiana Code 14-21-1-27 and -29 does not obviate the need to adhere to applicable federal statutes and regulations, including but not limited to 36 C.F.R. 800.

We agree that 33 of the 34 historic properties within the area of potential effects will not be adversely affected by the Preferred Alternative for this project, Hammond Alternative Option 2, and that one National Register of Historic Places-eligible property, the O.K. Champion building at 4714 Sheffield Avenue in Hammond, Indiana, will be adversely affected by the Preferred Alternative as a result of the demolition of the building.

Accordingly, we concur with FTA's August 1, 2017, Section 106 finding of Adverse Effect for the NICTD West Lake Corridor Project as a whole.

If you have questions about archaeological issues, please contact Wade T. Tharp at (317) 232-1650 or wtharp1@dnr.IN.gov. Questions about buildings or structures should be directed to John Carr at (317) 232-1949 or jcarr@dnr.IN.gov.

In all future correspondence regarding the NICTD West Lake Corridor Project, please continue to refer to INDNR No. ER-17897 and DHPA No. 16774.

Very truly yours,



Mitchell K. Zoll
Deputy State Historic Preservation Officer

MKZ:JLC:WTT:wtt

emc: Marisol Simón, Federal Transit Administration, Region V
Jay Ciavarella, Federal Transit Administration, Region V
Mark Assam, AICP, Federal Transit Administration, Region X
Susan Weber, AICP, Federal Transit Administration, Region V
Michael Noland, Northern Indiana Commuter Transportation District
John Parsons, Northern Indiana Commuter Transportation District
Nicole Barker, Northern Indiana Commuter Transportation District
Cassandra Francis, Northern Indiana Commuter Transportation District
Northern Indiana Commuter Transportation District, West Lake Corridor
Janice Reid, PTP, HDR, Inc.
Roben Armstrong, HDR, Inc.
Jeanne Barnes, HDR, Inc.
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Mitchell Zoll, Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology
Chad Slider, Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology
John Carr, Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology
Wade Tharp, Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology



Preserving America's Heritage

September 13, 2017

Mr. Mark A. Assam, AICP
U.S. Department of Transportation
Federal Transit Administration, Region X
915 2nd Avenue, Suite 3142
Seattle, WA 98174-1002

Ref: *Proposed West Lake Corridor Project*
Hammond, Munster and Dyer in Lake County, Indiana
Cook County, Illinois

Dear Mr. Assam:

The Advisory Council on Historic Preservation (ACHP) has received your notification and supporting documentation regarding the adverse effects of the referenced undertaking on a property or properties listed or eligible for listing in the National Register of Historic Places. Based upon the information provided, we have concluded that Appendix A, *Criteria for Council Involvement in Reviewing Individual Section 106 Cases*, of our regulations, "Protection of Historic Properties" (36 CFR Part 800), does not apply to this undertaking. Accordingly, we do not believe that our participation in the consultation to resolve adverse effects is needed. However, if we receive a request for participation from the State Historic Preservation Officer (SHPO), Tribal Historic Preservation Officer (THPO), affected Indian tribe, a consulting party, or other party, we may reconsider this decision. Additionally, should circumstances change, and it is determined that our participation is needed to conclude the consultation process, please notify us.

Pursuant to 36 CFR §800.6(b)(1)(iv), you will need to file the final Memorandum of Agreement (MOA), developed in consultation with the Indiana and Illinois State Historic Preservation Officers (SHPO's), and any other consulting parties, and related documentation with the ACHP at the conclusion of the consultation process. The filing of the MOA, and supporting documentation with the ACHP is required in order to complete the requirements of Section 106 of the National Historic Preservation Act.

Thank you for providing us with the notification of adverse effect. If you have any questions or require further assistance, please contact Sarah Stokely at (202) 517-0224 or via e-mail at sstokely@achp.gov.

Sincerely,

LaShavio Johnson
Historic Preservation Technician
Office of Federal Agency Programs

ADVISORY COUNCIL ON HISTORIC PRESERVATION

401 F Street NW, Suite 308 • Washington, DC 20001-2637
Phone: 202-517-0200 • Fax: 202-517-6381 • achp@achp.gov • www.achp.gov



West Lake Corridor Final Environmental Impact Statement/
Record of Decision and Section 4(f) Evaluation

Appendix B

Memorandum of Agreement



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MEMORANDUM OF AGREEMENT
BETWEEN
THE FEDERAL TRANSIT ADMINISTRATION AND
THE INDIANA STATE HISTORIC PRESERVATION OFFICER
REGARDING
THE WEST LAKE CORRIDOR PROJECT

WHEREAS, the Federal Transit Administration (FTA) may provide federal funding to the Northern Indiana Commuter Transportation District (NICTD) for the West Lake Corridor Project (Project) in Lake County, Indiana, and Cook County, Illinois, and FTA has determined that the Project is an undertaking pursuant to 36 Code of Federal Regulations (CFR) Part 800; and

WHEREAS, the Project consists of constructing a rail-based service between the Munster/Dyer area and Metra's Millennium Station in Downtown Chicago using electric-powered trains on an approximately 9-mile southern extension of NICTD's existing South Shore Line, constructing four new stations and maintenance, parking, and layover facilities; and

WHEREAS, FTA has consulted with the State Historic Preservation Officer (SHPO) at the Indiana Department of Natural Resources, Division of Historic Preservation & Archaeology (DHPA) and the SHPO at the Illinois Department of Natural Resources, Illinois Historic Preservation Agency, in accordance with Section 106 of the National Historic Preservation Act (NHPA), as amended, (54 United States Code [USC] § 306108), and its implementing regulations (36 CFR Part 800); and

WHEREAS, NICTD has participated in consultation and has been invited to sign this Memorandum of Agreement (MOA) as an invited signatory; and

WHEREAS, FTA has defined the Project's Area of Potential Effects (APE) as depicted in Attachment A; and

WHEREAS, FTA examined several Project alternatives and design options as part of the Draft Environmental Impact Statement and has selected the Hammond Alternative Option 2 as the Preferred Alternative; and

WHEREAS, FTA has determined that the Project will have an adverse effect on the National Register of Historic Places (NRHP)-eligible O.K. Champion Building at 4714 Sheffield Avenue, Hammond, Indiana, as shown in a map in Attachment A, due to demolition of the building for the construction of new track and facilities; and

WHEREAS, FTA has determined that the Project will have no effect on any historic properties in Illinois or on any NRHP-eligible or listed archaeological resources as there are none within the Project's archaeological APE; and

WHEREAS, in accordance with 36 CFR § 800.6(a)(1), FTA notified the Advisory Council on Historic Preservation (ACHP) of its adverse effect determination and invited their participation in consultation on August 25, 2017, and ACHP declined on September 13, 2017; and

WHEREAS, FTA and NICTD have consulted with the consulting parties listed in Attachment B regarding effects of the Project on historic properties; and

WHEREAS, consideration was given to alternatives and refinements throughout the project development process that would avoid, minimize, or mitigate impacts to historic

properties in, or eligible for, the NRHP, while meeting the stated Project Purpose and Need; and

NOW, THEREFORE, FTA and Indiana SHPO, agree that, upon acceptance of this MOA, the Project shall be implemented in accordance with the following stipulations in order to take into account and mitigate the adverse effect of the Project on historic properties.

Stipulations

FTA shall ensure that the following stipulations of this MOA are carried out by NICTD and shall require, as a condition of any approval of federal funding for the undertaking, adherence to the stipulations set forth herein:

I. TREATMENT MEASURES

- A.** Prior to any demolition of the O.K. Champion Building, located at 4714 Sheffield Avenue, Hammond, Indiana, NICTD shall prepare Historic American Building Survey (HABS) documentation of the existing O.K. Champion Building. Secretary of the Interior-qualified professionals in history or architectural history (36 CFR Part 61) shall complete a HABS Short Form Report as specified in the Historic American Buildings Survey Guidelines for Historical Reports. Prior to any alteration to or demolition of the O.K. Champion Building, NICTD shall provide draft documentation to the National Park Service (NPS) to verify that it meets the specified standards and formats. Upon NPS approval, NICTD shall finalize the documentation for submittal to the HABS office. One paper copy and one electronic copy of the final HABS documentation shall be provided to the Indiana SHPO. Electronic copies shall be provided to the consulting parties and placed on file with the City of Hammond and the Hammond Public Library/Hammond Historical Society.
- B.** NICTD shall prepare a public exhibit discussing the history and context of the O.K. Champion Building, specifically highlighting the industrial development of Hammond. The display and/or interpretive materials for the exhibit shall be designed in consultation with a qualified historian or architectural historian who meets the Secretary of the Interior's Professional Qualification Standards (36 CFR Part 61) and who shall assess the content and presentation to ensure that the important history and associations that contribute to the significance of the property are incorporated into the exhibit. SHPO and the consulting parties shall be offered an opportunity to review and comment on the content and plan for the exhibit prior to its finalization. The exhibit shall be displayed in a publicly accessible space within the vicinity of the site of the O.K. Champion Building and the Project area. The exhibit shall be displayed within 10 years of the execution of this MOA, or prior to the completion of Project construction, whichever is sooner.
- C.** NICTD shall prepare an application for nomination to the NRHP (application) for the P.H. Mueller Sons Hardware building at 416-418 Sibley Street in Hammond.
 - 1.** A Secretary of the Interior-qualified professional in history or architectural history (under 36 CFR Part 61) shall prepare the application to be consistent with the NPS standards set forth in "National Register Bulletin 16A: How to Complete the National Register Registration Form" (1997).
 - 2.** Prior to drafting the application, the qualified professional shall confer with the survey and registration staff of the Indiana SHPO to verify the NRHP eligibility of the property and its boundaries.
 - 3.** NICTD or its qualified professional shall submit the application to the Indiana SHPO prior to the completion of Project construction. The qualified professional shall

cooperate in good faith with the Indiana SHPO staff in providing information or making revisions to the application, as requested.

4. If NICTD or its qualified professional demonstrates that it has become impossible for NICTD or its qualified professional to submit or complete the application for the P.H. Mueller Sons Hardware building because of: (1) a lack of property owner consent, inability to obtain access to the property or to essential information, or other unavoidable circumstances, or (2) if the Indiana SHPO concludes that the property is not eligible for the NRHP, then NICTD, following the same procedure specified in Stipulation I.C.1 through I.C.3, shall prepare an application for a second property, selected by FTA with input from the consulting parties, which shall be submitted to the Indiana SHPO within ten (10) years from the date of execution of this MOA.
5. NICTD's commitment under this stipulation shall be considered to have been satisfied when:
 - a. The Indiana SHPO advises NICTD or its qualified professional that the application for the P.H. Mueller Sons Hardware building is complete and suitable for presentation to the Indiana Historic Preservation Review Board (Review Board); or
 - b. The Indiana SHPO advises NICTD or its qualified professional that the application for the second property is complete and suitable for presentation to the Review Board; or
 - c. NICTD or its qualified professional demonstrates that it has become impossible for NICTD or its qualified professional to submit or complete the application for the second property because of a lack of property owner consent, inability to obtain access to the property or to essential information, or other, unavoidable circumstances, or if the Indiana SHPO concludes that the second property is not eligible for the NRHP.

II. DURATION

This MOA will expire if its terms are not carried out within ten (10) years from the date of its execution. Prior to such time, FTA may consult with the other signatories to reconsider the terms of the MOA and amend it in accordance with Stipulation VII below.

III. MONITORING AND REPORTING

Each year on June 1 following the date of the execution of this MOA until it expires or is terminated, whichever comes first, NICTD will provide FTA, SHPO, and the consulting parties with a summary report detailing the work undertaken throughout the previous year pursuant to the stipulations of this MOA. The last report will be submitted within three (3) months of completion of construction of the Project or at completion of this MOA's terms, if later. The summary report will include any tasks undertaken relevant to stipulations within this MOA, scheduling changes, problems encountered, and any disputes regarding implementation of these stipulated measures.

IV. COORDINATION WITH OTHER FEDERAL REVIEWS

In the event any other federal agency provides funding, permits, licenses, or other assistance to NICTD for the Project as it was planned at the time of the execution of this MOA, such funding or approving agency may comply with Section 106 by agreeing in writing to the terms of this

MOA and so notifying and consulting the Indiana SHPO. Any necessary amendments will be coordinated pursuant to Stipulation VII.

V. POST-REVIEW DISCOVERIES

If NICTD and FTA determine after any future construction has commenced that Project activities will affect a previously unidentified archaeological or historical resource that may be eligible for the NRHP, or affect a known resource in an unanticipated manner, FTA will address the discovery or unanticipated effect in accordance with 36 CFR § 800.13(b)(3). FTA, at its discretion, may assume any unanticipated discovered property to be eligible for inclusion in the NRHP, pursuant to 36 CFR § 800.13(c). If human remains or archaeological sites are inadvertently discovered, or unanticipated effects on historic properties are found, then NICTD will implement the following procedures.

Regarding the discovery of human remains, in accordance with 36 CFR § 800.13(b)(3) and Indiana Code (IC) 14-21-1-27(a), if buried human remains or burial grounds are disturbed, NICTD will immediately cease all ground-disturbing activities within 100 feet of the discovery, and human remains or possible human remains will be left undisturbed. NICTD will notify FTA, the Indiana SHPO, the County Coroner, and Indiana Department of Natural Resources, Division of Law Enforcement within 48 hours from the time of the discovery. Human remains will be treated or reburied in an appropriate manner and place in compliance with IC 23-14-57, the Native American Graves Protection and Repatriation Act, or other applicable laws.

Regarding the discovery of archaeological resources, in accordance with 36 CFR § 800.13(b)(3) and IC 14-21-1-29(a), if an archaeological resource is inadvertently discovered, NICTD will immediately cease all ground-disturbing activities within 100 feet of the discovery. NICTD will notify FTA and the Indiana SHPO within 48 hours from the time of the discovery. NICTD, in consultation with FTA and the Indiana SHPO, will conduct an on-site evaluation of the discovery. A professional archaeologist will investigate the discovery and recommend a course of action to protect the site. FTA will consider eligibility and effects, consult with the Indiana SHPO, and determine actions to take to resolve adverse effects. FTA, in consultation with the Indiana SHPO, may authorize the continuation of ground-disturbing activities, with or without conditions; or, within 10 days from the date that FTA and the Indiana SHPO receive notice of the discovery, FTA, in consultation with the Indiana SHPO, may require that continued ground disturbance activities be conducted only in accordance with an approved plan. NICTD, FTA, and the Indiana SHPO will consult on the appropriate action. If requested by FTA or the Indiana SHPO, NICTD will develop a work plan to treat the discovery and resolve adverse effects to historic properties. If agreed upon by FTA and the Indiana SHPO, any necessary archaeological investigations will be conducted in accordance with the provisions of IC 14-21-1, 312 Indiana Administrative Code (IAC) 21, 312 IAC 22, the current *Guidebook for the Indiana Historic Sites and Structure Inventory—Archaeological Sites* (DHPA 2008), and other appropriate federal and state guidelines, statutes, rules, and regulations. The Indiana SHPO will review and provide concurrence on FTA's determination of eligibility, effects, and measures to avoid or reduce harm within 10 days of receipt of the work plan. NICTD will then implement these measures accordingly and resume work.

Regarding unanticipated effects on aboveground historic properties, if any adverse effects to a historic property occur during construction, NICTD will immediately cease construction activities that could affect the historic property. NICTD will notify FTA and the Indiana SHPO within 48 hours of the time of the discovery. NICTD, in consultation with FTA and the Indiana SHPO, will assess the extent of the adverse effect and propose repairs in a brief report. If any repairs to historic properties are necessary, they shall be consistent with the Secretary of the Interior's

Standards for Rehabilitation (36 CFR § 67.7). FTA will consider eligibility and effects and will determine actions to take to resolve adverse effects. The Indiana SHPO will have 15 days to review the report and provide comments on the proposed measures to resolve adverse effects. If no response is received from the Indiana SHPO, FTA may authorize NICTD to proceed with construction. NICTD shall implement these measures prior to resuming construction activities in the location of the historic property.

VI. DISPUTE RESOLUTION

Should any signatory to this MOA object in writing at any time to any actions proposed or the manner in which the terms of this MOA are implemented, FTA will consult with such signatory to resolve any objections. If FTA determines that such objection cannot be resolved, FTA will:

- A.** Forward all documentation relevant to the dispute, including FTA's proposed resolution, to the ACHP. The ACHP shall provide FTA with its advice on the resolution of the objection within thirty (30) days of receiving adequate documentation. Prior to reaching a final decision on the dispute, FTA shall prepare a written response that takes into account any timely advice or comments regarding the dispute from ACHP and signatories, and provide them with a copy of this written response. FTA will then proceed according to its final decision.
- B.** If the ACHP does not provide its advice regarding the dispute within the thirty (30) day time period, FTA may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, FTA shall prepare a written response that takes into account any timely comments regarding the dispute from the signatories to the MOA, and provide them to ACHP with a copy of such written response. The responsibility of FTA and NICTD to carry out all other actions under the terms of this MOA that are not the subject of the dispute remain unchanged.

VII. AMENDMENT

This MOA may be amended when such amendment is agreed to in writing by all signatories. The amendment will be effective on the date that a copy is signed by the last signatory.

VIII. TERMINATION

This MOA will terminate in ten (10) years or upon completion of its terms, whichever comes first. If FTA, the Indiana SHPO, or NICTD determines that the terms of this MOA will not or cannot be carried out, that party will immediately consult with the other signatories to attempt to develop an amendment per Stipulation VII above. If within thirty (30) days (or another time period agreed to by all signatories) an amendment cannot be reached, FTA or NICTD may terminate the MOA upon written notification to the other signatories.

IX. IMPLEMENTATION

- A.** This MOA may be implemented in counterparts, with a separate page for each signatory. This MOA will become effective on the date of the final signature by the signatories. FTA shall ensure each signatory is provided with a complete copy, and that the final MOA, any updates to attachments, and any amendments are filed with ACHP.
- B.** Execution of this MOA by FTA and the Indiana SHPO and implementation of its terms is evidence that FTA has taken into account the effects of its undertaking on historic properties and has afforded the ACHP an opportunity to comment pursuant to Section 106 of the NHPA.

SIGNATURE PAGE
MEMORANDUM OF AGREEMENT
BETWEEN
THE FEDERAL TRANSIT ADMINISTRATION AND
THE INDIANA STATE HISTORIC PRESERVATION OFFICER
REGARDING
THE WEST LAKE CORRIDOR PROJECT

SIGNATORY

FEDERAL TRANSIT ADMINISTRATION

SIGNED BY:



Date:

11/7/2017

Marisol R. Simón
Regional Administrator

SIGNATURE PAGE
MEMORANDUM OF AGREEMENT
BETWEEN
THE FEDERAL TRANSIT ADMINISTRATION AND
THE INDIANA STATE HISTORIC PRESERVATION OFFICER
REGARDING
THE WEST LAKE CORRIDOR PROJECT

SIGNATORY

INDIANA STATE HISTORIC PRESERVATION OFFICER

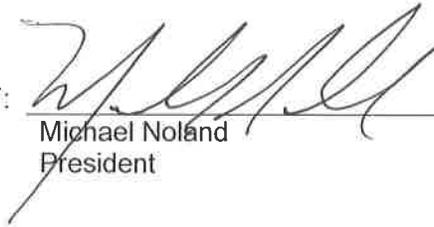
SIGNED BY:  Date: 12-11-2017
Mitchell K. Zoll
Deputy State Historic Preservation Officer

SIGNATURE PAGE
MEMORANDUM OF AGREEMENT
BETWEEN
THE FEDERAL TRANSIT ADMINISTRATION AND
THE INDIANA STATE HISTORIC PRESERVATION OFFICER
REGARDING
THE WEST LAKE CORRIDOR PROJECT

INVITED SIGNATORY

NORTHERN INDIANA COMMUTER TRANSPORTATION DISTRICT

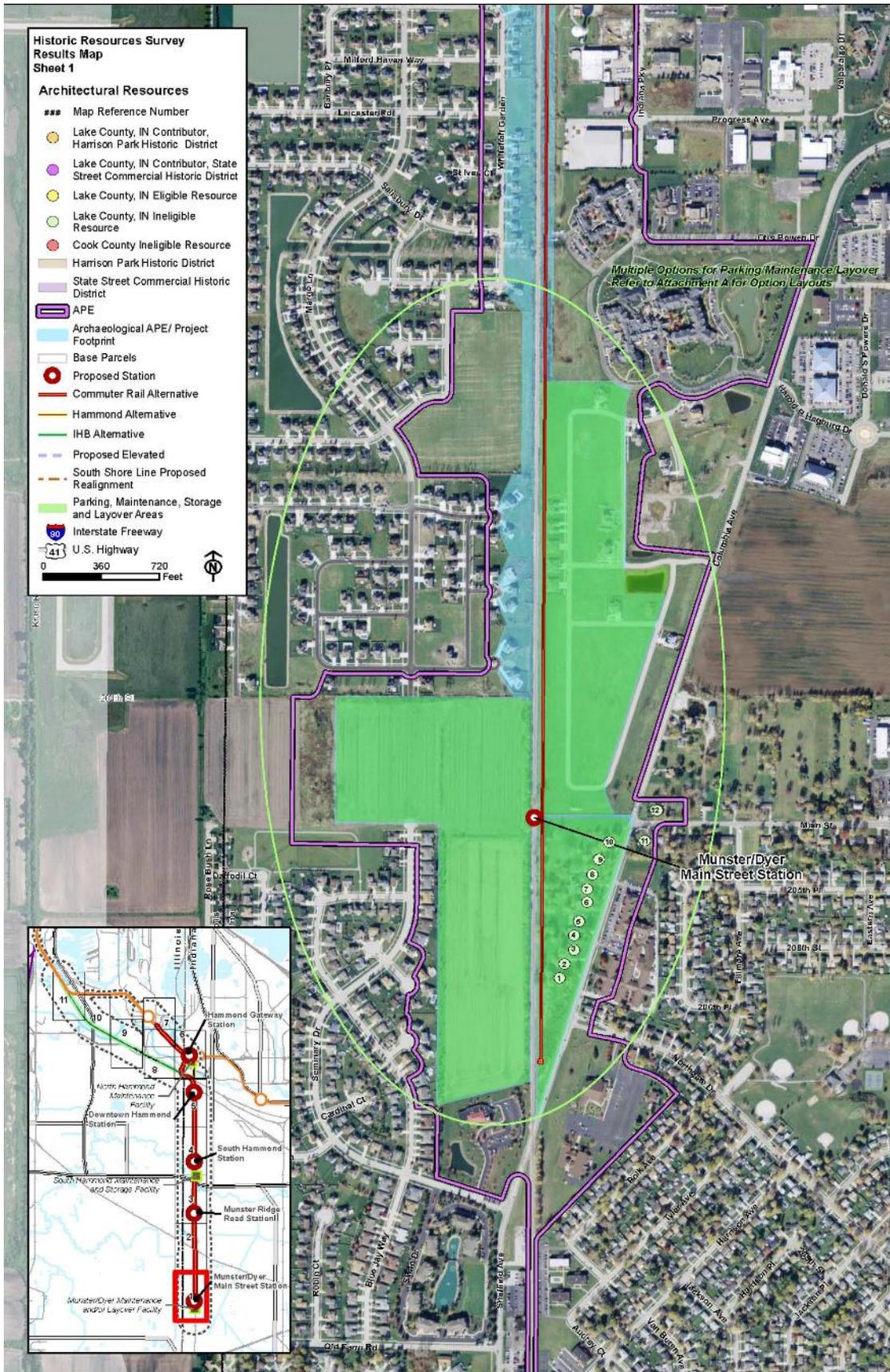
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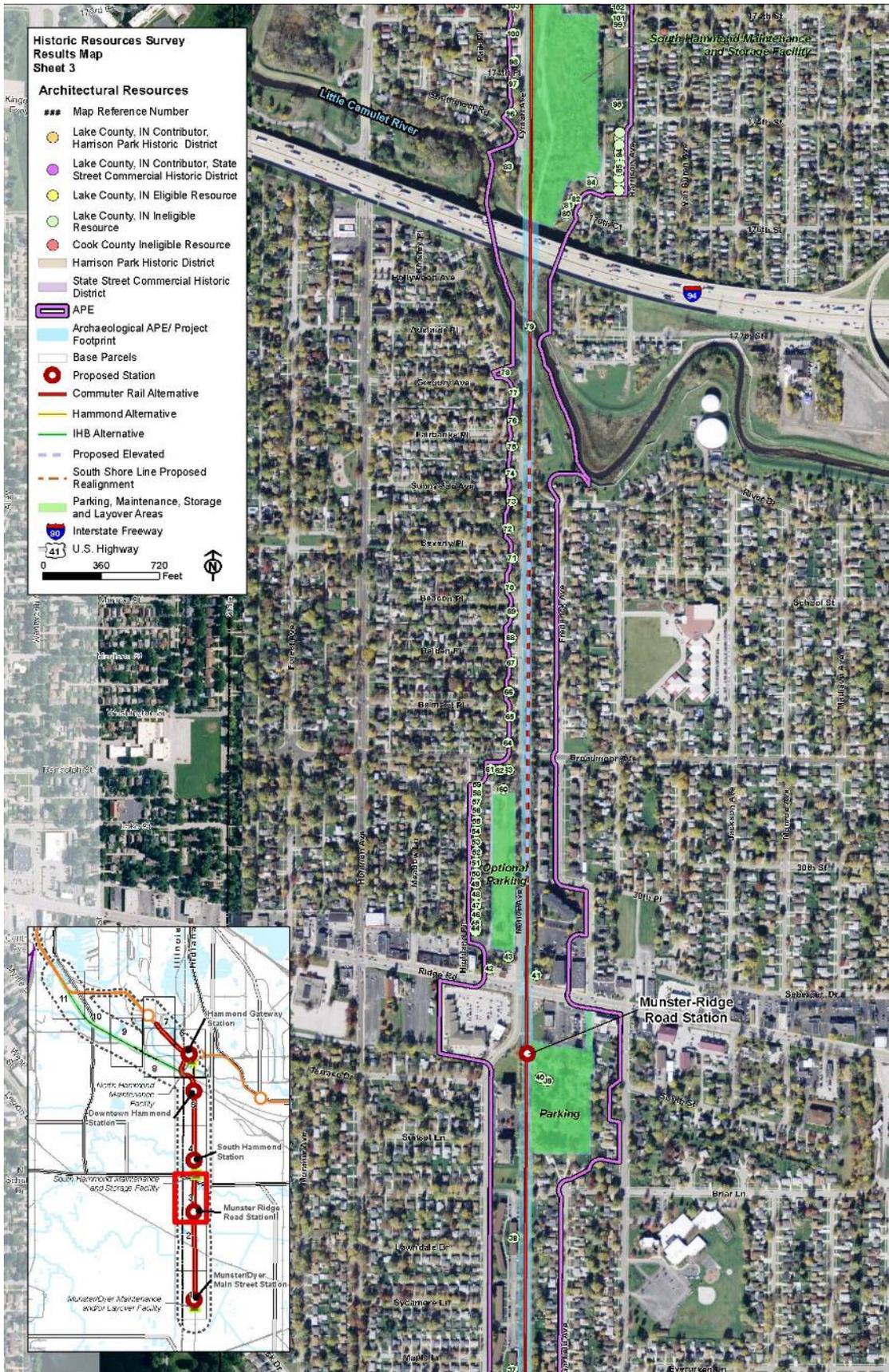

Michael Noland
President

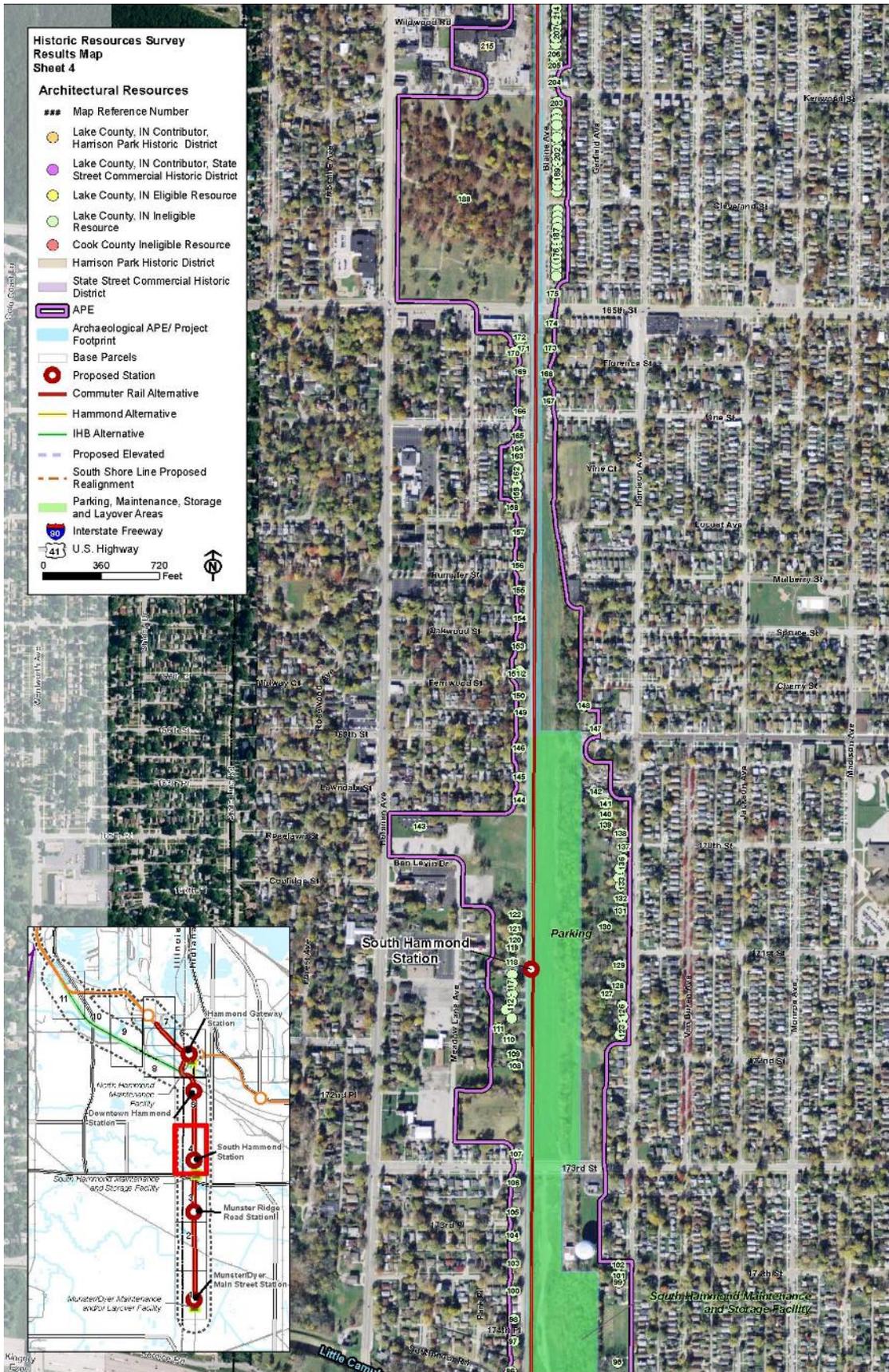
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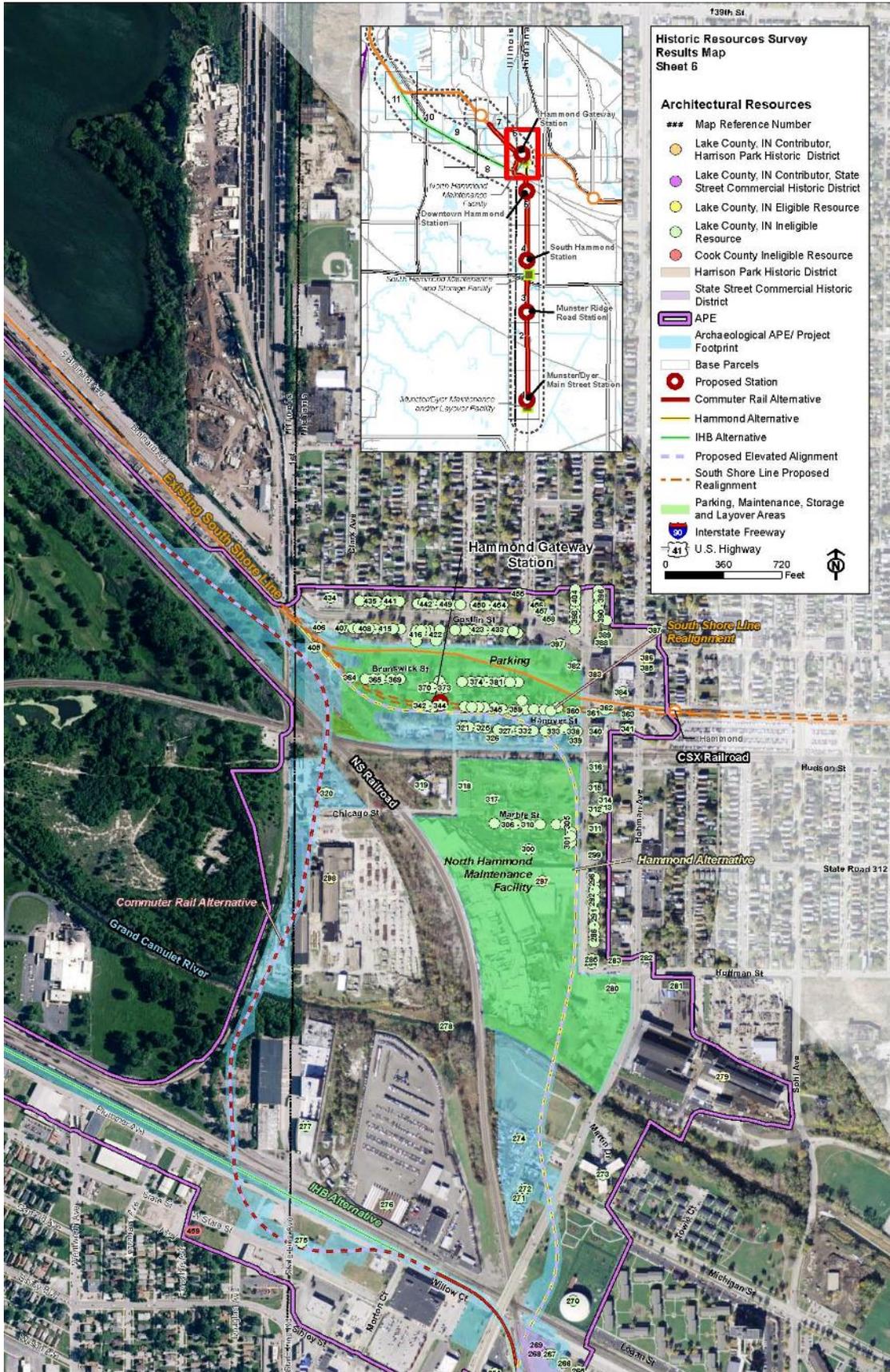
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**Attachment A:
APE Maps**

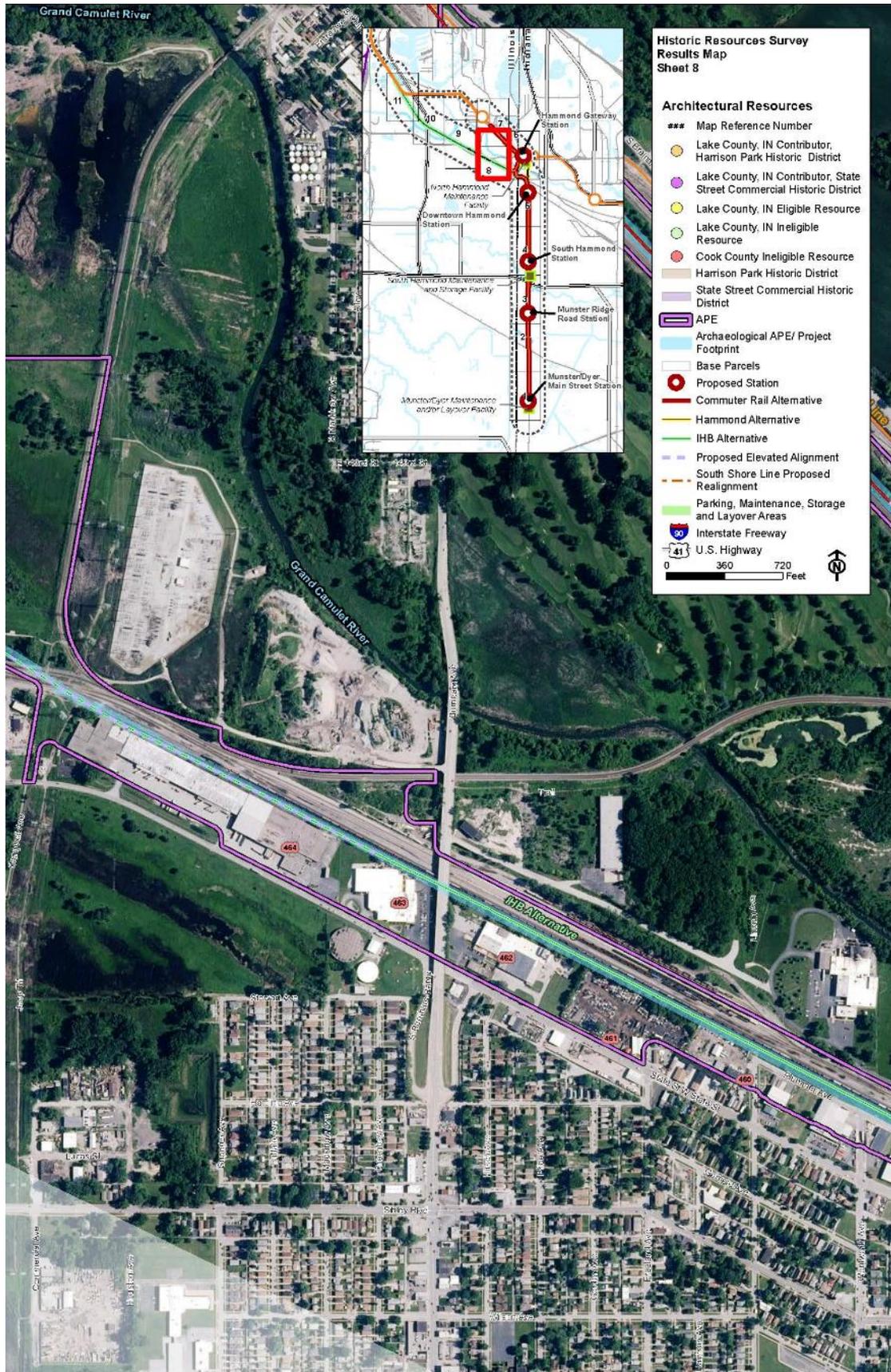


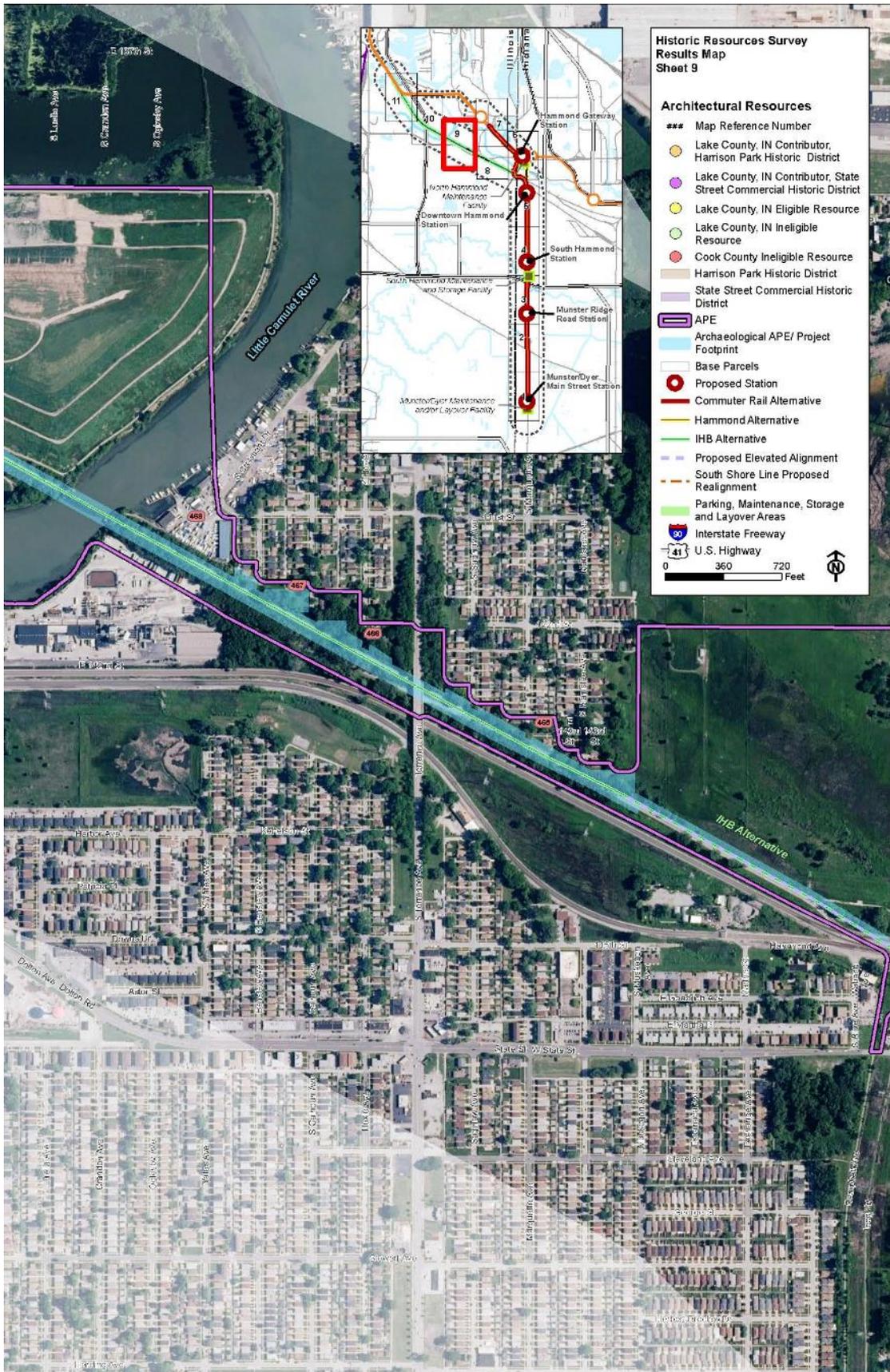


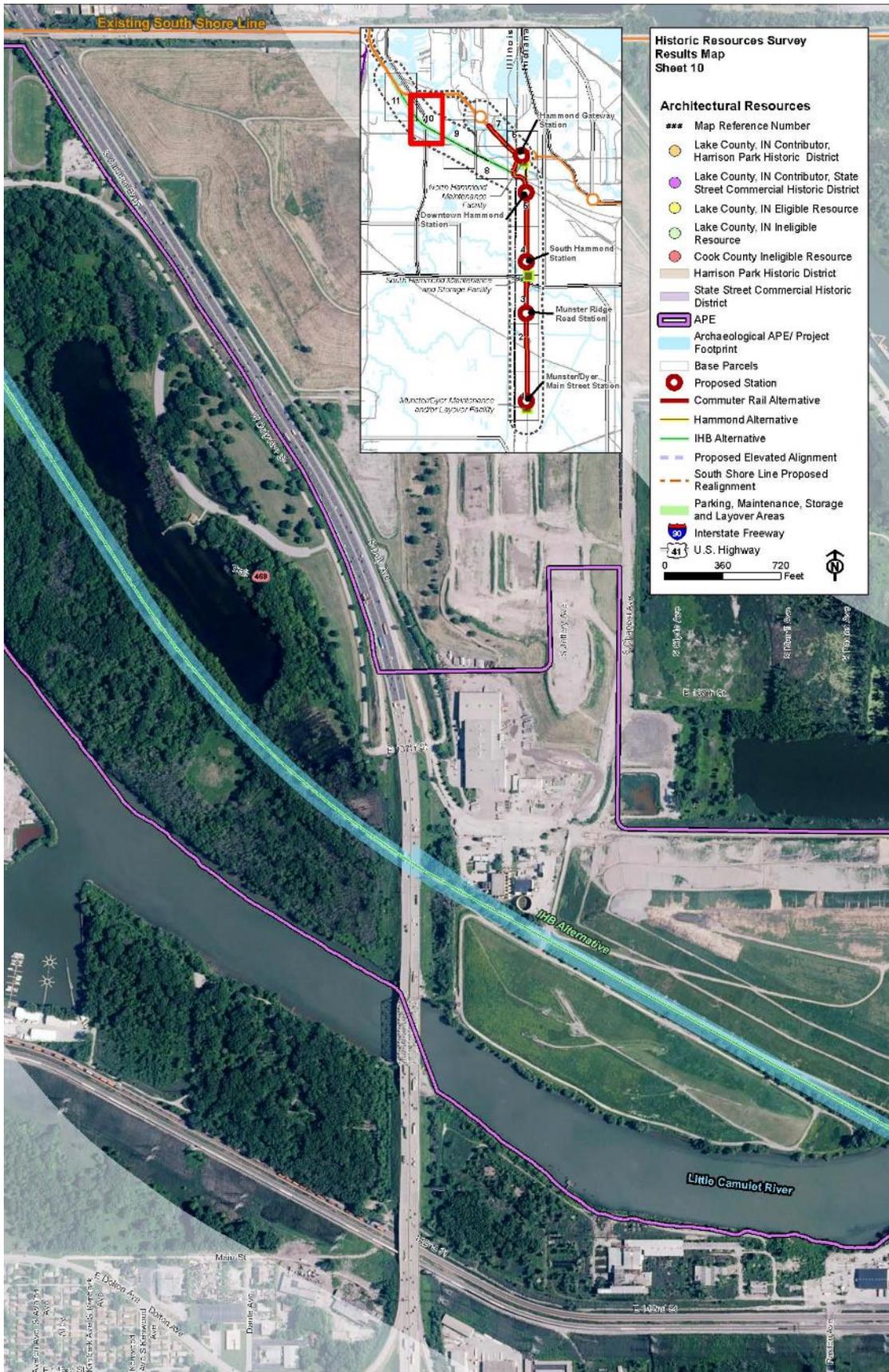


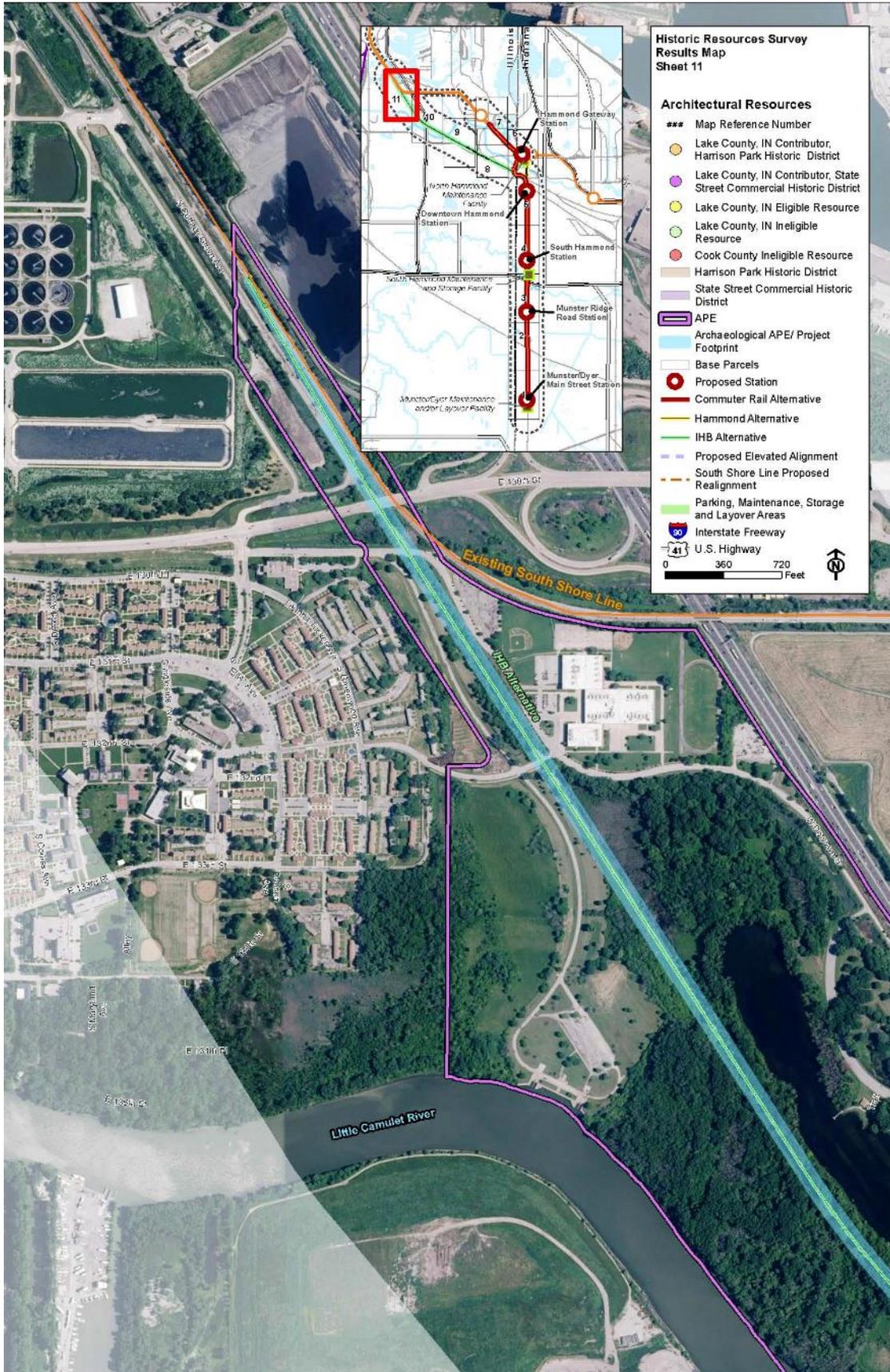












**Attachment B:
List of Consulting Parties**

West Lake Corridor Project Consulting Parties

Indiana State Historic Preservation Office

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Lake County Historical Society

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Oak Hill Cemetery Development Plan



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Oak Hill Cemetery Development Plan

West Lake Corridor Project

Federal Transit Administration
and
Northern Indiana Commuter
Transportation District

March 2018



**NORTHERN INDIANA COMMUTER
TRANSPORTATION DISTRICT**

33 East U.S. Highway 12

Chesterton, Indiana 46304

T 219.926.5744 / F 219.929.4438





West Lake Corridor
Oak Hill Cemetery Development Plan

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West Lake Corridor
Oak Hill Cemetery Development Plan

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West Lake Corridor
Oak Hill Cemetery Development Plan

Acronyms and Abbreviations

CN	Canadian National Railway
CSX	CSX Transportation
IHSSI	Indiana Historic Sites and Structures Inventory
Metra	Metra Electric District
NICTD	Northern Indiana Commuter Transportation District
NRHP	National Register of Historic Places
Project	West Lake Corridor Project
SHPO	State Historic Preservation Officer
SSL	South Shore Line
TPSS	traction power substation
USGS	United States Geological Survey



West Lake Corridor
Oak Hill Cemetery Development Plan

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1 Introduction

The purpose of this report is to identify, assess, and provide a development plan for the Oak Hill Cemetery for the West Lake Corridor Project (Project). State law (Indiana Code 14-21-1-26.5) requires that a person may not disturb the ground within 100 feet of a burial ground for the purpose of excavating or covering over the ground or erecting, altering, or repairing any structure without having an approved development plan. This law does not prohibit construction near a cemetery, nor does it prohibit moving cemeteries if the proper permits are acquired; this law only requires that developers' plans take into account cemetery locations. The Project is located within 20 feet of the cemetery.

1.1 Project Background

The Northern Indiana Commuter Transportation District (NICTD) operates the electrically powered interurban commuter South Shore Line (SSL) between Millennium Station in downtown Chicago, Illinois, and the South Bend International Airport in South Bend, Indiana (a distance of about 90 miles). NICTD operates in concert with the freight carrier Chicago South Shore & South Bend Railroad (CSS).



The purpose of the Project is to provide preliminary engineering services to support a New Starts grant administered by the Federal Transit Administration's (FTA) Capital

Investment Grant program for a new service from the town of Dyer, Indiana, to the city of Hammond, Indiana. The Project is a proposed 9-mile southern extension tying the existing SSL in Hammond to Dyer.

The new route is proposed to reach high-growth areas in central and western Lake County, Indiana. The Project would expand NICTD's service coverage, improve mobility and accessibility, and stimulate local job creation. Numerous transit-oriented development (TOD) and economic development opportunities would be created in Lake County by this Project. This Project includes the design of a mainline track, railroad bridge structures, elevated rail structures, drainage culverts, at-grade railroad-highway and pedestrian crossings, catenary power and signal design, and construction of four commuter stations.

1.2 Project Description

The environmental review process builds upon NICTD's prior West Lake Corridor studies that examined a broad range of alignments, technologies, and transit modes. The studies concluded that a rail-based service between the Munster/Dyer area and Metra's Millennium Station in downtown Chicago, shown in **Figure 1-1**, would best meet the transportation needs of the northwest Indiana area. Thus, NICTD advanced a Preferred Build Alternative (referred to as the FEIS Preferred Alternative) for detailed analysis in the FEIS. NEPA also requires consideration of a No Build Alternative to provide a basis for comparison to the Build Alternative.

1.2.1 No Build Alternative

The No Build Alternative is defined as the existing transportation system, plus any committed transportation improvements included in the Northwestern Indiana Regional Planning Commission's (NIRPC) *2040 Comprehensive Regional Plan (CRP)* (NIRPC 2011) and the Chicago Metropolitan Agency for Planning's (CMAP) *GO TO 2040 Comprehensive Regional Plan* (CMAP 2014) through the planning horizon year 2040. It also includes capacity improvements to the existing Metra Electric District's (MED) line and Millennium Station, documented in NICTD's *20-Year Strategic Business Plan* (NICTD 2014).

1.2.2 Build Alternative

The Project is an approximate 9-mile southern extension of the existing NICTD SSL between the town of Dyer and city of Hammond, Indiana. Traveling north from the southern terminus near Main Street at the Munster–Dyer municipal boundary, the Project would include new track operating at grade on a separate right-of-way (ROW) to be acquired adjacent to the CSX Transportation (CSX) Monon Subdivision rail line in Dyer and Munster. The Project alignment would be elevated from 45th Street to the Canadian National Railway (CN) Elsdon Subdivision rail line at Maynard Junction. North of the CN line, the Project alignment would return to grade and join with the publicly owned former Monon Railroad corridor in Munster and Hammond, Indiana, and continue north. The Project would relocate the existing Monon Trail pedestrian bridge crossing over the Little Calumet River and build a new rail bridge at the location of the former Monon Railroad Bridge. The Project alignment would cross under Interstate 80/94 (I-80/94) and continue north on the former Monon Railroad corridor to Sibley Street. From Douglas Street north, the Project would be elevated over all streets and rail lines using a combination of retaining walls, elevated structures, and bridges. The Project would terminate just east of the Indiana Harbor Belt at the state line, where it would connect with the SSL. Project trains would operate on the existing MED line for the final 14 miles, terminating at Millennium Station in downtown Chicago.

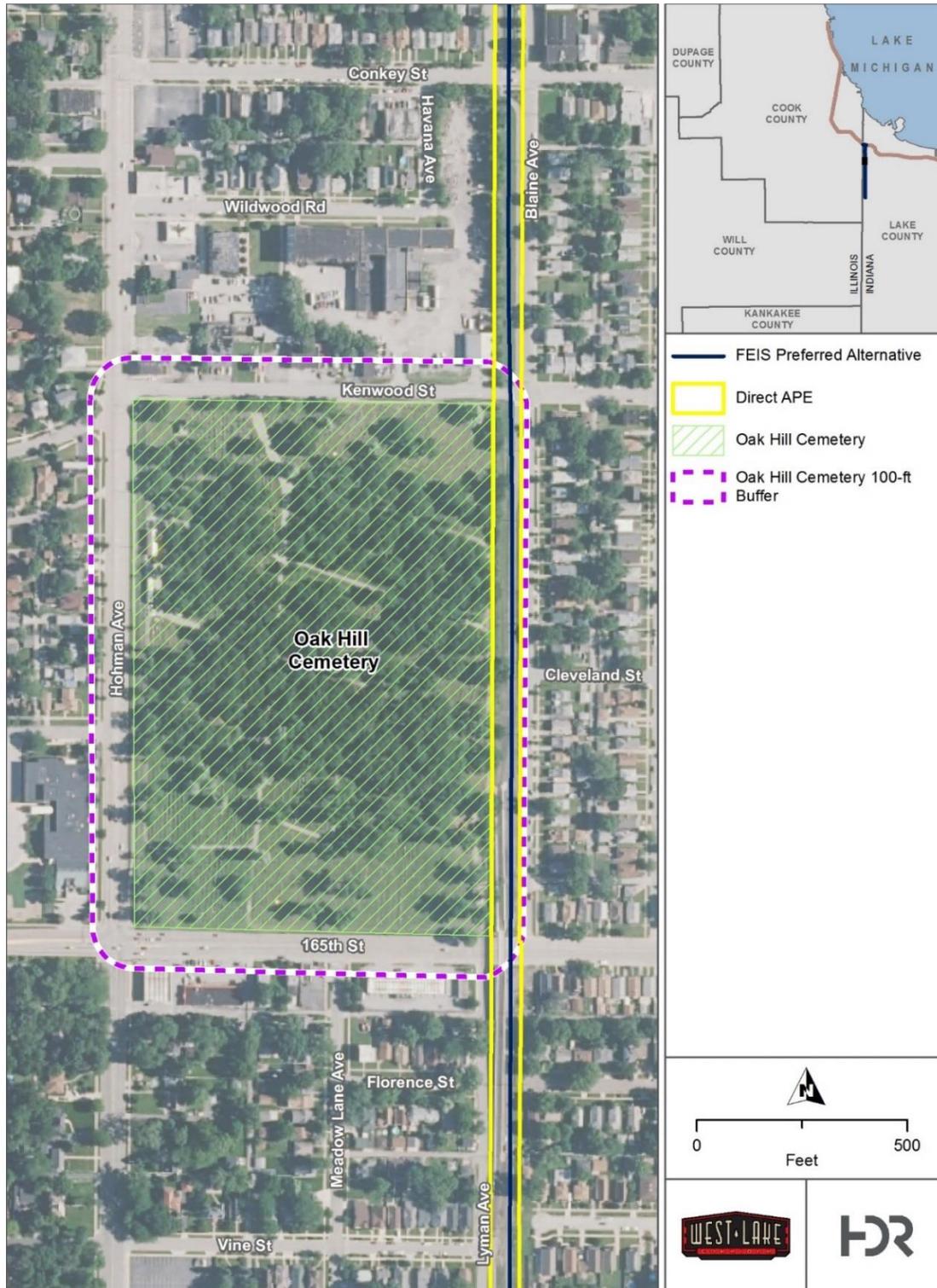
Four new stations would be constructed along the alignment; Munster/Dyer Main Street, Munster Ridge Road, South Hammond, and Hammond Gateway Stations. Each station would include station platforms, parking facilities, benches, trash receptacles, bicycle racks, and other site furnishings. Shelter buildings would only be located at the Munster/Dyer Main Street and Hammond Gateway Stations. The Project would include a vehicle maintenance and storage facility (MSF) with a layover yard and traction power substation (TPSS) to power the overhead contact system, located just south of the Hammond Gateway Station, west of Sheffield Avenue. Additional TPSSs would be located at the South Hammond Station parking lot and Munster/Dyer Main Street Station. The TPSS would be enclosed to secure the electrical equipment and controls, with a footprint of about 20 feet by 40 feet.

Between 165th Street and Kenwood Street in Hammond, the Project would parallel the eastern edge of the Oak Hill Cemetery and the current Monon Trail, on the former Monon Railroad ROW that previously ran along Blaine Avenue (**Figure 1-2**, **Figure 1-3**, and **Figure 1-4**). The Oak Hill Cemetery fence line would remain intact throughout construction of the Project. The Monon Trail would be reconstructed within a portion of this stretch (from Kenwood Street south to the curve in the trail) because it conflicts with the rail alignment. The trail would be parallel to the tracks east of the cemetery fence. The western edge of the 10-foot trail would be approximately 11 feet east of the cemetery fence line. The West Lake Corridor would cross 165th Street at-grade, including four quadrant gates and pedestrian gates; the same grade crossing with quadrant gates would be used at Kenwood Street. Some earth excavation would be involved with the construction of the trail and grading out the track bed; all of the excavation would be outside of



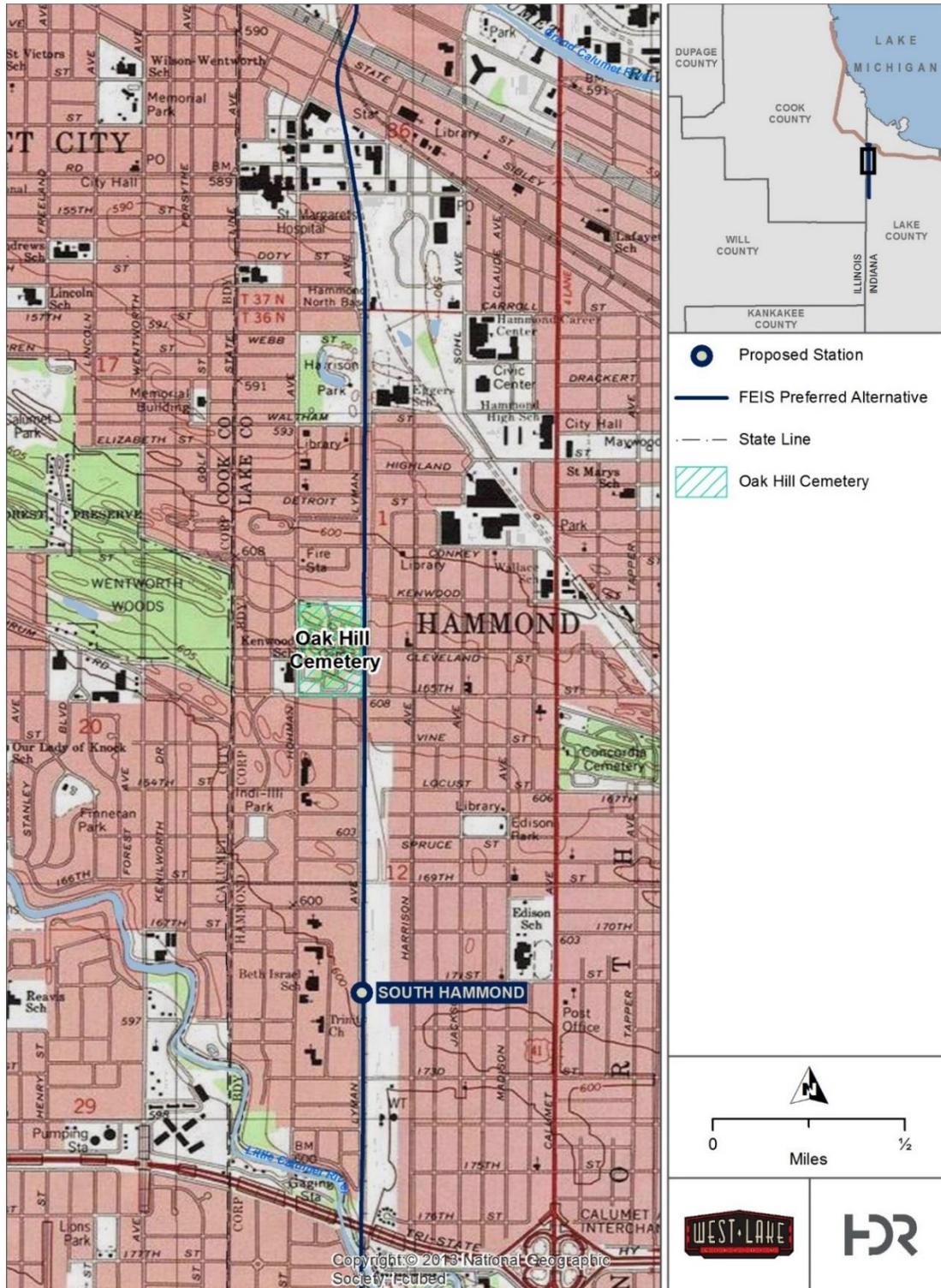
the fenced boundaries of Oak Hill Cemetery. The blue line in **Figure 1-5** would be the construction limit; all of the rail would be on the previous Monon alignment (the Monon Railroad ROW).

Figure 1-2: Aerial Map Showing the Project in Relation to the Existing Monon Trail and the Oak Hill Cemetery



Source: HDR 2017.

Figure 1-3: USGS 7.5-minute Topographic Map Depicting the Project Section near Oak Hill Cemetery



Source: HDR 2017.

Figure 1-4: Oak Hill Cemetery from Northeast Corner at Intersection of Kenwood Street and Blaine Street, View South along Project Alignment

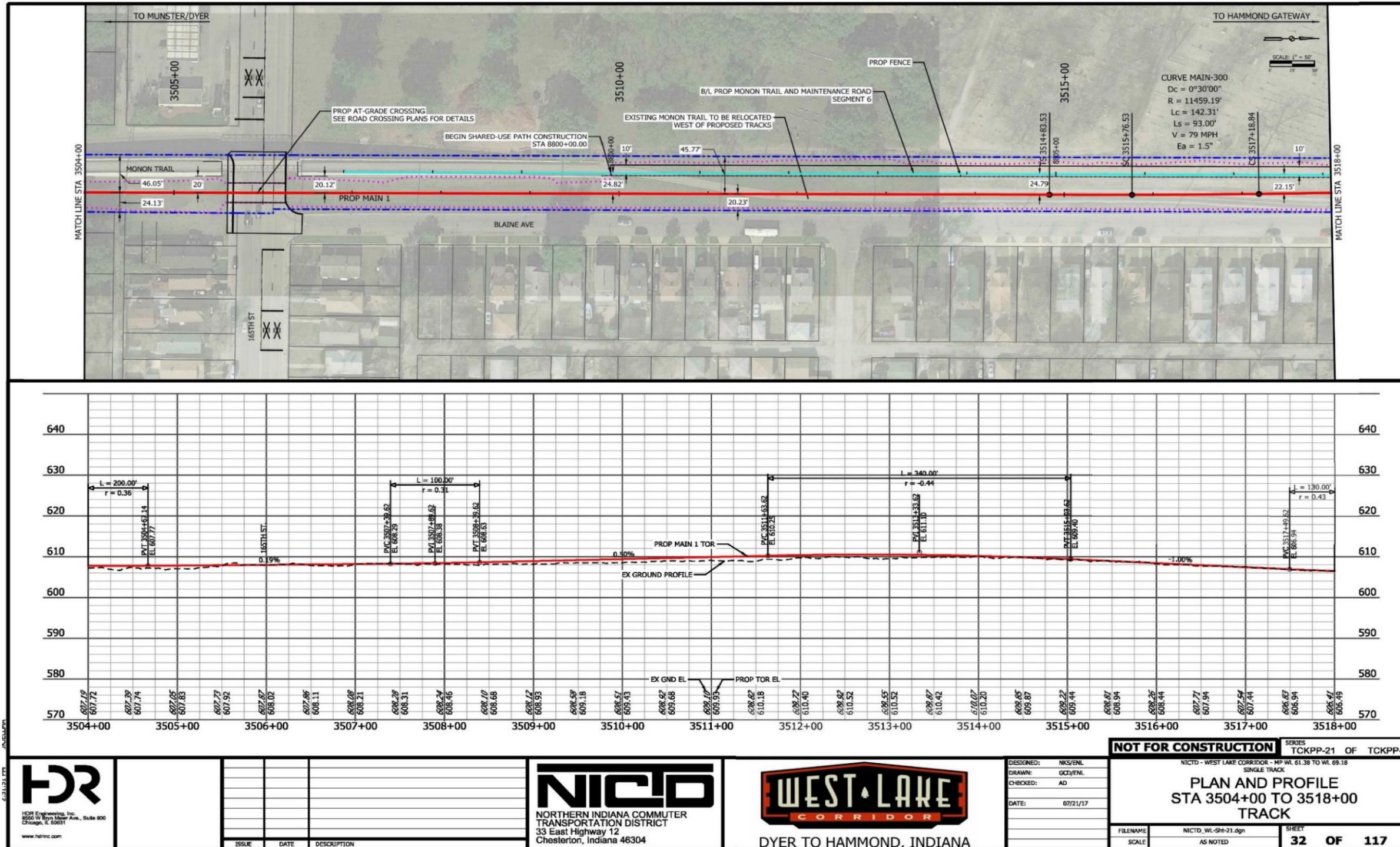


Source: HDR 2017.
Former Monon Railroad Tracks Run through Kenwood Street in the Foreground



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Figure 1-5: Plan and Profile Drawing of Proposed Construction near Oak Hill Cemetery



Source: HDR 2017.



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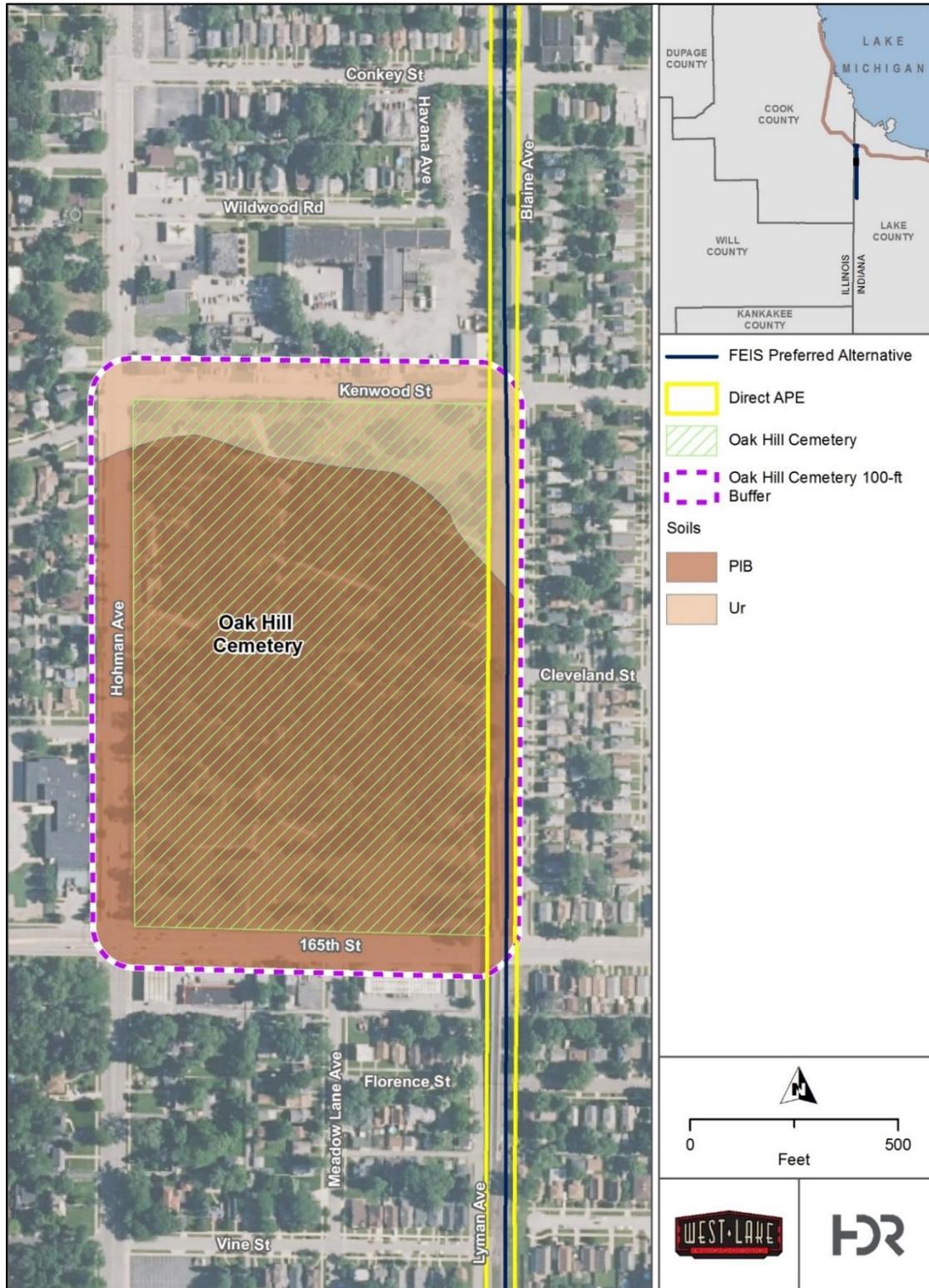
2 Project Area

Current land use in the Project Area generally transitions from rural and suburban in the community of Dyer in the south to increasingly more dense suburban development in the north around south Hammond and to the urban environment of downtown Hammond.

In Hammond, the land use is medium- to high-density residential with single-family homes on small lots. In addition, northern downtown Hammond in the Project Area includes some vacant, undeveloped land and industrial uses. The Monon Trail continues from the south municipal border of Hammond and ends at Douglas Street.

The soil types mapped for the Project Area within 100 feet of the Oak Hill Cemetery comprise Plainfield fine sand, urban land, and a small amount of Watseka loamy fine sand (**Figure 2-1**). Plainfield fine sands are excessively drained deep sands on outwash plains. Watseka loamy fine sands are somewhat poorly drained deep sands also on outwash plains. Urban lands are those exhibiting dramatic cutting, grading, and filling associated with historical and modern development. However, the Project is primarily confined to the former Monon Railroad ROW, suggesting that the soils to be encountered would be those placed for railroad stabilization and would resemble urban land soils throughout the West Lake Corridor in this section.

Figure 2-1: Aerial Map Showing the Project and Soils in the Area



Source: HDR 2017; United States Department of Agriculture (USDA) 2017.

3 Cemetery Description

A detailed overview of the Oak Hill Cemetery was produced by Shannon Hill Zuercher of H&H Associates, LLP (2013) for the Monon Trail pedestrian bridge project. This section provides a brief summary of Zuercher's overview along with photographs taken during the recent archaeological survey (2017) for the Project.

The cemetery is bordered on the north by Kenwood Street, west by Hohman Avenue, south by 165th Street, and east by the former Monon Railroad ROW and current Monon Trail, both of which run parallel to Blaine Avenue, between the cemetery's eastern fence and Blaine Avenue. The cemetery boundary is clearly delineated by the fence, and all burials are within the fence line. The cemetery is approximately 21 acres with over 13,000 burials (Zuercher 2013:4). Many of Hammond's early prominent citizens were buried at Oak Hill Cemetery, including city founder Thomas Hammond, other leading politicians and businessmen, and civil war veterans (Kestenbaum 2015; Indiana State Historic Architectural and Archaeological Research Database [SHAARD] 1994, 2002). The Oak Hill Cemetery is rated as "Contributing" in the *Lake County Interim Report* (Indiana Historic Sites and Structures Inventory [IHSSI] property number 089-090-46069); it was recommended Not Eligible for listing in the National Register of Historic Places (NRHP) as part of this Project (NICTD 2016), with which the Indiana State Historic Preservation Officer (SHPO) concurred in a letter dated December 14, 2016. The authors of the 2016 *Historic Property Report* determined that the Oak Hill Cemetery "is a typical example of a community cemetery and does not have exceptional historical associations or design features" (DEIS 2016:34). There are no archaeological sites recorded within the Oak Hill Cemetery, and the only archaeological site nearby is the Monon Railroad (12-La-0707), determined Not Eligible for listing in the NRHP by the SHPO in the same letter dated December 14, 2016.

The cemetery was established in 1885 by one of the city's founders, Marcus Towle. The first burial was recorded in 1893 and the cemetery has remained in operation through the present day (SHAARD 2002). In 2011, a six-month investigation conducted by staff at *The Times of Northwest Indiana* confirmed that the cemetery had suffered years of neglect due in part to an absentee owner and costs leading to operational losses. Burials remained unmarked while stacks of headstones were left in a debris area, felled trees lay on top of headstones, and overgrown grasses and weeds obscured headstones (Chase 2011a). In March 2012, eight human bones were found in a spoil pile created by the excavation of new graves, giving further support to North Township's desire to take over ownership of the cemetery (Chase 2012). North Township Trustee began the process of acquiring ownership of the cemetery in 2011, which it was finally granted in 2012. Meanwhile, Hammond First Baptist Church, Lake County Community Corrections, and individuals who received aid from the township provided services to restore and maintain the cemetery. They were assisted in their efforts by community volunteers (Chase 2011a, 2011b; Ross 2012). As of Zuercher's 2013 report, the southeastern corner of the cemetery remained in poor condition. Current assessment of the cemetery shows continued maintenance activity in the southeast portion (some small piles of push dirt; **Figure 3-1** and **Figure 3-2**) and overall improved maintenance compared with Zuercher's assessment (**Figure 3-3**). The only major change since 2013 is the demolition and replacement of the office building, which now is a modular trailer-style building replacing the c. 1930s office. There is also a prefabricated steel building serving as a maintenance shed (**Figure 3-4**; AECOM 2016:34; see also Zuercher 2013: Appendix B, Photo 20).

Figure 3-1: Oak Hill Cemetery from Southeast Corner on 165th Street, View North.



Source: HDR 2017.
Structure at right of photo is the Monon Trail pedestrian bridge.

Figure 3-2: Oak Hill Cemetery from Southeast Corner, from the Monon Trail Pedestrian Bridge, View North



Source: HDR 2017.

Figure 3-3: Oak Hill Cemetery from Northeast Corner, View South



Source: HDR 2017.

Figure 3-4: September 2016 Google Street View Image, View West



Source: HDR 2017.
New replacement office building is at right.



4 Summary

The Project is within 100 feet of the Oak Hill Cemetery in Hammond. The area of the cemetery closest to the Project is the cemetery's eastern boundary (see **Figure 1-2** and **Figure 3-1**), which is separated from the proposed corridor by the cemetery's fence. The Project would be constructed on the former Monon Railroad ROW, which previously existed concurrently with the Oak Hill Cemetery, and would be unlikely to disturb unmarked burials. Should any prehistoric or historic archaeological artifacts or human remains be discovered, all work would cease immediately, SHPO and the local sheriff/coroner would be contacted, and all state and federal laws regarding human burial remains would be followed, including state law (Indiana Code 14-21-1-27 and -29) that requires that the discovery be reported to the Indiana Department of Natural Resources within 2 business days.



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5 References

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Pedestrian Bridge Project over E. 165th Street, City of Hammond, Lake County, Indiana.
Prepared by H&H Associates for Beam, Longest and Neff, LLC.



December 8, 2017

Brandon M. Gabler, Ph.D., R.P.A.
Principal Investigator
HDR, Inc.
30 N. LaSalle Street
Chicago, Illinois 60602

Federal Agency: Federal Transit Administration (“FTA”)

Re: Cemetery development plan (Gabler, 11/2017), related to the West Lake Corridor Project (DHPA No. 16774), portions of which lie within 100 feet of Oak Hill Cemetery (CR-45-46 in the Indiana DNR/DHPA SHAARD database system), located in the City of Hammond, Lake County, Indiana

Dear Dr. Gabler:

Pursuant to IC 14-21-1-26.5, the Division of Historic Preservation and Archaeology (DHPA) has reviewed the cemetery development plan (Gabler, 11/2017) that was submitted to our office under Michael Noland’s (Northern Indiana Commuter Transportation District) cover letter dated November 6, 2017, and was received on November 8, 2017; and which is related to the West Lake Corridor Project (DHPA No. 16774), portions of which lie within 100 feet of Oak Hill Cemetery (CR-45-46 in the Indiana DNR/DHPA SHAARD database system), located in the City of Hammond, Lake County, Indiana.

Thank you for submitting the above-referenced cemetery development plan. The plan that you submitted is acceptable, with the following conditions:

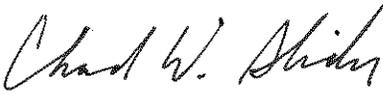
1. If, during any phase of the proposed project-related ground-disturbing activities, any human remains are disturbed, the Department of Natural Resources must be notified of the discovery within two (2) business days, per IC 14-21-1-27. In that event, please call (317) 232-1646. If human remains or burials are discovered, the relevant state statutes, including IC 23-14, IC 14-21-1, and 312 IAC 22, will be adhered to.
2. If, during any phase of the proposed project-related ground-disturbing activities, any artifacts or burial objects are discovered, the person shall “immediately cease disturbing the ground and the area within one hundred (100) feet of the artifact or burial object,” and the Department of Natural Resources will be notified within two business days, per IC 14-21-1-29. In that event, please call (317) 232-1646.
3. It is our understanding that no portions of the proposed project area lie within the boundaries of Oak Hill Cemetery (CR-45-46 in the Indiana DNR/DHPA SHAARD

database system). The aforementioned cemetery must be avoided by all ground-disturbing project-related activities (e.g., demolition, construction, grading, dredging, and/or filling, tree clearance, vehicle or equipment staging, materials stockpiling, temporary land use, etc.), and provisions of relevant state statutes regarding cemeteries (including IC 14-21-1 and IC 23-14) must be adhered to.

4. Any proposed changes or modifications to this cemetery development plan shall be submitted to the DHPA in writing for review and comment prior to implementation.
5. This approved cemetery development plan is not transferable.

If you have any questions regarding this matter, please do not hesitate to contact Wade T. Tharp at (317) 234-5254 or wtharp1@dnr.in.gov.

Very truly yours,



Mitchell K. Zoll
Director, Division of Historic Preservation & Archaeology

MKZ:WTT:wtt

emc: Marisol Simón, Federal Transit Administration, Region V
Jay Ciavarella, Federal Transit Administration, Region V
Mark Assam, AICP, Federal Transit Administration, Region X
Susan Weber, AICP, Federal Transit Administration, Region V
Larry Buckel, Indiana Department of Transportation, Transit Office
Michael Noland, Northern Indiana Commuter Transportation District
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Nicole Barker, Northern Indiana Commuter Transportation District
Cassandra Francis, Northern Indiana Commuter Transportation District
Northern Indiana Commuter Transportation District, West Lake Corridor
Janice Reid, PTP, HDR, Inc.
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Jeanne Barnes, HDR, Inc.
Chad Blackwell, HDR, Inc.
Brandon Gabler, Ph.D., R.P.A., HDR, Inc.
Mitchell Zoll, Deputy State Historic Preservation Officer, Indiana Department of Natural Resources
Chad Slider, Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology
John Carr, Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology
Wade T. Tharp, Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology