

Appendix D

Commitments Summary Form

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Description No.:	
Project No.:	
Counties:	Hamilton
Description:	New US 31 Hamilton County
Project Termini:	I-465 North Leg (beginning at 96 th Street) to SR 38, a distance of approximately 13.1 miles.
Average R/W Width:	200 feet

Committed Items: (If implementation is not possible, section that made commitment must document review.)	
1.	A Transportation Management Plan Team will be assembled to develop a traffic maintenance strategy for construction of the project. The Team will include representatives from the City of Carmel, the City of Westfield, Hamilton County, and the City of Indianapolis. The TMP Team will meet during the design phase to address the proposed traffic maintenance plan, alternative traffic control applications, the effect traffic will have on other facilities, and local concerns.
2.	INDOT will consult with the Pedestrian/Trails Subcommittee to develop mitigation measures for the Monon Trail during construction so use of this trail is not adversely affected. Some mitigation measures are outlined in the <i>de minimis</i> memorandum in FEIS Appendix G-1.
3.	Pedestrian access will be provided at all over/underpasses and interchanges. Bicycle access will be coordinated with respective local plans during the final design phase of the project. Details regarding sidewalks and shared use paths will be developed in consultation with the Pedestrian/Trails Subcommittee.
4.	Relocation assistance and benefits will be made available to all individuals displaced by the New US 31 Hamilton County project in accordance with the following guidelines: <ul style="list-style-type: none"> • Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1964: United States Code (USC) Title 42, Articles 4601 through 4655 (42 USC 4601-4655) • Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs: Code of Federal Regulations (CFR), Title 49, Subtitle A, Part 24 (49 CFR 24) Title VI of the Civil Rights Act of 1964 • Indiana State Relocation Assistance: Indiana Code (IC) Title 8 Article 23 Chapter 17 (IC 8-23-17) • Title VI of the Civil Rights Act of 1964 • Indiana State Relocation Assistance: Indiana Code (IC) Title 8 Article 23 Chapter 17 (IC 8-23-17)
5.	Benefits will be made available for all commercial properties displaced by the New US 31 Hamilton County project in accordance with 42 USC 4601-4655, 49 CFR Part 24, Title VI of the Civil Rights Act of 1964, and IC 8-23-17. Mitigation measures for displaced businesses include moving expenses, retribution for direct loss of tangible property, and replacement property search (IC-8-23-17 § 13)
6.	INDOT will develop documentation required for a National Register of Historic Places (NRHP) nomination for the Lindley Farm. The documentation shall be prepared by a qualified historic preservation consultant selected by INDOT, as appropriate, upon receipt of written consent from

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	the property owner(s).
7.	INDOT will, as appropriate, avoid existing woody vegetation (trees and shrubs) at the Lindley Farm. Trees and shrubs that are removed will be replaced at a mitigation ratio that will be determined in final design. Funding for additional plantings for visual screening will be provided by INDOT, as appropriate.
8.	INDOT will provide access to the parent (primary) parcel from State Road 38. Funding for a new driveway to the Lindley Farm will be provided by INDOT, encouraging, as appropriate, that the historic approach be maintained, whenever possible. Design and construction of the new driveway will be at the discretion of the property owner(s).
9.	<p>In the event that any culturally significant object such as funerary or human remains should be inadvertently discovered, the Delaware Tribe of Oklahoma requested that construction be halted immediately and that the tribe be contacted as soon as possible. In addition, the Miami Nation requests that if remains which fall under the Native American Graves Protection and Repatriation Act are discovered during construction activities, the Indiana Historical Society, IDNR and all related parties are to be immediately contacted and consulted.</p> <p>INDOT and FHWA will follow the provisions of the "Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation," IC 14-21-1, 312 IAC 21, and 312 IAC 22. In the event of an unanticipated discovery of a previously unidentified historic property or human remains INDOT and FHWA will ensure that work cease in the area and consult with the SHPO and other consulting parties as necessary. If human remains are discovered, the appropriate County Coroner and law enforcement notice to the officials will be notified immediately, and the discovery of any human remains dating on or before December 31, 1939 must be also reported to the IDNR within two (2) business days. The discovery must be treated in accordance with IC 14-21-1 and 312 IAC 22. If a Native American Indian burial ground is discovered, the IDNR shall immediately provide notice to the Indiana Native American Indian Affairs Commission per IC 14-21-1-25.5.</p>
10.	<p>The Selected Alternative is included in the fiscally constrained conforming Indianapolis MPO 2030 Regional Transportation Plan and the FEIS demonstrates the Selected Alternative complies will all related Clean Air Act requirements.</p> <p>During construction, the contractor must comply with all federal, state, and local laws and regulations governing the control of air pollution. Adequate dust-control measures must be maintained so as not to cause detriment to the safety, health, welfare, or comfort of any person or cause damage to any property or business.</p>
11.	All hot-mix asphalt and Portland cement concrete plants and crushers must meet the requirements of IDEM. For any portable bituminous or concrete plant or crusher, the contractor must apply for a permit-to-install from the Permit Section, Air Quality Division, of the IDEM. Dust collectors must also be provided on all bituminous plants. Dry, fine aggregate material removed from the dryer exhaust by the dust collector must be returned to the dryer discharge unless otherwise directed by the project engineer.
12.	No trees suitable for Indiana bat roosting (greater than 3 inches diameter breast height, living or dead, with loose hanging bark) will be cut from April 1 through September 30.
13.	Consideration will be given to mitigating the loss of upland forestlands (30.4 acres) at a one to one ratio as opportunities within the existing or proposed right-of-way become available. Of this total 3.2 acres of non-wetland riparian habitat described in FEIS, Section 3.11 will be mitigated, consistent with the area impacted, the number and size of trees removed, and the type and quantity of overall habitat impacted, as identified by the Indiana Department of Natural Resources (IDNR). A native forest mitigation plan will be prepared as described in FEIS Section 3.21.10 consistent with legal requirements and permit conditions.
14.	Stream crossings should be planned to minimize channel impacts and avoid channel realignments. When stream impacts are unavoidable, the stream resources will be mitigated

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	according to IDNR, IDEM and the ACOE. If necessary for mitigation purposes, stream creation is an acceptable alternative.
15.	A hydraulic analysis will be completed as part of the design phase as well. This will include the identification of new floodplain/floodway limits, the need for a Letter of Map Revision (LOMR) or a statement providing quantified justification that the existing limits will be unaffected by construction.
16.	Wetland mitigation for the Preferred Alternative will require the creation of forested wetlands (PFO), scrub-shrub wetlands (PSS), and emergent wetlands (PEM), according to the mitigation ratios as shown in FEIS Chapter 3, Table 3.21-3.
17.	The New US 31 Hamilton County Project will incorporate cost-effective, context sensitive solutions for the purpose of mitigating adverse aesthetic impacts. Specific mitigation measures and aesthetic design features will be refined during the design phase and coordinated with local communities.
18.	Additional landscape planting within the right-of-way using grasses, sedges, wildflowers, shrubs and trees native to central Indiana will be considered where practical and consistent with community interests, especially in areas where vegetation is limited. In areas where trees are being removed for additional right-of-way, irregular feather cut lines with selective tree removal will be undertaken.
19.	Contract specifications will establish construction noise limits for sensitive areas. INDOT standard specifications and mitigation procedures will be employed to assist in minimizing the temporary impacts of construction noise.
20.	INDOT will provide erosion control measures consistent with INDOT specifications, the project's erosion control plan and applicable permit conditions. In this regard mitigation measures will be incorporated as outlined by the USFWS in a letter dated February 12, 2001 and as outlined by the IDNR in a letter dated July 24, 2008.
21.	Stream crossings will be addressed by INDOT consistent with design recommendations and specifications during the project's design phase and applicable permit conditions. In this regard mitigation measures will be incorporated as outlined by the USFWS in a letter dated February 12, 2001.
22.	INDOT will further coordinate with the City of Westfield regarding Ordinance 05-31 (amending Ordinance #62-12-95) which regulates land use in Wellhead Protection Zones (WPZ). The diversion and/or containment of storm water runoff and potential roadway spills within the WPZs will be considered in the design phase and coordinated with local authorities.
23.	If changes are made to the right-of-way during the project's design phase, an additional review will be conducted to verify that the environmental document still accurately describes the project's impacts.

CSF-01 January 2009

Commitments by Office of Environmental Services by:	Name	Date
Evaluated and/or Modified by Design by:		
Evaluated and /or Modified by Land Acquisition by:		
Final design Evaluation and preparation for Construction by:		
All Commitments have been Incorporated into the Project (PS/E):		